



24 September 2021

Dear Councillor

You are invited to attend a meeting of the Council to be held in The Chamber, Dungannon and by virtual means Council Offices, Circular Road, Dungannon, BT71 6DT on Thursday, 23 September 2021 at 19:00 to transact the business noted below.

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

Yours faithfully

Adrian McCreesh
Chief Executive

AGENDA

OPEN BUSINESS

1. Suspension of Standing Order 30.2 - Amendment to Standing Orders
2. Adoption of Interim Standing Orders on Remote Access to Meetings
3. Apologies
4. Declarations of Interest
5. Chair's Business
6. Deputation: Northern Ireland Housing Executive (Mid Ulster HIP 2021 Embargoed until 24 September 2021)

Matters for Decision

- | | | |
|-----|---|-----------|
| 7. | Council minutes of meeting held on 22 July 2021 | 139 - 152 |
| 8. | Planning Committee minutes of meeting held on 3 August 2021 | 153 - 186 |
| 9. | Special Development Committee minutes of meeting held on 2 September 2021 | 187 - 230 |
| 10. | Planning Committee minutes of meeting held on 7 September 2021 | 231 - 258 |
| 11. | Policy & Resources Committee minutes of meeting held on 9 September 2021 | 259 - 264 |
| 12. | Environment Committee minutes of meeting held on 14 September 2021 | 265 - 276 |

13.	Development Committee minutes of meeting held on 16 September 2021	277 - 300
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Matters for Information

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

Matters for Decision

18. Council Confidential minutes of meeting held on 22 July 2021
19. Planning Committee confidential minutes of meeting held on 3 August 2021
20. Special Planning Committee confidential minutes of meeting held on 7 September 2021
21. Planning Committee confidential minutes of meeting held on 7 September 2021
22. Policy & Resources Committee confidential minutes of meeting held on 9 September 2021
23. Environment Committee confidential minutes of meeting held on 14 September 2021
24. Development Committee confidential minutes of meeting held on 16 September 2021
25. Magherafelt Depot
26. Document for Sealing: Deed of Grant of Gas Pipe Easements at Lands East of Moneyhaw Road, Moneymore, between Mid Ulster District Council and SGN Natural Gas Limited
27. Document for Sealing: Lease Agreement between Northern Ireland Housing Executive and Mid Ulster District Council in respect of lands situated at Henderson Park, Stewartstown
28. Document for Sealing: Lease Agreement between Mid Ulster District Council and Thomas Clarke Gaelic Football Club in respect of lands known as West Park Playing Fields, Lisnahull, Dungannon
29. Document for Sealing: Deed of Transfer in respect of lands situated at Park View, Castledawson, from Northern Ireland Housing Executive to Mid Ulster District Council
30. Document for Sealing: Deed of Transfer in respect of lands situated at Roan Park, Eglish, from Clanmil Housing Association Limited to Mid Ulster District Council

Matters for Information

Report on	Standing Orders for Council – Amendment
Date of Meeting	Thursday 23 rd September 2021
Reporting Officer	Adrian McCreesh, Chief Executive
Contact Officer	P Moffett, Head of Democratic Services

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

1.0	Purpose of Report
1.1	To consider an amendment to the Standing Orders of Council following the Local Government (Meetings and Performance) Act (Northern Ireland) 2021 coming into operation on 27 th August 2021.
2.0	Background
2.1	In response to the COVID-19 pandemic, the Council amended its Standing Orders in May 2020 enabling it to transact its business by virtual means if required, with the inclusion of an interim Standing Order on remote meetings and an associated protocol. The ability to do this was under the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 under powers contained in Section 78 of the Coronavirus Act 2020.
2.2.	The Meeting Regulations ceased to have effect on 6 th May 2021 because of Section 78(3) of the Coronavirus Act 2020. This expiration date was contained within our Standing Orders in line with the Regulations, applying to all UK council/local authority meetings.
3.0	Main Report
3.1	The Department for Communities agreed that legislative provision should be extended for the 11 councils in Northern Ireland to hold remote meetings should they wish, in the acknowledgement that councils will be unlikely to resume full public meetings for some time.
3.2	The required legislation in the form of the <i>Local Government (Meetings and Performance) Act (NI) 2021</i> passed the NI Assembly in July and came into operation on 27 th August 2021. Although there has been a lapse from 6 th May until the new Regulations coming into operation on 27 th August, the Council did take proportionate steps to ensure the continuity of the transaction of business.
3.3	The council agreed at its April Council meeting that it would continue with the meetings in the current format and any decisions made at meetings from 7 th May

	<p>until the new remote meeting Regulations were in place be implemented under the decision and direction of the Chief Executive under 3.3 of the Council's Scheme of Delegation for Senior Officers, where it states:</p> <p>3.3 Emergencies and Cases of Urgency</p> <p><i>'Taking such measures, including incurring expenditure, as may be required in emergency situations or cases of urgency, subject to advising the appropriate Chair and reporting to the appropriate committee as soon as possible</i></p>
3.4	Amendments have now been made to the interim Standing Orders on remote meetings as contained within our Standing Orders. This provision for remote meetings will however cease on the expiration of the relevant Coronavirus Act 2020 provisions on 25 th March 2022.
3.5	The legislation recently passed by the NI Assembly does however allow for the Department for Communities to make Regulations to allow councils to hold remote meetings on a permanent basis beyond the expiration date of 25 th March 2022. These Regulations need to be brought forward by the Department and approved by a resolution of the Assembly. Whilst the Department has been given the scope to do this it has not been determined that this will be done.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: Approval is required to ensure the integrity of Council and Committee decisions.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council considers and approves the amendment to the Standing Orders with specific reference to the Local Government (Meetings And Performance) Act (NI) 2021 on remote meetings.
6.0	Documents Attached & References
6.1	Standing Orders of Mid Ulster District Council



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Standing Orders

First Approved	Thursday 28 May 2015
Revised and Approved	Thursday 26 May 2016
Revised and Approved	Thursday 26 April 2018
Revised and Approved	Thursday 28 May 2020
Revised and Approved	(TBC)

MODEL STANDING ORDERS FOR COUNCILS

Definitions

“2014 Act” means the Local Government Act (Northern Ireland) 2014

“2014 Executive Arrangements Regulations” means the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014

“2014 Standing Orders Regulations” means the Local Government (Standing Orders) Regulations (Northern Ireland) 2014

“call-in” means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act.

In Standing Order 21

“budget” means the expenditure authorised by a council under section 3 of the Local Government Finance Act (Northern Ireland) 2011;

“clerk” means the clerk to the council appointed under section 41 of the Local Government Act (Northern Ireland) 1972;

“committee” means a committee appointed under section 7 of the 2014 Act;

“delegated authority” means the discharge of a function under authority fixed by a council under section 7 of the 2014 Act;

“decision maker” means the body or person making an executive decision, a decision under delegated authority or a key decision;

“executive” means a cabinet-style executive or a streamlined committee executive as provided for in section 21(2) of the 2014 Act;

“executive decision” means a decision taken by a decision maker in connection with the discharge of a function which is the responsibility of the executive of a council;

“key decision” means a decision under executive arrangements which is likely –

(a) to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council’s annual budget for the service or function to which the decision relates; or

(b) to be significant in terms of the effects on communities living or working in an area comprising two or more electoral areas in the local government district of the council;

“member” means a member of the council; and

“policy framework” means the policies and procedures agreed by the council in relation to the delivery of a function or functions of the council.

In Standing Order 23

“2000 Act” means the Political Parties, Elections and Referendums Act 2000;

“member” means councillor;

“nominating officer” in relation to a party, means

- (a) the person registered under the 2000 Act as the party's nominating officers; or
- (b) a member of the council nominated under the 2000 Act for the purposes of Schedule 1 to the 2014 Act; and

"party" means a party registered under the 2000 Act in the Northern Ireland register (within the meaning of that Act).

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1. Annual and Monthly Meetings

(1) In every year that is not a local election year the Council shall hold an Annual meeting in the month of June.

(2) In any year which is a local government election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix at the offices of the Council or at such other place as the Department may direct.

(3) A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the fourth Thursday of every month. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.

(4) Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. When the day of a meeting falls on one of these days, the meeting shall be held on the next following weekday instead.

2. Time and place of meetings

The Annual Meeting and other meetings of the Council shall be held at 7pm in the Council Chamber, except where otherwise fixed by statute or by special summons.

3. Convening Special Meetings

(1) The Chair of the Council may call a meeting of the Council at any time.

(2) The Chair of the Council must call a meeting of the Council if a requisition for such a meeting, signed by not less than 5 members, is presented to him/her (Local Government Act 2014, Sch. 5, Sec. 4); and, if he/she refuses to call a meeting on such a requisition or if, without so refusing, he/she does not call such a meeting within the period of seven days from the date of service of the requisition on him/her, any five members, may on that refusal or on the expiration of those seven days call a meeting of the Council.

4. Notice and Summons of Meetings

Three days at least before a meeting or special meeting of the Council, a Committee or Sub-Committee:

(1) notice of the time and place of the intended Meeting shall be published at the offices of the Council. Where the Meeting is called by members, the notice shall be signed by them and shall specify the business proposed to be transacted thereat;

(2) a summons to attend the Meeting, specifying the business proposed to be transacted thereat and signed by the Clerk shall be served on every member at least three days before the meeting. Want of service of this summons shall not affect the validity of a Meeting;

(3) except in the case of business required by statute, or where in the opinion of the Chair of the Meeting the business should be considered by the Meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a Committee or Sub-Committee other than that specified in the summons relating thereto.

5. Chair to be taken

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with.

6. Chair of Meeting

(1) At a Meeting of the Council, the Chair of the Council, if present, shall preside.

(2) If the Chair of the Council is absent from a Meeting of the Council, the Deputy Chair of the Council, if present, shall preside.

(3) If neither the Chairperson nor Deputy Chairperson are present at a Meeting of the Council, a member of the Council chosen by the members who are present must preside

(4) If discussion arises on the allocation of the position of Chair, the Clerk shall exercise the powers of the Chair to assist in the regulation of that discussion.

(5) Any power of the Chair of the Council in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

7. Quorum

(1) Subject to sub-paragraph 7.4, no business shall be transacted at a Meeting of the Council unless at least one-quarter of the whole number of members are present.

(2) If during a meeting, the person presiding, after the number of members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within a reasonable time, he shall declare the meeting adjourned.

(3) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(2) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.

(4) Where more than one-quarter of the members become disqualified at the same time then, until the number of members in office is increased to not less than three-quarters of the whole number of members, the quorum of the Council shall be determined by reference to the number of members remaining qualified instead of by reference to the whole number of members.

8. Admission to meetings

(1) Subject to the provisions of this Standing Order, every Meeting of the Council shall be open to the public.

(2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 10; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety.

(3) The admission of the public is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.

(4) At all times during which a Meeting of the Council is open to the public, the Council shall, so far as is practicable, cause to be made available to duly accredited representatives of newspapers, attending for the purpose of reporting proceedings at the meeting, reasonable facilities for taking reports of these proceedings and, on payment by those representatives or their newspapers of any expenses which may be incurred, for transmitting such reports to their newspapers.

(5) Taking photographs of proceedings or the use of any other means by members of the public to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.

(6) The use of social media by member of the council, members of the public or journalists shall be permitted, during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

9. Record of attendances at meetings

The names of the members present at a meeting of the Council shall be recorded by the clerk.

10. Exclusion of the public

(1) The public shall be excluded from a Meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.

(2) The Council may by resolution exclude the public from a Meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the Meeting.

(3) The Presiding Chair may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals

from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public.

(4) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Chair may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.

(5) The Council, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.

(6) If the Council, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.

(7) When the Council, having transacted business with the public excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

11. Deputations

(1) Deputations, from any source, shall only be admitted to address the Council provided the Clerk has received seven day's notice of the intended deputation and a statement of its objective.

(2) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed 10 minutes.

(3) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a single deputation with a presentation has been made, the Council may decline to accept another deputation on the same issue from the same individual or group for a period of six months.

12. Order of Business

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- a) confirmation of the Minutes of the last stated Meeting and of all adjourned meetings and special meetings held since the last stated Meeting;
- b) declaration of members interests;
- c) matters arising;
- d) deputations;
- e) business required by statute to be transacted at the Meeting;
- f) adoption of the minutes of the proceedings of any committees and

- consideration of reports, if any, from such committees;
- g) reports of officers, public bodies, agencies etc, if any, may be considered and such orders given thereon as may be deemed necessary;
- h) reports on decisions/recommendations subject to the reconsideration procedure;
- i) other Reports;
- j) correspondence and matters not already dealt with;
- k) sealing of documents; and
- l) consideration of motions of which due notice has been given, in the order in which they have been received.

13. Minutes of the Council

13.1 Keeping of; as evidence; etc

- (1) Minutes of the proceedings of a Meeting of the Council, or of a committee or sub-committee, shall be drawn up and entered in a bound book kept for that purpose.
- (2) No discussion shall take place upon the Minutes except upon their accuracy.
- (3) Any minute purporting to be signed as mentioned in sub-paragraph (1) shall be received in evidence without further proof.
- (4) Until the contrary is proved, a Meeting of the Council or of a committee or sub-committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a committee or sub-committee, the committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

13.2 Signing of

The Minutes of a Meeting of the Council shall be signed at the next ensuing Meeting of the Council by the Chair presiding, if approved by the meeting at which they fall to be signed.

14. Submission of Minutes

- (1) In order to give sufficient time for the printing of the minutes and for their perusal by the members of the Council, minutes of meetings of a committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a committee considers the matter to be of extreme urgency and records such a decision in its minutes.
- (2) It shall be the duty of a committee, through the Chair or his/her representative, when its minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

15. Minutes of Committees

(1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of committees with reference to any matter within the remit of a committee which does not appear on the minutes submitted to the Meeting of the Council.

(2) Any member wishing to raise an issue regarding any matters appearing in the minutes submitted to the Council for approval and who states his/her request in writing to the Chair of the committee forty-eight hours before the commencement of the Meeting of the Council shall be entitled to a reply when the proceedings of the particular committee are submitted for approval.

(3) A reply to an issue raised at the meeting regarding any matter in the minutes, without written notice, shall be at the discretion of the Chair of the committee.

(4) Any matter in the minutes of a committee on which a request for reconsideration, under section 41 of the 2014 Act, has been lodged with the clerk of the Council shall be identified, and may not be the subject of discussion at that meeting.

16. Motions

(1) Every motion shall be relevant to some matter:

i) in relation to which the Council:

a) has power or duties;

b) is not prevented from taking action on by other legislation;

ii) which directly affects the local government district or its residents; and

iii) for which the Council is legally competent.

16.1 On notice

(1) Notice of every motion, other than a motion which under Standing Order 16.2 may be moved without notice, shall be given to the Clerk not later than at least seven clear days before the next Meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than seven clear days before the meeting.

(2) A motion shall be rejected if the wording or nature of the motion is considered unlawful or improper.

(3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council.

(4) Notices of motion shall be entered by the Clerk in their proper place upon the Summons Paper in the order in which they are received.

(5) If a motion set out in the Summons is not moved either by a member who gave notice, or by some other member on his behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

(6) If the subject matter of any motion of which notice has been properly given comes within the remit of any committee it shall, upon being moved and seconded, stand

referred without discussion to that committee, or to such other committee as the Council may determine, for consideration and report. The Chair presiding may, if he/she considers it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

(7) If a notice of motion fails to be considered at a Meeting of the Council, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Clerk by the member concerned not later than seven clear days, at least, before the Council meeting.

(8) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.

16.2 Without notice

The following motions may be moved without notice:

- a) to appoint a Chair of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a committee or members thereof arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions flowing from them;
- g) to withdraw a motion;
- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to suspend Standing Orders, in accordance with Standing Order 30.1;
- n) to exclude the public and press in accordance with section 42 of the 2014 Act;
- o) to not hear further a member named under Standing Order 25.3 or to exclude them from the meeting under Standing Order 25.4.

17. Amendments

(1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:

- a) to amend the proposal; or
- b) that the Council do now adjourn; or
- c) that the debate be adjourned; or
- d) that the question be now put; or
- e) that the Council do proceed to the next business.

17.1 To amend the Proposal

(1) An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.

(2) An amendment to a motion shall be either:

- a) to refer a subject of debate to a committee or to an officer for consideration or re-consideration;
 - b) to leave out words;
 - c) to leave out words and insert or add others; or
 - d) to insert or add words
- but such omission, insertion or addition of words shall not have the effect of directly negating the Motion before the Council.

(3) When an amendment upon an original proposal has been moved, the question to be put shall be "That the amendment be made". Where any amendment is agreed, the question to be put shall be "That the proposal, as amended, be agreed". Where any amendment is rejected the question of the substantive proposal shall be put.

17.2 That the Council Do Now Adjourn

(1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the Council do now adjourn". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.

(2) In the event of the proposal for the adjournment being carried, the Chair shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.

(3) A second proposal "that the Council do now adjourn" shall not be made within half-an-hour unless, in the opinion of the Chair, the circumstances are materially altered.

17.3 That the Debate be Adjourned

(1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the debate be adjourned". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

(2) Before putting to the meeting a proposal "that the debate be adjourned", the Chair presiding shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.

(3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.

(4) On resuming an adjourned debate, the member who moved its adjournment shall be entitled to speak first. A second proposal "that the debate be adjourned" shall not be made within half-an-hour. A member shall not move or second more than one proposal for the adjournment of the same debate.

17.4 That the Question Be Now Put

(1) Any member who has not already spoken to the proposal or amendment then under debate may move "that the question be now put". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

(2) If the Chair is of the opinion that the subject before the Council has been sufficiently discussed, he shall put the proposal "that the question be now put" to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.

(3) A second proposal "that the question be now put" shall not be made on the discussion of the same question within half-an-hour.

(4) A member shall not move or second more than one proposal "that the question be now put" on the discussion of the same question.

17.5 That the Council Do Now Proceed to the Next Business

(1) Any member of the Council who has not already spoken to any proposal or amendment then under debate may move, "that the Council do proceed to the next business". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.

(2) If the Chair is of the opinion that the subject before the Council has been sufficiently discussed, he shall put the proposal "that the Council do proceed to the next business" to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.

(3) When a proposal is carried "that the Council do proceed to the next business", the question under discussion shall be considered as dropped.

(4) A second proposal "that the Council do proceed to the next business" shall not be made on the same question within half-an-hour.

(5) A member shall not move or second more than one proposal "that the Council do proceed to the next business" on the discussion of the same question.

18. Amendments to Regulatory Decisions

- (1) No amendment may be moved to a minute which is a Regulatory Decision.
- (2) For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority [or those powers specified in Executive Arrangements Regulations]; or any application for which the Council is the licensing authority.

19. Rules of Debate

19.1 Motions and amendments to be reduced to writing and seconded

- (1) A Motion or Amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 16.1, it shall, if required by the Chair presiding, be put into writing and handed to the Chair presiding before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

19.2 Alteration of motion

- (1) A Member may alter a motion of which he/she has given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (3) Only alterations which could be made as an amendment may be made.

19.3 Withdrawal of motion

- (1) A Member may withdraw a motion of which he/she has given notice under Standing Order 16.1 at any time after the meeting has commenced provided that he/she has not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may withdraw any other motions which he/she has moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- (3) No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

19.4 Mode of address

Members may address the Council's Chair by standing or remaining seated. While a Member is speaking, the other members shall remain seated unless rising to a point of order or in personal explanation.

A member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

19.5 Precedence in speaking

Whenever two or more members rise together to speak, the Chair shall decide who has precedence.

19.6 Place of member speaking

A member when addressing the Chair shall remain in the place allocated to him/her in the Council Chamber.

19.7 Member called to order

If any member, while speaking, be called to order, he/she shall resume his/her seat and shall not again address the Council until the Chair has disposed of the question of order.

19.8 Definition of point of order

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.

19.9 Member may raise a point of order

A member may raise a point of order and shall be entitled to be heard immediately.

19.10 Ruling of Chair on point of order

The ruling of the Chair on a point of order shall not be open to discussion.

19.11 Member to speak to motion

A member who speaks shall direct his/her speech strictly to the Motion under discussion, or an amendment thereof.

19.12 Member shall not speak more than once

A member who has spoken on any Motion shall not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another member;
- b) if the Motion has been amended since he/she last spoke, to move a further amendment;
- c) if his/her first speech was on an amendment moved by another Member to speak on the main issue whether or not the amendment on which he/she spoke was carried;
- d) in the exercise of a right to reply given by Standing Order 19.9;
- e) on a point of order.

19.13 Duration of speeches

Except with the permission of the Council, a member, in introducing a Motion, shall not speak for more than ten minutes and in replying, for more than five minutes.

19.14 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not a member of the Council.

19.15 Only one motion / amendment may be moved and discussed at a time

(1) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

(2) If an amendment is not carried, other amendments to the original motion may be moved.

(3) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

19.16 When a motion is under debate no other motion shall be moved

When a Motion is under debate no other Motion shall be moved except the following:

- a) to amend the motion;
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) that the question be now put;
- f) that a Member be not further heard;
- g) by the Chair under Standing Order 25.4, that a Member do leave the meeting.

19.17 Chair rising during debate

Whenever the Chair rises or otherwise calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

19.18 Chair not to receive motion for direct negative

The Chair shall not receive a Motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

19.19 Mover's right of reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment.

20. Voting

20.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those members present and voting.

20.2 Chair's casting vote

If there are equal numbers of votes for and against, the Chair will have a second or casting vote.

20.3 Qualified majority [MANDATORY]

A qualified majority shall be required in relation to a council's decision on:

- (a) the adoption of executive arrangements or prescribed arrangements as the council's form of governance (section 19 of the 2014 Act);
- (b) the method to be adopted for filling positions of responsibility (Schedule 1 of the 2014 Act);
- (c) the method to be adopted for appointing councillors to committees (Schedule 2 of the 2014 Act);
- (d) a call-in made in accordance with section 41(1)(b) of the 2014 Act; and
- (e) the suspension of standing orders, other than Standing Orders 20.3, 21, 22 and 23, which cannot be suspended.

20.4 Show of hands

Unless a ballot or recorded vote is demanded under Standing Order 20.5, the Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

20.5 Recorded vote

If, before a vote is called, any member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

21 'Call-in' Process [MANDATORY]

21.1 Decisions subject to call-in

- (1) The following decisions may be subject to call-in in such manner as is specified in these standing orders:
- (a) a decision of the Council
 - (b) a decision of the executive;
 - (c) an executive decision taken under joint arrangements in accordance with section 26 of the 2014 Act;
 - (d) a key decision taken by an officer or officers of the council;
 - (e) a decision taken by a committee under delegated authority in accordance with section 7 of the 2014 Act; and
 - (f) a decision taken by a committee to make a recommendation for ratification by the council.

- (2) The following decisions shall not be subject to call-in:
- (a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism;
 - (b) a decision which is deemed to be a case of special urgency in accordance with regulation 26 of the 2014 Executive Arrangements Regulations;
 - (c) a decision where an unreasonable delay could be prejudicial to the council's or the public's interests;
 - (d) a decision taken by an officer or officers which is not a key decision;
 - (e) a decision by the executive which serves only to note a report from or the actions of an officer or officers.

(3) No decision shall be subject to call-in more than once for each of the reasons specified in section 41(1) of the 2014 Act.

21.2 Call-in procedure

- (1) A call-in must be submitted in writing to the clerk by 10am on the fifth working day following:
- (a) in the case of a decision of the council, the date of the Council meeting at which the decision was taken; and
 - (b) in the case of a decision of a committee, the date on which the decision to which the call-in relates was published

(2) If a call-in received after the relevant period specified in paragraph (1), it must be deemed inadmissible.

(3) A call-in shall:

- (a) specify the reasons why a decision should be reconsidered; and
- (b) subject to sub-paragraph (5) of this standing order, be deemed to be inadmissible if the reasons are not specified.

(4) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, members must state in the reasons specified under sub-paragraph (2) of this standing order:

- (a) the community that would be affected by the decision; and
- (b) the nature and extent of the disproportionate adverse impact.

(5) Within one working day of receipt of a call-in, the clerk must confirm that:

- (a) it has the support of 15 per cent of the members of the council; and
- (b) the reasons for the call-in have been specified.

(6) Where the reasons have not been specified on the requisition the clerk must notify the members making the requisition that it must be considered inadmissible if reasons are not specified in writing within the specified deadline.

(7) Where an admissible call in of a council decision has been received under section 41(1)(a) of the 2014 Act, the clerk must include the decision on the agenda for reconsideration at the next available meeting of the council, at which it will be taken by a simple majority.

(8) Within two working day of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act, the clerk must seek the opinion of a practicing solicitor or barrister in accordance with section 41(2) of the 2014 Act.

(9) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act confirms that the call-in has merit, the clerk must:

- (a) furnish the opinion to members; and
- (b) include the decision on the agenda for the next available meeting of the council, at which it will be taken by a qualified majority.

(10) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act indicates that the call-in does not have merit, the clerk must:

- (a) furnish the opinion to members; and
- (b) include the decision on the agenda for the next available meeting of the council, at which it will be taken by a simple majority.

21.3 The call-in process: committee arrangements

(1) For the purposes of reconsideration of a decision pursuant to a call-in the minutes of a committee which record a decision:

- (a) taken under delegated authority; or
- (b) for ratification by the council

must be published within five working days of the conclusion of the meetings. That date of publication must be regarded as the date of publication for the purposes of a call-in.

(2) If a call-in is not received by the deadline specified in paragraph 4(1) of this standing order, the decision specified in:

- (a) paragraph 5(1)(a) of this standing order must be implemented; or
- (b) paragraph 5(1)(b) of this standing order must be tabled for ratification by the council.

(3) The tabling for ratification of a decision specified in paragraph 5(1)(b) of this standing order, or the implementation of a decision specified in paragraph 5(1)(a) of this standing order, must be postponed (unless the total level of support for the call-in falls below 15 per cent of the members) until the call-in has been resolved. The decision maker may rescind the decision at any time prior to the call-in being resolved.

(4) If an admissible call-in is made in accordance with paragraph 4(2) of this standing order and section 41(1)(a) of the 2014 Act, the council must appoint an ad hoc committee of the council, the membership of which will be:

- (a) the Chairs of all committees of the council; and
- (b) the deputy Chairs of all committees of the council to consider the process adopted by the decision-making committee.

(5) The Chair and deputy Chair of the committee which was responsible for the decision which is the subject of the call-in must not have voting rights at a meeting of the committee appointed in accordance with sub-paragraph (4) of this standing order.

(6) The members who submitted the call-in, or a member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Chair, address the meeting, but must not have voting rights.

(7) A committee appointed in accordance with sub-paragraph (4) of this standing order may:

- (a) refer the decision back to the decision maker;
- (b) in the case of a decision taken under delegated authority, support the decision; or
- (c) in the case of a decision for ratification by the council, refer the decision to the council.

- (8) Where a decision has been supported in accordance with sub-paragraph (7) of this standing order, that decision must:
- (a) be approved;
 - (b) be inserted in the Register of Decisions; and
 - (c) become operative from the date of the meeting at which the committee appointed in accordance with sub-paragraph (4) of this standing order confirmed support for the decision.

21.4 The call-in process: executive arrangements

(1) The proper officer must, within two working days of the production of a statement in accordance with regulations 28 and 29 of the 2014 Regulations, submit to the council a notice detailing the decision(s) recorded in the statement.

(2) The notice prepared in accordance with sub-paragraph (1) of this standing order must specify:

- (a) those decisions that are not subject to call-in;
- (b) the deadline for receipt of a call-in; and
- (c) the overview and scrutiny committee, as determined by the proper officer, that will consider a call-in in accordance with section 41(1)(a) of the 2014 Act.

(3) If a call-in is not received in respect of a decision, that decision may be implemented after the deadline expires.

(4) If a call-in is received which specifies that the decision was not taken in accordance with the budget or policy framework agreed by the council the call-in must be referred to the council for decision.

(5) The implementation of a decision must be postponed (unless the total level of support for the call-in falls below 15 per cent of the members) until the call-in has been resolved. The decision-maker may rescind the decision at any time prior to the call-in being resolved.

(6) The clerk must place a call-in on the agenda of the overview and scrutiny committee specified in the notice prepared in accordance with subparagraph (2) of this standing order. The overview and scrutiny committee must meet within 5 working days of receipt of the call-in. More than one call-in may be considered at a meeting of an overview and scrutiny committee.

(7) Subject to sub-paragraph (7) of this standing order, the consideration of a matter under sub-paragraph (5) of this standing order by an overview and scrutiny committee may be adjourned, provided that:

- (a) the Chair presiding at the meeting; and
- (b) the Chair of the executive agree a date for the continuation of the meeting.

(8) A meeting convened in accordance with sub-paragraph (5) of this standing order may only be adjourned under sub-paragraph (6) in order to:

- (a) allow for additional information to be obtained; or
- (b) permit additional witnesses to attend.

(9) The members who submitted the call-in, or a member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Chair, address the meeting, but must not have voting rights.

(10) In response to a call-in made in accordance with section 41(1)(a) of the 2014 Act, an overview and scrutiny committee may:

- (a) support the decision; or
- (b) refer the decision, along with the recommendation of the overview and scrutiny committee, back to the decision maker.

(11) Where a decision has been supported in accordance with sub-paragraph (9) of this standing order, that decision must:

- (a) be approved;
- (b) be inserted in the Register of Decisions; and
- (c) become operative from the date of the meeting at which the overview and scrutiny committee confirmed support for the decision.

(12) Where a decision has been referred back to a decision maker in accordance with sub-paragraph (9)(b) of this standing order, the decision maker must:

- (a) consider the recommendation of the overview and scrutiny committee; and
- (b) reconsider the original decision.

22 Positions of responsibility, etc. – Time Limits [mandatory]

(1) Subject to sub-paragraph (2) of this standing order, in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) of Schedule 1 to the 2014 Act, the period specified for:

- (a) the nominating officer to select a position of responsibility and the term for which it must be held; and
- (b) the person nominated to accept the selected position is 15 minutes.

(2) An extension to the period specified in sub-paragraph (1) of this standing order may be granted subject to the approval of the council. Such an extension may be requested by:

- (a) the nominating officer;
- (b) the person nominated to hold the selected position; or
- (c) another member.

23 Appointment of more than one committee [MANDATORY]

(1) Where the Council appoints more than one committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent members of the Council, it must agree:

- (a) the number of committees to be appointed; and
- (b) the number of councillors that shall constitute the membership of each committee.

(2) The total number of places to which a nominating officer of a party may nominate members who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.

(3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act shall be exercised in such manner as to ensure that:

- (a) all members of a committee are not nominated by the same nominating officer;

(b) a nominating officer of a party may nominate members who stood in the name of that party to fill the majority of places on a committee, if the majority of members stood in the name of that party; and

(c) subject to (a) and (b), the number of members nominated by each nominating officer of a party, in so far as is reasonably practicable, bear the same proportion to the number of places on that committee as is borne by the number of members who stood in the name of that party.

(4) Nominations made in accordance with sub-paragraph (3) of this standing order shall take into account any positions of responsibility on a committee held by a member who stood in the name of a party.

24 Rescission of a preceding resolution

(1) No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a member unless the notice thereof given in pursuance of Standing Order 16.1 bears the names of at least 15% of the members of the Council.

(2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.

(3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a committee [or a Call-in]

25 Members conduct

25.1 Addressing the Meeting

When a member speaks at the Council they may remain seated or stand to address the meeting through the Chair. If more than one member stands, the Chair will ask one to speak and the others must sit, should they be standing when addressing the meeting.

25.2 Chair standing

When the Chair stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

25.3 Member not to be heard further

If at a meeting any Member of the Council, misconducts himself/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, the Chair or any other Member may move "that the Member named be not further heard". The Motion, if seconded, shall be put and determined without discussion.

25.4 Member to leave the meeting

If the Member named continues to behave improperly after such a motion is carried, the Chair or any other Member may move that either the member leaves the meeting or that

the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

25.5 General disturbance

When the Chair is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other powers vested in him/her may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

26 Disturbance by public

26.1 Removal of member of the public

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

26.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

27 Committees

27.1 Appointment of Committees

The Council shall at the annual meeting appoint such Committees as it is required to appoint under any statute or any Standing Order and may appoint at any time such other Committees as are necessary to carry out the work of the Council.

Subject to any statutory provision in that behalf the Council shall not appoint any member to a Committee so as to hold office later than the next annual meeting of the Council.

27.2 Committees

The following Committees shall be appointed:

- (a) Audit Committee - up to eight elected members
- (b) Policy and Resource Committee – up to 16 elected members
- (c) Environment Committee – up to 16 elected members
- (d) Development Committee – up to 16 elected members
- (e) Planning Committee – up to 16 elected members.

27.3 Duties of Committees

The Committees shall have charge of and be responsible to the Council for the undertakings and matters outlined within the constitution.

27.4 Standing Orders of Committees

All Standing Orders of the Council shall, where appropriate and with necessary modification, apply to Committee and Sub-Committee meetings.

27.5 Quorum at Committees and Sub Committees

Except where authorised by a statute or ordered by the Council, business shall not be transacted at a meeting of any Committee or Sub Committee unless at least one third of the whole number of the Committee is present.

27.6 Day and Hour of Committee Meetings

Each Committee may from time to time fix its own day and hour of meeting and shall notify the Council accordingly.

27.7 Special Meetings of Committees

The Chair of the Council or of a Committee may call a special meeting of a Committee at any time. Subject to any statutory provision in that behalf a special meeting shall also be called on the requisition of not less than three members of the Committee, delivered in writing to the Clerk, provided always that no two Committees shall sit at the same time.

27.8 Sub-Committees

Each Committee may appoint Sub-Committees for specific purposes. A Sub-Committee shall meet as often as necessary for the transaction of the business for which it was appointed. The minute of the Sub-Committee shall, whether appointed under this Standing Order or otherwise, be submitted to the parent Committee for confirmation previous to being brought before the Council.

27.9 Attendance at Committees and Sub-Committees

Every member of the Council may attend meetings of any Committee or Sub-Committee and shall be heard on any matter but shall not, unless they are a member of the Committee or Sub-Committee vote on any matter or propose any resolution or amendment.

27.10 Inspection of Documents

A member of the Council may, for purposes of their duty but not otherwise, on application to the Clerk, inspect any document which has been submitted to a Committee or to the Council and shall, on request, be supplied for the like purposes with a copy of such a document. Provided that a member shall not knowingly inspect and shall not call for a copy of any such document which relates to a matter in which they are professionally interested or in which they have directly or indirectly any pecuniary interest as defined in the Councillors Code of Conduct and that this Standing Order shall not preclude the Clerk from declining to allow inspection of any document which is, or in the event of legal proceedings, would be protected by privilege.

Subject to any statutory provision in that behalf, no member of the Council shall, without the consent of the Council, be entitled to inspect any document in the custody of any

officer of the Council if, in the opinion of that officer and of the Clerk, the document is of a confidential nature.

28 Planning Committee Protocol

Members shall make reference to and observe the protocol resolved by Council for the regulation and transaction of Planning Committee business. The protocol is detailed in Annex A.

29 Council Seal

29.1 Sealing of Documents

The Common Seal of the Council shall not be affixed to any document unless the sealing has been authorised by a resolution of the Council or of a Committee having lawful powers or to which the Council have delegated their powers in this behalf.

29.2 Record of Documents Sealed to be Kept

Where the Common Seal shall have been affixed at any meeting of the Council and entry of the sealing of every deed and other document shall be made in the minutes of the Meeting of the Council at which the affixing of the Seal took place.

A record of all documents sealed shall be kept in a book containing particulars of such documents and signed by the Chair and Clerk who attested the sealing.

30 Suspension and amendment of Standing Orders

30.1 Suspension

A member may move a motion for the suspension of one or more of these Council Standing Orders. A motion under this Standing Order shall require the support of a qualified majority vote within the meaning of section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The Minutes of the meeting must record the reason for the suspension. Mandatory standing orders may not be suspended by a council.

30.2 Amendment

Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council. The mandatory standing orders may not be added to, varied or revoked by the Council.

31 Interpretation of Standing Orders

The ruling of the Chair as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

**PROTOCOL FOR
THE OPERATION
MID ULSTER
DISTRICT COUNCIL
PLANNING
COMMITTEE**

Last updated by Mid Ulster District Council on 26th April 2018

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PURPOSE OF THE PROTOCOL

1. A protocol for the operation of Planning Committees was drafted by the Department of Environment in January 2015. Mid Ulster District Council (MUDC) has reviewed this document and has amended it to suit the needs of MUDC in the following way.
2. The purpose of the protocol for MUDC Planning Committee is to ensure that planning decisions are consistently taken, and are seen to be taken, in a fair and equitable manner. The protocol offers guidance for Councillors', applicants, agents and the general public
3. The protocol is not intended to change or alter the Standing Orders which apply to all Committee's or the Councillors' Code of Conduct.

REMIT OF THE PLANNING COMMITTEE

Development management

4. One of the main functions of the planning committee is to consider applications made to the Council which are either major in scale, complex or controversial as set out in the adopted Scheme of Delegation, and decide whether or not they should be approved. In order to ensure that decisions are taken at the appropriate level, the decisions of the planning committee are taken under full delegated authority and the decisions of the committee will therefore not normally go to the full council for ratification.

Development Plan

5. The local development plans for the Mid Ulster district currently comprise the Cookstown Area Plan, the Dungannon and South Tyrone Area Plan and the Magherafelt Area Plan. These will remain the statutory development plans until replaced by the Mid Ulster Local Development Plan (LDP). The Department of Environment planning policies will also be retained as set out in the Planning Policy Statements and Strategic Planning Policy Statement, until such times as new policies are brought forward and adopted in the LDP.
6. Section 8 of the Planning Act (NI) 2011 requires MUDC to prepare a LDP which will comprise a plan strategy and a local policies plan. The strategy will set out the objectives of MUDC in relation to the development land in the district, and the strategic policies for the implementation of those objectives. After the plan strategy has been adopted, a local policies plan will be prepared. This will set out the policy agreed by

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MUDC in relation to what type and scale of development is appropriate and where it should be located.

7. The local development will form the basis for public and private investment decisions, providing a degree of certainty as to how land will be developed. In law, planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. Therefore, where land is zoned for a particular use, the MUDC Planning Committee should ensure it is reserved for that use: for example, an application for housing in an area zoned for housing should be approved unless the design and layout fails in terms of the environmental, open space and access standards, or its design and layout has a detrimental impact on the character of the area or neighbouring amenity.
8. The MUDC Planning Committee will approve the local development plan before it is passed by resolution of the full council. The Planning Committee will also ensure that the local development plan is monitored annually, particularly in terms of the availability of housing and economic development land, and that it is reviewed every five years, giving consideration to whether there is a need to change the plan strategy or the zonings, designations and policies as contained in the local policies plan.

SIZE OF COMMITTEE

9. The MUDC Planning Committee consists of 16 elected members.

The Planning Manager and/or the Head of Development Management or Head of Development Plan and Enforcement will attend planning committee meetings as appropriate.

FREQUENCY OF MEETINGS

10. The Planning Committee will meet at least once every calendar month. Additional meetings will be at the discretion of the Chair of the Committee with the consent of the Committee members. Dates for Planning Committee meetings are published on the Council's website.

SCHEMES OF DELEGATION

11. There are two Schemes of Delegation. One relating to planning applications which is prepared under Section 31 of the Planning Act (Northern Ireland) 2011. The other scheme

deals with planning consents, certificates, tree preservation orders, enforcement of planning control and other determinations and is prepared under Section 7 (4) (b) of the Local Government Act 2014. The purpose of the Schemes of Delegation is to set out those decisions which shall be made by the Planning Committee and those which are the responsibility of the Planning Manager. The Planning Manager is responsible for determining the vast majority of applications, however these tend to be applications that are smaller in scale, local in character and uncontroversial. Whereas the Planning Committee resolves those applications which are either major in scale, subject to dispute or could give rise to a conflict of interest. The MUDC Schemes of Delegation for the Planning function are available to view at www.midulstercouncil.org . The Scheme of Delegation will be reviewed on a regular basis, normally annually.

ENFORCEMENT

12. The planning Committee will determine when an enforcement notice should be served and other enforcement decisions as laid down in the Scheme of Delegation. In addition to those cases presented to the Planning Committee for decision, a monthly report from officers on the enforcement performance (number of cases opened, cases closed, notices issued and convictions obtained) will be provided to members.
13. Enforcement matters will be discussed in the closed section of the Planning Committee meeting (i.e. In Committee) to ensure MUDC complies with the provisions of the Data Protection Act and to ensure that future legal proceedings are not prejudiced.
14. An enforcement strategy, detailing how enforcement action will be dealt with, was agreed by the Planning Committee on 19th January 2016. This is available on the Council website.

REFERRAL OF DELEGATED APPLICATIONS TO THE PLANNING COMMITTEE

15. The Scheme of Delegation agreed by MUDC includes the provision for members (including those not on the Planning Committee) to request, where they consider it appropriate, that an application which would normally fall within the Scheme of Delegation, to be referred to the Planning Committee for determination. In addition, the Planning Manager can also refer any matter which he considers suitable for determination by the Planning Committee. Members of the public cannot directly request that an application be referred to the Planning Committee. Any referral request **must** be made in writing.

FORMAT OF PLANNING COMMITTEE MEETINGS

16. MUDC will operate its Planning Committee in line with its approved standing orders. In doing so, the following procedural arrangements will apply:
- the planning office will prepare a weekly list, which will be circulated to all members, of all valid applications that have been received;
 - all planning committee members will be sent the agenda at least 5 days in advance of the meeting with a report on each application to be decided;
 - if necessary, officers will prepare an addendum on the day of the meeting to report any updates since the agenda was issued; and
 - the Chair of the Planning Committee will hold a briefing session with planning officers on each application to be considered in advance of the planning committee meeting.
 - all committee items will be bookmarked and reports presented with visual aids to show the site and the proposal.
17. The meeting will be presided over by the Chair of the Planning Committee. Following the approval of the minutes of the previous meeting and apologies, Councillors' will be given the opportunity to declare any interests they have on the agenda items, which should be recorded in the minutes of the meeting. Where a member has declared an interest in an application they cannot vote on that item and must either leave the meeting or sit in the public gallery for that item. However, they may make representations as per the normal speaking rights applicable to all councilors.

Consideration of Planning Applications

18. The planning officer's report, which makes a recommendation on whether the application should be approved, approved with conditions or refused will be considered. Plans and photographs may be shown as appropriate.
19. In considering the report, members also have the opportunity to listen to speakers, ask questions of the officer and speakers, discuss and debate the case before taking a vote on whether or not to agree with the officer's recommendation. Members however should not engage in open conversation with speakers. They should normally only

speak once on any application in order to ensure committee business is dealt with in a speedy manner. The Chair retains the discretion to curtail members where points are being made repeatedly. The Chair has a casting vote. Where the majority of members vote against an opinion to approve and in the absence of any other proposals, such as the deferral of the application, the application will be deemed to have been refused. The Planning Manager, based on the Committee's decision, will furnish the detailed reasons for refusal.

20. Members can add conditions to a permission but they cannot amend the application itself (for example, by allowing a one-bedroom flat if the application is for a two-bedroom flat). Any additional conditions should be proposed and seconded before being voted on by members. As conditions can be tested at appeal and they should, therefore, be (i) necessary, (ii) relevant to planning and the development under consideration, (iii) enforceable, (iv) precise, and (v) reasonable in all other respects. Therefore, where alterations to conditions are proposed, the Committee will seek the advice of the Planning Manager. Where new conditions are proposed by the Committee, the precise wording of the conditions can be left to the discretion of the Planning Manager.
21. Members cannot take part in a debate or vote on an item unless they have been present for the entire item, including the officer's introduction and update.
22. Separate arrangement will be used to discuss special domestic or personal circumstances. Normally this will be held In Committee with members of the public and press excluded. An opportunity will be given for the applicant and objectors to present their case, but each separately. Once this has been done each party will be asked to leave in order for the Committee to discuss and determine the application.

PUBLIC SPEAKING AT PLANNING COMMITTEE MEETINGS

23. The following procedures will apply to MUDC Planning Committee meetings:
 - planning committee meetings will be open to the public;
 - Requests to speak must be received by the council (in writing or by email) no later than 12.00pm two working days prior to the meeting. The request should state whether they wish to speak in support or in opposition to a planning application. Any written information that the speaker wishes to circulate to members of the committee **must** also be provided at this time. Any written information received after this time **will not** be circulated;
 - Where a speaker wishes to request that an application be deferred for

consideration of additional information, then, at the time of the request they should set out their reasons for making such a request. The Planning Manager should review these requests prior to the meeting and, where the case warrants a deferral, the Planning Manager should ask the Committee to defer the item, noting any action to be taken.

- Where a speaker has availed of the opportunity to speak to the Committee, they will not normally be given the opportunity to speak for a second time if the application is deferred and returned to Committee for final decision.
- The order of speakers is a matter for the Chair, however, this will normally require objectors speaking before the applicant or their agent in order to allow the applicant the opportunity to respond to any issues raised. Thus, if members wish to speak, they should do so before the applicant/agent;
- All parties speaking at Planning Committee may be asked questions by members or the Planning Manager;
- The Planning Committee will be provided with copies of the information supplied by those who will be speaking at the Committee;
- other elected members may attend and speak about an application but only planning committee members can vote;
- elected members and members of the public (including agents / representatives etc.) may speak for up to 3 minutes;
- Where more than one person wishes to speak on behalf of or against a development, they will be encouraged to elect a spokesperson and, in any event, required to share the 3 minutes speaking time.
- documentation not received in advance of the meeting will not be permitted to be circulated to members by speakers;
- Planning officers can address any issues raised and the planning committee can question officers;
- Any exception to normal speaking rights and procedures will be a matter for the Chair.

DECISIONS CONTRARY TO OFFICER RECOMMENDATION

24. The Planning Committee will reach its own decision on applications put before it. Officers offer advice and make a recommendation. Planning officers' views, opinions and recommendations may, on occasion, be at odds with the views, opinions or decisions of the Planning Committee or its members. This is acceptable where planning issues are

finely balanced as there should always be scope for members to express a different view from officers. The Planning Committee can accept or place a different interpretation on, or give different weight to, the various arguments and material planning considerations.

Overturning recommendation to approve

25. If a member does not agree with the officer recommendation to approve an application, they can propose reasons for refusal, which must be seconded by another member and then voted on. Any decision by the Planning Committee **must be based on proper planning reasons**. The Planning Manager (or their deputy) will be given the opportunity to explain the implications of the Planning Committee's decision. The reasons for any decisions which are made contrary to the planning officer's recommendation will be formally recorded in the minutes and a copy placed on the planning application file / electronic record.
26. As the refusal of a planning application that officers have recommended for approval may be overturned on appeal (to the Planning Appeals Commission), with the potential for costs awarded against MUDC, the Chair will seek the views of officers (including the council's solicitor) before going to the vote in terms of reasons for refusal that are contrary to officer recommendation. Officers will summarise what are considered to be the main reasons for refusal referred to by members during the debate and advise on what would be reasonable and what would not be reasonable reasons for refusal. Where appropriate the Planning Manager may also comment on whether a refusal on the proposed grounds is defensible, particularly at planning appeal.
27. The Planning Manager, in liaison with the Council Solicitor, will present the Committee's decision at planning appeal or in the courts or in any other forum.

Overturning recommendation to refuse

28. MUDC Planning Committee may decide to approve an application against the officer's recommendation to refuse, aware that while there is no right of third party appeal, there is the possibility that the decision could be subject to judicial review. However, before making such a decision, the advice of the Planning Manager should be sought. Where an approval is granted contrary to officer advice, the Planning Manager and Council Solicitor will present the Council's decision is defended in the courts or any other forum.
29. The minutes should, in so far as is possible, accurately reflect the discussions and decisions taken during the meeting(s) as these could be used as

evidence should any complaints be made about how decisions are taken. Members can take their own notes on controversial applications.

DECISIONS CONTRARY TO LOCAL DEVELOPMENT PLAN

30. In general, planning decisions will be taken in accordance with the local development plan (in so far as it is material to the application) unless material considerations indicate otherwise. If a Planning Committee member proposes, seconds or supports a decision contrary to the local development plan they will have to clearly identify and understand the planning reasons for doing so, and demonstrate how these reasons justify overruling the development plan. The reasons for any decisions which are made contrary to the development plan will be formally recorded in the minutes and a copy placed on the planning application file / electronic record. Before making such decisions the advice of the Planning Manager shall be sought.

DEFERRALS

31. The Planning Committee can decide to defer consideration of an application to the next meeting for further information, further negotiations, or for a site visit. Before deferring an application the advice of the Planning Manager shall be sought and the purpose of the deferral clearly set out. Deferrals will inevitably have an adverse effect on processing times and therefore will be restricted to one deferral only. The Planning Manager may also ask the Committee to defer an application where it has been brought to his attention that there are errors or omissions in the case officer's report or where there is a matter worthy of further consideration.
32. Where an office meeting is to be held all councillors' will normally be informed and may make representations on behalf of objectors or applicants. However, where a member of the planning committee chooses to make representations then they will be required to declare a conflict of interest and will not be able to vote on the application at the next planning committee meeting at which the application is to be determined.

SITE VISITS

33. On occasions, members of the Planning Committee may need to visit a site to help them make a decision on a planning application (e.g. where the impact or effect of the proposed development is difficult to visualise from the plans or photographs, or the

application is particularly contentious). These visits will be undertaken on an exceptional basis where appropriate. Where required, they may be identified by officers in consultation with the Chair or they may be asked for by Planning Committee members.

34. The Planning Committee clerk will contact the applicant / agent to arrange access to the site. Invitations will then be sent to members of the Planning Committee. Site visits will not be used as an opportunity to lobby Councillors' or to seek to influence the outcome of a proposal prior to the Planning Committee meeting. Members will not carry out their own unaccompanied site visits as there may be issues relating to permission for access to land, or they may not have the information provided by the planning officer and, in some circumstances (e.g. where a Councillor is seen with applicant or objector) it might lead to allegations of bias. Only Planning Committee members, officers, and local Councillors' should be permitted to attend the site visit. Where possible, the full planning committee should attend site visits, unless there are good reasons (e.g. a member is already very familiar with the site). The clerk to the planning committee will record the date of the visit, attendees and any other relevant information.
35. Planning officers will prepare a written report on the site visit which will then be considered at the next Planning Committee meeting at which the application is to be determined.

PRE-DETERMINATION HEARINGS

36. Regulation 7 of the Planning (Development Management) Regulations (NI) 2015 sets out a mandatory requirement for pre-determination hearings for those major developments which have been subject to notification (i.e. referred to the Department of Environment for call-in consideration, but that have been returned to a council for determination). In such cases MUDC Planning Committee will hold a hearing prior to the application being determined.

In addition, the Planning Committee may also hold pre-determination hearings, at its discretion, when considered necessary, to take on board local community views, as well as those in support of the development.

37. In the main MUDC will only hold pre-determination hearings where there is a mandatory requirement as the speaking rights at planning committee are adequate to deal with nearly all cases. An exception may be made for major developments having taken into account:

- the relevance of the objections in planning terms;
- the extent to which relevant objections are representative of the community, particularly in the context of pre-application community consultation; and
- the number of representations against the proposal in relation to where the proposal is and the number of people likely to be affected by the proposal.

38. The hearing will take place after the expiry of the period for making representations on the application but before the council decides the application. The Planning Committee will decide whether to have a hearing on the same day as the related planning application is determined by the Planning Committee or to hold a separate hearing.

In holding a hearing the Planning Committee procedures will be the same as for the normal planning committee meetings (e.g. number of individuals to speak on either side, time available to speakers etc.). The planning officer will produce a report detailing the processing of the application to date and the planning issues to be considered. If the hearing is to be held on the same day as the application is to be determined, the report to members will also contain a recommendation.

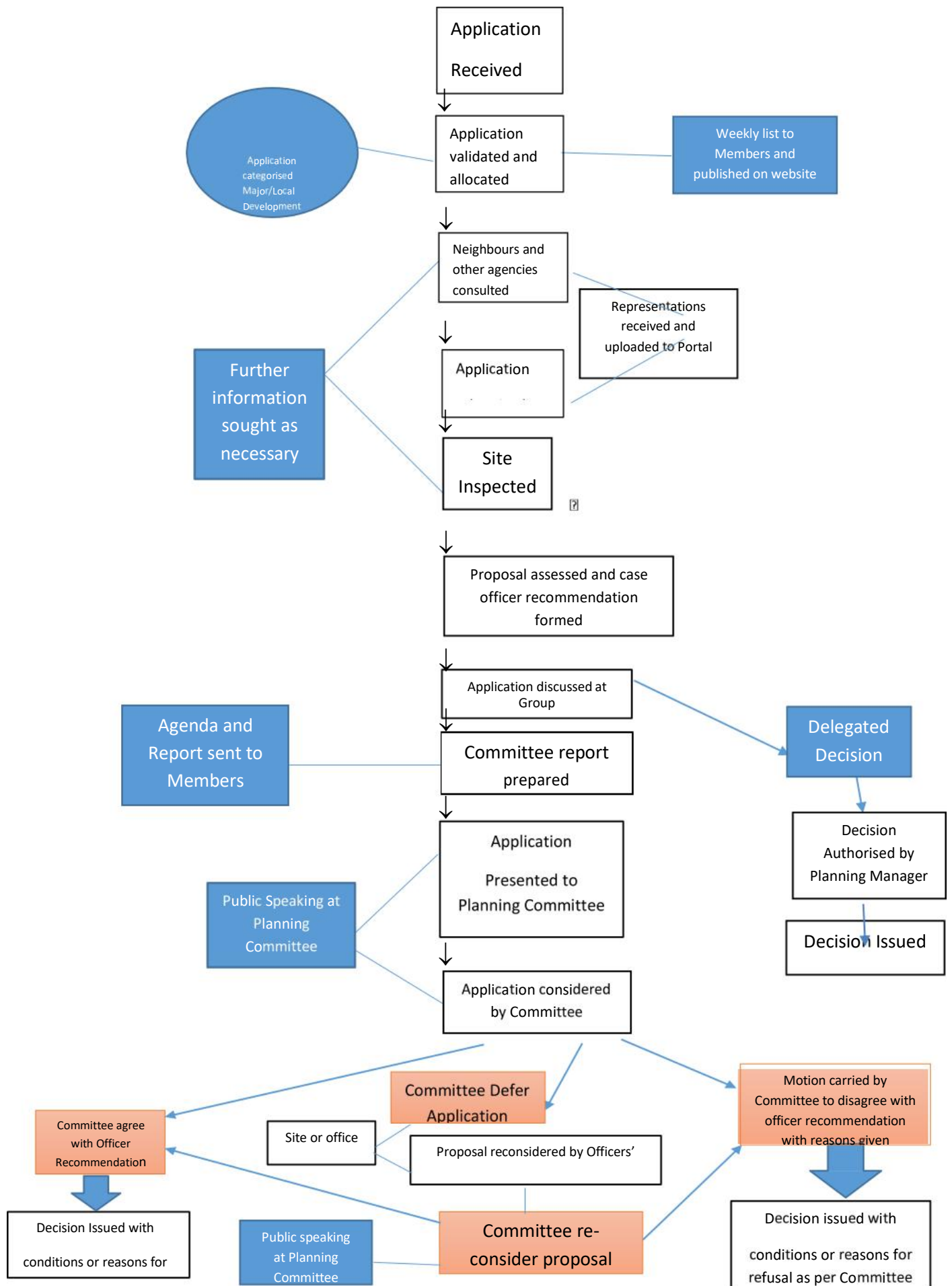
TRAINING

39. Councillors' sitting on planning committees are required to attend relevant training on planning matters before they can sit on the Planning Committee.

LEGAL ADVISER

40. The MUDC Planning Committee has access to its own in-house legal advice on planning matters.

PLANNING APPLICATION PROCESS



ANNEX B

INTERIM STANDING ORDERS REMOTE MEETINGS PROTOCOL AND PROCEDURE RULES

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

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

1. Definitions

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

“The 2020 Act” means the Coronavirus Act 2020;

“The 2021 Act” means the Local Government (Meetings and Performance) Act (Northern Ireland) 2021

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

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

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

2. Introduction and Application of these Interim Standing Orders

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

These Interim Standing Orders should be read in conjunction with the Council’s Standing Orders and Procedure Rules within the Constitution. The 2020 Regulations, made under section 78 of the 2020 Act and subsequent 2021 Act apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Council governing meetings.

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

3. Commencement and Duration

These Interim Standing Orders exist on a temporary basis, taking effect immediately from and including their adoption on [28 May] 2020. They remain valid and in existence following the enactment of the 2021 Act until the Coronavirus Act 2020 (the 2020 Act) expires on 25 March 2022 (under section 89 of that Act) or earlier if revoked by the Council.

The Department for Communities under the 2021 Act may make further provision for remote council meetings by way of subordinate legislation (regulation) to allow councils to hold remote meetings if they are still required after the 25 March 2022.

4. References to “place” and “present”

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

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

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

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

5. Notice and Summons of Meetings

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

6. Public access

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

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

Exclusion of Public and Press

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

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

7. Remote Attendance by Members

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

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

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

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

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

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

8. Remote Attendance by the Public

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

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

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

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

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

9. Remote Voting

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

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

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

10. Access to Information

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

11. Postponing a meeting

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

12. Planning

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

Addendum

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

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

Visual Aids

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

Speaking Rights

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

- a. In the first instance, the requester will be offered an opportunity to attend the meeting by remote access.
- b. If the requester is unable to attend remotely, and subject to the Council being able to facilitate attendance in person, the requester will be offered the opportunity to attend the meeting in person. Please note only one person per speaking time will be able to

attend in person and so speaking time cannot be shared (e.g., one person for applicant; one person against development); and

- c. If the requester is unable or unwilling to exercise speaking rights by virtue of 12a. or b. above, they will be able to provide Written Submissions no later than 12pm two working days prior to the meeting, which will be circulated to members the Committee.

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

Pre Determination Hearings

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

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

Remote attendance by the public

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

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

Declaration of Interests

Where a Member in remote attendance has declared an interest in an application and would ordinarily be required to leave the meeting or sit in the public gallery, that member will be required to turn their video off and have their microphone muted whilst any

discussion or vote takes place in respect of the item or items of business which the member may not participate.

13.Licensing

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

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



Mid Ulster

Housing Investment Plan 2021

Annual Update

Housing
Executive

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Foreword

Fifty years ago, the Housing Executive was established as Northern Ireland's strategic housing authority, bringing equality and fairness to the allocation of social housing in Northern Ireland.

Since the formation of the Housing Executive in 1971, we've assisted countless households in need of housing and support, built and improved hundreds of thousands of properties, and regenerated many neighbourhoods across Northern Ireland. Most importantly we have won widespread support from the communities we serve and are recognised locally, nationally and internationally for the positive social impact of our work.

This has been achieved through the hard work, capacity for innovation, partnership with residents, and professionalism of our staff, and by adhering to the objectives set out by the first Housing Executive Board: to deliver local, accountable and quality housing services; to build and maintain decent homes and to support thriving communities. Vital to all these activities has been an absolute commitment to fairness and honesty in everything the organisation does. We believe that our continuous engagement with local councils over the last five decades has been central to our success over this period.

We would like to pay tribute to all the local government staff and representatives who have worked with the Housing Executive over the last 50 years: they have made - and continue to make -

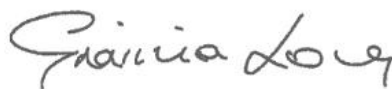
a huge contribution to communities across Northern Ireland and have made a real difference to many people's lives in this time.

This anniversary marks an important time for the Housing Executive, and for housing in Northern Ireland. It comes as we are now seeing a pathway out of the COVID-19 pandemic. However, we face a period of economic and social uncertainty, and we believe that housing will play a key role in assisting individuals, households, communities and the economy to recover from the pandemic.

At this time, there is a pressing need to reform how social housing is delivered in Northern Ireland so that we can build on the successes of the past 50 years. The Minister for Communities' statement of November 2020 on the revitalisation of our organisation offers the key to a future that will deliver additional, better, more energy efficient and more appropriate homes to those in need and, as a bonus, it also provides the prospect of creating new jobs and skills training that will boost the economy. This will be a fitting way to celebrate our half century of work and achievement, and will stand for decades as a beacon of hope for underserved communities, families and individuals.



Professor Peter Roberts
Chair



Grainia Long
Chief Executive

Introduction

In this report we present the second annual update for the 'Housing Investment Plan 2019-2023' (HIP). Launched in 2019, the HIP is aligned to the outcomes of each Community Plan to show how our work supports the delivery of the plan's objectives. We look forward to continuing to contribute to shaping the future of housing in each council area with our Community Planning partners.

This annual update should be read in conjunction with [Mid Ulster Housing Investment Plan 2019-23](#) and will:

- Provide updates on Strategy progress where available (a full list of current strategies is available in the HIP);
- Report on new and upcoming strategies and initiatives including our COVID-19 response;
- Provide a local area update; and
- Update on progress in 2020/21 against the four outcomes contained within the HIP.

When writing our HIP update, we have taken account of the wider strategic context, including the consultation on the Programme for Government Draft Outcomes Framework 2021, New Decade New Approach, the Communities Minister's November 2020 statement on housing reform, together with other regional documentation including the Regional Development Strategy, the Sustainable Development Strategy, Strategic Planning Policy Statement, the Call for Evidence for a new Housing Supply Strategy, and the emerging suite of new Local Development Plans.

The Housing Executive has experienced one of its most challenging years since its formation in 1971.

COVID-19 has forced us to adapt our services over a remarkably short period of time enabling our workforce to work remotely to ensure we continue to deliver a service to our customers. Despite the difficulties we faced we experienced many successes, we secured an additional £10m of funding to help those most in need provided by Department for Communities (DfC) to support homelessness and Supporting People providers in Northern Ireland. The Supporting People Programme continued to support and protect 19,000 vulnerable clients during the first lockdown.

The Housing Executive has experienced one of its most challenging years since its formation in 1971.

In addition to core homelessness funding of £13.7m, the DfC provided £6.6m to support a range of activities associated with our homelessness response to the ongoing pandemic; this funding enabled the Housing Executive to support a range of initiatives which included:

- The 'Everyone In' approach which supported rough sleepers, including those with No Recourse to Public Funds, via a Memorandum of Understanding with DfC and DoH;
- The acquisition of approximately 650 units of temporary accommodation to meet the significant increase in demand;
- 150 void properties were brought back into use as furnished hostel accommodation.

At the end of March 2021, there were 117,676 live Housing Benefit claims, with 18,023 new Housing Benefit claims assessed in the year to 31 March 2021. A total of 18,025 awards of Discretionary Housing Payments were made during 2020/21 and our staff also assisted in the associated work with new claims for Universal Credit.

In the past year we worked with our contractors to carry out almost 110,000 emergency home repairs, we also equipped our staff and customers with 3.8m PPE items. We secured new contracts with an estimated value of £79m per annum awarded, guaranteeing jobs in the local construction industry. We paid out almost £280k through the emergency COVID Fund, supporting 205 community groups to deliver help to their communities.

Our Vision

Everyone is able to live in an affordable and decent home, appropriate to their needs, in a safe and attractive place

OUR OVERARCHING STRATEGIC THEMES

each have their own purpose statement



PEOPLE

To provide housing solutions, services and support to the people of Northern Ireland



PROPERTY

To ensure everyone has access to a quality home which is safe, affordable, warm and appropriate to their needs



PLACES

To work with others to develop, maintain and sustain attractive, connected, healthy and economically active places

OUR HIGH LEVEL OUTCOMES ARE

1. Helping people find housing support and solutions;
2. Delivering better homes;
3. Fostering vibrant sustainable communities; and
4. Delivering quality public services.

OUR VALUES ARE

Making a difference;
Fairness;
Passion;
Expertise

Strategies and Programmes that impact on Community Planning Partnerships

The HIP 2019-23 is not developed or delivered in a policy vacuum; it sits alongside a range of interrelated strategies and programmes, which impact on the daily lives of Housing Executive customers and tenants. In this section, we have set out some of the primary strategies and programmes underway in 2021, which will have direct implications for delivery of housing outcomes at a local level, and which are therefore highly relevant to the work of Community Planning Partnerships.

Title	Update
Accessible Housing Register	<p>The Housing Executive, in conjunction with the Northern Ireland Federation of Housing Associations (NIFHA), has developed an in-house Accessible Housing Register (AHR) solution for social housing in Northern Ireland which will facilitate the classification of that stock based upon its accessibility features. This will enable people with disabilities to make more informed housing choices.</p> <p>The development of the In-House AHR Solution was completed in March 2021. We now have facilities to capture accessible data via an electronic AHR survey form and an electronic calculation engine which will assign the appropriate AHR classification based upon the property attributes being matched against the relevant design standards i.e. wheelchair, lifetime home, mobility etc. (Links in with National Register of Social Housing standards). The next stage is implementation by both the Northern Ireland Housing Executive and Housing Associations.</p>

Table continues

Title	Update
	<p>The priority going forward is to build the pool of accessible stock information and for Landlords to implement the AHR. The Housing Executive's AHR data collection will be included within the Asset Management Stock Condition Survey which aims to survey 66,000+ properties on a rolling basis and was set to complete in 2023 however COVID-19 has impacted upon completion of the surveys. In order to realise the benefits it is also prudent to consider targeting specific accessible properties such as those with adaptation extensions, bungalows and ground floor flats.</p> <p>The majority of Housing Association stock is built to specific design standards and can therefore be classified based upon the relevant design standard. Housing Association AHR data collection will therefore focus on those properties that are bought in, properties where major adaptation extensions have been provided and older stock. AHR training is currently being arranged for Housing Association staff.</p> <p>The Housing Executive is also exploring the potential for a web-based module to advertise private sector accessible stock either for sale/to let on its website. This will be restricted to those properties adapted via Disabled Facilities Grants, or accessible properties sold under the Right To Buy schemes. The development of this module has been impacted by the pandemic.</p>
Affordable Housing	<p>During 2020/21, the Housing Executive continued to collaborate with Department for Communities (DfC) and a range of stakeholders to help meet the housing needs of everyone, as set out in the 2016 draft Programme for Government (PfG), Regional Development Strategy (RDS) and Strategic Planning Policy Statement (SPPS). This partnership working contributed to DfC's new definition of affordable housing, which is:</p> <p>'Affordable housing is:</p> <ul style="list-style-type: none"> a) Social rented housing; or b) Intermediate housing for sale; or c) Intermediate housing for rent <p>that is provided outside of the general market, for those whose needs are not met by the market. Affordable housing which is funded by Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing'.</p> <p>This new definition will allow the expansion of intermediate housing products, including intermediate rent, the provision of which is a commitment made by the Minister for Communities, in November 2020.</p> <p>To support the development of new products, the Housing Executive is undertaking an assessment of intermediate housing need, which for the first time, provides data at Council level in line with the new definition of affordable housing. It is intended that we will have a full understanding of intermediate housing need and all affordable housing need by Council area, across Northern Ireland by March 2022.</p>

Table continues

Title	Update
Asset Management Strategy	<p>Following the Minister for Communities statement in November 2020 on the future of the Housing Executive, DfC has approved the extension of the temporary revised strategic investment approach that has been in place since October 2017 for a further three years. This is to allow the necessary time for DfC's Housing Executive Revitalisation Programme to develop a sustainable funding solution to meet the Housing Executive's future stock investment needs.</p> <p>The Housing Executive's investment programme will, therefore, continue to be focused on compliance and Health and Safety activities, Adaptations, External Cyclical Maintenance and a programme of major component upgrading (bathrooms, kitchens, wiring, doors, windows, heating etc.). Our maintenance programme aims to invest up to £217m in our homes in the year 2021/22.</p> <p>A recent Tender for CT055 Planned Maintenance Contract has resulted in the successful award of 13 local Contractors (Contract Start Date 1 August 2021). Each Contractor has been awarded an individual Lot which aligns with the geographical area offices. This contract is of three years duration with facility to extend by a further four years or part thereof.</p> <p>This Planned Maintenance Contract alone will potentially invest £446 million in our homes for the next seven years. The introduction of social value clauses within the contract ensures contractor investment in the local communities by way of employing trade apprentices, providing community training and technical days and providing community activity grants.</p>
Cavity Wall Insulation	<p>In August 2017, the Housing Executive commissioned a research report on Cavity Wall Insulation (CWI) in both its own stock and private sector housing. The research was undertaken by the British Board of Agrément (BBA) using its Consultancy Investigation and Training subsidiary body. The BBA's report was published in May 2019 and indicated a significant issue with cavity wall installations that are not compliant with current standards. We consulted widely on the report and on 22 December 2020 published for public consultation a Draft CWI Action Plan for our own housing stock. A number of responses were received and a final Action Plan will be published in summer 2021.</p>
Community Response Fund	<p>A COVID-19 Community Response Fund was established to meet the emerging needs of our communities and to promote the welfare and comfort of Housing Executive tenants and their families. The fund went live in April 2020 and it was open to constituted groups including Housing Community Network groups, organisations and social enterprises working within Housing Executive communities. Groups could apply for funding up to a maximum of £1,500 to provide support and assistance to those considered vulnerable within our communities, to assist those most vulnerable within our communities stay connected and to reduce isolation. The response was extraordinary and we engaged with a range of new groups, working in local areas, improving our local networks and local impact. Awards totalling almost £280K were made to 205 groups to provide a range of activities and assistance in line with Government guidelines.</p>

Table continues

Title	Update
Community Safety Strategy	<p>The Housing Executive has launched its new Community Safety Strategy 'Working Together For Safer Communities', which runs until 2023. This Strategy builds on the strategic themes from the previous Strategy 'Safer Together' and outlines key priorities and objectives. It strongly supports working together with a range of strategic partners across the statutory, voluntary and community sectors.</p> <p>Community Safety is a quality of life issue which impacts on all of society, individually and collectively and this is recognised as a key element of 'Working Together for Safer Communities'.</p> <p>In order to meet the challenging objectives required to address anti-social behaviour, our Community Safety Strategy spans three main themes supported by annual action plans:</p> <ul style="list-style-type: none"> • Building Community Confidence – We will work to build community confidence in the ability of the organisation to tackle ASB effectively. • Ensuring Local Solutions – We will ensure that all our efforts to tackle ASB are relevant to the needs of local communities. • Working Together – We will work closely with other agencies to improve community safety in our estates.
Customer Charter	<p>Customer needs are at the centre of everything that we do, and our goal is to meet those needs to a high standard of quality and performance. With this in mind, we have recently developed our new Customer Charter and Service Standards, which were published during 2020/21. These will help us to understand our customers' experiences and improve our services.</p> <p>Our Customer Charter sets out how we aim to treat our customers when they interact with us in a number of ways including; in the office, by telephone, when they request information from us and if they make a complaint. We will publish and update our results each year, with the first update due in the autumn of 2021.</p>
Fundamental Review of the Private Rented Sector (PRS)	<p>DfC's Housing Policy and Performance Division recently published the Department's response to the consultation on the Private Rented Sector (PRS) a series of policy and legislative proposals to help make the private rented sector a safer, more secure and more attractive housing option. DfC is now working on a two phased implementation approach: proposals able to be progressed quickly are being brought forward in a Bill to be delivered during this mandate; with more detailed, cross cutting proposals brought forward during a second phase in the future.</p> <p>A draft Private Tenancies Bill has been completed and was agreed by the Executive on 24 June 2021. The first stage of the legislative process completed on 6 July 2021.</p> <p>The key proposals in the first phase bill include restriction on rent increases, extension of the length of the Notice to Quit (NTQ) to be provided by landlords, a limit on the tenancy deposit amount requested for a private tenancy and making it mandatory for private landlords to have working smoke and carbon detectors installed in their rented properties and to carry out periodic electrical checks.</p> <p>Key areas for a second phase bill include Letting Agent Regulation and the introduction of grounds for eviction. Departmental Response Consultation on the Review of the Role and Regulation of the Private Rented Sector (communities-ni.gov.uk)</p>

Title	Update
Fundamental Review of Social Housing Allocations	<p>During the past year the Housing Executive has been working closely with the DfC to progress the Fundamental Review of Allocations. Implementation of the changes to the Housing Selection Scheme and allocations process is a key Ministerial priority. The Consultation Outcome Report for the Fundamental Review of Social Housing Allocations was published by DfC in December 2020. Eighteen of the Twenty proposals for change will proceed as per the original 2017 consultation. Two of the proposals (Proposal 7: the removal of intimidation points and Proposal 9: the removal of interim accommodation points from the Housing Selection Scheme) will not proceed as per the 2017 consultation and, instead, options will be explored for alternative approaches for each. In relation to intimidation points this will investigate how to strengthen the verification process and also consideration of how to address other households facing trauma or violence e.g. victims of domestic abuse, who do not currently receive intimidation points. For interim accommodation points, this will involve the need to consider the additional stress associated with being in any form of temporary accommodation.</p> <p>The Housing Executive is currently working on the establishment of a project team and implementation plan to deliver the changes. Commencement of the Phase 1 delivery of the Project is due to take place later in 2021/22. Given the scope of the proposed changes, the Minister requested that the Housing Executive set up a stakeholder advisory group that will represent other landlord and tenant interests as well as the wider housing sector to inform the implementation of the changes.</p> <p>In June 2019, the Housing Executive commissioned independent modelling and analysis of Waiting List data. The analysis examined the potential impacts of a number of the proposals for change, with particular regard to the potential cumulative impact of those changes on Proposal 10: the Selection Scheme should place applicants into bands based on similar levels of need to meet longstanding housing need more effectively. The analysis, which was carried out by Economic Research and Evaluation, will inform the implementation approach. The full report was published on the Housing Executive's website in April 2021.</p>
Homelessness Strategy 2017-22	<p>The Homelessness Strategy 2017/22 contains 19 actions which support the delivery of the following five objectives:</p> <ul style="list-style-type: none"> • To prioritise homelessness prevention. • To secure sustainable accommodation and appropriate support solutions for homeless households. • To further understand and address the complexities of chronic homelessness across Northern Ireland. • To ensure the right mechanisms are in place to oversee and deliver this strategy. • To measure and monitor existing and emerging need to inform the ongoing development of appropriate services. <p>The third annual report on the Housing Executive's Homelessness Strategy 2017/22 - Ending Homelessness Together was published in February 2021. The fourth annual progress report will be published in October 2021. The report demonstrates the multi-agency approach adopted by the Strategy to both prevent homelessness and to ensure that all clients are provided with the right support to sustain a long term tenancy when one becomes available.</p>

Title	Update
	<p>During 2019/20 the Housing Executive facilitated a Homelessness Prevention Fund and this has continued into 2020/21 with the Housing Executive supporting over 30 homelessness prevention specific projects across Northern Ireland.</p> <p>Work has commenced on the development of the Homelessness Strategy 2022-27 in order to ensure the Housing Executive meets its statutory duty of publishing a new strategy by April 2022. The development of this strategy is being brought forward in partnership with statutory and voluntary partners who sit on the Central Homelessness Forum. As part of the development of the strategy there will be a 13 week public consultation on a draft Homelessness Strategy 2022-27 in autumn 2021.</p>
Homelessness 'The Way Home - Response to COVID-19'	<p>In the wider context in responding to the challenge of COVID-19, in November 2020, the Housing Executive detailed our overall response to the ongoing pandemic in our publication The Way Home – Homelessness Response to COVID-19 (the Reset Plan). The Housing Executive has adopted a co-ordinated response to address the impacts of COVID-19 in terms of homelessness in Northern Ireland and the Reset Plan identifies a range of actions across the five themes noted below:</p> <ul style="list-style-type: none"> • Rough Sleeping • Ensure there is an adequate supply of temporary accommodation • Prevention • Homelessness Services • Collaborative Working <p>The plan complements the Homelessness Strategy and sets out a summary of the response so far; highlights the challenges evident; but more importantly outlines the key priority areas (immediate, medium and longer-term) which the Housing Executive, in conjunction with our sectoral partners, must consider as part of our review of strategic and operational plans to tackle homelessness, and its prevention in the future.</p> <p>Key achievements over the past year have included:</p> <ul style="list-style-type: none"> • The Excellence in Customer Service award at the CIH Northern Ireland annual conference for the 'Everyone In' approach. The 'Everyone In' approach reflected partnership working between the Housing Executive, DfC, Department of Health and a range of voluntary agencies such as Welcome, Depaul and Extern. This partnership working delivered temporary accommodation and additional support to a number of individuals who were previously rough sleeping. • The acquisition of an additional 650 units of temporary accommodation to meet the significant increase in demand (up to 110%) which has arisen over the course of our pandemic response. • The provision of a number of social isolation units which facilitated temporary accommodation for any households who were homeless or threatened with homelessness and required to self-isolate in line with public health guidance.

Table continues

Title	Update
Housing Supply Strategy	<p>The Housing Executive welcomes the launch of the Housing Supply Strategy Call for Evidence in May 2021, and is engaging with DfC to develop and deliver a new Housing Supply Strategy for Northern Ireland. The Housing Executive strongly supports the ambition of the Strategy, not only in increasing housing numbers, but to also examine the sustainability of housing and how new and existing housing can be built or adapted to meet future needs.</p> <p>We recognise that housing is central to the development of sustainable communities and that it provides cross-cutting benefits across society.</p> <p>Therefore we welcome the proposal in the Housing Supply Strategy Call for Evidence document that a whole system based approach is a preferred option when developing the Strategy. This whole system based approach to developing the Strategy will be key, acknowledging the interconnected nature of housing and the housing supply system.</p> <p>We welcome the intended collaboration with a range of partners and Government departments as this will be fundamental to developing and implementing a holistic and comprehensive Strategy that can address challenges and importantly, increase the quality of life for households across Northern Ireland.</p> <p>The new Housing Supply Strategy will offer an opportunity to reduce inequality and promote development, to improve health and well-being in the long term, and create attractive, inclusive, and successful places for all. The Consultation on the New Housing Supply Strategy Call for Evidence opened on 19 May 2021 and closed on 16 July 2021.</p>
Local Development Plans	<p>As a statutory consultee in the development plan process we have also been working with Councils to assist in the preparation of Local Development Plans (LDP). These Plans are central to enable positive place making and ambitious development that will shape local areas over a long term 15-year period. LDPs are a valuable way to provide affordable, accessible and sustainable housing for those in need and can support the development of balanced and cohesive communities.</p> <p>This partnership working with different agencies will be important to help more people access suitable housing to meet their needs, and to improve wellbeing and quality of life. Our role in these areas will help meet the newly proposed Key Priority Area for housing to 'ensure everyone has access to good-quality, affordable housing and in promoting an integrated, shared society', as set out in the PfG Draft Outcomes Framework, under its proposed outcome 'People want to live, work and visit here'.</p>
Modern Methods of Construction/ Low Energy pilot scheme	<p>The development of new technology to support new social and affordable housing supply will be a critical success factor in ensuring we meet local need, and deliver on community planning partnership objectives. This programme presents a unique opportunity to improve our approaches to building technology and potentially improve the speed and sustainability of new development. Working in partnership with DfC, the Housing Executive will construct a small number of new social housing dwellings on a site at Sunningdale in North Belfast. This will be our first new build scheme in twenty years and is aimed at delivering dwellings that will incur low energy usage through Modern Methods of Construction technology. The scheme will start on site in late 2021/22.</p>

Table continues

Title	Update
	<p>This new build pilot will be a new exemplar social housing model, where it is intended that lessons can be learned on the building techniques adopted using Modern Methods of Construction and the site benefits realised in terms of speed of delivery, fabric performance and value for money. The drive for improved energy efficiency in house building in light of international/national targets for reductions in carbon emissions/greenhouse gases is a key objective. This will help inform future policy that would address the government's commitment to reduce carbon emissions, whilst future-proofing new stock.</p> <p>There will be ongoing monitoring carried out when these dwellings are occupied to gauge the benefits to the occupants in terms of reduced fuel costs, comfortable and healthy indoor environments thus providing wider societal health benefits. All of the data captured during and after construction, will culminate in an independent research report which will be used for open source publication for the benefits of all housing providers.</p>
NIHE Annual Research Programme	<p>As the strategic housing authority in Northern Ireland, the Housing Executive has a statutory responsibility to regularly examine housing conditions and need and may also conduct or promote research into any matter relating to any of its functions. Some of the key projects providing data on an ongoing or regular basis include: the Northern Ireland House Condition Survey; the Continuous Tenant Omnibus Survey; and a number of strands of research on house prices, rents and affordability, which are carried out in partnership with Ulster University and propertynews.com.</p> <p>During 2020/21, our research work continued with relatively little disruption, thanks to the responsiveness of clients, contractors and customers in adapting to telephone and online survey and interview methodologies. We published reports on: a survey of private landlords undertaken in 2019; the 2018/19 Irish Traveller Accommodation Survey; an examination of the factors involved in homelessness acceptances in Northern Ireland; the Housing Executive House Sales Scheme; and – an additional project in light of the unfolding impacts of the pandemic – COVID-19 and housing with a focus on Northern Ireland.</p> <p>Work that commenced or continued to progress in 2020/21 included: a number of strands of research to help inform the Homelessness Strategy; a survey to gather evidence on the views and experiences of tenants living in the private rented sector; a substantial project to inform approaches to housing market analysis and need assessment; a survey to help inform policy development on provision of a wider range of options for housing applicants and further projects to help the Housing Executive assess and plan for the impacts of welfare reform, particularly the full roll-out of Universal Credit.</p> <p>We also spent some time considering the feasibility of proceeding with fieldwork for a full Northern Ireland House Condition Survey in 2021, as originally planned. Having taken the views of data users, stakeholders and other organisations involved in similar research, a decision was taken in February 2021 to postpone the fieldwork until 2022, when it is hoped that the wider circumstances will be more suited to this in-depth research, which requires surveyors to spend between 60 and 90 minutes in the dwelling.</p>

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Title	Update
NIHE Revitalisation	<p>Over the last decade it has become clear that financial and policy constraints have greatly curtailed the Housing Executive's ability to maintain and improve its own housing stock and to tackle the growing housing demand in Northern Ireland. This is already having an impact on our citizens and communities, and will exacerbate further if the investment challenge facing the Housing Executive is not addressed.</p> <p>In January 2020, New Decade New Approach committed the Northern Ireland Executive to:</p> <ul style="list-style-type: none"> • tackle the investment challenge and maintenance backlog facing the Housing Executive; • examine options to remove historical debt; • and provide a long term trajectory for Housing Executive rental charges that are affordable to tenants and landlord. <p>Following a statement to the Northern Ireland Assembly by the Minister for Communities in November 2020, the Housing Executive Revitalisation Programme was established. The objectives of this programme are to consider and assess options which will meet the investment challenge through a revitalised strategic housing authority and a sustainable social landlord that can maintain and provide good quality and affordable social homes for current tenants and future generations.</p> <p>The main focus of the Pre-Implementation (first) Stage of the Housing Executive Revitalisation Programme will be to produce a recommendation on how best to address the Housing Executive Landlord investment challenge to the Minister. This will be presented to the Executive for agreement, by March 2022.</p> <p>The Implementation (second) Phase of the Executive Revitalisation Programme planned for May 2022 to May 2025 and will focus on:</p> <ul style="list-style-type: none"> • Primary Legislation • Identify people and stock implications • Develop and implement any required new governance arrangements • Development of Borrowing package • Establishment and appointment of new designate landlord • Preparation of standalone Strategic Housing Authority <p>The Post-Implementation (third) Phase from May 2025 onwards plans:</p> <ul style="list-style-type: none"> • Major Investment Programme in Housing Executive Homes by reclassified Landlord • Ability to borrow for Landlord • Enable Housing Executive Landlord to contribute to increasing housing supply.

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Title	Update
Older People's Housing Strategy	<p>In March 2021, the Housing Executive published the Older People's Housing Strategy 2021/22 - 2025/26 and accompanying Action Plan for Year 1 (2021/22).</p> <p>The Strategy takes into account the changing demography of Northern Ireland, including our tenant profile and aims to ensure the services and activities that the Housing Executive delivers, considers and meets the needs of our ageing population.</p> <p>The Strategy is set out under the following four key themes:</p> <ul style="list-style-type: none"> • Planning for the future; • Promoting and maintaining dignity; • Providing housing advice for older people; and • Promoting participation. <p>We are confident that through our expertise, and, working with a range of partners and stakeholders, we will achieve our objectives and improve housing related services for older people across Northern Ireland.</p>
Rural Strategy & Action Plan	<p>The Housing Executive has long recognised that in rural areas, we need to take additional measures to identify housing need which can often be hidden due to more dispersed communities and less availability of existing social housing stock. For many rural households, housing choices can be limited due to a low turnover of existing homes and a lack of new, affordable homes in the area. A more focused approach for rural areas is often necessary to ensure that we deliver our statutory housing functions and reach out to those who need our support. The introduction of the Rural Needs Act (NI) 2016, presented an opportunity for us to reaffirm our commitment to rural communities by ensuring that we pay due regard to their needs through the delivery of a fair and equitable housing service which takes account of local issues and circumstances.</p> <p>During 2020/21, we delivered a programme of 12 rural housing need tests in line with the various restrictions in place due to COVID-19. Although we could not accommodate face-to-face events, we continued to communicate and promote our services with rural communities through local press and social media. In August 2020, we partnered with NIFHA and Rural Community Network to deliver a 2 week digital campaign aimed at raising awareness of the importance of new housing in sustaining and enhancing our rural communities. As part of the campaign, we also published our first online edition of Rural Matters and received positive feedback on the quality and relevance of the information provided for both tenants and stakeholders in rural areas during the pandemic.</p> <p>Our draft Rural Strategy 2021-2025 was published for consultation in July 2021. The Strategy identifies through high level outcomes and priorities, the need to support our rural customers, to increase the provision of affordable housing in rural areas and to enable the sustainable growth of our rural communities. We hope to build on the achievements of the last Strategy including the continuation and development of the annual programme of Rural Housing Need Tests, contributing to collaborative funding support for the development and improvement of rural community infrastructure and celebrating the invaluable contribution of the rural community groups through the annual Rural Community Awards competition.</p>

Table continues

Title	Update
Social Enterprise Plus Strategy 2020-24	<p>The new Social Enterprise Plus Awards scheme was launched at a Central Housing Community Network event on 8 July 2020. The Awards were open for applications from July 2020 until mid-August 2020. An Independent Awards Panels met in late 2020 to assess and determine successful awardees in the respective £10k and £25k categories. The process of releasing funding payments then began in December 2020.</p> <p>All visits by the Social Enterprise Team to awardees were subject to risk assessment and the ever-changing COVID-19 guidelines and regulations. Social Enterprise Plus 2020/2021 funding was earmarked by December 2020 and the monies awarded issued to successful applicants (some on a two-staged basis) by early March 2021.</p>
Social Housing Development Programme (SHDP)	<p>The Housing Executive's Development Programme Group (DPG) manages the Social Housing Development Programme (SHDP) on behalf of DfC. This work contributes to the draft PfG Outcome 11: 'We connect people and opportunities through our infrastructure'. The SHDP is managed on a rolling 3-year basis, with each iteration subject to approval from both the Housing Executive's Board and the Minister for Communities.</p> <p>For the 2020/21 year, a budget of c. £136m was in place to deliver on key headline targets of 1,850 new social housing starts and 1,200 social housing completions, as well as a number of ancillary targets. Despite the adjustment period in Q1 to digital/remote ways of working for a range of key stakeholders in the delivery of new social housing, housing associations were able to bounce back from the impact of the COVID-19 pandemic on the 2019/20 programme, achieving 2,403 new social housing Starts (121 schemes) and 1,304 new social housing Completions (103 schemes).</p> <p>In addition to these headline targets; (a) the highest-ever level of annual Wheelchair-Accessible new social housing Starts was recorded in 2020/21 (179 units), representing 8.5% of all new build social housing (against a target of 10%), (b) 178 units were started on former Housing Executive-owned land (against a target of 50 units), (c) work commenced on 408 one-bed properties (against a target of 200 units), (d) 98 Starts were confirmed in Rural areas (5.2% against a target of 11.4%).</p> <p>As well as enabling delivery of new social housing across Northern Ireland, DPG also provides grant assistance to housing associations to carry out vital adaptations to their properties for tenants with disabilities. In 2020/21, a total of 619 adaptation claims were assessed, providing Grant funding of £2.78m to housing associations for the works, including 17 major adaptations (extensions, ground floor bedrooms etc.). The Housing Executive also worked closely with DfC to ensure that any additional funding required as a result of the impact of the COVID-19 pandemic on planned construction works was administered in a timely fashion to support housing associations and construction firms to continue to deliver new homes.</p> <p>Looking forward, the Minister for Communities has indicated her ambition to prepare the SHDP to deliver a step-increase in its capacity; and to change and support the SHDP so that it is better at providing new social homes in greater numbers in areas of acute housing need. This commitment to increasing new social housing provision across Northern Ireland was followed up with an announcement in April 2021 that £162m has been made available to deliver Starts on a minimum of 1,900 new social homes via the SHDP in 2021/22. The key priority for the next three years is therefore to work with DfC officials and the housing association movement to support the delivery</p>

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Title	Update
	<p>of higher numbers of new social homes annually, and to ensure that the programme is addressing acute housing need. In addition to achieving higher overall delivery, the Housing Executive will seek to work with DfC and associations to bring forward pilot schemes for delivery of improved design standards in a range of areas – including city centre living, housing for older people, and more energy efficient housing.</p>
Strategic Review of Temporary Accommodation	<p>The Strategic Review of Temporary Accommodation was paused last year in order to implement the COVID-19 Homelessness response. The pandemic has had a significant impact on demand for temporary accommodation and we have had to acquire additional accommodation in order to ensure we continue to be able to meet the needs of homeless applicants. At this point we have acquired approximately 650 additional units of accommodation which is an increase to the portfolio of about 25%. Many lessons have been learned and new models tested as part of our response. We have published a Reset Plan, entitled 'The Way Home' (detailed above) which sets out our emergency response, the next steps to respond to the ongoing pandemic as well as our longer term ambitions. One of these ambitions is ensuring adequate provision of temporary accommodation and the Plan details how we intend to do this.</p> <p>Our Strategic Action Plan for Temporary Accommodation will build on our learning and experiences during the pandemic and will be issued for consultation in autumn this year. It will outline our ambitions and actions to ensure we are in a position to meet the accommodation and support needs of homeless customers at the point of that need. It will include actions to prevent homelessness and the need for temporary accommodation in the first place, minimise the length of time people spend in temporary accommodation, ensure value for money, shift towards housing led responses, reduce reliance on hotel/B&B accommodation and develop new models of temporary accommodation. This Action Plan will be launched along with the new Homelessness Strategy for 2022-27.</p>
Supporting People Strategy and Action Plan	<p>The Housing Executive acts as the administering authority for the Supporting People (SP) Programme in Northern Ireland. This role includes the payment of SP Grant to approximately 85 Providers who provide over 850 housing support services, which deliver assistance with housing-related tasks to more than 19,000 vulnerable people in order to help them develop or maintain the skills necessary to live as independently as possible in their own home. In 2020/21 and 2021/22, the annual SP budget is £72.8m (excluding COVID-19 fund).</p> <p>'Exceptional' Work: COVID-19</p> <p>The challenges faced by the sector due to the emergence of COVID-19 were unprecedented. However, organisations adapted quickly to the change in circumstances and worked effectively in partnership across the sector.</p> <p>With approval from DfC, the SP team responded to COVID-19 by allowing Providers to spend previously frozen SP reserves on COVID-related expenditure. An additional £11.56m was made available specifically for COVID-19 pressures including staffing, cleaning and Personal Protective Equipment (PPE). Contract management and reporting was relaxed temporarily in March 2020 to allow Providers time to cope with the challenges of responding to the impact of COVID-19. This was resumed in quarter 2 of 2020/21 with Contract Management activities being carried out remotely.</p>

Table continues

Title	Update
	<p>Major Adverse Incidents (MAIs)</p> <p>SP continues to monitor major adverse incidents across SP funded services. Societal issues affecting the Homelessness theme have intensified over several years, as can be evidenced by the increase in reporting of major adverse incidents by 41% from 2019/20 to 2020/21. The effects of isolating, social distancing and the lockdown has led to an increased decline in many service users' mental health. In the year 2020/21, the most prominent Major Adverse Incident reported was in the drug-related non-fatal overdose category (14), followed by unexpected deaths (7) and service user deaths (7). The SP team continues to support Provider staff in their effort to keep service users safe.</p> <p>Supporting People 'Business as Usual' Activities</p> <p>In quarter 2 of 2020/21, SP revised the contract management approach and began to operate a remote regime, which has continued throughout 2020/21. During the pandemic the SP Team maintained a 'business as usual' approach and achieved a significant amount whilst working from home.</p> <p>Supporting People Outcomes</p> <p>A new system for Providers to submit Outcomes data was developed by SP and was introduced in October 2020, along with online training materials and sessions on how to use the new system for both SP staff and Providers. In the 2020/21 year, the SP Programme showed an overall average success rate of 90% against the Outcomes Indicators across 84 Providers, delivering 853 services.</p> <p>Supporting People Provider Innovation Fund (PIF)</p> <p>The Provider Innovation Fund is a competitive fund that aims to support improvements to the delivery of the SP Programme, thus assisting efficiency and effectiveness within the SP sector. Existing SP Providers are able to bid for support to help them innovate and improve their service delivery thus enabling more resources to be channelled to frontline delivery. A total of 28 bids with a value of £1,286,969 were received for the 2020/21 year and awards of £916,819 were made to 21 of the applicants.</p> <p>Supporting People Ministerial Review Recommendations</p> <p>In the past year (2020/21), the SP team has been working on completion of the remaining recommendations from the review carried out in 2015 by the Department for Social Development, now DfC.</p> <p>Strategic Needs Assessment (SNA)</p> <p>SP has developed a Strategic Needs Assessment which includes demographic trends and other social factors to identify current and future patterns of need. The report has been approved by the Housing Executive Board, the Programme Board, and has been shared with DfC.</p> <p>The emerging picture from the needs assessment process and the scale of the estimated gap highlights a range of strategic challenges for the SP Programme over the lifetime of the SP Three Year Strategy. This emerging evidence base will help to inform decisions on how services can be best delivered, will support future planning and decision-making, and will be aligned to wider strategic priorities set by the NI Executive and PfG.</p>

Title	Update
	<p>Supporting People Three Year Strategy 2021-24</p> <p>Through engagement with Providers and service users we have developed 'The Supporting People Three Year Strategy 2021- 2024'. High-level information from the SNA has been considered, in order to inform and develop the strategy and direct priorities within it. There is a particular focus on COVID-19, and service user voices. The Strategy is due to go to Public Consultation later in 2021.</p>
<p>Sustainability and Energy Transition</p>	<p>Within the Housing Executive's statutory responsibility as Northern Ireland's regional Home Energy Conservation Authority (HECA), there is a continued focus on reducing greenhouse gases (GHG) and improving energy efficiency across all NI's housing sector. The key highlights of this year has been the launch of a refreshed NI Energy Advice Service, relaunching our NI Schools Energy Efficiency Awareness Programme, growing the NI Oil Buying Club Network, reporting the annual progress of reducing GHG and improving domestic energy efficiency, continuing to lead on the transnational EU funded HANDIHEAT project with seven partners across five EU countries and planning for future energy efficiency and decarbonised heating pilots.</p> <p>Within the current HECA Annual Progress Report (2020), the Housing Executive invested over £37.5m in energy efficiency measures in both public and private housing through its landlord commitments and private grant funds managed on behalf of DfC, namely the Affordable Warmth and Boiler Replacement Scheme.</p> <p>HANDIHEAT Project</p> <p>The aim of the €2m EU-funded HANDIHEAT Project, which is in the third year of its implementation phase, is to contribute to improvements in energy efficiency by demonstrating the effectiveness of renewable energy solutions in isolated rural communities across northern Europe. There is a further focus on identifying best practice and providing evidence to support future policy interventions in this area of activity. The Housing Executive fulfils dual roles in the context of the Project, acting as the Lead Partner with partners across Ireland, Scotland, Finland and Iceland. The Housing Executive's secondary role is to run the demonstration pilot involving a small number of Housing Executive owned homes in Lisnaskea, Co Fermanagh. The aim of the HANDIHEAT pilot in Fermanagh is to assess the capital cost, household energy bills and carbon savings with the installation of non-intrusive energy efficiency measures within a budget of under £7,000 per house, with new lower carbon heating systems.</p> <p>The results of the pilot demonstration sites in Lisnaskea, will seek to inform and influence energy policies in NI going forward. You can find out more about the HANDIHEAT project at http://handiheatproject.eu/.</p>

Table continues

Title	Update
Tower Blocks	<p>The Tower Blocks Action Plan sets out the Housing Executive's strategic approach and implementation plan for addressing the 33 tower blocks in its ownership. The Action Plan was approved by the Board of the Housing Executive in March 2019 and by the DfC in August 2019. When delivered, the plan will deliver a mix of retention, re-provision and disposal of blocks at various points in time. Given the complexity and scale of this plan the blocks have been categorised into 3 phases:</p> <ul style="list-style-type: none"> • Phase 1: Demolition (or disposal in some cases) in a 1 to 5 year time period - 14 'Short' term blocks (Monkscoole, Abbotscoole, Latharna, Moylena, Kilbroney, Clarawood, Oisin, Coolmoyne, Rathmoyne, Breda, Ross, Woodland, Beechwood, Magowan) • Phase 2: Demolition in a 6 to 10 year period, with remedial works to be carried out in the interim - 7 'Medium' term blocks (Finn, Fianna, Belvoir, Parkdale, Riverdale, Ferndale, Mount Vernon) • Phase 3: Demolition at a point beyond a 10 year period, with improvement works carried out as required - 12 'Long' term blocks. (Divis, Grainne, Maeve, Eithne, Cuchulainn, Moveen, Woodstock, Willowbrook, Carnet, Whincroft, Glencoole, Carncoole) <p>The Action Plan is a high level document that sets out the broad timescales, actions and estimated funding required over the next fifteen to twenty years. Implementation of the proposals will be subject to approval of business cases for individual or groups of blocks as appropriate.</p> <p>A Delivery Team is in place to drive and manage the implementation of the Action Plan and there has been significant progress despite the impact of the COVID-19 pandemic. A consultant is being appointed to advise on and prepare the refurbishment programme for the long term blocks. The Housing Executive Board has approved the installation of sprinklers in the blocks and a contract to deliver this is being procured. Four blocks, Monkscoole, Latharna, Rathmoyne and Coolmoyne have been approved for demolition, and business case proposals have been prepared for several other blocks.</p>
Traveller Accommodation	<p>The Housing Executive has regularly published comprehensive accommodation research in 2002, 2008 and 2015 for the Irish Traveller Community across Northern Ireland. The most recent Irish Travellers' Accommodation Survey 2018/19 was completed in 2019 and is an important evidence base in the development of our Irish Travellers Accommodation Strategy 2021 – 2026. The draft Strategy was released for a twelve week consultation period on 1 July 2020. Due to restrictions imposed by the COVID-19 pandemic the consultation period was extended for an additional eight weeks and concluded on 18 November 2020.</p> <p>The Strategy aims to provide safe and sustainable accommodation that meets the accommodation and cultural needs of the Irish Traveller community through the implementation of 12 key actions in a five year Action Plan. In the coming year the Housing Executive will initiate:</p> <ul style="list-style-type: none"> • a research project to scope the development of a Irish Traveller needs assessment methodology;

Table continues

Title	Update
	<ul style="list-style-type: none"> • policy development to screen Housing Executive policies and procedures to ensure no adverse impact on Irish Travellers; • a review on housing management policies for Irish Travellers; • the development of an Irish Travellers forum to give feedback on relevant policies and procedures. <p>The Strategy has now been finalised and will be released on the Housing Executive website and social media later in the year.</p>
Welfare Reform	<p>Welfare Reform has meant significant changes to the benefit system for people of working age in Northern Ireland. Whilst all of the changes have had some effect on the Housing Executive, those which have had most impact are Social Sector Size Criteria (Bedroom Tax), Universal Credit and Benefit Cap.</p> <p>At the end of March 2021, Social Sector Size Criteria was directly impacting on 24,288 Housing Executive tenants and 115 Housing Executive tenants in receipt of Housing Benefit were affected by Benefit Cap.</p> <p>Welfare Supplementary Payments (mitigation) were due to end in 2020; however the Minister for Communities announced plans to extend the mitigations to the Bedroom Tax beyond 31 March 2020 and payments have continued. The Minister is expected to bring new legislation to the Assembly in the current financial year, which will permanently extend the mitigations.</p> <p>At the end of March 2021, 19,546 Housing Executive tenants had made a claim for Universal Credit, with a significant increase in the number of tenants making a new claim for Universal Credit due to the economic impacts of the COVID-19 pandemic.</p> <p>During March and April 2020, an additional approx 1,150 tenants made a claim for Universal Credit due to being impacted by business closures due to lockdown. However, following the announcement of the Government's income support schemes in mid-April 2020, the number of new claimants per month (approx. 450) returned to normal levels and remained broadly consistent thereafter.</p> <p>Natural migration to Universal Credit continues and will do so until Universal Credit is fully implemented through the 'Move to UC' phase of roll out, where working-age customers on the relevant benefits will be advised when they should move to Universal Credit. The 'Move to UC' is currently on hold; however, it is anticipated that some 45,000 Housing Executive tenants of working age will be in receipt of Universal Credit when it is complete.</p> <p>Housing Benefit's caseload is gradually decreasing and this reduction is likely to continue as Universal Credit's 'Move to UC' phase takes effect; however, it should be noted that the caseload is decreasing at a much slower rate than previously anticipated. Once the 'Move to UC' is complete, Housing Benefit will still have a significant number of customers, approximately 42,000, of State Pension Credit age as well as customers living in supported accommodation or who are placed in temporary accommodation.</p> <p>The Housing Executive will continue to administer Housing Benefit for DfC along with Discretionary Housing Payments for both Housing Benefit and Universal Credit claimants.</p>

Local Context

Demographic Context

District Electoral Area Population Estimates (2019)*



Carntogher	17,630	17,630
Clogher Valley	21,440	21,440
Cookstown	24,070	24,070
Dungannon	25,000	25,000
Magherafelt	19,170	19,170
Moyola	18,730	18,730
Torrent	22,620	22,620

Source: NISRA

*Population Estimates for DEAs are estimated using a proportionate method which allocates Small Area population estimates to DEAs on the basis of information extracted from the 2011 Census. These figures have been rounded.

Population of Mid Ulster

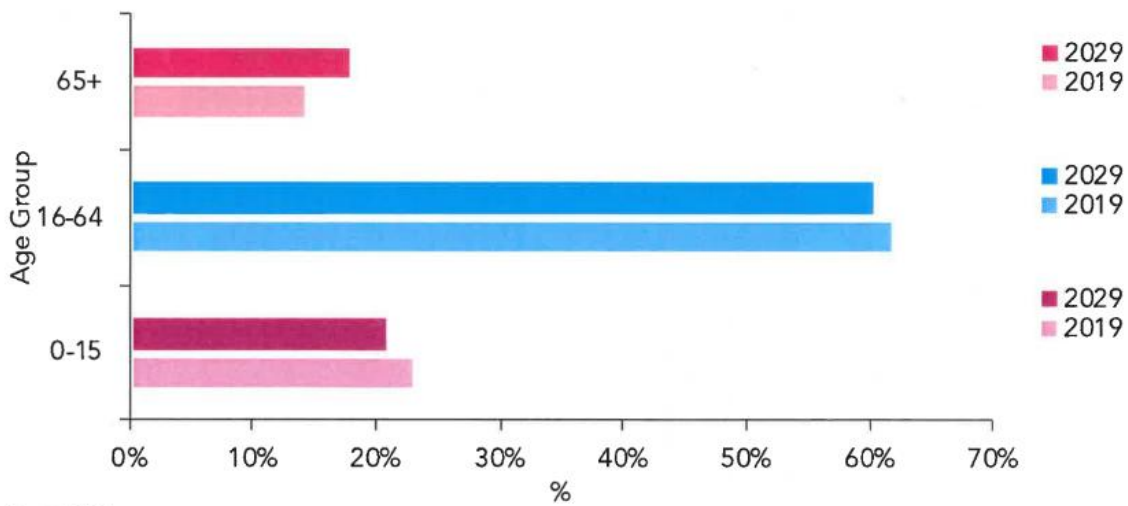
The population of Mid Ulster is projected to increase by 7.9% from 148,528 in 2019 to 160,197 in 2029. It represents 7.8% of the NI population at 2019.

Within Mid Ulster the percentage of older people (65+ years) in the population is projected to increase by 34.5% over the period 2019 to 2029. Therefore social stock to meet this specific future need will need to increase over the same period.



Source: NISRA

Population Change 2019-2029



Source: NISRA

The Housing Market

Projected Housing Growth Indicator new dwelling requirement



10,300

PROJECTED HOUSING GROWTH INDICATOR new dwelling requirement for the period **2016 to 2030**

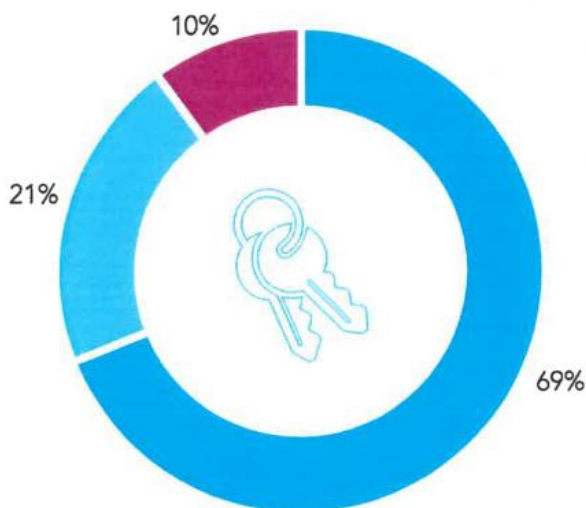
Source: Department for Infrastructure HGIs 2016-2030

There is a projected Housing Growth Indicator (HGI) new dwelling requirement of 10,300 for the period 2016-2030 in Mid Ulster. The overall NI requirement for the same period is 84,800.

This data along with the Housing Executive's Housing Needs Assessment and Strategic Housing Market Analysis will inform the Council's Local Development Plan on the need for additional development land.

At 2016 there were 52,800 households in Mid Ulster, of these 69% were Owner Occupied; 21% Private Rented and 10% Social Rented (2016 NIHE House Condition Survey). These figures include 'vacants when last occupied' within the three main tenure groups.

2016 Tenure Breakdown



■ Owner occupation ■ Private rented ■ Social rented

52,800



HOMES in the district (2016)

Source: Northern Ireland House Condition Survey 2016

Housing Benefit



Source: NIHE & DfC

*Universal Credit refers to Housing Executive tenants receiving the Housing Cost element of Universal Credit.

The rollout of Universal Credit for new claimants commenced in September 2017 and was completed in December 2018. Since the introduction of Universal Credit in Northern Ireland, the number of Housing Benefit claimants has continued to reduce. Working age benefit claimants will naturally move to Universal Credit when they have a relevant change of circumstances.

There were 831 Housing Executive tenants receiving the Housing Cost element of Universal Credit in Mid Ulster at end of March 2021.

The following sections will discuss owner occupied, private rented and social rented sectors in more detail.

Owner Occupied Sector

Owner Occupation comprises 69% of the overall homes in the district (HCS 2016). Ulster University state that the average house price in Mid Ulster in 2020 was £164,016 which represents an increase of 4.5% on 2019 figures.

Average Annual House Prices

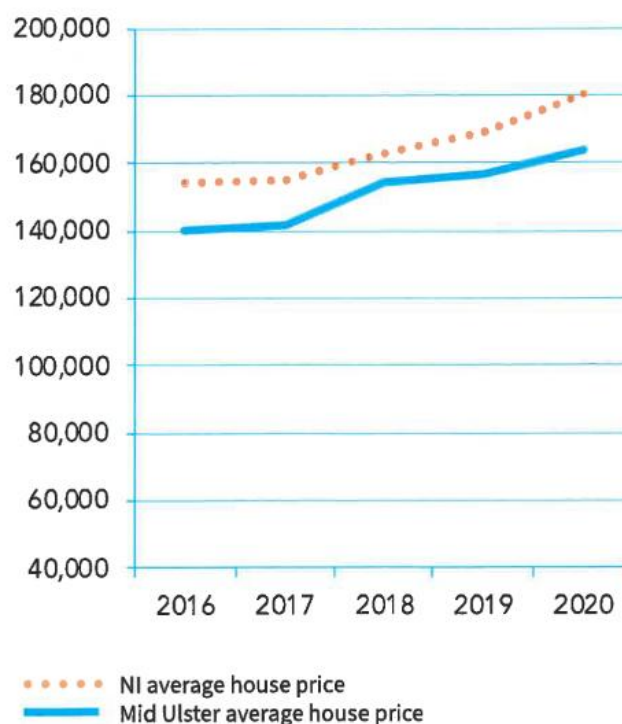


Average house price in Mid Ulster
in 2020

£ **164,016**



4.5%
INCREASE FROM 2019



Source: Ulster University

Repossessions

During 2019, there were 28 repossessions in Mid Ulster. This represents a 32% decrease since 2015.



Source: NI Courts and Tribunals Service

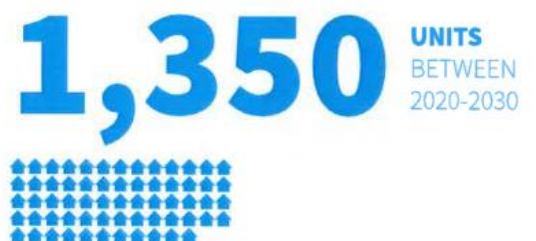


Intermediate need

Demand for intermediate housing aimed at low income households in Mid Ulster is estimated at 1,350 units between 2020-2030.

The Housing Executive has developed a new assessment of intermediate housing need, as contained in the Strategic Housing Market Analysis (SHMA) reports, which better aligns with DfC's new definition of affordable housing. This method estimates demand for both shared ownership and intermediate rent (the current method is based on shared ownership only). Similar to the current method, it uses household projection figures and income data, however also includes contextual, cross tenure housing market information. As the SHMAs are being prepared in two phases, there will be a transitional period this year.

The new SHMA method is being reported in the HIP updates for Antrim & Newtownabbey, Ards & North Down, Belfast, Derry City & Strabane and Lisburn & Castlereagh, with the current assessment of shared ownership being used for the remaining council areas until the second phase is complete.



One of the products available to the intermediate housing market is Co-Ownership.

Co-ownership Purchases

Co-Ownership Housing Association had an active stock of 574 dwellings at March 2021, 96 of which were purchased during 2020/21 in the Council area.

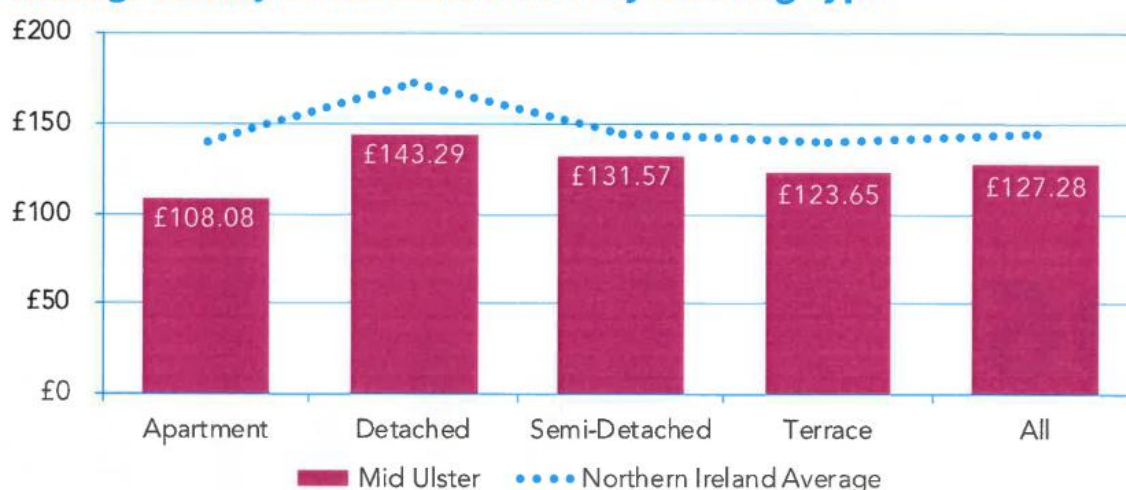


Source: Co-Ownership Housing Association

Private Rented Sector (PRS)

The Private Rented Sector comprises 21% of homes in Mid Ulster (HCS 2016).

Average Weekly Private Sector Rent by Dwelling Type



Source: Ulster University

Local Housing Allowance

Mid Ulster District falls within four Broad Rental Market Areas (BRMA) including Lough Neagh Upper, Lough Neagh Lower, South and South West.



The Local Housing Allowance for 2021/22 for **2 BEDROOM DWELLINGS** within the BRMA's is
£93.41 per week in Lough Neagh Upper
£90.96 per week in Lough Neagh Lower
£94.33 per week in South
£85.00 per week in South West



The Local Housing Allowance for 2021/22 for **3 BEDROOM DWELLINGS** within the BRMA's is
£102.17 per week in Lough Neagh Upper
£102.00 per week in Lough Neagh Lower
£102.81 per week in South
£95.33 per week in South West

Landlord Registration Scheme

DfC's Landlord Registration scheme identified 3,709 properties registered by 2,805 landlords in Mid Ulster at March 2021.

Houses in Multiple Occupation (HMO)

As household groups reduce in size, Houses in Multiple Occupation (HMO) will continue to play a greater role in the housing market, particularly for single households aged under 35. Since 1 April 2019 Belfast City Council has assumed responsibility for licensing of HMOs.



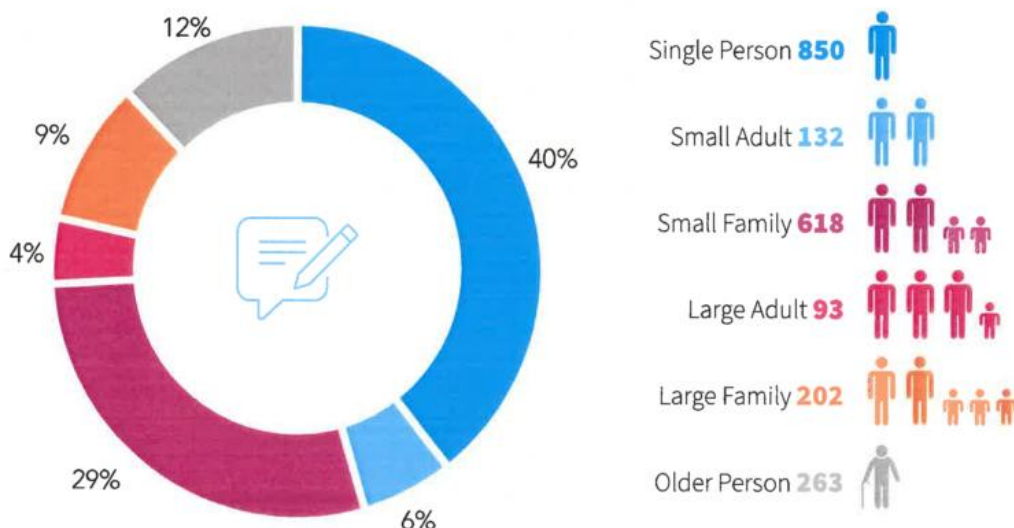
Social Housing Sector

The Social Housing sector share of the housing market in Mid Ulster was 10% (HCS 2016).

At March 2021 there were 2,158 applicants on the waiting list for Mid Ulster with 1,267 in housing stress. There were 283 allocations over the year. Single, older persons and small family households comprise 82% of the housing stress waiting list in the Council area. The need for small family accommodation remains strong and there is a growing demand to meet requirements for older persons. See Appendix 7 for area breakdown.

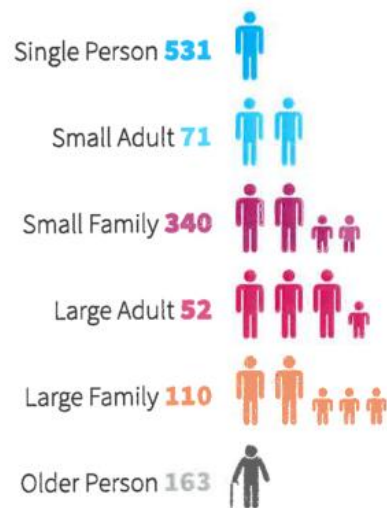
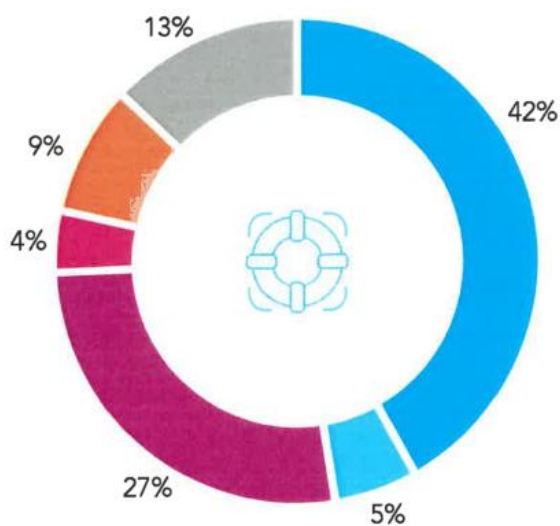
15 
Housing Executive properties were sold to tenants in Mid Ulster under the House Sales Scheme during 2020/21. The average selling price, after discount was
£50,197

Waiting List Applicants



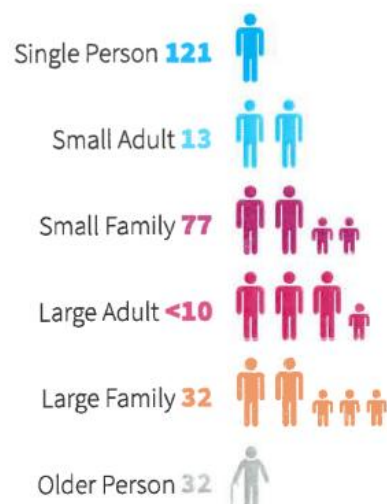
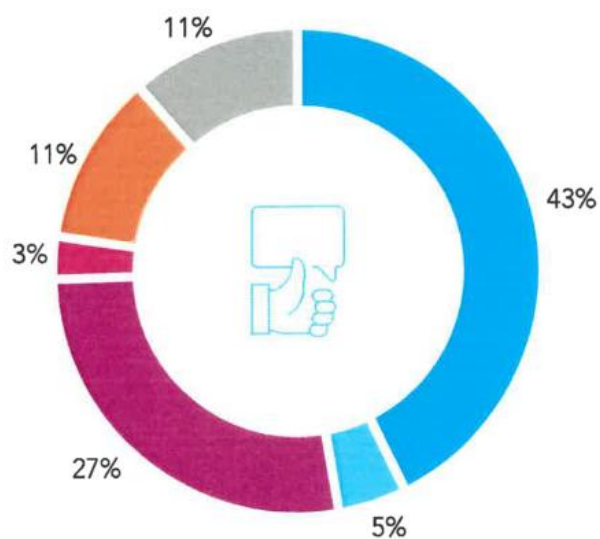
Source: NIHE, March 2021

Applicants in Housing Stress



Source: NIHE, March 2021

Allocations to Applicants



Source: NIHE, March 2021

Definition of Household Types

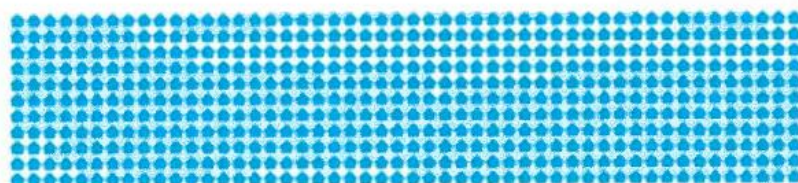
Single Person	1 person 16-59 years old
Small Adult	2 persons 16-59 years old
Small Family	1 or 2 persons aged 16 or over, with 1 or 2 children
Large Adult	3 or more persons aged 16 or over with or without 1 child aged 0-15
Large Family	1 or 2 persons aged 16 or over, and 3 or more children aged 0-15, or 3 or more persons 16 or over and 2 or more persons aged 0-15
Older person	1 or 2 persons aged 16 or over, at least 1 over 60

Social Housing Waiting List Trends



Source: NIHE

The requirement for new social housing in Mid Ulster has increased between 2020 and 2021. Refer to Appendix 2, which shows projected housing need which is concentrated in the main towns.



718 The five-year assessment for 2020-25 shows a need for 718 units across Mid Ulster

To address social need, the Housing Executive's three year Social Housing Development Programme (SHDP) has 217 housing units planned.

During 2020/21, 30 homes were completed across Mid Ulster and 93 units were under construction at end of March 2021. See Appendix 3 for details of the programme, completions and on-site schemes.

Housing Associations have been submitting a high number of proposals for Dungannon, Cookstown and Magherafelt over the past 12 months. We are currently working closely with our Housing Association colleagues on determining the appropriate housing mix for each housing need assessment area before moving towards programming.

Rural Areas

House and land prices, land availability and rates of development may make the first steps into owner occupation more difficult for many young rural households within Mid Ulster. The tendency for owner occupation in rural areas will also result in limited opportunity for the private rented sector to offer affordable accommodation due to a more competitive housing market. As we begin to emerge from a time of unprecedented change during the COVID-19 pandemic, we will review the impact on housing market areas resulting from this period of mandatory home-working, considering in particular the impact on rural housing.

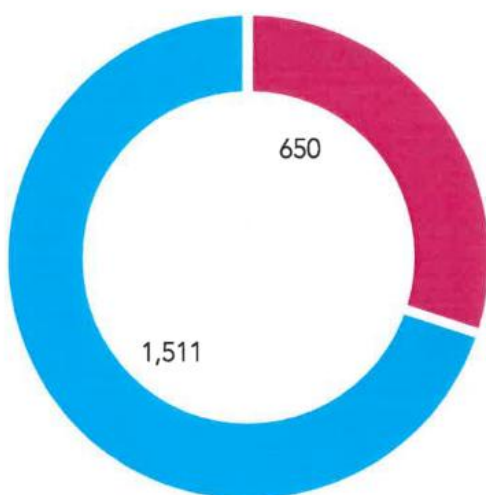
The Housing Executive will continue to work with rural communities to identify hidden or 'latent' housing need through rural housing needs tests. These rural locations will be determined following the annual review of the Housing Need Assessment and consideration is also given to requests from community representatives. During 2020/21 rural housing needs tests took place in Longfields / Desertmartin, Gulladuff and Ballyronan. There is a test currently underway in Clonoe. Site identification studies were completed in Ballyronan, Donaghmore, Moy, Brockagh, Dernagh/Clonoe, Eglis, Drumullan, Galbally Ardboe, Cappagh, Ballinderry and Killeen over the past year.

Rural Housing Waiting List Trends



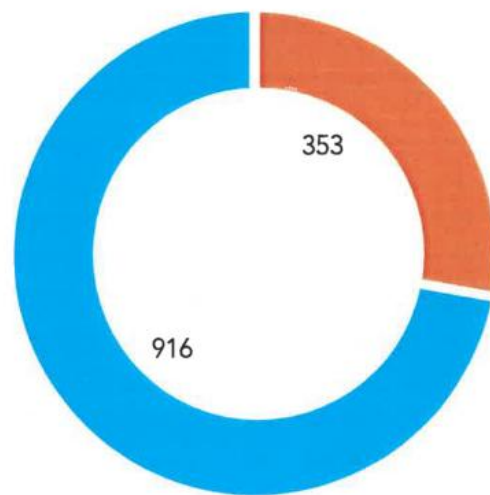
Source: NIHE

Waiting List Applicants 2021



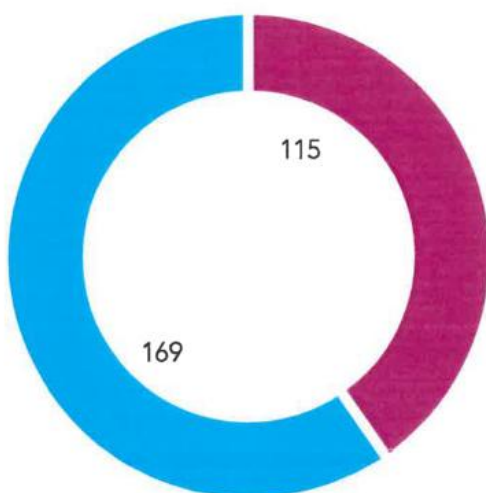
■ Mid Ulster Rural
■ Mid Ulster Urban

Waiting List Applicants in Housing Stress 2021



■ Mid Ulster Rural
■ Mid Ulster Urban

Allocation to Applicants 2021



■ Mid Ulster Rural
■ Mid Ulster Urban

Source: NIHE

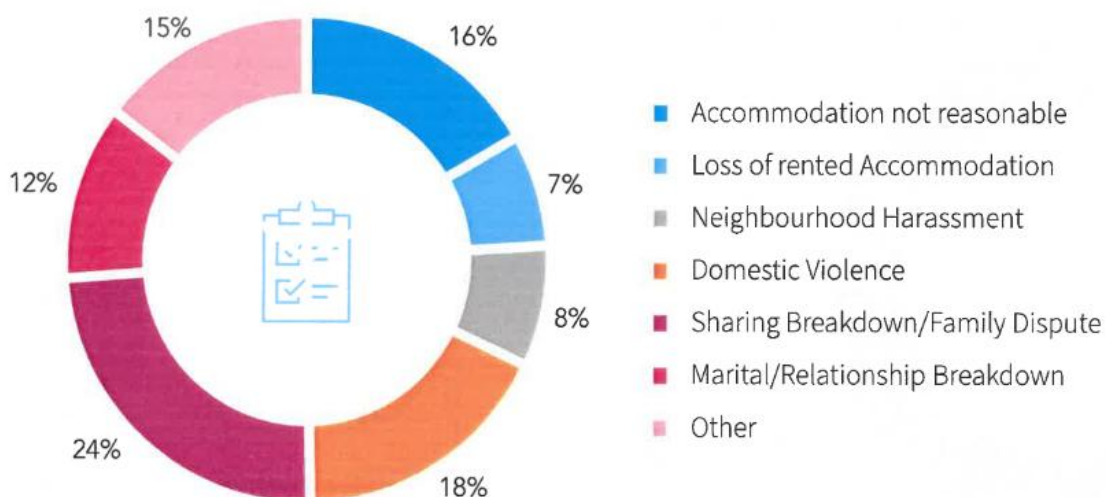
Homelessness

The number of households presenting as homeless in Mid Ulster decreased between March 2020 and March 2021, but remains high with 659 presenters by the end of March 2021, see Appendix 5. Homelessness became an even bigger challenge in 2020 due to the COVID-19 pandemic. The Housing Executive has responded in our publication 'The Way Home – Homelessness Response to COVID-19 (the Reset Plan)' outlining our operational plans to tackle homelessness and prevent it in the future.

The main reasons for homelessness acceptances continue to be as a result of sharing breakdown / family dispute and domestic violence. Additional homelessness funding of £7.3m was provided by DfC and the Department of Health during the COVID-19 pandemic to enable the Housing Executive bring 150 void properties back into use as furnished hostel accommodation, to ensure there was no one sleeping rough on our streets.

There are a range of temporary accommodation options available in Mid Ulster. During 2020/21 the Housing Executive made 237 placements, which included 17 placements into Housing Executive hostels, 38 placements into voluntary sector hostels and 53 placements in single let properties.

Reasons for Homelessness



Source: NIHE

Specialised Housing and Housing Support Services

Accessible Housing

The development of the In-House Accessible Housing Register (AHR) Solution was completed in March 2021. The Housing Executive's AHR data collection will be included within the Asset Management Stock Condition Survey which aims to survey 66,000+ properties on a rolling basis and was set to complete in 2023, however the COVID-19 pandemic has impacted upon completion of the surveys. In order to realise the benefits it is also prudent to consider targeting specific accessible properties such as those with adaptation extensions, bungalows and ground floor flats. AHR training has been completed for Housing Executive surveyors and is currently being arranged for Housing Association staff. Within Mid Ulster there is an identified social housing need at March 2020 for 32 wheelchair units.

Adaptations

During 2020/21 the Housing Executive spent £0.40m on adaptations to their properties in Mid Ulster. See Appendix 4.

£0.40m
SPENT ON ADAPTATIONS 2020/21

Disabled Facilities Grants

During 2020/21 the Housing Executive approved 80 Disabled Facilities Grants for private sector dwellings and completed 63. The approval value in Mid Ulster District Council area in 2020/21 was £892k. See Appendix 4.

DISABLED FACILITIES GRANTS

£892k
APPROVAL VALUE 2020/21
63 COMPLETIONS

Irish Travellers

The Housing Executive has responsibility for identifying and meeting the accommodation needs of Irish Travellers. The Irish Travellers Accommodation Strategy 2021-2026 has been approved by the Housing Executive Board and includes a five year implementation plan of 12 key actions.

Supporting People

The Housing Executive, through the Supporting People Grant, funds 48 Housing Support Services across Mid Ulster at a cost of £3.76m, providing housing support to 896 clients per year. Additional funding was secured for Supporting People Providers to use specifically for COVID-19 pressures. Details are set out in Appendix 5.

£3.76m
ON FUNDING 48 HOUSING
SUPPORT SERVICES

Community Planning

Community Planning involves integrating all the various streams of public life e.g. health, education, community safety, the voluntary sector, arts and leisure etc, to produce a plan that will set out the future direction of the Mid Ulster. The Council will work with statutory bodies and the wider community to develop a shared vision and a Community Plan.

The Mid Ulster Community Plan entitled '[10 Year Community Plan for Mid Ulster](#)' had identified five themes and associated outcomes reflecting the needs and aspirations of all citizens. Following the Mid Ulster Community Plan Review 2021 the Economic and Infrastructure themes merged but the outcomes have remained the same. The outcome 'we will enjoy increased access to affordable quality housing' has moved from infrastructure into Theme 4 – Vibrant and Safe Communities. These adjustments are shown in Appendix 1.

Dungannon Placeshaping Pilot Plan

The Dungannon Placeshaping pilot plan is currently being developed, with the Housing Executive attending a number of steering group discussions with Mid Ulster staff and other statutory partners. The report will focus on mapping potential housing sites, understanding the housing supply and demand numbers in more detail and identifying case studies that are of relevance for Dungannon.

The group will carry out further workshops and site visits as part of the process. The workshops will focus on housing sites and also housing supply/demand in the town. A number of case studies will also be carried out to gauge around place-making, quality and housing density. The information from these workshops will be used to focus on sites with the most potential and also the housing supply requirements in the area. Site visits will be carried out to the most suitable locations to enable the preparation of draft outputs.

Local Development Plan

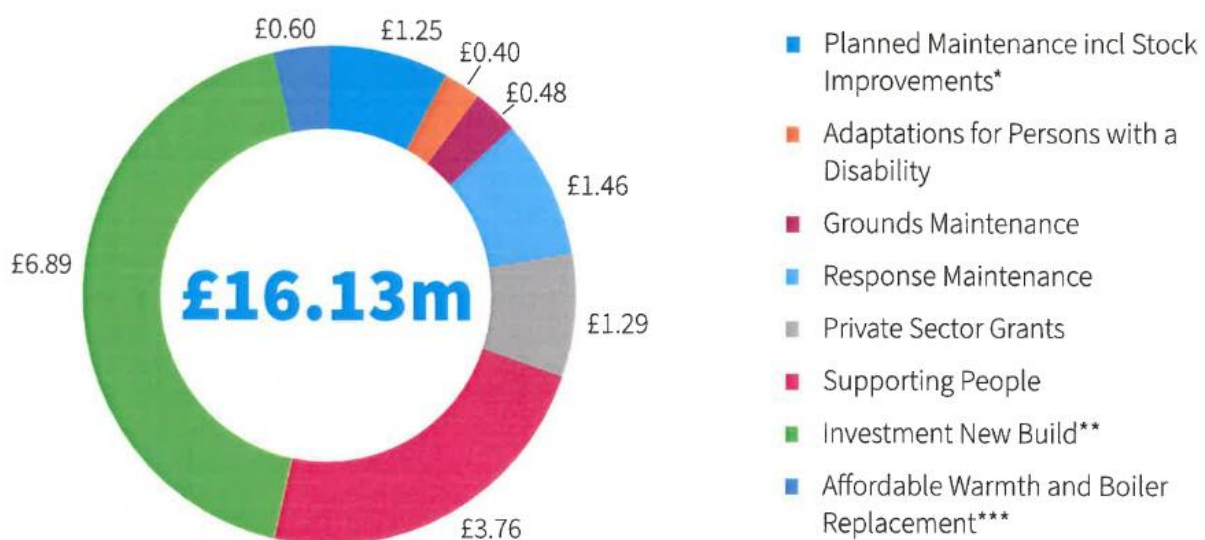
The Council's timetable has been agreed and published with the Council's Preferred Options Paper (POP) published November 2016. A consultation exercise was previously carried out on the Local Development Plan 2030 – Draft Plan Strategy (from February to April 2019). However, the Council identified a procedural error in relation to the original consultation and therefore, re-consulted on the Local Development Plan 2030 – Draft Plan Strategy until September 2020. Mid Ulster District Council submitted its Local Development Plan draft Plan Strategy (dPS) to the Department for Infrastructure on 28 May 2021.

Further information of the Council's timetable can be found at <https://www.midulstercouncil.org/MidUlsterCouncil/media/Mid-Ulster-Council/Publications/Planning/Local%20Development%20Plan/DevelopmentPlan-Timetable.pdf>

Housing Executive Spend

The past year has delivered significant housing investment for a wide range of services, and the 2020/21 public sector housing investment totalled £16.13m for Mid Ulster.

Mid Ulster District Council 2020/21 Public Sector Housing Spend (£m)



Source: NIHE

Notes:

*Planned Maintenance work (Planned, Cyclical, and MS running costs) spend was £0.79m and Stock Improvement Spend was £0.46m.

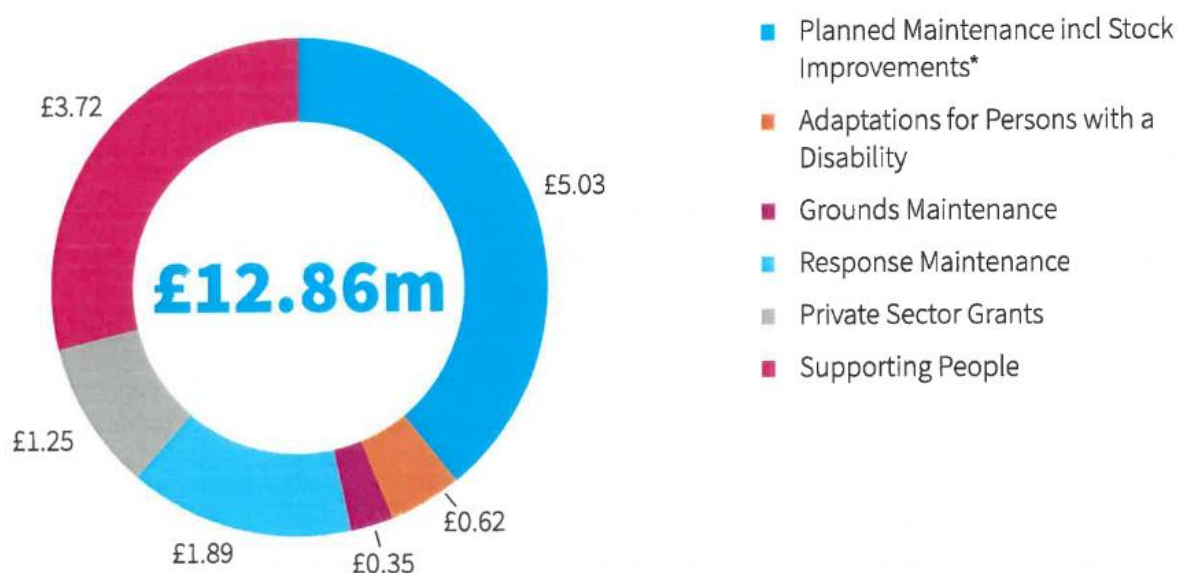
**Investment in new build is the total cost of schemes starting in the programme year but which may be spent over more than one year.

***Affordable Warmth spend was £554k and Boiler Replacement spend was £41k.

NB: 2020/21 expenditure figures in the chart above are with Northern Ireland Audit Office for auditing at present, although they are unlikely to be fully audited until late summer, due to delays arising from the COVID-19 pandemic.

The Housing Executive will continue to deliver significant housing investment across a wide range of services, with the planned 2021/22 public sector housing spend in Mid Ulster totalling £12.86m.

Mid Ulster District Council 2021/22 Projected Public Sector Housing Spend (£m)



Source: NIHE

Notes:

*Planned Maintenance work (Planned, Cyclical, and MS running costs) projected spend is £4.12m and Stock Improvement Spend is £0.91m.

Investment in new build and Community Development projected spend is not available.

Affordable Warmth and Boiler Replacement schemes are demand led and budget cannot be allocated.

NB: As noted in the local and national media recently, ongoing material supply issues and contractor capacity issues have the potential to impact 2021/22 expenditure plans.

Housing Plans & Services - Outcomes



**Helping people
find housing
support and
solutions**



**Delivering
better homes**



**Fostering vibrant
sustainable
communities**



**Delivering quality
public services**



**Community
Grants**
£14,297
funding awarded



**Community
Cohesion**
£3,720
funding awarded



**Community
Safety**
£10,000
funding awarded



**Neighbourhood
Renewal**
£422,177
funding awarded



**Energy
Efficiency**
£0.01m
spend



**Affordable
Warmth**
202 installations
£0.55m
spend



**Supporting
People**
£3.76m
spend



**Disabled Facilities
Grants (DFGs)**
£0.89m
approval value



Adaptations
£0.40m
spend



New Build
£6.89m
spend



Members from Tamnamore Community Development Association who received community grant funding during 2020/21, with Amy Hall, Patch Manager (far right).



Members from Derrytresk Running Club who received community grant funding during 2020/21.



Members from Granaghan District Women's Club who received community grant funding during 2020/21, with Amy Hall, Patch Manager (far right).

Outcome 1

Helping people find housing support and solutions

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
<p>Two Chronic Homelessness Research projects have been commissioned. One to look at the impact of chronic homelessness on women and the second to consider the role of day services in delivering help to clients experiencing chronic homelessness.</p> <p>Implementation of year two actions in Chronic Homelessness Action Plan (CHAP).</p>	<p>A final report on the role of day services in delivering help to clients experiencing chronic homelessness, with amended objectives due to the impact of COVID-19 in how services were delivered, has been approved. A final draft of the report into the impact of chronic homelessness on women has been received. Final comments from the Project Advisory Group will be provided to the Researcher and it is anticipated the report will be complete and approved later in the year. Outcomes from both projects will inform the development of the next Homelessness Strategy.</p> <p>The COVID-19 pandemic has had a major impact on the delivery of homelessness services and particularly in relation to clients most likely to be experiencing chronic homelessness such as rough sleepers. Actions within the CHAP have been advanced and delivered via a COVID Response Team and in the longer term, the NIHE Reset Plan will examine how CHAP actions need to be addressed in the future.</p> <p>Specific actions included:</p> <ul style="list-style-type: none"> • The introduction of shared housing options for young people moving from supported accommodation while ensuring social distancing guidelines are implemented; 	<p>Work will continue to incorporate chronic homelessness indicators into the Housing Management System following a delay to this due to COVID-19.</p> <p>NIHE is also exploring funding options for the delivery of additional housing led solutions for clients experiencing chronic homelessness.</p>	<p>3B 4C 4D</p>

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
	<ul style="list-style-type: none"> • The approval of a range of housing led measures including wraparound support, support to those in the private rented sector and Housing First; • The creation of dispersed support models; and, • Provision of PPE/self-isolation units and other initiatives. <p>In addition, an analysis of repeat homelessness has been completed and a dashboard developed to allow local tracking of repeat cases.</p> <p>659 homelessness presenters and 362 homelessness acceptances during 2020/21.</p>		
<p>Ensure the Housing Solutions and Support Approach continues to be effectively embedded across the organisation.</p> <p>Further develop the Housing Solutions and Support approach, including through exploring the potential of accreditation of staff.</p> <p>Conduct peer reviews to benchmark the NIHE Housing Solutions service, identify good practice and areas for improvement.</p>	<p>The Housing Solutions approach is utilised for all customers who contact the NIHE with a housing issue. This continues to be embedded across the organisation through the delivery of training to new staff on the approach.</p> <p>The National Practitioner Support Service (NPSS) was due to conduct peer reviews of NIHE's Housing Solutions Service however this was unable to take place due to lockdown restrictions. Furthermore NPSS ceased to operate as an organisation in November 2020 due to the impact of COVID-19 on their business.</p>	<p>Continue to develop the Housing Solutions and Support approach, including through exploring the potential of accreditation of staff.</p> <p>Procure an appropriate organisation to conduct peer reviews to benchmark the NIHE Housing Solutions service, identify good practice and areas for improvement.</p> <p>Ensure information is readily available across all tenures to meet the needs of a housing options service.</p>	4D

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
Work on the development and implementation of a Private Rented Sector Access Scheme (PRSAS) was put on hold during 2020/21, whilst Homelessness Policy and Strategy responded to the impact of the COVID-19 pandemic on the Homeless population.	In the interim whilst work continues to deal with the impact of COVID-19 on homelessness, several small projects have been funded through the Homeless Prevention fund to facilitate access to the private rented sector and lessons learned will be considered. Also a piece of research titled 'Preventing Homelessness and Sustaining Tenancies in the Private Rented Sector: Scoping Project' was commissioned and will provide further insight and inform future requirements for a PRSAS.	Any further developments in respect of implementing a new PRSAS will be subject to the necessary funding being secured. However, as part of our ongoing response to COVID-19 and the implementation of a Reset Plan, the development of a scheme which provides support for those seeking to access or maintain private rented accommodation will be a priority for the NIHE. Additionally, it is vital that the NIHE considers the impact of the Fundamental Review of Allocations as any decision to discharge our statutory homelessness duty to the private rented sector will significantly influence support available for those living in this sector.	3B 4C 4D
£3.49m has been approved to deliver the Supporting People Programme for 2020/21.	£3.76m was spent delivering the Supporting People Programme for 2020/21. 37 accommodation based services for 503 service users. 11 floating support schemes for 394 service users.	£3.72m has been approved to deliver the Supporting People Programme for 2021/22, Appendix 5.	2C 3B 4A 4D

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
The gross, three-year (2020/23) Social Housing Development Programme (SHDP) contains no new supported housing schemes. This will be kept under annual review.	There is currently no identified or known requirement for additional supported housing in Mid Ulster.	The gross, three-year (2021/24) SHDP contains no new supported housing schemes. This will be kept under annual review.	2C 3B 4A 4D
The Wheelchair Standard Accommodation target for general needs new build for 2020/21 is 10%.	Seven wheelchair units were on-site at 31 March 2021.	The Wheelchair Standard Accommodation target for general needs is 10% on an annual basis.	2C 3B 4A 4D
NIHE has funding of approximately £12m for Disabled Facilities Grants (DFGs) for the private sector in 2020/21 across NI. The funding for the district is £1.12m.	NIHE approved 80 Disabled Facilities Grants for private sector dwellings and completed 63. The approval value in Mid Ulster in 2020/21 was £892k.	NIHE has funding of approximately £9.7m for DFGs for the private sector in 2021/22 across NI. The funding for Mid Ulster is £0.94m.	2C 3B 4A 4D
NIHE were unable to provide details on our budget for adaptations in 2020/21 due to the COVID-19 pandemic.	NIHE spent £0.40m on adaptations in the Council area in 2020/21.	NIHE have a budget of £0.62m to provide adaptations to their properties in the Council area in 2021/22.	2C 3B 4A 4D

Outcome 2

Delivering better homes

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
Identifying housing needs, increasing supply of affordable renting and assisting home ownership			
NIHE will carry out an annual five year projected social housing need assessment for the Council area. NIHE will annually assess demand for intermediate housing for the Council area.	<p>Achieved. The five year social housing need for the Council area is 718, see Appendix 2.</p> <p>Achieved. The ten year intermediate housing need is 1,350.</p>	<p>NIHE will carry out an annual five-year projected social housing need assessment for the Council area.</p> <p>NIHE will annually assess demand for intermediate housing for the Council area.</p>	4D
NIHE will commission Strategic Housing Market Analyses in the remaining identified HMAs in the following areas. <ul style="list-style-type: none"> • Northern Area - Ballymena HMA and Causeway Coast HMAs • Western Area – Fermanagh, Omagh, Cookstown and Dungannon HMAs • South Eastern Area – Newry and Craigavon Urban Area HMAs. 	<p>The completed Belfast Metropolitan Area and Derry/Strabane Strategic Housing Market Analysis reports were presented to and approved by NIHE Board in April 2021.</p>	<p>A procurement exercise to complete the remaining Housing Market Areas will commence later in 2021.</p>	4D

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
DfC will approve a gross, three-year 2020/23 Social Housing Development Programme (SHDP).	There are 93 units on-site, of which, 47 units started in 2020/21. There were 30 units completed during 2020/21, see Appendix 3.	DfC will approve a gross, three-year 2021/24 SHDP.	4D
Site identification studies for the seven district electoral areas have been scheduled for the final quarter of 2020.	Site identification studies have been completed in Ballyronan, Donaghmore, Moy, Brockagh, Dernagh/Clonoe, Eglish, Drumullan, Galbally, Ardboe, Cappagh, Ballinderry and Killeen over the past year.	Site identification studies will be completed as identified.	4D
Funding of £145m has been allocated to Co-Ownership for 20/21-23/24 to deliver 4,000 shared ownership homes.	In 2020/21, there were 96 properties purchased through Co-Ownership in the Mid Ulster area.	Funding of £145m has been allocated to Co-Ownership for 20/21-23/24 to deliver 4,000 shared ownership homes.	4D
NIHE will continue to implement the House Sales and Equity Sharing Scheme.	15 NIHE properties were sold to tenants through the House Sales Scheme during 2020/21.	NIHE will continue to implement the House Sales and Equity Sharing Scheme.	4D
Improving People's Homes – NIHE Stock			
We were unable to provide detail on our planned maintenance schemes for 2020/21 due to the COVID-19 pandemic.	In 2020/21, NIHE spent £0.79m on planned maintenance schemes in the Council area, see Appendix 4.	Funding for NIHE planned maintenance schemes for the Council area in 2021/22 is estimated at £4.12m, for details see Appendix 4.	4D

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
<p>We were unable to provide detail on our stock improvement work in 2020/21 due to the COVID-19 pandemic.</p> <p>NIHE will complete response maintenance repairs within the required target time.</p> <p>NIHE will carry out response maintenance repairs to customers' satisfaction.</p>	<p>In 2020/21, NIHE spent £0.46m on stock improvement work.</p> <p>92.60% of NIHE response maintenance repairs in NI were completed within the required target time.</p> <p>99.63% of NIHE response maintenance repairs were carried out to the customers' satisfaction.</p>	<p>Funding for NIHE stock improvement work for the Council area in 2021/22 is estimated at £0.91m, for details see Appendix 4.</p> <p>NIHE will complete response maintenance repairs within the required target time.</p> <p>NIHE will carry out response maintenance repairs to customers' satisfaction.</p>	4D
Improving People's Homes – Private Stock			
<p>NIHE will implement the Affordable Warmth Scheme with available funding of £4m for 2020/21 across NI, subject to change following current monitoring round outcome. A new five year business case was approved for 2019-2024, with the emphasis being on a whole house approach.</p>	<p>In the Council area, 202 measures were carried out to 125 private properties under the Affordable Warmth Scheme in 2020/21, at a cost of £554k.</p>	<p>NIHE will implement the Affordable Warmth Scheme with available funding of £16m for 2021/22 across NI, subject to change following current monitoring round outcome.</p>	3B 4C 4D
<p>NIHE will implement the Boiler Replacement Scheme, with anticipated funding of £350k for 2020/21 across NI, subject to change following current monitoring round outcome.</p>	<p>In Mid Ulster, 62 properties had boilers replaced at cost of £41k.</p>	<p>NIHE will implement the Boiler Replacement Scheme with a budget of £1.5m for 2021/22 across NI, subject to change following current monitoring round.</p>	3B 4C 4D

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
Funding of discretionary grants will continue in 2020/21.	Discretionary grant approval in 2020/21 was £371k, Appendix 4.	Funding of discretionary grants will continue in 2021/22.	3B 4C 4D
Repair notices issued by councils to private rental landlords can be recovered through a mandatory grant of up to £7.5k.	There were 22 repair grants approved in 2020/21, with an approval value of £52,581, Appendix 4.	NIHE will issue repair grants as required.	1E 4D
NIHE's 2020/23 Energy Efficiency Programme includes 1,715 units at a cost of £7.50m.	In 2020/21, the Energy Efficiency Programme included 50 units at a cost of £0.01m.	NIHE's 2021/24 Energy Efficiency Programme includes 1,561 units at a cost of £5.84m.	3B 4C 4D
Having taken the Oil Buying Club Service back in house in February 2020, NIHE will continue to provide and hopefully expand membership.	<p>5,200 households have become members of the 27 Oil Buying Clubs established in NI.</p> <p>Six of the clubs cover the Mid Ulster area including Ballinascreen (Draperstown), CUT (Culnady, Upperlands, Tamlaght and Maghera), DAMOC (Desertmartin, Tobermore, Magherafelt and Castledawson), Lisnahull (Dungannon), MUVE (Coagh and Cookstown) and Bannvale (Bellaghy and Portglenone).</p>	The Housing Executive plans to increase the number of Oil Clubs within the service and expand current membership across NI. Membership is now open and the service is free to join.	3B 4C

Outcome 3

Fostering vibrant sustainable communities

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
Community Planning			
Promote housing led regeneration through master planning proposals in urban and village centres.	NIHE will continue to work with the Council through the Community Planning process.	Promote housing led regeneration through master planning proposals in urban and village centres.	1A 1C 1D 3B 4C 4D
DfC to fund Areas at Risk, Small Pockets of Deprivation (SPOD) and Neighbourhood Renewal programmes for 2020/21.	£422,177 Neighbourhood Renewal funding was received by groups in Mid Ulster during 2020/21.	DfC hopes to continue to fund Areas at Risk, SPOD and Neighbourhood Renewal programmes for 2021/22.	1C 3B 4C 4D
NIHE will work with rural communities to identify hidden rural housing need. During 2020/21, rural needs tests have been programmed for Ballyronan, Clonoe and Longfield / Desertmartin.	In 2020/21, tests have taken place in Longfields / Desertmartin, Gulladuff and Ballyronan. A test is currently underway in Clonoe.	During 2021/22, rural needs tests have been programmed for Ardboe, Clady, Loup, Cappagh / Galbally, Straw, Drumullan, Stewartstown and Ballymaguigan / Creagh. NIHE will continue to work with rural communities to identify hidden rural housing need.	4D
The NI target for 2020/21 is to fund a minimum of three projects across the Townscape Heritage Initiative areas. (subject to budget allocation)	In 2020/21, delivery of the Heritage in Housing programme was impacted by COVID-19 restrictions. One project in Donaghadee was completed in full. Projects which were offered funding support in Carrickfergus, Lurgan and Armagh were unable to progress as planned and it is hoped that they will be delivered in 2021/22.	It is hoped that we will achieve funding to deliver a Heritage in Housing programme in 2021/22. (subject to budget allocation).	1C 4C 4D

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
NIHE hopes to offer the Rural Community Awards on an annual basis.	The 2020/21 Rural Community Awards were presented to various community groups throughout NI. Within Mid Ulster, Donaghmore Community Association was highly commended in the Community Champion large village category.	NIHE hopes to offer the Rural Community Awards on an annual basis.	1C 4C
Building Successful Communities			
DfC will continue to invest in social enterprise growth to increase sustainability in the broad community sector.	DfC is supporting Social Economy Enterprise growth in NI through Community Asset Transfer (CAT), Pilot Social Economy Projects, Social Enterprise Hubs and Social Innovation.	DfC will continue to invest in social enterprise growth to increase sustainability in the broad community sector.	1C 2A 2B 2C
Social Enterprise Plus Strategy will invest in local communities to support social enterprise initiatives.	Applications opened during summer 2020 and were oversubscribed. Successful applications received funding in the last quarter of 2020/21. One project received £9,193 funding in the Council area.	Social Enterprise Plus Strategy will invest in local communities to support social enterprise initiatives.	1A 1B 1C 2A 2B 3B 4C
Launch and implement new Community Safety Strategy – Working Together for Safer Communities 2020-2023.	Working Together For Safer Communities has been launched and will run until 2023, supporting working together with a range of partners across statutory, voluntary and community sectors.	Our Community Safety Strategy spans three main themes supported by annual action plans: <ul style="list-style-type: none"> • Building Community Confidence; • Ensuring Local Solutions; • Working Together. 	4A 4B 4C
We will work with partner organisations and communities to tackle Anti-Social Behaviour (ASB) and hate crime and create safer places to live.	During 2020/21, NIHE dealt with 90 cases of ASB within the Council area, four of which were categorised as hate related.	NIHE will deal with reported cases of ASB including hate harassment in its estates.	4A 4B 4C
NIHE will work to prevent people leaving their homes as a consequence of hate crimes.	During 2020/21 no Hate Incident Practical Action scheme (HIPA) incidents were actioned in the Council area.	NIHE will continue to implement the HIPA scheme.	4A 4B 4C

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
NIHE will continue to be a designated agency in the Policing and Community Safety Partnerships (PCSPs).	<p>NIHE Area Managers continue to attend their respective PCSP meetings.</p> <p>We are committed to working collaboratively with other agencies to develop and implement strategies to protect the people of Mid Ulster and keep them safe. Meetings are held bi-monthly</p>	NIHE will continue to be a designated agency in the PCSPs.	4A 4B 4C
NIHE will assess funding applications from Community Groups, PCSPs and Councils for a range of community safety initiatives.	During 2020/21, £10,000 was awarded in the Council area to the Mid Ulster Ageing Well group.	NIHE will continue to assess funding applications and fund appropriate initiatives that address community safety issues in NIHE estates, where money is available.	
NIHE will continue to partner on ASB Forum.	Local office staff continues to work with statutory partners in addressing ASB issues and attend the ASB Forum with PSNI, Council and Department of Justice to discuss cases of common concern.	NIHE will continue to partner on ASB Forum.	
NIHE will work to raise awareness and promote diversity and integration through its Community Cohesion Strategy.	<p>NIHE continues to engage at a local level to deliver programmes that raise awareness and promote diversity and integration.</p> <p>This can be measured by the number of Race Relations programmes funded. For example, we utilised the COVID Community Support Fund to support local agencies working with ethnic minorities in NIHE communities. This included, For You (Dungannon) who received funding to make daily calls and deliver warm meals to the most vulnerable and those isolating during the pandemic.</p> <p>We continue to work in partnership with our Race Relations Officer and external agencies within Mid Ulster such as Stronger Together and South Tyrone Empowerment Programme NI.</p>	NIHE will implement its Community Cohesion Strategy via its estate based cohesion programmes that raise awareness and promote diversity and integration.	

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
NIHE will promote Good Relations across the five cohesion themes of Communities in Transition, Segregation/Integration, Interfaces, Race Relations and Flags, Emblems and Sectional Symbols.	<p>Community Cohesion funding of £3,720 was spent on three projects in Mid Ulster. Each of the projects complied with COVID restrictions.</p> <p>The Link Cross Community Centre in Maghera received funding for art classes and basic cooking tutorials with primary school children. This provided the children with the opportunity to interact with others and learn a variety of techniques in a calm, relaxing setting. The class also allowed the children to socialise with each other to build strong connections with those they normally do not associate with.</p> <p>Fivemiletown Football Club received funding for mental health awareness sessions and the purchase of sports equipment which is being shared with other sports groups in the area, including Clogher Eire Ogs. The project was co-founded by NIHE and Mid Ulster Council and will ensure that Fivemiletown football club work together with other organisations in the community and share ideas plus resources.</p>	We will continue to support a community led approach across the five cohesion themes of Communities in Transition, Segregation/Integration, Interfaces, Race Relations and Flags, Emblems and Sectional Symbols.	4A 4B 4C
NIHE will continue to fund Supporting Communities NI (SCNI) in their work with communities.	<p>NIHE staff will continue to engage with local community groups.</p> <p>To date, SCNI works with 46 Community Groups within Mid Ulster. A review of the groups and the support they receive took place in March 2021.</p>	Continue to work with groups to ensure we achieve the best outcomes for our communities.	4A 4B 4C
The Community Involvement Strategy includes a one year action plan which will be monitored.	All actions have been delivered or are on target.	The action plan will incorporate new ways of supporting and engaging our communities to reflect current and future restrictions due to the COVID-19 pandemic.	4A 4B 4C

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
<p>The Community Grants 2020/21 budget has been agreed as £20,000 per Area Office, but has been redirected and released as a COVID-19 Community Support Fund. Funding of £3,153 per area for Housing Community Network (HCN) is also available.</p>	<p>The Community Grants 2020/21 budget was initially agreed as £20,000 per Area Office however, 50% was redirected and released as COVID-19 Community Support Fund.</p> <p>Additional funding of £12,000 per area was made available to cover a shortfall in Community Grants.</p> <p>The HCN budget of £3,153 per area was reduced to £2,153 per area and this funding was used to replenish the Community Grants budget, after its initial budget was diverted to COVID-19 Response funding.</p> <p>£14,297 was awarded during 2020/21 on Community Grants in Mid Ulster. NIHE funding supported 14 projects which included: Granaghan District Women's Group (Swatragh) who received support to purchase a laptop and run twelve self-care / health and wellbeing sessions via Zoom.</p> <p>An additional £13,604 was allocated to supporting Mid Ulster Groups through the COVID-19 Community Support Fund. NIHE funding has supported ten projects throughout the local area during the pandemic. This included: Reach Foodbank (Dungannon) who received support for the delivery of food and essential cleaning items to the vulnerable and isolated, living within NIHE communities.</p>	<p>The Community Grants 2021/22 budget has been agreed as £20,000 per Area Office.</p> <p>Funding of £2,000 per area for HCN is also available.</p>	<p>4A</p> <p>4B</p> <p>4C</p>

Outcome 4

Delivering quality public services

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
<p>Maximise rent collection to reinvest and improve services.</p> <p>Manage arrears as effectively as possible to maximise income.</p> <p>Continue to report Tenancy Fraud statistics to DfC. Monitor and reduce tenancy fraud.</p>	<p>NIHE collected 99.60% of rent at March 2021.</p> <p>Arrears increased by £43k during 2020/21.</p> <p>Statistics reported quarterly to DfC.</p>	<p>Maximise rent collection to reinvest and improve services.</p> <p>Manage arrears as effectively as possible to maximise income.</p> <p>Continue to report Tenancy Fraud statistics to DfC. Monitor and reduce tenancy fraud.</p>	4D
<p>Implement the welfare reform project plan as required.</p>	<p>NIHE has:</p> <ul style="list-style-type: none"> • an established Project Team which oversees Welfare Reform; • continued to implement the welfare reform project plan as required; • continued to identify the impact of the changes on our customers and on the business; • developed appropriate processes to implement changes; • developed an Income Collection project plan to deal with the impacts of welfare reform; • worked with DfC and Department for Work and Pensions (DWP) to align social rented sector payments with the claimants UC payment date; • carried out research to help the business plan how to deal with the impacts of welfare reform; 	<p>NIHE will:</p> <ul style="list-style-type: none"> • continue to implement the welfare reform project plan as required; • communicate with staff, tenants and housing applicants to provide advice and assistance on the impacts of welfare reform; • continue to carry out research to help the business plan how to deal with the impacts of welfare reform; • assist DfC and DWP deliver the processes necessary to implement welfare reform and associated mitigations; and 	4D

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
	<ul style="list-style-type: none"> instigated measures to lessen the impacts; and worked closely with DfC and DWP on the implementation of welfare reform and the mitigation processes. 	<ul style="list-style-type: none"> continue to work with DfC as a trusted partner for the Move to UC. 	
NIHE plan to process new public/private HB claims within the 15 day target and HB claim amendment within five days.	In 2020/21, new claims were processed in an average of 4.6 days. Claim amendments were processed in an average of 1.9 days.	NIHE plan to process new public/private HB claims within the 15 day target and HB claim amendment within five days.	4C 4D
Continue to implement Actionable Voids Action Plan 2019-22; maintain voids below 1% of total stock, make best use of housing stock and increase revenue from rents.	<p>Progress in implementing the Voids Action Plan 2019-2022 has been significantly impacted by the COVID-19 pandemic due to a number of factors including Public Health restrictions (including restriction on movement) and social distancing requirements.</p> <p>NIHE actionable voids at March 2021 were 0.54% of total stock.</p> <p>The Voids Action Plan will be extended for an additional year in order to complete objectives previously identified.</p>	Continue to implement Actionable Voids Action Plan 2019-23 and work towards mitigating the impacts of the COVID-19 pandemic.	1C 4D

Table continues

Plans 2020/21	Progress	Plans 2021/23	CP Ref*
Develop and implement a new Customer Support & Tenancy Sustainment Strategy (2019-2022) which builds upon the success of the previous strategy.	<p>The Customer Support & Tenancy Sustainment Strategy was published in 2020 following completion of the consultation exercise.</p> <p>The Strategy (and associated Action Plan) offers five key pillars of support to our customers:</p> <ul style="list-style-type: none"> • Housing Support; • Employment Support; • Money Support; • Proactive/Responsive Support for At Risk Customers; and, • Neighbourhood/Community Support. <p>Whilst progress has been impeded by the COVID-19 pandemic and social restrictions, a number of pilots, projects and research exercises are in development, and grant funding has been awarded to external voluntary and community organisations undertaking projects which align with the strategic objectives.</p>	<p>Continue to implement Action Plan 2019-22 through a combination of internal projects and grant awards.</p> <p>We will also seek to extend the lifetime of the strategy until the end of 2023/24 financial year – this will enable us to, not only, more fully implement the action plan in light of delays, but also to review this Action Plan in light of the social and economic landscape our social housing communities now face, and ensure that we are meeting the new and unprecedented support and tenancy sustainment needs of our customers.</p> <p>We will continue to report on the number of tenancies lasting <12 months against a baseline of 86%.</p>	4D
Reduce tenancy failure through increasing support for our customers and tenants to solve their housing problems and help them to stay in their own home.	<p>In 2020/21 we achieved a sustainment rate of 87% for tenancies beyond 1 year. (The way that this statistic is calculated is proportionate to overall terminations and therefore, to date, pandemic restrictions have not caused fluctuations in the reporting).</p>		
Continue to monitor tenants' satisfaction through the Continuous Tenant Omnibus Survey (CTOS).	<p>The 2020 survey found that 83% of tenants were satisfied with the overall service provided by NIHE. Work on the 2021 survey is under way.</p>	<p>Continue to monitor tenants' satisfaction through the Continuous Tenant Omnibus Survey (CTOS).</p>	4D

Appendices

Appendix 1

Community Plan themes and outcomes

The Mid Ulster Community Plan is entitled [10 Year Community Plan for Mid Ulster](#)

Theme	Outcome	Reference
Theme 1 – Economic Growth & Infrastructure	We prosper in a stronger and more competitive economy.	1A
	We have more people working in a diverse economy.	1B
	Our towns and villages are vibrant and competitive.	1C
	We are better connected through appropriate infrastructure.	1D
	We will increasingly value our environment and enhance it for our children.	1E
Theme 2 – Education and Skills	Our people are better qualified and more skilled.	2A
	We give our children and young people the best chance in life.	2B
	We are more entrepreneurial, innovative and creative.	2C
Theme 3 – Health and Wellbeing	We are better enabled to live longer healthier and more active lives.	3A
	We care more for those most vulnerable and in need.	3B
	We have better availability to the right health service, in the right place at the right time.	3C
Theme 4 – Vibrant and Safe Communities	We are a safer community.	4A
	We have a greater value and respect for diversity.	4B
	We have stronger communities with less disadvantage and poverty.	4C
	We enjoy increased access to affordable quality housing (infrastructure).	4D

Appendix 2

Social Housing Need by Settlement 2020-2025

Settlement	Social Housing Need 2020-25
Cookstown North	20
Cookstown South	51
Dungannon 1	257
Dungannon 2	36
Magherafelt	92
Coalisland	132
Maghera	5
Ardboe/Moortown/Ballinderry	11
Aughnacloy	2
Ballygawley	8
Ballyronan	2
Bellaghy	5
Benburb	3
Castlecaulfield	6
Castledawson	6
Donaghmore	21
Draperstown	16
Mountjoy	1
Moy	26
Newmills	3
Stewartstown	4
Swatragh	8
Tullyhogue	3
Total	718

Source: NIHE

Housing need has currently been met in: Ackinduff / Sheers Place, Augher, Bush, Caledon, Cappagh, Clogher, Coagh/ Lisnahull, Cookstown Rural Cottages, Fivemiletown, Granville/ Brantry, Gulladuff, Innishrush, Knockloughrim, Lissan / Dunamore, Loup, Magherafelt Rural, Moneymore, Moygashel, Pomeroy, Sandholes, The Rock, Tobermore and Upperlands. This will be kept under annual review.

Appendix 3

Social Housing Development Programme

For further details check the [Social Housing Development Programme](#) and the [Commissioning Prospectus](#)

Schemes completed April 2020 – March 2021

Scheme	No of units	Client Group	Housing Association	Policy Theme
64-66 Ballygawley Road, Dungannon	12	General Needs	Radius	Urban
Coalisland Rehabs**	4	General Needs	Apex	Urban
Barrack Street Phase 2, Coalisland	12	General Needs	Radius	Urban
33 & 37 Station Road, Magherafelt**	2	General Needs	Rural	Rural
	30			

Source: NIHE

* (T) Transfer Scheme built on NIHE land ** ESP - Existing Satisfactory Purchase *** OTS – Off the Shelf

Schemes on-site at March 2021

Scheme	No of units	Client Group	Housing Association	Policy Theme
Sycamore Drive, Killymeal Road, Dungannon	42	General Needs	Apex	Urban
Mullaghmore Road, Dungannon	28	General Needs	Choice	Urban
Molesworth Plaza, Molesworth Street, Cookstown***	15	General Needs	Clanmil	Urban
Roskeen Road, Moygashel *(T)	8	General Needs	Clanmil	Urban
	93			

Source: NIHE

* (T) Transfer Scheme built on NIHE land ** ESP - Existing Satisfactory Purchase *** OTS – Off the Shelf

Schemes programmed 2021/24

Scheme	Units	Client Group	Housing Association	Onsite Year	Theme
1& 3 Sycamore View, Dungannon***	2	General Needs	Apex	2021/22	Urban
Land at Dungannon Phase 2	40	General Needs	Apex	2021/22	Urban
Old Eglish Road, Dungannon	40	General Needs	Choice	2021/22	Urban
Oaks Road, Dungannon	29	General Needs	Radius	2021/22	Urban
63 Scotch Street, Dungannon	15	General Needs	Ark	2022/23	Urban
Ballygawley Road, Dungannon	30	General Needs	Ark	2023/24	Urban
Chapel Road, Cookstown	14	General Needs	Connswater	2022/23	Urban
Leckagh Cottages, Magherafelt *(T)	9	General Needs	Choice	2021/22	Urban
Killowen Drive, Magherafelt *(T)	15	General Needs	Choice	2021/22	Urban
34-38 The Square, Coalisland	10	General Needs	Habinteg	2021/22	Urban
Draperstown	6	General Needs	Rural	2023/24	Rural
Swatragh	7	General Needs	Rural	2022/23	Rural
Total	217				

Source: NIHE

* (T) Transfer Scheme built on NIHE land ** ESP - Existing Satisfactory Purchase *** OTS – Off the Shelf

Appendix 4

Maintenance Programme, Grants and Adaptations information

Schemes completed April 2020 – March 2021

Work Category	Scheme	Units
External Cyclical Maintenance	King William III/ Tamney	127
	Coalisland/ Gortgonis	56
Revenue Replacement Bathroom	Donaghmore Road / Fivemiletown / Moy	51
Revenue Replacement BKR	Coalisland / Cappagh / Donaghmore	41
Heating Installation	Magherafelt (No Gas)	8
	Aughnacloy/ Benburb/ Caledon	4
		287

Source: NIHE

Note: Some schemes may start and complete in year.

Schemes activity and expected completions up to 31 March 2022

Work Category	Scheme	Units
External Cyclical Maintenance	Coalisland / Gortgonis	73
	Stewartstown / Pomeroy	152
	Dunavon Park / Dunlea Vale, Dungannon	133
	Milltown, Dungannon	91
	Coalisland	153
	Lisnahull, Dungannon	106
	Aughnacloy / Clogher	119
	Fivemiletown	88
	Beechway / Ratheen Avenue, Cookstown	163
Double Glazing	Mid Ulster Double Glazing	100
Fence Painting	Mid Ulster Fence Painting	120
Revenue Replacement Kitchen	Magherafelt Kitchens	84

Table continues

Schemes activity and expected completions up to 31 March 2022

Work Category	Scheme	Units
Revenue Replacement Bathroom	Donaghmore Road / Fivemiletown / Moy	21
	Maghera / Bellaghy Bathrooms	26
	Money more / Parkview / Ard Stewart	35
	Millburn Park / Close, Cookstown	29
Revenue Replacement BKR	Coalisland / Cappagh / Donaghmore	29
	Ballygawley / Fivemiletown	70
	Cookstown / Pomeroy / Stewartstown	21
	Mid Ulster BKR	19
	Maghera / Gulladuff / Bellaghy	19
Heating Installation	Clogher / Fivemiletown	67
	Leckagh / Greenvale, Magherafelt	85
	Augher / Aughnacloy / Ballygawley	54
	Cookstown Rural	47
	Magherafelt (No Gas)	59
		1,963

Source: NIHE

Note: Some schemes may start and complete in year.

Definition of Work Categories	
BKR	Bathroom Kitchen Rewiring.
External Cyclical Maintenance	Work to the external fabric of a dwelling and its immediate surrounding area.
Heating Installation	Replacement of solid fuel or electric heating.
Revenue Repair/Replacement	Repair or replacement of obsolete internal elements, e.g. sanitary ware and kitchen units.
Fence painting	Fence painting which traditionally was an element within the External Cyclical Maintenance (ECM) programme.
Double Glazing	Replacement of single glazed with double glazed units.

Grants Performance 2020/21

Grant Type	Approved	Approval Value £k	Completed
Mandatory Grants			
Disabled Facilities Grant	80	892	63
Repairs Grant	22	53	22
Discretionary Grants			
Replacement Grant	<10	32	0
Renovation Grant	18	292	16
Home Repair Assistance Grant	10	47	11
Total	-	1,314	112

Source: NIHE

There may be a discrepancy in calculation due to rounding.

Adaptations to Housing Executive stock in 2020/21

Type of Adaptation	Adaptations 2020/21	Actual spend 2020/21 £m
Adaptations for Persons with a Disability (APD's) Starts*	<10	0.19
Adaptations for Persons with a Disability (APD's) Completions*	<10	
Lifts**	10	0.05
Showers**	25	0.06
Minor APD repairs***	128	0.10
Total	-	0.40

Source: NIHE

*Some Adaptations for Persons with a Disability (APD's) may start and complete in year

**Lifts & showers are also included in Planned Maintenance in Finance Chart in Local Context

***Minor APD repairs are also included in Response Maintenance in Finance Chart in Local Context

There may be a discrepancy in calculation due to rounding.

Disabled Facilities Grants (DFG's)

Year	2016/17	2017/18	2018/19	2019/20	2020/21
Approved	130	130	88	107	80
Funding (£k)	1,060	1,157	882	817	892

Source: NIHE

Appendix 5

Supporting People Information and Homelessness

Supporting People

Type of Service	Client Group	No. of schemes	No. of providers	Actual payments 2020/21 (£k)	Budget 2021/22 (£k)	Max. no of services users
Accommodation Based Services	Disability	13	6	1,484	1,482	134
	Homeless	3	3	806	769	51
	Older People	17	4	104	114	301
	Young People	4	2	311	300	17
	Sub Total**	37	**	2,706	2,665	503
Floating Support Services	Homeless	7	6	552	546	202
	Older People	2	2	202	202	85
	Young People	2	2	305	305	107
	Sub Total**	11	**	1,059	1,053	394
Grand Total*		48	**	3,764	3,719	896

Source: NIHE

* There may be a discrepancy in calculation due to rounding.

** Some providers supply both accommodation based and floating support services.

Homelessness

Year	No. of homeless presenters	No. of homeless acceptances	Households placed in temporary accommodation*
2016/17	829	466	88
2017/18	770	468	103
2018/19	843	542	107
2019/20	669	388	107
2020/21	659	362	237

Source: NIHE

* Applicants may have multiple placements over the period

Appendix 6

NIHE Stock at March 2021

Sold Stock in bold

Common Landlord Area	Bung (i)	Flat	House	Mais (ii)	Cottage	Total	Void *
Dungannon 1	86	99	323	0	0	508	3
	50	26	690	0	0	766	
Dungannon 2	37	15	89	0	0	141	1
	10	3	280	0	0	293	
Moygashel	13	10	43	0	5	71	2
	13	0	247	0	17	277	
Coalisland	47	17	227	0	1	292	6
	16	1	338	0	10	365	
Ackinduff / Sheer's Place	8	0	23	0	0	31	0
	32	0	23	0	4	59	
Augher	8	4	21	0	0	33	0
	2	0	44	0	0	46	
Aughnacloy	19	0	27	0	0	46	1
	3	0	87	0	0	90	
Ballygawley	22	8	21	0	2	53	1
	19	0	55	0	1	75	
Benburb	2	0	3	0	0	5	0
	24	0	28	0	4	56	
Bush	9	0	16	0	0	25	0
	18	0	71	0	0	89	
Caledon	27	1	30	0	4	62	0
	36	1	38	0	40	115	
Cappagh	6	0	3	0	0	9	0
	18	0	19	0	0	37	
Castlecaulfield	7	2	5	0	4	18	0
	16	2	68	0	29	115	

Table continues

Sold Stock in bold

Common Landlord Area	Bung (i)	Flat	House	Mais (ii)	Cottage	Total	Void *
Clogher	15	11	34	0	1	61	0
	7	3	44	0	4	58	
Donaghmore	22	0	19	0	1	42	0
	15	1	131	0	15	162	
Fivemiletown	60	8	41	0	0	109	3
	25	0	134	0	0	159	
Granville / Brantry	21	0	6	0	0	27	0
	54	0	64	0	2	120	
Mountjoy	13	0	19	0	0	32	0
	55	0	46	0	4	105	
Moy	24	3	32	0	0	59	1
	12	1	144	0	3	160	
Newmills	8	0	7	0	0	15	0
	7	0	58	0	0	65	
Dungannon District Total	432	178	989	0	18	1,639	18
	432	38	2,609	0	133	3,212	
Cookstown North	51	60	165	11	0	287	4
	23	17	382	9	0	431	
Cookstown South	52	57	215	0	0	324	0
	47	7	547	0	2	603	
Ardboe/Moortown/ Ballinderry	14	0	37	0	0	51	0
	12	0	93	0	0	105	
Ballyronan	4	0	4	0	0	8	0
	13	0	38	0	0	51	
Drumullan	2	0	6	0	0	8	0
	6	0	10	0	0	16	
Dunamore/Orritor	0	0	4	0	0	4	0
	9	0	33	0	0	42	
Finnobar / Coagh / Lisnahull	16	0	26	0	0	42	0
	2	0	54	0	0	56	

Table continues

Sold Stock in bold

Common Landlord Area	Bung (i)	Flat	House	Mais (ii)	Cottage	Total	Void *
Loup	4	0	6	0	0	10	0
	1	0	10	0	0	11	
Moneymore	21	3	39	0	0	63	0
	35	1	121	0	0	157	
Pomeroy	27	0	26	0	0	53	0
	22	0	45	0	0	67	
Rock	6	0	4	0	0	10	0
	7	0	16	0	0	23	
Sandholes	1	0	8	0	0	9	0
	1	0	17	0	4	22	
Stewartstown	10	6	55	0	0	71	0
	3	2	94	0	0	99	
Tullyhogue	8	0	25	0	0	33	0
	6	0	49	0	0	55	
Tynure / Lissan / Dunman	0	0	0	0	0	0	0
	0	0	25	0	0	25	
Rural Cottages	0	0	0	0	9	9	0
	8	0	4	0	141	153	
Cookstown District Total	216	126	620	11	9	982	4
	195	27	1,538	9	147	1,916	
Magherafelt	150	61	229	5	0	445	0
	84	17	692	5	0	798	
Maghera	125	21	94	0	0	240	1
	97	11	365	0	0	473	
Bellaghy	24	2	23	0	0	49	0
	15	0	123	0	0	138	
Castledawson	53	4	49	0	0	106	0
	49	2	133	0	0	184	
Draperstown	29	9	33	0	0	71	2
	40	5	134	0	0	179	

Table continues

Sold Stock in bold

Common Landlord Area	Bung (i)	Flat	House	Mais (ii)	Cottage	Total	Void *
Tobermore	19	0	28	0	0	47	0
	14	0	69	0	0	83	
Ballymaguigan	2	0	3	0	0	5	0
	18	0	9	0	0	27	
Carmean	4	0	0	0	0	4	0
	6	0	0	0	0	6	
Clady	19	0	11	0	0	30	0
	7	0	65	0	0	72	
Creagh	0	0	0	0	0	0	0
	8	0	19	0	0	27	
Culnady	4	0	11	0	0	15	0
	0	0	17	0	0	17	
Curran	1	0	4	0	0	5	0
	1	0	8	0	0	9	
Desertmartin	5	4	15	0	0	24	0
	9	0	28	0	0	37	
Fallahogey	1	0	5	0	0	6	0
	8	0	5	0	0	13	
Gulladuff	9	0	15	0	0	24	0
	3	0	30	0	0	33	
Innishrush	2	2	6	0	0	10	0
	0	0	17	0	0	17	
Kilross	7	0	0	0	0	7	0
	11	0	0	0	0	11	
Knockloughrim	6	0	3	0	0	9	0
	22	0	18	0	0	40	
Lisnamuck	3	0	0	0	0	3	0
	1	0	10	0	0	11	
Longfield	0	0	1	0	0	1	0
	0	0	24	0	0	24	
Moneyneaney	8	0	4	0	0	12	0
	8	0	22	0	0	30	

Sold Stock in bold

Common Landlord Area	Bung (i)	Flat	House	Mais (ii)	Cottage	Total	Void *
Portglenone	2	0	5	0	0	7	0
	8	0	21	0	0	29	
Rural Cottages	0	0	0	0	26	26	1
	2	0	2	0	126	130	
Swatragh	7	0	16	0	0	23	0
	8	0	50	0	0	58	
Tamlaght	10	0	2	0	0	12	0
	12	0	5	0	0	17	
Tullyherron	6	0	4	0	0	10	0
	0	0	0	0	0	0	
Upperlands	11	2	30	0	0	43	0
	3	0	57	0	0	60	
Magherafelt District Total	507	105	591	5	26	1,234	4
	434	35	1,923	5	126	2,523	
Mid Ulster Total	1,177	409	2,200	16	53	3,855	26
	1,061	100	6,070	14	406	7,651	

Source: NIHE

*Of the total stock these properties are void and do not include properties for sale or demolition

(i) Bungalow (ii) Maisonette

Appendix 7

Applicants and Allocations at March 2021

	Applicants (Total)	Applicants (HS)	Allocations
Dungannon 1	584	375	57
Dungannon 2	60	45	14
Moygashel	30	15	<10
Coalisland	190	119	35
Ackinduff / Sheer's Place	<10	<10	<10
Augher	<10	<10	<10
Aughnacloy	19	12	<10
Ballygawley	29	19	<10
Benburb	<10	<10	0
Bush	<10	<10	<10
Caledon	<10	0	0
Cappagh	<10	<10	0
Castlecaulfield	12	<10	0
Clogher	14	<10	<10
Donaghmore	31	22	<10
Fivemiletown	23	14	<10
Granville / Brantry	12	<10	<10
Mountjoy	<10	<10	0
Moy	46	34	<10
Newmills	<10	<10	<10
Dungannon District Total	1,080	691	160
Cookstown North	122	69	31
Cookstown South	244	141	<10
Ardboe / Moortown / Ballinderry	24	12	<10
Ballyronan	<10	<10	0

Table continues

	Applicants (Total)	Applicants (HS)	Allocations
Drumullan	0	0	0
Dunamore / Orritor	<10	0	0
Finnobar / Coagh / Lisnahull	<10	<10	<10
Loup	<10	<10	<10
Moneymore	24	14	<10
Pomeroy	19	10	<10
Rock	0	0	0
Sandholes	<10	0	0
Stewartstown	27	14	<10
Tullyhogue	<10	<10	<10
Tynure / Lissan / Dunman	0	<10	0
Cookstown Rural	<10	0	0
Cookstown Total	488	271	57
Magherafelt	281	152	17
Maghera	121	64	14
Bellaghy	27	11	<10
Castledawson	53	30	<10
Draperstown	39	21	<10
Tobermore	21	<10	<10
Ballymaguigan	<10	<10	0
Carmean	0	0	0
Clady	0	0	0
Creagh	0	0	0
Culnady	0	0	0
Curran	0	0	0

Table continues

	Applicants (Total)	Applicants (HS)	Allocations
Desertmartin	0	0	0
Fallahogey	0	0	0
Gulladuff	17	<10	0
Innishrush	<10	0	<10
Kilross	0	0	0
Knockloughrim	<10	<10	0
Lisnamuck	0	0	0
Longfield	0	0	0
Moneyneaney	0	0	0
Portglenone	0	0	0
Magherafelt Rural Cottages	<10	<10	0
Swatragh	18	11	<10
Tamlaght	0	0	0
Tullyherron	0	0	0
Upperlands	<10	<10	<10
Magherafelt District Total	590	294	66
Mid Ulster Total	2,158	1,267	283

Source: NIHE

NB: Household Composition is recorded on our systems at the point of application and may not reflect the current composition of the household.

Appendix 8

Management Team contact details

Landlord Services		
All enquiries 03448 920 900		
After Hours Homelessness 03448 920 908 (Mon-Fri after 5pm and weekends)		
Office	Contact	Contact Information
Cookstown Office 15 Morgan's Hill Road, Cookstown, BT80 8HA		cookstown@nihe.gov.uk
Magherafelt Office 3 Ballyronan Road, Magherafelt, BT45 6BP		magherafelt@nihe.gov.uk
Dungannon Office 6 Ballygawley Road, Dungannon, BT70 1EL		dungannon@nihe.gov.uk
South Region Manager	John McCartan	john.mccartan@nihe.gov.uk
Mid Ulster Area Manager	Sharon Crooks	sharon.crooks@nihe.gov.uk
Assistant Area Manager	Helen Hicks	helen.hicks@nihe.gov.uk
Housing Solutions Manager	Siobhan McSwiggan	siobhan.mcswiggan@nihe.gov.uk
Housing Landlord Manager (Patch)	Katrina Farley	midulsterpatch@nihe.gov.uk
Lettings Manager (s)	Louise Smyth (Dungannon)	louise.smyth@nihe.gov.uk
	Mairead Rafferty (Magherafelt)	mairead.rafferty@nihe.gov.uk
Accounts Manager	John Hagan	john.hagan@nihe.gov.uk

Regional Services		
All enquiries 03448 920 900		
Office	Contact	Contact Information
Land and Regeneration Services 2 Adelaide Street, Belfast, BT2 8PB	Elma Newberry Assistant Director	elma.newberry@nihe.gov.uk
Central Grants 2 Adelaide Street, Belfast, BT2 8PB	Danny O'Reilly Senior Principal Officer	daniel.o'reilly@nihe.gov.uk
Place Shaping South Marlborough House, Central Way, Craigavon, BT64 1AJ	Ailbhe Hickey Head of Place Shaping	ailbhe.hickey@nihe.gov.uk
Development Programme Group 2 Adelaide Street, Belfast, BT2 8PB	Roy Baillie Head of Development Programme Group	roy.baillie@nihe.gov.uk
Supporting People 2 Adelaide Street, Belfast, BT2 8PB	Alistair Mawhinney Assistant Director	alistair.mawhinney@nihe.gov.uk

Appendix 9

Glossary

Affordable Housing	<p>Affordable housing is:</p> <ul style="list-style-type: none"> a) Social rented housing; or b) Intermediate housing for sale; or c) Intermediate housing for rent <p>that is provided outside of the general market, for those whose needs are not met by the market. Affordable housing which is funded by Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing.</p>
Affordable Housing Fund	Administered by DfC, this finances an interest-free loan to housing associations, to fund the provision of new affordable homes and the refurbishment of empty homes.
Areas at Risk	This programme aims to intervene, by working with residents, in areas at risk of slipping into social or environmental decline.
Building Successful Communities (BSC)	Carried out in six pilot areas; this uses housing intervention to regenerate areas and reverse community decline.
Community Asset Transfer (CAT)	CAT provides for a change in management and/or ownership of land or buildings, from public bodies to communities.
Community Cohesion	Cohesive communities are communities where there is a sense of belonging, and there are positive relationships within the community, regardless of background.
Continuous Tenant Omnibus Survey (CTOS)	CTOS is an assessment of the attitudes of Housing Executive tenants.
Department for Communities (DfC)	A government department in Northern Ireland, which came into effect in May 2016 and replaced the Department for Social Development (DSD).
Disabled Facilities Grant (DFG)	A grant to help improve the home of a person with a disability who lives in the private sector to enable them to continue to live in their own home.
Discretionary Grants	Renovation, Replacement or Home Repair Assistance grants are grants that the Housing Executive may approve applications for assistance.

Equity Sharing	Equity sharing allows social housing tenants to buy part of their dwelling (starting at 25%). The remaining portion is rented from the Housing Executive or a registered housing association.
Floating Support	This support enables users to maintain or regain independence in their own homes. Floating support is not tied to the accommodation but is delivered to the individual users.
Fuel Poverty	A household is in fuel poverty if, in order to maintain an acceptable temperature throughout the home, they would have to spend more than 10% of their income on all household fuel.
Full Duty Applicant (FDA)	A Full Duty Applicant is a person to whom the Housing Executive owes a duty under Article 10 (2) of the Housing (NI) Order, 1988, to 'ensure that accommodation becomes available for his/her occupation'.
Home Energy Conservation Authority (HECA)	The Housing Executive is the HECA for Northern Ireland.
House in Multiple Occupation (HMO)	HMO is a house occupied by more than two qualifying persons, being persons who are not members of the same family.
House Sales Scheme	The House Sales Scheme gives eligible tenants of the Housing Executive the right to buy their property at a discount.
Housing for All	Having met the Together Building a United Community (TBUC) commitment of delivering 10 shared schemes, commitment will be continued through the Programme for Government to support the delivery of 200 units annually, through the Shared New Build Programme, re-branded as 'Housing for All'.
Housing Growth Indicators (HGI)	Figures contained in the Regional Development Strategy, to estimate the new dwelling requirement for council areas and the Belfast Metropolitan Urban Area for 2016-2030.
Housing Market Area	A housing market area is the geographic area within which the majority of households move, work and live.

Housing Market Assessment (HMA)	This is an evidence base for housing and planning policies, which examines the operation of housing market areas, including the characteristics of the housing market, how key factors work together and the potential housing need and demand on a cross tenure basis.
Housing Needs Assessment (HNA)	This is an assessment of local housing needs, primarily in relation to general needs social housing and wheelchair accessible accommodation.
Housing Stress	Applicants, on the waiting list, who have 30 points or above are considered to be in housing stress.
Intermediate Housing	Intermediate Housing currently consists of shared ownership housing provided through a registered housing association (e.g. Co-Ownership Housing Association) and helps eligible households who can afford a small mortgage, but cannot afford to buy a property outright. The property is split between part ownership by the householder and part social renting from the registered housing association. The new definition of affordable housing includes both intermediate housing for sale and intermediate housing for rent.
Landlord Registration scheme	Under the Landlord Registration Scheme Regulations (NI) 2014 all private landlords must provide accurate and up to date information about themselves and their properties to the Registrar.
Rural Housing Needs Test	Rural Housing Needs Test is a housing needs survey carried out in a rural area to assess any potential hidden need.
Mandatory Grants	Disabled Facilities Grants and Repair Grants are grants where the Housing Executive shall approve applications for assistance.
Neighbourhood Renewal	Government departments and agencies working in partnership to tackle disadvantage and deprivation.
NIFHA	Northern Ireland Federation of Housing Associations.
NISRA	Northern Ireland Statistics and Research Agency.
Oil Buying Clubs Scheme	Oil Buying Clubs are designed to help consumers reduce their costs by purchasing oil orders in bulk, as part of a group.
PCSPs	Policing and Community Safety Partnerships.
PPS	Planning Policy Statement.

Repossession	Repossession is where a court order has been granted ordering a debtor to hand back a property to a creditor where the property was either used as collateral (for a mortgage, loan or an unsecured debt or loan which has been secured by an order charging land) or rented or leased in a previous contract between the creditor and the debtor.
Supporting Communities Northern Ireland (SCNI)	Supporting Communities Northern Ireland provides training and funding for community groups.
Shared Housing	These are communities where people choose to live with others, regardless of their religion or race, in a neighbourhood that is safe and welcoming to all.
Site Identification Study (SIS)	A Site Identification Study is a report which examines all undeveloped lands within a settlement which has consistent unmet housing need. The study, which is prepared by the Housing Executive's Regional Place Shaping Teams, seeks to identify potential sites for the future development of social and intermediate housing.
Social Housing Development Programme (SHDP)	The SHDP provides grant funding to housing associations to build social housing. The programme is managed by the Housing Executive on a three-year rolling basis.
Social Enterprise	Social enterprises are businesses with primarily social objectives whose profits are reinvested to achieve these objectives in a community.
Social Rented Housing	Social Rented Housing is housing provided at an affordable rent by the Housing Executive and registered housing associations; that is, housing associations, which are registered and regulated by DfC as a social housing provider. Social rented accommodation is offered in accordance with the Common Selection Scheme, administered by the Housing Executive, prioritising households who are living in insecure or unsuitable accommodation.
Small Pockets of Deprivation (SPOD)	SPOD is a delivery vehicle for neighbourhood renewal.
Supported Housing	A term used to describe a range of both long and short-term accommodation provided for people who need an additional level of housing related support, to help them lead an independent life.

Supporting People Programme	The Supporting People Programme is designed to provide housing related support, to prevent difficulties that can typically lead to hospitalisation, homelessness or institutional care, and can aid a smooth transition to independent living, for those leaving an institutionalised environment.
Temporary Accommodation	The Housing Executive provides temporary accommodation in the form of Housing Executive hostels, voluntary sector hostels, leased premises (Dispersed Intensively Managed Emergency accommodation – DIME), single lets and non-standard accommodation (B&B/hotel) as and when required. B&Bs and hotels are used, when no other options are available, for a short duration.
Tenancy Deposit Scheme	When a tenant rents a property from a private landlord, they will usually pay a deposit. The private landlord must protect the deposit under the Tenancy Deposit Scheme. This scheme makes sure a tenant gets their deposit back when they move out if they have looked after the property and paid their rent.
Universal Credit	Universal Credit is a payment for people over 18, but under State Pension age that are on a low income or out of work. It includes support for the cost of housing (rent), children and childcare, as well as financial support for people with disabilities, carers and people too ill to work.
Welfare Reform	The term Welfare Reform is used to cover a wide range of changes to the social security (benefits) system. The main reforms that the Housing Executive have been involved with have included changes to Local Housing Allowance for Housing Benefit claimants living in the private rented sector, Universal Credit, Social Sector Size Criteria (Bedroom Tax) and the Benefit Cap.

Minutes of Meeting of Mid Ulster District Council held on Thursday 22 July 2021 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair Councillor McLean

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

Officers in Attendance Mr McCreesh, Chief Executive
Ms Canavan, Director of Organisational Development
Ms Campbell**, Director of Leisure and Outdoor Recreation
Mr Moffett, Head of Democratic Services
Mr Tohill, Director of Finance
Mrs Forde, Member Support Officer
Ms Kate Keys**, Communications

In Attendance **Agenda Item 4 Deputation: Department for Infrastructure (Roads)**

Mr David McKinley**	Divisional Roads Manager
Mr Neill Bratton**	Section Engineer
Ms Lesley Maxwell**	Section Engineer
Ms Michelle Greer**	Networks Maintenance Manager

**Agenda Item 21 Presentation by Chief Executive
Amendments to Senior Staff Structure**

Ms Hilary Brearley**	HR Consultant
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* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm

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

C146/21 Apologies

Councillors Black, Burton, Graham and Oneill

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C147/21 Declarations of Interest

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

C148/21 Chair's Business

The Chair, Councillor McLean said that everyone welcomed the gradual return to normality as COVID restrictions continue to lift and life eases back to the way things were pre-pandemic. He did however urge everyone to continue to exercise caution and follow the public health advice and get the jab to limit the risk to COVID spread which appeared to be gaining momentum across the district and region. The Chair also spoke of the good weather and highlighted that it is a time when everyone must look in on neighbours, particularly the elderly in the extreme heat to ensure that all is well. He said that equally pets, particularly dogs needed care to limit the potential of heat exhaustion and dehydration.

The Chair, Councillor McLean highlighted the reports issued by NI Water regarding the immense demand being placed on the water supply to the district during the current heat wave and asked everyone to play their part in following the advice from the authorities to reduce the pressure on the water supply by looking at how voluntarily use of mains water can be reduced to essential use only.

The Chair, Councillor McLean noted that a Council meeting had been scheduled for 26th August. He reminded Members that this had been agreed subject to business requirements and urgent matters requiring consideration in the month of August and as such he together with the Chief Executive would consider the need for a meeting closer to the time. Members would be advised accordingly. He highlighted that many staff had worked throughout the pandemic and Council should be mindful that they needed their annual leave.

Proposed by Councillor Wilson
Seconded by Councillor Monteith and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer That the Chair and Chief Executive consider the requirements for a meeting of Council in August and only issue notice if there are urgent matters for consideration

Councillor Wilson advised that a mobile vaccination centre would be operational on Saturday 24 July 2021 in the Burnavon, Cookstown and encouraged all who were not yet vaccinated to avail of the opportunity.

Councillor Monteith referred to comments made in relation to NI Water and said that advise needed to be shared throughout departments as he had been made aware that the parks were using sprinklers earlier in the day. In response, the Chief

2 – Council (22.07.21)

Executive said that as yet there was no public hosepipe ban but information had been shared regarding unnecessary water use. He further advised that Council would collect water from for example river basins and water butts to water flowers and plants. He assured Members that Council would lead by example but did highlight that bowling greens would have to be maintained as the costs of repairs would be exorbitant.

C149/21 Deputation: Department for Infrastructure Roads

The Chair, Councillor McLean welcomed representatives from DfI Roads to the meeting. He reminded Members they would have received an email with an enquiry sheet to forward issues and stressed the presentation was for strategic issues and delivery of the Spring Report.

Mr McKinley presented the previously circulated report.

The Chair Councillor McLean thanked Mr McKinley for his report and invited Member questions on strategic issues only reminding Members that enquiry forms had been issued and should be returned to Democratic Services as soon as possible.

Councillor Wilson thanked the officials for the report in particular local section staff for their work in what had not been an easy year. He referred to the Cookstown Bypass Project and the fact that the public information sessions had been postponed and asked if this was on line for early 2022. He expressed concern on the secondment of Neill Bratton to the procurement team and sought clarity on the duration.

The Chair, Councillor McLean said Council had received a letter from the Minister Infrastructure with regard to the legal challenge in relation to procurement issues, a party leaders meeting had been called and it had been noted that DfI had given a commitment that this was a short term period of six months and the officer would be returned to post.

In response to the query on the Cookstown Bypass Mr McKinley advised that there had been some modifications regarding the junction at Castle Road and Killymoon and a further roundabout had been suggested. He confirmed that the Department were on course for the public information sessions early in 2022.

Councillor Cuthbertson thanked local teams for their work during the past year and expressed disappointment with regard to resurfacing and stated he hoped it would be rectified early autumn. He requested that housing estates and developments received consideration for resurfacing as there was serious neglect in this area. He asked how far grass cutting had progressed in the current year and if the proposed park and ride at Stangmore Roundabout is the same location as previously discussed.

In response Mr McKinley said the proposed park and ride at Stangmore Roundabout is still the preferred site but there were discussions regarding access. With regard to

grass cutting Mr Bratton advised that the first cutting of the season had been completed in the north of the district and it was hoped to commence the second cut next week between Moneymore and Cookstown. Ms Maxwell said the south of the district was similar, there had been some issues with the new contractor but was hoped that the second cut would commence shortly.

Councillor Buchanan asked if the budget for resurfacing was being carried forward if not expended.

In response Mr McKinley said he could not confirm what flexibility there would be but DfI were striving to get the projects up and running by January 2022. He advised that Fermanagh and Omagh Council had resolved to write to the Minister to seek assurance that the money would remain for spend in the west.

Councillor Mallaghan referred to the impact of the hot weather on the roads and said that some areas of roads were melting. He highlighted an example of the B4 between Pomeroy and Donaghmore whereby a heavy goods vehicle had driven over a road softened by the heat and it had left a trough. He asked if going forward given that climate change was resulting in hotter weather if there were any plans for improvement in the bitumen mix for roads that they be more durable.

In response Mr McKinley said there was no immediate plans for change at present as the current bitumen is designed for the ambient temperatures experienced to date. Mr Bratton concurred but stated that other countries with a hotter climate have a higher cement mix but that would be for higher level consideration as the current mix was to British Standards.

Proposed by the Chair, Councillor McLean
Seconded by Councillor Mallaghan and

- Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – that the Council write to the Minister for Infrastructure requesting that
- (i) The budget underspend in Mid Ulster resulting from the current suspension of works by the department due to issues in relation to tender processes be retained for spend in the district; and
 - (ii) Due to climate change and the expectancy of increasing temperatures consideration is given to the Bitmac formula used for the roads in order that it will be more durable in hot weather

Councillor McKinney asked if smaller projects could be completed using some of the monies which had been allocated to the procured projects.

In response Mr McKinley said that smaller schemes were being considered and highlighted that the rural roads funding programme would be fully utilised.

Ms Greer stated that there was access to smaller contracts and all avenues would be utilised as far as possible.

The Chair Councillor McLean asked if Council could assist by suggesting projects via the enquiry form, in response Ms Maxwell said that there was already quite a list within the small scale works programme.

The Chair Councillor McLean requested that DfI share the proposed list for the small scale works programme. In response Ms Maxwell said that this is not usual practice. The Chair stated that a partnership approach was needed and Members could assist for example in prioritising. Ms Maxwell stated that project prioritisation had already taken place.

The Chair, Councillor McLean highlighted that the Dungannon Bypass was not mentioned on the report and stated if it was not on the agenda it would not happen. He reflected on the time it had taken to get previous schemes such as Magherafelt and Cookstown up and running and asked how Council could progress the matter.

Mr McKinley stated that at present Dungannon Bypass had no status but was subject to review and he anticipated it would be there in the future. He said it was ultimately dependent on the Minister's priorities but hopefully in the future there would be a stimulus package to commence design work. He said he would like to see work on a five year rolling programme to get started and keep the ball rolling. He said that in Enniskillen vesting orders had been published. He concluded that it needed to be in the Regional Strategic Network Transportation Plan.

The Chair thanked the DfI team for their contributions and they withdrew from the meeting at 8.09pm.

Matters for Decision

C150/21 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on Thursday 24 June 2021

Proposed by Councillor Quinn

Seconded by Councillor Wilson and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That the Minutes of the Council held on Thursday 24 June 2021 (C119/21 – C135/21 and C145/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C151/21 Receive and Consider Minutes of matters transacted in "Open Business" Policy and Resources Committee Minutes of Meeting held on Thursday 1 July 2021

Proposed by Councillor Quinn
Seconded by Councillor S McGuigan and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That the minutes of Policy and Resources Committee held on Thursday 1 July 2021 (PR134/21 – PR141/21 and PR156/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C152/21 Receive and Consider Minutes of matters transacted in “Open Business” Environment Committee Minutes of Meeting held on Monday 5 July 2021

Councillor Kerr drew attention to *E195/21 Minutes of the Environment Committee held on 15 June 2021* and stated he had requested information from officers regarding the whereabouts of litter bins which had been removed at the commencement of the Public Realm Scheme in Coalisland but had received no response. The Councillor stated that the bins could be used in other locations.

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer –that an update be provided to Members in relation to E195/21. Bin Issues – an update be provided regarding litter bins removed at the commencement of the Public Realm Scheme in Coalisland as some of these could now be utilised in other locations.

Councillor Kerr drew attention to *E194/21 Biodiversity All Ireland Pollinator Plan* and welcomed that Council had signed up to the plan. He requested that a report be brought to a future meeting of the Environment Committee on an action plan for the district to include proposed initiatives.

Councillor Monteith drew attention to E190/21 Deputation NI Houses of Multiple Occupation Unit and said that it was somewhat farcical highlighting that to say there is only 24 registered houses of multiple occupation in Dungannon and stated you would have more in housing estates. He said that Belfast with its student population is somewhat different to Dungannon and to say there is no mechanism to identify HMO's is nonsensical. Councillor Monteith said that in order to assist in the collation of data to provide better housing standards he would propose that Council write to Estate Agents throughout the district who are letting agents for Landlords and ask them to identify the Houses of Multiple Occupation they manage. He said it was imperative that Council work with whoever is necessary in order to deliver better housing standards.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – In order to assist in collation of data to provide better housing standards, Council write to Estate Agents throughout the district who are letting agents for Landlords and ask them to identify the Houses of Multiple Occupation they manage.

Councillor Glasgow drew attention to *E196/21 Update on Refuse Collection/Route Optimisation* and said he had posed questions but to date had received no answer and asked again in relation to website bin collection schedule if Council controlled it or if it was in the control of a third party. He also said that it was his understanding that Council policy was that no one would have to cross the road to access the bin collection point. Councillor Glasgow asked again had this changed.

In response the Marketing and Communications Officer advised that Communications did not control the updating of the calendar, that it was managed by a third party and Environmental Services was the point of contact to provide instruction to action changes. In relation to policy change the Councillor was advised that the Head of Environmental Services would provide an update.

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

- (i) that an update be provided as to whether the policy has changed in that no citizen would be asked to bring their bin to the opposite side of the road.
- (ii) that information in relation to refuse collection is updated as and when required.

Proposed by Councillor B McGuigan
Seconded by Councillor Brown and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That the Minutes of Environment Committee held on Tuesday 5 July 2021 (E187/21 – E203/21 and E214/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C153/21 Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on Tuesday 6 July 2021

In response to Councillor McKinney’s comments in relation to ICT issues at the planning committee the Head of Democratic Services advised that an ICT officer had

been assigned and unfortunately it had escaped his attention, but that the matter had been swiftly rectified.

Proposed by Councillor Brown
Seconded by Councillor S McPeake and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That the Minutes of Planning Committee held on Tuesday 6 July 2021 (P087/21 – P092/21 and P099/21) transacted in Open Business having been printed and circulated, were considered and adopted.

Declaration of Interest

Councillor S McAleer declared an interest in Knockmany Running Club.

C154/21 Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Wednesday 7 July 2021

Councillor Ashton requested amendment at D139/21 *Irish Language Activity Funding Programme 2021/22 and Irish Language Action Plan 2021/22*, “Councillor Ashton proposed that the Irish Language Activity Funding Programme 2021/22 and Irish Language Action Plan 2021/22 be considered in open business. In response, the Head of Community Development stated that the paper referred to public grants and thus should present no difficulty. The Chief Executive concurred.”

Councillor S McAleer commended staff who had worked with the Knockmany Running Club to erect signage throughout the Knockmany facility. She said that the signage had been well thought out and had resolved ongoing issues.

Councillor Doris welcomed the signage and acknowledged the good work Council was delivering in parks including the provision of disabled friendly equipment. She then advised that she had been contacted by parents with children who have additional needs and asked if a paper could be brought forward to outline the current provision in leisure centres for those with additional needs. Councillor Doris concluded by stating that some supermarkets promote an autism friendly hour in order to be more user friendly.

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – that a report be brought to a future committee outlining the current provision in leisure centres for those with additional needs.

In response to Councillor Cuddy’s query in relation to D137/21 Economic Development – DfC Revitalisation schemes the Chief Executive reiterated that Council had received funding under previous schemes for Cookstown, Dungannon

and Magherafelt and suggested that a report be brought to committee outlining how the funding was allocated before considering the Councillor's proposal to write to the Minister for Communities.

Councillor Cuddy agreed but stated his recollection of the development committee debate was that funding had not been received.

Councillor Ashton stated that her recollection was that funding had been received.

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, that a report be brought to Development committee to provide detail of allocations received from Department for Communities Revitalisation Schemes following public realm schemes in various towns across the district and how it was utilised in the individual towns.

Councillor Quinn drew attention to D140/21 Development Committee minutes 17 June and the issue raised on dredging at Lough Neagh and the response that Council had no responsibility for Lough Neagh waters. He highlighted a recent protest held on this issue and a BBC news report which had detailed that the relevant Councils were scheduled to meet on the matter and he would welcome such a meeting.

In response the Chief Executive stated that the event and news report had been observed, Council officers had met with the Lough Neagh Partnership and a further meeting was planned with other agencies such as ICBAN and the Ulster Canal group to discuss waterways.

Councillor Doris reflected on the motion brought by Sinn Féin the previous month and shared her experience of a recent boat trip on Lough Neagh to view the problems she advised that the invitation to view the problems was now extended to the Chief Executive and Head of Tourism.

Councillor Doris proposed that Lough Neagh fishermen be invited to present to a future development committee.

The Chair, Councillor McLean stated the points had been noted.

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, Consideration given to inviting Lough Neagh Fishermen to present to Committee in relation to ongoing issues in the Lough

Proposed by Councillor Kerr
Seconded by Councillor Corry and

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

Senior Officer, that the Minutes of Development Committee held on Thursday 7 July 2021 (D127/21 – D145/21 and D148/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C155/21 Civic Recognition Nomination

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

Proposed by Councillor Kerr
Seconded by Councillor S McGuigan and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that approval be given to submitted requests for civic recognition as outlined in the report and be dealt with as previously resolved by April 2020 Council in that recipients receive a letter together with an award, where appropriate;

C156/21 Conferences, Seminars and Training

The Head of Democratic Services sought approval for the previously circulated report on conferences, training and seminars together with a request that the Chief Executive attend the UK Government's NI Business and Innovation Showcase event at Queen Elizabeth II Centre, London, SW1 on 15 September 2021. It was noted that the event itself was free and approval was sought for travel and subsistence costs.

Proposed by Councillor Chair, Councillor McLean
Seconded by Councillor Brown

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

Matters for Information

Declaration of Interest

Councillor Colvin declared an interest as a Member of the Northern Commissioning Group in item considering correspondence from BMA and RCGP.

C157/21 Correspondence

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

Councillor Monteith drew attention to correspondence received from British Medical Association (BMA) and Royal College of General Practitioners NI (RCGP) and said it was refreshing to see that they recognise that there is an issue with GP delivery of services as he was receiving complaints on a daily basis. Councillor Monteith proposed that Council seek a meeting with the BMA and RCGP and spoke of the ongoing issues of shortage of staff and resources but highlighted that people needed face to face contact with doctors.

Councillor Mallaghan seconded the proposal and said that he hated to be cynical but in the past the organisations had aspired to video conferencing as a way of seeing patients but he would support the need for more GPs in practices.

Proposed by Councillor Monteith
Seconded by Councillor Mallaghan and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that Council to seek a meeting with the BMA and Royal College of General Practitioners on the issues raised within correspondence received.

Councillor Mallaghan drew attention to the correspondence from Fermanagh and Omagh Council regarding the motion approved in relation to the “Rights of Nature”, and said whilst it appeared to be a good idea he would request that a report and or presentation be brought forward to the Environment Committee in order that Members gain an insight into the concept.

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that a report and/or presentation be brought to Environment committee to inform Members on the concept of “Rights of Nature”

Councillor Doris drew attention to the correspondence received from Fermanagh and Omagh Council regarding the motion approved “Implementation of our BDS support in relation to PSNI/An Garda Síochána partnerships with Israeli security forces and companies with involvement in illegal Israeli settlements. She said that the Palestinian people had been forced from their homes and Israeli forces should have to face the consequences of their actions. Councillor Doris referred to a recent motion brought to the Dáil by Sinn Féin and stated that international solidarity had been invaluable in Ireland and South Africa and emphasised the improvement it had brought to many lives and as such she would support the correspondence.

Councillor Kerr associated himself with previous comments in relation to GPs and spoke of a case whereby a lady had been asked to send a photograph of her throat

and the exacerbation felt when people could not get through to surgeries when telephoning or having to ring at a certain time. With regard to the “Right of Nature” Councillor Kerr said he would welcome a paper to the Environment committee.

Councillor S McPeake drew attention to the correspondence received from the Minister of Finance and the reference to further financial clawback in relation to broadband schemes. Councillor S McPeake proposed that Council write to the Minister for the Economy reiterating the need for any monies clawed back to be reinvested into areas where broadband is poorest.

Proposed by Councillor S McPeake
Seconded by Chair, Councillor McLean and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that Council write to the Department for the Economy reiterating that clawed back monies in relation to Northern Ireland Broadband Improvement Programme (NIBIP) and Superfast Rollout Programme (SRP) is directed to *Broadband provision into rural areas with poorest broadband speeds.*

C158/21 Consultations Notified to Mid Ulster District Council

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

Councillor B McGuigan drew attention to *DAERA: Call for Evidence on a Plan to Eliminate Plastic Pollution in NI*. He proposed that the consultation be included as an item on the agenda for Environment Committee stating that the throw-away culture needed to be addressed and that plastic should be valued as a resource referencing the good work carried out by Council in recycling plastics. Councillor B McGuigan referred to the ‘Live Here Love Here’ project, Council’s support for local litter picks and yet plastic is still seen on the streets.

Proposed by Councillor B McGuigan
Seconded by Councillor Corry and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that DAERA: Call for Evidence on a Plan to Eliminate Plastic Pollution in NI - item to be included on Environment Committee Agenda for discussion.

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

The live broadcast concluded at 8.40 pm

Proposed by Councillor D McPeake
Seconded by Councillor Brown and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That items C159/21 to C168/21 be taken as confidential business.

Matters for Decision

- (i) Council confidential minutes of meeting held on 24 June 2021
- (ii) Policy and Resources Committee Confidential minutes of meeting held on 1 July 2021
- (iii) Environment Committee Confidential minutes of meeting held on 5 July 2021
- (iv) Planning Committee Confidential minutes of meeting held on 6 July 2021
- (v) Development Committee Confidential minutes of meeting held on 7 July 2021
- (vi) Document for Sealing -Collaborative Agreement with Antrim and Newtownabbey Borough Council for the 'Digital Transformation Programme'
- (vii) Staff Matters for Decision
- (viii) Presentation by Chief Executive: Amendments to Senior Staff Structure
- (ix) Report on Amendments to Senior Staff Structure

C169/21 Duration of Meeting

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

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

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

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

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

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

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

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 3 August 2021 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor S McPeake, Chair

Councillors Black*, Bell, Brown, Clarke, Colvin, Corry, Cuthbertson, Glasgow, Hughes, Mallaghan, McKinney*, D McPeake, Quinn, Robinson

Officers in Attendance

Dr Boomer, Planning Manager
Ms Donnelly, Council Solicitor
Mr Marrion, Senior Planning Officer
Mr McClean, Senior Planning Officer
Ms McCullagh, Senior Planning Officer
Ms Grogan, Democratic Services Officer

Others in Attendance

LA09/2020/0641/F - Spokesperson for Stop Clunty MX Group
LA09/2020/1375/F –Francisco & Teresa Martin
LA09/2020/1375/F –Trevor Hutton
LA09/2019/0944/F - Damien Murray
LA09/2019/0944/F - Paul Bradley

Councillor Gildernew**
Councillor Wilson**

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

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7 pm.

In the absence of the Chair, Councillor Black, the Vice-Chair, Councillor S McPeake took the Chair.

P100/21 Apologies

Councillor McFlynn.

P101/21 Declarations of Interest

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

Councillor Hughes declared an interest in Agenda Item 4.4 – LA09/2020/0641/F - Retention of Motocross Racetrack comprising earthworks forming jumps and tracks,

portacabin office, parking and access via existing laneway at land approx. 600m NW of 54 Drumearn Road, Cluntyganny, Cookstown for Clunty Cookstown MX Track.

Councillor Clarke declared an interest in Agenda Item 4.4 – LA09/2020/0641/F - Retention of Motocross Racetrack comprising earthworks forming jumps and tracks, portacabin office, parking and access via existing laneway at land approx. 600m NW of 54 Drumearn Road, Cluntyganny, Cookstown for Clunty Cookstown MX Track.

Councillor Bell declared an interest in Agenda Item 4.6 – LA09/2020/1375/F – Dwelling (in substitution for I/2009/0372/F) and retention of existing mobile home for a temporary period of 3 years at 27a Drumconvis Road, Coagh, Cookstown for Mr and Mrs Cotton.

Councillor Hughes declared an interest in Agenda Item 4.6 – LA09/2020/1375/F – Dwelling (in substitution for I/2009/0372/F) and retention of existing mobile home for a temporary period of 3 years at 27a Drumconvis Road, Coagh, Cookstown for Mr and Mrs Cotton.

Councillor Black declared an interest in Agenda Item 5.1 – LA09/2019/0944/O – Infill dwelling and garage between 90 and 92 Iniscarn Road, Desertmartin for Mr Paul Bradley.

P102/21 Chair's Business

The Planning Manager said he wished to bring members attention the fact that there would be two planning committee meetings to deal with a backlog of business. He was proposing to bring the first time items which included approvals and non- contentious matters to meeting on Tuesday 7th September and then any deferrals, refusals, speakers etc. being brought to meeting on Tuesday 28th September. He said the purpose of this was to make sure that members and officers were not here until midnight trying to get through potentially a huge agenda. If it comes to the point of sitting down and creating the agenda, which may not look to difficult then the meeting on 28th could be cancelled but he was not anticipating that to happen. He felt that this was the time to catch up as everything was kept going over Covid and 1½ years over lockdown was a long time.

He said another thing he wished to bring to the committee's agenda was an appeals decision and sometimes there was a need to go to enforcement in the event of the applicant not carrying out what was promised when building so in that event an enforcement notice is served. He stated that there was an old water maintenance building next to the lough at Washingbay area of Coalisland and obviously there has been a long dispute as the gentleman has been doing some industry cutting up metal amongst other things and in front of that there was a dwelling and the occupants felt their immunity was being harmed. He advised that a lot of events have happened over a number of years and at one stage a certificate for lawful development was obtained for the use he was doing, with an appeal decision being sought or a decision he ended up with a condition which meant he could do that use but couldn't store his materials outside or do anything that intensified the use at that property. He said that he took great note on that appeal decision, due to the fact that whilst it was a minor extension it does actually recognise that this gentleman could facilitate his rights under planning policy to extend his business in some shape or form albeit minor. A planning application was received after the appeal decision which put the condition on, but where the planning

appeals commission imposes a condition, planning department do not have to entertain that planning application so that application was still in abeyance for the last 2 to 3 years otherwise could end up on the constant cycle and the planning appeals would be the last place to go.

The Planning Manager stated that his own view would be that planning appeals decision means that consideration be given to that application and although the outcome couldn't be predicted, it does say that there could be a change in circumstance and if this was the case, then further consideration should be given. He advised members that he had asked officers to go and consider that application and bring it back to committee. He also has instructed the solicitor that if the person before the courts asks for the prosecution to be deferred and if the judge was willing, then we would have no objection to it being deferred whilst that application was being considered.

The Chair felt that the Planning Manager had indicated a very sensible approach as members had to learn from all previous decisions, especially when it impacts on applications pending.

The Chair said that he wished to raise one issue and asked for some views from Planning Manager or officers. He advised that everyone was eagerly anticipating the rollout of Project Stratum throughout Mid Ulster and thankfully it started at pace in Maghera/Magherafelt area in recent weeks with a lot of activity regarding cabling along the roads and new poles being erected where they were needed. He stated that members received huge amount of calls about the erection of poles where they were not placed previously and poles appearing up overnight and in many cases residents living nearby at the end of their laneways and impacting on visibility splays and disappointing that there has been no consultation with landowners. He stated that he had 2 or 3 different representations made to him on the matter in recent times and was aware of other Councillors also and felt that there was a need to get a ruling, especially when it was impacting on the householders and also visibility splays. He said that it was his understanding that the requirement for visibility splays were quite rigid and onerous and ordinary landowners would not be permitted to build pillars due to obstruction. He advised that he was made aware of legislation to allow and permit Telecoms to erect poles wherever they wish and felt that it would be useful for members to get a ruling on it and stated that if it hadn't reached a certain area, it certainly would it eventually. He said that everyone wished to work with Telecom providers and was fantastic to see the work being rolled out but felt that clarity was needed on whether this type of work can happen and what impact it could have on landowners in terms of visibility splays and access.

The Planning Manager advised that this situation was very complex as there were a wide range of powers relating to poles with lines on them without needing any planning permission as it was granted by a general permitted development order. He said that the same criteria does not apply to masts and telecom poles can be erected in many instances without permission unless they require another consent. He said as this was someone's land, then this would be moving out of planning law and into the area of land law and whilst poles may be able to be erected and if potentially developing on someone else's land, then consent was needed from that person and this was where it got complex as these things tend to go in the verge, up against someone's land. Land registry showed land ownership up to the road edge and often there would be a hedgerow or fence, but when there was that gap, it was his understanding that there was

a long established case law that if someone gives up a bit of land (erection of fence or hedgerow) basically means that the landowner has given up their land and given control to Roads Service who may cut the verge once or twice a year. The point here was that in terms of planning control, there was not a lot we can do, but in terms of land ownership, then this would result in people having to take their own advice as Planning Officers cannot intervene. In the past people may have moved the pole, but this may not be the case now as everything seems to be off monetary value to do anything and if a planning application was received and was in a visibility splay, like reserved matters for instance, Officers would then investigate if it had prejudiced the visibility splay and only way to investigate would be to visit the site to see if there was an obstruction and this could only be assessed while going out to investigate.

Councillor Quinn said that there were similar complaints in Coalisland regarding Project Stratum and felt that the only way the company could deliver the project financially viable was to erect overhead cables instead of under the ground. He advised that he also had received several complaints from the Torrent area and in fairness to Fibrus they did come out and move the poles to a different location along the road. He said that he wasn't au fait with planning laws but felt that there could be problems regarding the delivery of Project Stratum to the areas especially out in the countryside, but agreed with the Chair that work needed to be done with Fibrus, possibly a weekly or monthly conversation on where these poles were going. In this incidence the poles have been erected where people intended to build a house and a pole set right in the middle of the entrance, but thankfully this was moved to allow access and may be a case of local Councillors meeting with Fibrus to make sure the poles were erected where they were accessible.

The Chair said that if this was the case of blocking an entrance, then it was right and proper that they be moved, but was aware of incidents where poles were not moved and contractors saying that they have legislation to place poles wherever they feel fit.

He asked if it would be possible for Planning Department to get a ruling from Roads Service through an email to steer them as this was a Roads Service issue.

The Planning Manager said that he would be happy to write to Roads Service to ask for their view intake and report back to committee on impact of poles and visibility splays.

Councillor Cuthbertson advised that he was just coming from a site meeting in Dungannon where Openreach and Virgin Media were both working this last three weeks in one housing estate, competing against each other down the same footpath and was a nightmare for residents. He felt that this may not be the correct committee to discuss this matter and maybe better bringing it to the attention of the Environment Committee, but in relation to DfI placing poles in the wrong place, we have a location in Dungannon where the Public Realm placed a street light column in front of a window opening, although the window was of a derelict building it was hoped that this building may come back to life in Dungannon. He said that Developers had been approached numerous times to get it moved which was difficult due to circumstances relating to liquidation etc. He said that going forward that this should not be permitted to happen.

The Council Solicitor advised that Officers on the ground were continuing to work with Fibrus.

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

Agenda Item 4.7 - LA09/2020/1524/O - Dwelling and domestic garage, adjacent to SW boundary of 43 Glengomna Road, Draperstown for James Kelly

Agenda Item 4.11 – LA09/2021/0657/O – Dwelling and garage in a gap site at 40m S of 28 Ballynafeagh Road, Stewartstown for Gary Miller

Proposed by Councillor Bell
Seconded by Councillor Corry and

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

Matters for Decision

P103/21 Planning Applications for Determination

LA09/2019/0229/F Housing development along with right hand turning lane & associated site works & private treatment plant at S & adjacent to Abbeyvale, Mullinahoe Road, Ardboe, for Farasha Properties Ltd

Members considered previously circulated report on planning application LA09/2019/0229/F which had a recommendation for approval.

Councillor McKinney advised that when he sees 'private treatment plant' he has concerns as the committee passed something similar in Cookstown which hasn't been a very good success and asked whoever was dealing with this could guarantee that this application wasn't going to end up the same scenario. He said that this wasn't a planning problem anymore and was NIEA issue whenever the treatment plant wasn't working and not fit for purpose. He felt now was the time to tackle this problem as sewage is now a huge problem.

The Planning Manager said that we all knew the issue and the issue related to sewage infrastructure as well as sewage works i.e. pipes from across streets to the treatment works. Water Service were very much adopting the line in a lot of developments that they were not prepared to provide for any more houses unless they are provided the money to upgrade the infrastructure so the Council were left in this very unenviable position of whether refusing any further development on that basis. His view was that the Council can't refuse an application as there was nothing to stop somebody putting in their own works. Planning consult to see if this would be an acceptable standard with both Environmental Health and Water Service and if no issues were raised by them, then this would be approved. He advised that he wouldn't be in a position to provide a guarantee as he wasn't in control of it as this was down to the developer and carrying out the work in accordance with specifications in which he was given along the line. The Council were not a sewage works authority and if work was not carried out accordingly, then this could raise all sorts of issues and problems. He said that the Council had no other option but

to approve these type of developments as it would be absurd to stop development from proceeding.

Councillor Colvin advised that he did comment on this in the past and at the end of the day the people who suffer most was the people buying houses. He said that these people end up in financial difficulties and issues with mortgages amongst other things and felt that this was just kicking the can down the road and leaving it for someone else to deal with and was not the way forward. He said that he would like to see a report being brought with some legal opinions on what the Council's duty of care and obligations were towards the people who were ultimately the citizens of this borough and although it may look ok on paper it was not sufficient, particularly when we know there are live issues at the minute. He felt that the citizens just fall in between the cracks of public authorities and which was unacceptable and should be at the forefront of the committee's minds as well.

The Planning Manager said although he agreed with Councillor Colvin's comments to some extent, this Council was not a sewage water authority and although consultation takes place with the relevant authorities and no planning permission granted without having done so. Rivers and Water Agencies would say that their works are up to capacity, consultation takes place with Environmental Health to see if they felt there were odours and any issue with discharge, then discharge consent was needed with NIEA and any issues close to water courses then this was consulted with NIEA. He advised that this was all planning could do and could not refuse something on the basis of suspicion of what they might do or say. He stated that the Council could not make a decision on fears and if we cannot substantiate that the proposed works wasn't going to work especially when all the rest of the relevant authorities are saying it was ok.

The Chair agreed with the Planning Manager's comments and whilst there was no issue with looking at the stuff in the longer term and reports being brought back, there was thinking of cusp of approval here tonight for committee to query what might happen, but if they are meeting all their statutory obligations, it would be unwise otherwise.

Proposed by Councillor S McPeake
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2019/0229/F be approved subject to conditions as per the officer's report.

Councillor Glasgow referred to temporary treatment plant and enquired what exactly was the timeframe and if commitment was given.

Mr McClean (SPO) advised that there were two conditions – 8 and 9 within the report:

8. *No dwelling hereby approved shall be occupied until the private sewerage treatment plant has been put in place and is in working order with the appropriate statutory consents.*

Reason: To ensure a proper means of waste water disposal to serve the development and ensure environmental protection.

9. *The private sewerage treatment plant shall be managed and maintained in accordance with arrangements to be agreed with the Council in writing prior to occupation of any dwelling hereby approved.*

Reason: To ensure a proper means of waste water disposal to serve the development and ensure environmental protection.

He said that the description of the proposal does state that it was a private treatment plant and although it was referred to within the report as a temporary waste water treatment plant, it was because it wasn't a permanent means in terms of connection to main sewage.

The Planning Manager stated that the developer applied for a private treatment plant and this was what planning was allowing for and no condition on it to say that once pipework was available it would connect to pipework.

LA09/2019/0597/O Mixed use development to include Community Centre and Multi Use Games Area, Fuel Filling Station and Shop, Small Business Units and Residential Development at lands to the rear of 114 Bush Road, Dungannon for Silverford Properties Ltd

Members considered previously circulated report on planning application LA09/2019/0597/O which had a recommendation for approval.

The Planning Manager commended the Developer on bringing forward this proposal as the original site was considered for a huge development of houses. He said that it was great to see that something was now being put in place to enhance the community in Bush with a range of facilities being made available which in turn would bring employment.

Proposed by Councillor Cuthbertson
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0597/O be approved subject to conditions as per the officer's report.

LA09/2020/0459/RM Dwelling and garage at 72m NW of 21 Whitetown Road, Newmills Dungannon for David Weir

Members considered previously circulated report on planning application LA09/2020/0459/RM which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor Quinn and

Resolved That planning application LA09/2020/0459/RM be approved subject to conditions as per the officer's report.

LA09/2020/0641/F Retention of Motocross Racetrack comprising earthworks forming jumps and tracks, portacabin office, parking and access via existing laneway at land approx. 600m NW of 54 Drumearn Road, Cluntyganny, Cookstown for Clunty Cookstown MX Track

Mr McClean (SPO) presented a report on planning application LA09/2020/0641/F advising that it was recommended for refusal.

Councillor Hughes declared an interest in planning application LA09/2020/0641/F.

The Chair advised that a request to speak against the application had been received and invited the Spokesperson for Stop Clunty MX Group to address the committee.

The Spokesperson stated that they were speaking on behalf of the 'Stop Clunty MX Track' group, a collective of concerned residents and neighbours who are firmly opposed to the unauthorised development and operation of this track.

Since May 2019, the formerly peaceful and quiet nature of this neighbourhood has been all but destroyed by the intrusive noise, disruption, and detrimental impact caused by the operation of this motocross track – operating, without permission or authorisation to do so.

As regards local residents, Clunty MX Track was forced upon them - no communications were entered into nor consideration given to the detrimental impact this was having on residents.

The Spokesperson said that the group, like the Planners at Council, were not consulted, their opinions were not sought, their comments, livelihoods, peace, quiet, family lives, mental health and wellbeing were not considered for an instant, and they were left to 'like it or lump it' and persevere with an eye and ear sore.

It was stated that the group were all of the firm opinion that Clunty motocross track is an unwanted blot on the landscape. It is not aesthetically pleasing to the eye, not in keeping with the local architecture or landscape of the area. Its unpermitted construction has seen 3 hectares of land stripped of vegetation and replaced with imported soil and gravel – much of which regularly washes into Clunty River as can be seen in submitted objections.

When operational, the noise generated on the course is unbearable, it is intrusive, distracting, and disruptive. Outdoor activities at our homes are impossible due to the constant noise of the bikes. Readings taken by Environment Health were found to have a detrimental impact on nearby properties and prompted their recommendation for planning refusal and a noise abatement order.

Indoors, there is little respite or escape from the noise. It permeates through the walls of our homes and resonates in every room. Televisions must be turned up to drown out the background drone and it still persists. It echoes through children's bedrooms while they are trying to sleep and follows us around every room.

For those of them that work from home, workplaces are marred by the distracting drone of motocross engines.

By way of context, in late May 2019, residents were greeted by a motocross track business that invites users from near and far to attend multiple times per week.

Since then, there have been 87 sessions held at the track. These have run on mornings, afternoons and evenings and have included large-scale Championship events complete with overnight camping, caterers and more than 100 competitors, not to mention spectators.

Even a global pandemic and its associated regulations have failed to stop bikes running on the track, with sessions running from March of this year.

The last Championship event at the track attracted over 150 vehicles to the site and exposed the inadequacies of the infrastructure and the track to accommodate these numbers.

This resulted in vehicles blocking the only entrance and exit to the track, parking over essential access gates to fields and parking in necessary passing areas along the Drumearn Road.

The Spokesperson stated that residents now believe the Planning Committee was now being asked to consider approval for an application that has:

- ignored strict planning legislation at every stage,
- ignored the concerns of those living in the area
- contravened numerous Planning Policy Statements,
- currently been subject to enforcement cases and court proceedings, and
- destroyed the natural beauty and tranquillity of a rural area.

Like the residents, the group feel the opinion of the Planning Committee has not mattered to the applicant:

- it didn't matter when the track was being built,
- it didn't matter when rural lands were being destroyed
- it didn't matter when the track operated on almost 100 occasions over 2 years
- it didn't matter when the incessant noise of motorbikes was making life hell for those living in the area

The group understood that the committee is now to make a decision on how this nuisance of a track is to progress: We would implore you to listen to the local residents and wider community and -

- uphold planning regulations that stop unauthorised development
- not permit the construction of major developments as and where individuals and companies see fit, regardless of the wider impact

Councillor Clarke advised that he had declared an interest in this application as he had been in contact with residents and was aware of the ongoing issues that they have when he visited the scene when activity was going on. He concurred with everything the Spokesperson had told the committee and said that the noise was horrendous and depending on which way the wind was blowing, the noise carried as it was surrounded by four roads, Lough Fea Road, Creevagh Road, Feegarron Road and Drumearn Road which totally enclosed it. It is a quiet area and very well wooded and work which had been done has left it a very open site which was very visible from a lot of locations and because it was so open, the sound definitely travelled long distances. He referred to farm diversification and in his opinion this was not typical or anything to do with farm diversification, as this would be something to add value from the product of the land or manufacturing something that was produced on the land like meat, but this application had nothing to do with farm diversification. He stated that there were two other motocross racetracks not far away in Desertmartin which was only cross-country from this site. He said that he would agree with the case officer and with residents that this was not a project suitable for the location which it is in.

Councillor Hughes wished to double check on making a Declaration of Interest as she was new to the committee. She advised that she hadn't been out to see the site or speaking to residents about it, but she helped to facilitate a meeting between her employer and local residents and was not sure in terms of what her position was regarding declaring an interest. She advised that she declared an interest to keep herself right but sought clarification in terms of voting.

The Planning Manager advised that declaring an interest was quite tricky and obviously if a member had a vested interest in an application like i.e. owning a piece of land, commercial interest, family member or a close friend then this would be crystal clear, but when someone approaches you it becomes a little bit more complicated. He gave an example of when the Tories went into alliance with the Liberal Democrats and the Liberal Democrat was the Business Minister and arguments ensued over Sky, in that instance the Minister said he would oppose the development prior to looking at the case, this he was perceived to have an interest because he had a predefined position. He advised the member that only she knew what her employer had done and whether a commitment was given. Councillor Clarke had indicated that he had visited the site and was already persuaded before he came to committee and therefore was arguing for the residents on that basis, resulting in him losing his vote as he has taken that interest.

The Chair said that there was obviously a strong case here tonight against the proposal with evidence from the residents regarding noise pollution etc. and as there was no representation for the applicant he sought members views.

Councillor Brown said that he knew the application site as it was in his DEA, advised that he hadn't met with the residents or the applicant, but by reading through and looking at it, in his opinion it didn't fit in this part of the countryside as it was totally out of character. The noise issue which would be endured by the residents would be horrendous and it may be alright for this committee to say it needed approved but we are not the ones living beside it day and daily. He said that where the site lies there was a valley resulting in the noise travelling down it and if approved the residents would have to live with this for the rest of their lives and with all things considered would be happy to go with the case officer's recommendation of refusal.

Councillor Mallaghan advised that by looking at the proposal it looked like a very success venture with a surrounding campsite etc. but it was in the wrong location and if the applicant had to come first for an approval, then they would have found out very quickly that it was in the wrong place and would be happy to second Councillor Brown's recommendation of refusal.

Proposed by Councillor Brown
Seconded by Councillor Mallaghan and

Councillor Wilson advised that he had visited the site at the invitation of the residents and concurred with Councillor Mallaghan's comment regarding it being an ideal event but in the wrong place. He stated that there were additional problems coming in from that general area also as he was led to believe that the track at Desertmartin was now closed therefore increasing additional traffic onto that track. The Saturday in which he visited the site was fairly windy and the noise levels were very high and very loud and would agree with the decision which was being recommended by the case officer here tonight. He advised that there were a number of issues relating to access and where additional traffic was able to go and he would be speaking in support of the residents as well.

Councillor Glasgow referred to the document in the addendum from DfI and assumed that this was their response back that they were not content and recording their objection.

The Planning Manager advised what DfI basically said was that the person would need to do some works and provide lay-bys etc. before any events happened and whether this could be done and the land controlled, there was no evidence to say that we can or cannot, but the point was that this was all beforehand whereas the applicant had ploughed on regardless.

Councillor Glasgow advised that this was his thinking also and referred to the overhead map and enquired if the access was the only proposed access which they were currently using was out onto the Drumearn Road and on that note would be happy to support what was being recommended by the committee tonight.

Resolved That planning application LA09/2020/0641/F be refused.

**LA09/2020/1039/O Dwelling and garage adjacent to 16 Woodhouse Road
Killwoolaghan Ardboe for Martin Teague**

Members considered previously circulated report on planning application LA09/2020/1039/O which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor Quinn and

Resolved That planning application LA09/2020/1039/O be approved subject to conditions as per the officer's report.

LA09/2020/1375/F Dwelling (in substitution for I/2009/0372/F) and retention of existing mobile home for a temporary period of 3 years at 27a Drumconvis Road, Coagh, Cookstown for Mr and Mrs Cotton

Ms McCullagh (SPO) previously circulated report on planning application LA09/2020/1375/F which had a recommendation for approval.

The Chair drew members' attention to the addendum where representation was circulated on behalf of the objector and listening to presentation tonight it would be important that members have regards to that.

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

Mr Martin stated that in the case officer's report it was stated that the boundary line was defined by a fence along the eastern boundary, this was not the case as this was shown on the maps sent in to planners, this shows a clear gap between the fence line and the boundary line. These applications being put in with the building being built on the boundary line there was no room in between the boundary line and the building. He said that it was in dispute and would be going to Court on who was in ownership of this and advised that a solicitor's letter was sent to this committee from him and his wife to say that where this was going. All LPS plans have been put forward and set forward, LPS letters stating that the land was in their name and has been as part of this property since 1998. It was also stated within the report that the caravan that was cited on the site was there for a number of years, with no planning permission for the caravan as yet. A temporary planning application for a mobile home was made so therefore this was still going against the existing approved, which should not have been approved in the first place. The first approval was put in 2009 also used this strip of land which was not owned by the occupier and over the years that strip of land and wasn't owned by them and the plans having changed. The report also refers to the timeframe of the application being lawfully started and as shown in documents provided, Building Control allowed this to go on for almost five years and after three years they issued a letter to Mr Paine stating that it was an administrative error because of the amalgamation of the Councils in 2013, but this wasn't the case as amalgamation didn't happen until 2014-15, therefore allowing another 14 days and this still went outside this window. Satellite imagery shows the date the Building Control Officer was cited on site stating that he had seen partial foundations that it wasn't there and no partial foundations on that date and several months later when the foundations were created. The foundations are still partially created and open and part of MUDC requirements was that all foundations be completed prior to site visit. Therefore, there has been a number of misleading and errors being made between Building Control and Planning. Also within the report it doesn't give any implementation to the fact for best practice for this being built for his autistic children which were already referred to in several letters and emails to the Council, which has not being referred to at all. He was aware that the land was not owned by the occupier, and it seems that the occupier and the applicant were two different people and has been requested several times to who actually owns the site and has been rectified twice by the Council's own briefings.

The Planning Manager enquired when Mr Martin became aware of when the gentleman was building on his land.

Mr Martin advised that they had always known that they had owned that land and when they bought the property in 2012 a request and a phone call was put into MUDC asking if there was any planning applications for next door. From 2012 they were aware that there were no applications. He said that he first became aware of a planning application on the site when the Cotton's purchased the land and arrived on site.

Ms Martin advised that she witnessed them digging the foundation and whenever she phoned the Council she was told that there were no plans and everything had lapsed because it was outside of building control. She said that she was content knowing that although something was being dug she wasn't concerned due to Building Control not being aware. Ms Martin said that they became aware of the situation when the Cotton's moved in and when they went over to introduce themselves were told that they were building right beside them and were taking their land. They then raised the issue with the Council's Planning and Building Control sections and have subsequently taken their own legal advice as a portion of the development is on their land.

The Planning Manager advised that Building Control does not determine when a start has occurred, it could be used as evidence to submit to Planning, but what Building Control would see as being a start and what Planning would see as a start can be two different things.

Ms McCullagh (SPO) in response to the Planning Manager's query advised that the original planning permission was issued on 12 February 2010 to Mr Paine.

The Planning Manager advised that the planning permission goes with the land rather than with the applicant unless there was a condition to basically say who should occupy it.

The Planning Manager advised members there were two things that had to be taken into consideration, firstly where the Case Officer had said that the planning application was live and if what the objectors were saying was correct, then this could be disputed if permission was granted in 2015 therefore that permission had passed but asked if this would change how we work through material considerations. He said if this had been started and there was no change in policy or material circumstances, then the committee would be pretty much bound to reissue the same decision unless a very clear change in policy or circumstance. In this instance it may be out of time but the planning policy which allows for an infill between buildings still remains so in relation to planning policy, it was quite clear that this was an infill site so the policy context hasn't changed. He stated that ownership was difficult and some the questions he sought was to find out how long the objectors had known about the issue because as a planning authority we do not pass judgement on who owns or doesn't own a bit of land. He said that in this instance from what was submitted that the objectors can lay claim to that bit of land but also know that in law possession can be 9/10 of the law and the planning department cannot resolve that. He said he was curious to know if the objectors had time to lodge a dispute and defend themselves and was confident that they did have time as they had indicated that they were going to represent themselves in a Court of Law or the Land's Tribunal resulting in

Planning Commission not having any bearing on that as this would be between the parties concerned.

The Planning Manager advised that planning permission could still be granted on land not owned by the applicant even when the land owner objects. He felt that objectors were not being prejudiced as they had known about this for long enough to take action and if someone proceeded to build it could be very expensive if they don't own the land.

Councillor Hughes stated that similar to the previous circumstances she wished to declare an interest in the above application.

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

Mr Hutton stated what he was going to say initially had changed slightly as the conversation had diverged into the issue of ownership of the disputed portion of land which he wasn't going to discuss as it wasn't a material consideration of planning, however some comments have been made and he had a lot of sympathy for the objectors in terms of where they were coming from in correspondence they had received from Land and Property Services as they received misleading information initially. Comments have been made that Mr Paine had lodged an application for the boundary rectification between these two properties, but in fact it had been Land Registry which had lodged this application in Mr Paine's name. He advised that all Land Registry maps come out with a disclaimer in the left-hand corner stating that this was for location purposes only and not definitive boundaries and any dispute it had to revert back to the deed map that produced the instrument in the first place which dated back to October 1997 and at that time Mr Paine owned both properties. The fence was erected, measured and the map produced to create the two folios or two individual boundaries. He advised that there was a land registry map dated 2009 that indicated the boundary as it was today, the fence line, albeit one small discrepancy of one small portion towards the rear. Another land registry map was produced in 2020 that indicated that the boundary being moved into Mr Paine's current property which was the disputed area. Following correspondence between the objector and Land Registry, it was himself that got Land Registry to look at the original deed map and they lodged on the basis of that an application for boundary rectification in the name of Raymond Paine and stressed that Mr Paine did not lodge this. Land Registry had indicated that they cannot unilaterally change a correction as it goes through an electronic system that moves folio boundaries in conjunction with OSNI maps. He advised the committee that this was the underlying issues relating to the boundary dispute and when the application was lodged, the objectors objected as they felt that they own the land and now basically it will have to go to Court. He said that this was a civil matter and should not be involved in planning and felt that this be moved forward for a decision this evening on the basis of planning policy.

In response to the Planning Manager's query, Mr Hutton advised that the fence line hadn't move from it was first erected prior to initial planning application being lodged in 2009.

The Planning Manager said that his view everyone should enjoy their own home and any disputes goes against that. In relation to the disputed land, it struck him that part of the

upset was the close nature of the building to the boundary and enquired if Mr Hutton would consider moving it away a few metres from the boundary.

Mr Hutton referred to the amended design to date which reduced the windows to a bare minimum which was now a kitchen window looking into a 2 metre high fence and didn't think a 2 metre move would make much of a difference.

The Planning Manager enquired if the dwelling was to be built directly onto the foundation which was laid.

Mr Hutton advised that it would be an amended foundation.

The Planning Manager stated that he noted the revisions which were made as they were requested by the planning department. He asked Mr Hutton to go back and ask his client if the dwelling could be moved back a few metres from the boundary as it would be them living there and would be more beneficial if neighbours got on for the long term future.

The Planning Manager said that it was Mr Hutton's view that a 2 metre distance would make a difference but asked him to go and ask his client whether they would be satisfied to move the dwelling a metre or two and would like to have their answer.

Councillor Bell said that he would be happy to make the proposal to defer this application as this was very helpful advice from the Planning Manager and may help resolve this dispute and may possibly mean a resolution could be brought about for the land disputed also.

The Planning Manager said his reasons for doing this was because it helped protect both parties and may help solve the problem.

Councillor McPeake said that he would be happy to second Councillor Bell's proposal.

Councillor Cuthbertson enquired if the applicant could be penalised on something like this and whether it was a planning issue. If he comes back here and says that he wasn't willing to move the few metres would this change the recommendation from the planners on the application.

The Planning Manager advised that there would be an issue on whether there was enough space between the boundary and the wall to maintain it properly and by giving that bit of separation it would give room to maintain it.

In response to a query from Councillor Cuthbertson, he stated that the case officer had looked at it and it was permitted to build against somebody and none of this was black and white and down to maintenance. This was when a person asked another person if they could go on their land to maintain it, but in this instance where there was a dispute between the parties, all this just escalates and gets worse over time.

The Chair commended the Planning Manager as he always tried to find a favourable solution to these types of issues.

Councillor Mallaghan said that he hoped that there could be some negotiation in this particular context. He sought clarity in regards to the previous application and approvals and asked if he was right in thinking that regardless of what had happened before on the site, that criteria had been met for an infill dwelling.

The Planning Manager advised that a dwelling was acceptable on this site in policy terms and what fits the bill of an infill development.

Mr Martin said that he couldn't commit to something that he hasn't seen yet.

Councillor Glasgow said that by listening and reading through the report and understood what Dr Boomer was trying to achieve here. He advised that he had picked up seven other issues and was always bearing in mind and always trying to solve these problems, but said if he was being very honest, he foresees this application just coming back to committee on numerous occasions. He felt that this was a huge civil matter and was nothing to do with this committee and was content what the case officer had actually done and proposed to accept the officer's recommendation to approve the application.

Councillor Cuthbertson seconded Councillor Glasgow's to approve the recommendation.

Councillor McKinney advised that we were a Planning Committee not a legal committee and this was not the platform for this kind of thing, defer it for an office meeting was fair enough, but felt that there was a lot of time wasted as there was no movement. He said that the application was up for an approval and can't see why this can't be the case, but was aware of private issues and Dr Boomer had tried his best but felt that this was going nowhere. He said that there was a protocol to follow and sought clarification on the reason why he wasn't legally bound to make a proposal, second or vote on an application while joining the meeting remotely.

The Council Solicitor advised that it wasn't recommended at present due to the legislation not being in place to make a vote online and everyone had been asked to attend in person if they could.

Councillor McKinney stated that he couldn't attend the meeting tonight due to isolation reasons and enquired if the legislation had changed.

The Planning Manager advised that the legislation which facilitated the remote meetings expired, but there was new legislation coming on and been through the Assembly and it was his understanding that it was currently waiting on Royal consent.

The Council Solicitor advised that it wasn't the case that a member remoting in virtually couldn't comment, but was just recommended that they didn't exercise their right to vote at present virtually.

The Planning Manager advised members that he felt that his suggestion was sensible as this could save a lot of time and expense for the person wishing to build in the long run.

The Chair said that a lot of time had been given tonight discussing this application and as it was the first time that it had been brought, he felt that it wouldn't be unreasonable to

defer the application for a wider discussion as there were a huge amount of issues and felt it would be prudent to have these thrashed out a bit further.

He advised that there was two proposals being brought forward tonight, one for deferral and one for approval of the application.

Councillor Bell's proposal was put to the vote -

For	7
Against	5

Councillor Bell advised that he had previously declared an interest in the application and withdrew his voting rights.

Councillor Clarke proposed to defer the application to replace Councillor Bell's proposal.

The recommendation to defer the application was put to the vote again –

For	6
Against	5

Resolved That planning application LA09/2020/1375/F be deferred.

The Planning Manager reminded everyone in the room that Speaking Rights only existed once so when the planning application comes back to committee, the parties do not have an opportunity to come back to speak.

LA09/2020/1524/O Dwelling and domestic garage, adjacent to SW boundary of 43 Glengomna Road, Draperstown, for James Kelly

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

LA09/2020/1591/F Variation of Condition 3 and Removal of Condition 4 of M/2015/0082/F to accommodate class B4 Storage and Distribution Use and facilitate more flexible operating hours at 199 Killyman Road, Dungannon, for SCL Exhausts Ltd

Mr McClean (SPO) presented a report on planning application LA09/2020/1591/F advising that it was previously recommended for refusal. However, since the agenda was sent out, additional information has been received from the agent and Environmental Health has had a chance to consider this additional information (on attached e-mail and images on the presentation). He presented the change in recommendation to members, from refusal to approval for their consideration.

In the original planning report to the Planning Committee, the Case Officer recommended that condition 3 of M/2015/0082/F could be amended to include a B4 storage and distribution use, but that Condition 4 could not be removed as it was not demonstrated by the agent that the removal of this condition for the hours of operation would not cause

detrimental impact to nearby residential amenity. The closest resident to this site is 50m away.

The agent has indicated that the building, instead of being used as one unit, will be subdivided into between 30 to 70 self-contained storage units (on attached e-mail and photos). From the time Members received the Agenda until now, Environmental Health have had time to consider this additional information and are of the view that, should the proposal be used for self-contained storage units, that the hours of operation can be amended to 7am to 11pm 7 days a week, as the proposed self-contained units would be of a size, scale and nature that would mean that it is highly unlikely that the development would attract large volumes of people or HGV's, therefore impacts on nearby amenity would not be detrimental between these hours.

The proposal requests the removal of condition 4. The Planning Department contacted the agent to advise that while condition 4 would be removed, that it will be substituted with the revised hours of operation as suggested by Environmental Health. The agent has agreed and accepted this approach and the revised hours of operation. To fully remove the hours of operation would allow unfettered access to this proposed facility 24/7 which, in his view, may cause potential detriment to nearby residential amenity, therefore he advised members that he found these revised hours of operation to be reasonable.

As the original application, M/2015/0082/F, had no reference to self-contained storage units, it may be possible to use the facility as one unit for a class B2, B3 or B4 use, which could pose a potential detrimental impact to nearby residential development if the hours of operation were to be 7am to 11pm 7 days a week.

Mr McClean (SPO) advised Members to consider the following varied conditions to substitute conditions 3 and 4 of M/2015/0082/F;

Condition 3 should be revised to include a Class B4 storage and distribution use, therefore amended to:

The premises shall be used only for Class B2 Light Industry, Class B3 General Industrial Use, or, Class B4 Storage and Distribution of the Schedule to the Planning (Use Classes) Order (NI) 2015.

Reason: To prohibit a change to an unacceptable use within this Use Class.

Condition 4 should be revised to the following;

The development hereby permitted shall not remain open for business prior to 07:00hrs nor after 20:00hrs Monday to Friday, prior to 08:00hrs nor after 14:00hrs on Saturdays nor at any time on a Sunday. Should the premises be subdivided to 30 or more self-contained storage units, then the hours of operation shall be between 07:00hrs and 23:00hrs only, 7 days a week, and no business or other ancillary activities shall occur outside these hours, unless otherwise agreed with Council.

Reason: In order to safeguard the living conditions of residents in adjoining and nearby properties.

Councillor Cuthbertson said that he was aware that no objections had been received from neighbouring properties and in that instance would be happy to support the recommendation to approve.

Proposed by Councillor Cuthbertson
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2020/1591/F be approved.

LA09/2021/0231/O Off site replacement dwelling and garage at lands immediately adjacent to 19A Kilmasally Road Ardboe for Noelle Wylie

Members considered previously circulated report on planning application LA09/2021/0231/O which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Quinn and

Resolved That planning application LA09/2021/0231/O be approved subject to conditions as per the officer's report.

LA09/2021/0458/F 1 sheep shed and 1 general agricultural storage shed and associated site works at lands 85m NE of 8 Macknagh Lane, Upperlands for Mr Anthony Mc Guckin

Members considered previously circulated report on planning application LA09/2021/0458/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/0458/F be approved subject to conditions as per the officer's report.

LA09/2021/0657/O Dwelling and garage in a gap site at 40m S of 28 Ballynafeagh Road Stewartstown for Gary Miller

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

LA09/2021/0707/O Site for dwelling and garage at 20m E of 9A Moss Road, Coagh for Mark Cassidy

Members considered previously circulated report on planning application LA09/2021/0707/O which had a recommendation for approval.

Proposed by Councillor Bell
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2021/0707/O be approved subject to conditions as per the officer's report.

LA09/2021/0730/F Dwelling and garage (substitute to LA09/2020/0920/RM) at land adjacent to 17 Carricklongfield Road Aughnacloy for Mr John Burton

Members considered previously circulated report on planning application LA09/2021/0730/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Colvin and

Resolved That planning application LA09/2021/0730/F be approved subject to conditions as per the officer's report.

LA09/2019/0944/O Infill dwelling and garage between 90 and 92 Iniscarn Road, Desertmartin for Mr Paul Bradley

Ms McCullagh (SPO) presented a report on planning application LA09/2021/0944/O advising that it was recommended for refusal.

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

Mr Murray advised that on 5 December 2018 the Enforcement team brought a report to the Planning Committee listing numerous breaches relating to this site, with the decision on the evening that it wasn't expedient to carry out any further enforcement action. However, 13 days later on 18 December, for a second time there was extensive flood damage caused to his property because of this unauthorised development. After a revisit from the Case Officer it was discovered more unauthorised works had been carried out on site. The then committee made the decision to give the applicant a chance to regulate this. He chose not to, therefore leaving the Council with no other option but to serve him with an Enforcement Notice on 25 June 2019.

He said that over the past 2 years the applicant had been afforded ample opportunities by the Planning Department to rectify these multiple breaches of planning control. However, the applicant still had chosen not to co-operate fully and thus the need for this to be brought back again to committee this evening.

The main issue in this case relates to flooding and the detrimental impact to his property. He said that a decision must be taken on whether it was deemed acceptable to be in clear breach of PPS 15 Planning and Flood Risk Policy FLD4 whilst significant flood damage was occurring to neighbouring properties.

The applicant had submitted numerous Flood Risk reports attempting to prove that the unauthorised pipework and alternations to his site would not cause further damage to site would not prove further future flooding. He said that in his opinion, these reports were only an interpretation of what was predicted to happen during a flooding event, whereas

the photos and videos that he had submitted showed the reality of what was actually happening.

He said that he wished to make it clear and put it on record that as neighbours of the applicant his family did not want to see his house being demolished. However, he could not stand by and watch his property continuing to be at risk of extensive damage from flooding. He felt that it was the unwillingness of the applicant to adhere to policy, remove the unauthorised pipework and lower his site back to predevelopment levels that was putting his property at risk from this enforcement action.

Mr Bradley said that as a parent, it was his responsibility to provide a safe and secure home for his family, not only for the present but for the future of his children. The ongoing action and indeed inaction of the applicant was making this very difficult. As a family, they wish to live peacefully in their home of over 20 years and not have to worry every time there was a forecast of heavy rain.

He asked the committee to agree to the Case Officer's recommendation of refusal. He said that not to do so would set a very dangerous precedent in that it was deemed acceptable to carry out unauthorised development, to be in clear breach of planning policy and doing so to flood a family home.

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

Mr Bradley said that the main issue and the only one not to be approved in the case officer's report was the culvert and the small sheugh at the side of his house. He stated that the sheugh was covered as it entered his site and also covered where it exits with a road access covered in between. There has always been issues in the past with the sheugh backing up and causing surface water flooding to the neighbouring properties and this was a case long before he developed the site and the objective No. 90 has evidence of surface water flooding in 2018 during very heavy rainfall, approximately 25ml of surface water on the objectors site. Rivers, Planning and various other agencies had studied the information along with flood risk assessments from his specialist consultant and they had no issues regarding flooding with this application before members tonight. The flood risk model showed a flood vent and the pipe running 15% of its current capacity. Both houses at No.s 90 and 92 were both built on flood plains and he could not guarantee that they wouldn't flood in the future but any work which approves this application does not increase the risk of flooding to them. Any information supplied by the objector regarding the flooding was not relevant to the culvert water course as this related to the previous open sheugh and no problems with the sheugh since it was completely covered on 23 December 2018. It was decided to cover the sheugh due to health and safety risk which posed to his family and when his family decided on a site to live they did not realise the rat infestation and the smell of sewers coming from the open sheugh, with rat droppings all around the play area and the smell of rats urine being unbearable. He said that due to this it was impossible to monitor children playing at all times with the water course only being 7 metres away from the house as the kids play area runs up to the edge of the water and was impossible to enjoy normal family life. In June 2021 NIEA Pollution Officer confirmed that sewage pollution in the water course again coming downstream and the objector alluded to the smell in 2019 in one of his

objections and the culverts do not allow the smell to escape or make contact with the water.

He advised that Rivers Agency had indicated that this was a matter for the planning authority and to quote the Planning Manager from another application that it didn't comply with FLD4 of PPS15 and when this was discussed between Case Officers and the Planning Manager it was agreed to approve it and when he queried why this was approved for a local businessman 30 metres away the reason which was given was it was for access, but it was for 8 metres behind. He referred to 6.53 of PPS15 states that when there are health and safety concerns arising from open access to a watercourse alternatives to piping should be considered and his engineer Dr Andrew McCluskey stated that other means do not provide adequate health and safety.

Councillor McKinney advised that this had been on the cards for a long time and due to the circumstances beyond his control tonight he was unable to make any proposals or vote tonight. He stated that he had been past the site just a week ago and was aware that a lot of things had changed and the application had been brought very close to the mark and was aware of the case officer working towards a few small details at present and felt it would be unwise to remove what had been done. He said that there had been a pipe installed which held up to seven times the amount of water which suggested to take at any one time and this was something that even Roads Service and Water Service didn't even carry out. He said that he wasn't in a position to make a proposal but felt that under the circumstances, which both the objector and applicant had been said that this had been bandied about for quite some time and would be nice to see a conclusion and recommended approval here tonight. He was aware that the application had not completely met the required criteria, but in his opinion it would be unwise to remove any pipework due to the conversation tonight on sewage coming down and both families on either side of the hedge had related to their childrens safety and felt that this would be unwise. He concluded by saying that he was aware of issues between the adults but hoped that this could be resolved for their children living there going forward whether relating to odour, rats urine or sewage and felt that a lot of money had been spent and would be happy to support the recommendation of approval and was unfortunate he couldn't make a proposal here tonight.

The Planning Manager said he wished to clarify an issue and said if he understood correctly, that the applicant indicated that the NIEA had confirmed that there had been pollution in the drain and didn't think he had said sewage and could be different as there were different types of pollution.

Councillor McKinney said that he apologised for making that assumption or picking it up incorrectly but felt that any substance of any kind was still harmful to young people or children.

In response to Councillor Glasgow's query, the Planning Manager said that this related to a filled in sheugh and not a designated water course and not maintained by any statutory agency. He felt that there must have been some issue at some point when a pipe was put in and he had no reason to dispute what the objector had said that the lands became inundated with water and videos presented which provided evidence of that and this had been the key worry and quite understandably so. The applicant has indicated that this was now rectified and the pipe was working and Rivers Agency had said that they didn't

have a reason to dispute this on technical grounds although this could be disputed as no information there to back it up. He said if something was refused on a technical ground, then this would need to be backed up, but the Rivers Agency went on to say that although it went against policy, there was still get out clauses, but this was a matter for the planning authority. He said that this was up to the committee to treat this application as an exception or not, whether to except the safety argument or not and advised that it was difficult relating to the safety argument in the countryside as everyone lives next to ditches and fences etc. He said that this needed to be considered carefully as there was a policy contravention being recommended against the application, but there was also a need to look at the consequences if this was to be refused; there was an enforcement notice against the property and officers have been blocked into a corner to refuse the dwelling whereby the Councillors had said that the dwelling should be demolished and was confident that this wasn't the objector's intention and planning wouldn't be supportive of the demolition either. He said that he felt uneasy outright refusing the application and not 100% comfortable because of that approving it and was up to committee to decide as they had been provided with an argument from the applicant. He advised that there was a third view which deserved thinking about and not one he had seen before and grant planning approval subject to a condition that the drain be reinstated within the next three months and what that means is that it's the right cure and the applicant's content and keeps his dwelling or if he was dissatisfied with that condition, he would equally have a right to planning appeal and could go for planning appeal against that condition and if he justified his position to planning appeals commission he could enjoy it, but if he cannot justify it, then he must put in that ditch otherwise action would be taken against him.

Councillor Glasgow said that he would be in support of option 3 as this application had been brought back and forwards for some time and the planning department has carried out a tremendous amount of work and would be of the mindset would propose to approve the recommendation subject to condition of the drain as this was the best out of a bad situation but the option was still there that we keep everything safe.

The Planning Manager said that other conditions were needed on closing off of the access as there were issues relating to road safety and would be beneficial if members left these conditions to the discretion of himself.

Proposed by Councillor Glasgow
Seconded by Councillor Colvin and

In response to Councillor Mallaghan's request regarding conditions to be attached to the application, the Planning Manager advised that there were a few key issues relating to this:

- Drain being reinstated and fence erected along it
- Access along Iniscarn Road which shows it being closed off by fencing or planting, condition to be that it would be closed off due to road safety concerns – in exchange there would be an access to the rear, required to be completed within a set amount of time and landscaping done

Councillor Bell advised that before members heard from the objector and the applicant, but during the meeting tonight there has been no come back from either party.

The Planning Manager stated that the objector was very clear that his worry has always been the flooding and the point that these ditches were not filled in for no reason and his thinking was that it was easier to maintain and would help encourage wildlife and biodiversity and everything else that was wonderful in the countryside and this was something that planning was asking for. During his presentation the objector was not asking for this house to be demolished.

Mr Bradley advised that he had an application in from Lisburn Borough Council where it stated that the culvert was for natural health and safety reasons to pipe the boundary and earth of the watercourse and was felt to be acceptable in this instance. He said that there were numerous other applications in this area which had been approved also by this Council and just because there has been an objector to his application it doesn't mean that this should be a reason for refusal.

The Planning Manager stated that the reason for refusal would be that it contravenes the stated policy and this would be the reason for refusal. He said that it was no longer suggested that the application be refused and what was being suggested was that a planning permission be sought subject to a condition and he previously pointed out what the applicant could do if he was dissatisfied with that.

Mr Murray referred to the other work primarily on FLD3 that the applicant has to carry out work and his concern would be who was going to oversee that this work was carried out. He stated that DfI had gave a timeframe of 3 months from planning approval to get that sorted out and did appreciate Dr Boomer's comments about the conditions and timeline, but his concern would be who would monitor this as DfI Rivers advised that this was not up to them but may consider if asked. He asked that this be monitored accordingly.

The Planning Manager advised that there were two issues; firstly if the pipe was to remain then officers would walk away as planning had no obligation as it was on private land and between the two parties as it was not an adopted watercourse. If the applicant was to cause a flooding event then clearly a claim could possibly be made against him in a court of civil law. If the ditch was required to be a condition and not within three months he would be surprised to be not being made aware of this and if inspections were carried out and not done then action could be taken.

The Planning Manager sought members' approval to withdraw enforcement notice against Mr Bradley for his dwelling and wendy house to be removed.

Resolved That planning application LA09/2021/0944/O be approved subject to conditions being drawn up at the Planning Manager's discretion.
Enforcement Notice against the applicant to also be removed.

Councillor Bell left the meeting at 9.21 pm.

**LA09/2020/1536/O Dwelling & Garage between 74 & 76 Hillhead Road,
Toomebridge, for Mr J Nugent**

Members considered previously circulated report on planning application LA09/2020/1536/O which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor Colvin and

Resolved That planning application LA09/2020/1536/O be approved subject to conditions as per the officer's report.

Councillor Bell returned to the meeting at 9.26 pm.

**P104/21 Receive report on planning application LA10/2017/1249/F –
Dalradian Gold**

The Planning Manager presented previously circulated report to advise members of the planning application that is currently under consideration by the Department for Infrastructure. The report will also advise on the position of MUDC in relation to the issues of concern with the proposed use.

Solicitor left the meeting at 9.27 pm and returned at 9.30 pm.

Councillor Quinn said that he would be happy to propose what was on the paper as he had spent the last couple of weeks and months trying to get his head around the different aspects of the whole debate and had spoken at a rally on Saturday in Coalisland against mining in general. He advised that an article had come towards him today and although not the subject of the report he found it interesting that they were claiming that this was going to be carbon neutral but they forgot to add in that they proposed to use 3.3 million litres of diesel, they proposed to take out all the bogland and peatland that was beside the sight line and remove all the water out of the bogland/peatland and felt that there were a lot of things that didn't add up in this. He advised this this was still being pushed on to Fermanagh & Omagh Council over this last few months and this was their issue to deal with but this was an area of natural beauty and this was the land we want to protect and retain for generations to come and we cannot let people come in and destroy it and remove our natural resources and move it on for profit which was the company's incentive. He felt a public enquiry was the way to go and he would agree completely with this as a lot of things will become evident and agreed with the Planning Manager's suggestion of having representation at that table and have a say and although it may not come into our Council area, we can certainly see it and we look at Co. Tyrone and Co. Derry as one Council area and we all embrace taking our trips out on a Sunday to see the mountains and use the walks and would be very happy to propose to object to this mine.

Councillor Glasgow advised that he was a bit uncomfortable with this report tonight and although he did not dispute what was being said, he felt uncomfortable what was going to be seen as a decision and when he looks at the very last line it talks about '*additional or amended information being received*' and didn't feel content and was not saying that this should be ignored but asked if there was not an option for the committee to move this on down and get a bit more breathing space for the information to come forward. He said that at the end of the day there was going to be a public enquiry and proposed to put this issue on hold until these statutory consultees come back.

The Planning Manager stated that this was put in as anyone which had been to a public enquiry or examination will realise that information keeps coming right up until the day

and whilst in the hearing and would like the ability to respond to what's before us. He said what he felt this was fair and correct to do as it reserves the right to have the ability to ask the right questions and challenge any unjustified statements by the QCs.

Councillor Mallaghan said that he would be happy to second the proposal to object to this planning application and stated that the real gold which exists within the Sperrins was its natural beauty and when people visit the Gortin Glens Forest Park or Davagh and see what this Council and Fermanagh & Omagh Council have been doing in order to boost the tourism product which was happening within this area. He said that day by day and particularly under the current circumstances we see visitor numbers grow and grow to potentially what we see now was a global product in terms of selling the Dark Skies and Stones Circles and all those different things. He advised that as long he has been in Council and years before that, people were always very upset that this area didn't get the recognition that it duly deserved and was great to see it getting there with the statutory bodies like Tourism NI and Tourism Ireland etc advertising the Sperrins on a global platform and anything that would jeopardise or do harm to that was definitely not good for this area.

He said that on the same token he would like to include a remark and stated that sometimes proposals like this could muddy the water with traditional quarrying which goes on right across this Council area. Quarry was a traditional industry which had been here for decades and provided thousands of jobs which was done most of the time in a sustainable way and although sometimes there were breaches and encounter different breaches, generally they were world leaders in what they do. He felt the Council needed to be careful in that we may disagree with in this type of extraction as it was not white-washed and not all painted with the same brush and to protect what was there and what was sustainable and what delivers well for this Council area.

The Planning Manager said that it would be useful for members to realise that Fermanagh & Omagh and Mid Ulster Councils had done different things in the Sperrins. Fermanagh & Omagh had put a line around the map indicating that there should be no mineral extraction and totally protected everywhere, whereas Mid Ulster were much less discriminatory in the fact that we protected the most important areas as we recognised a lot of our industries and this continue and if there was some sort of expansion in exchange for some reinstatement of the land once they done that bit which was going to be a good thing. He said that the bottom line was that people need to make money and provide employment and we try to balance and sustainable as there was a need to do this as there was a place for everything. He advised members that the report was balanced and haven't claimed that all the water was going to be taken, rivers were going to be polluted or people were going to get cancer etc and focused on the key issues as we share the area with Fermanagh & Omagh and that joint custodianship was what we were interested in and to make sure things were looked at and dealt with properly.

Councillor Clarke said that he wished to say a few words in support of what was said previously regarding the report. He advised that whilst the proposed site was not within Mid Ulster, the site was interlinking and when the area/development plans were eventually adopted the new ASAI which was a very significant element and will go right to the boundary of where that site was and very important as ASAI was very important to Mid Ulster, but the half of it would be Fermanagh & Omagh which cannot be split as this proposal was right on the edge and overlooking that ASAI.

He referred to quarrying and the fact that Dalradian stated that they were not going to use cyanide, but when you go into the bowels of the earth and going a few miles below sea level and when you get into scenes where gold, silver and copper, you also happen to find other dangerous natural products which would naturally seep out and seep into rivers and waterways. While Dalradian may not be using cyanide, they might release equally as dangerous materials and whilst he agrees with the normal quarrying which happens for rock, sand and gravel, they are basically in the earth products which were clean and no substances seeping out to cause any serious pollution and this was another difference between traditional quarrying and mining.

Councillor Colvin said that he was all for the environment like everyone here present and felt that some traditional quarrying can destroy the environment which he can see everytime he drives from Moneymore to Magherafelt. He enquired if the Council had defined a policy here and in the instance of Dalradian submitting an application then there wouldn't be the competency assessment as a prior decision had already been made and could undermine this committee like some sort of legal thing and enquired if this committee were typing their hands here for any future things.

The Planning Manager advised that a policy was proposed but policies with the public domain to make sense of the draft Area Plan which has been submitted to the Department and awaiting the outcome. He said that this was not on the back of our policy as Mid Ulster did not cover Fermanagh & Omagh, but they have their own policy and only a few months away from a public enquiry and waiting on a date. He stated that Mid Ulster's policy does not oppose as a mining blanket but opposes mining in particular places like the Sperrins where they could be carving away things of natural beauty. He stated that this was more to do with the scale and intent and the potential for possible damage to the environment and due to the changing matters to the application he feels that there were issues here that needed addressing and the best place for this was the public domain and the only way he could guarantee that they were asked was to table some items for the agenda. He clarified that no applications would be refused in Mid Ulster because they were contrary to the Fermanagh & Omagh Area Plan, it would be the Mid Ulster Plan if they were.

Councillor Mallaghan wanted to apologise to Councillor Quinn in advance of his next statement, but wished to make sure that this Council's objection if approved here tonight was sound and referred to Councillor Quinn's comments regarding speaking at a rally on Saturday in Coalisland against gold mining and was now wondering if a QC was looking into this would this cause a difficulty for this Council down the line.

The Planning Manager advised that if a person had already given their position it could be an assumption that this person didn't look at this application unbiasedly as they already set out their position before proceeding and this could be considered as an interest.

Councillor Quinn said that under the circumstances that he would be happy for another member to propose the recommendation to keep everything above board.

Councillor McKinney said he wished to make a few observations regarding this and stated that in previous Council meetings there were a number of parties who always said that they were opposed to gold mining and if a party made that statement at a Council

meeting from a party representation, said he didn't know how this would fare out coming to a planning committee. He said that he would be concerned regarding the legal aspect regarding the comments which were made and Councillor Clarke's comment indicating that the goldmining was not even in Mid Ulster Council area which was correct regarding the one which was talked about. He stated that he had been contacted during the week about large sums of money being offered to landowners within his own area for drilling and wasn't talking about a few hundred pounds but more like thousands of pounds. In felt that in the future there could representation by some mining companies and was careful not to mention any particular names and as previously stated, a lot of people were tying themselves up with pre-decisions and pre-statements of planning committee and when members had been well taught on what to say and how to conduct themselves. He said that he would be concerned about the legal aspect and when it runs its course and the possibly of this Council falling down a legal loophole as the ball was already rolling within our area as was the case in his area and although the application may not be submitted it was only a matter of time before one was received. He stated that he was very concerned regarding comments and statements made all along and throughout in previous meetings and also a Councillor addressing a rally making a determination before it has already come and would also be concerned as it seemed that things were being rushed and would like everything to be right and concurred with Councillor Mallaghan's comment regarding tarring everyone with the one brush as there was a lot of industry involved with mineral extraction and although it was known as quarrying, it all came under the mineral policy and felt there was a need to go slow and get this one right.

Councillor Cuthbertson said within his lifetime within the Council there was one if not two motions brought to Council relating to topics such as this, although he could not recall the wording or date and may be worthwhile looking into. He remembered on one occasion highlighting the fact that this could compromise Mid Ulster Council or Councillors proposing and seconding supporting this going forward if an issue was brought to Mid Ulster District Council and felt that this needed to be looked at. He advised that he wasn't an expert on mining and presumed that members which spoke earlier were not experts either and also comments made by the Planning Manager regarding removing a top of a mountain and took this as a literal comment, but he has seen no evidence of what they were going to do and would be confident that they were not going to destroy a mountain like that and felt that the committee should hold off as it wasn't within our Council area and seconded Councillor Glasgow's proposal earlier in the meeting.

The Planning Manager advised that his comments relating to the mountain was about the general protection of the Sperrins. He stated that this was not a planning decision and was only setting out comments for consideration and all that was being brought forward was an argument to be considered.

Councillor Corry proposed to the recommendation in place of Councillor Quinn.

Councillor Corry's proposal was put to the vote:

For	8
Against	5

The Chair advised that Councillor Corry's proposal was carried.

Proposed by Councillor Corry
Seconded by Councillor Mallaghan

Resolved That it be agreed –

- 1) Based on the information currently available and without the advice of all consultees, to object to the planning application as proposed based on both the long term visual impact and issues of concern relating to volumes of traffic both during the construction stage of the proposal and the operational phase of the proposal as these will have a significantly detrimental impact on the amenity of the residents in the area.
- 2) As the application is premature to the Fermanagh and Omagh Draft Plan Strategy public examination by reason of its scale that it would prejudice future decision making.
- 3) To reserve the right to raise further issues of concern at the public inquiry or at any time preceding the date of the inquiry should additional or amended information be received.

Matters for Information

P105/21 Minutes of Planning Committee held on 6 July 2021

Members noted minutes of Planning Committee held on 6 July 2021.

Live broadcast ended at 9.55 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Corry
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 P106/21 to P110/21.

Matters for Decision

- P106/21 Receive report on commencement of preparatory work for Local Policies Plan
P107/21 Receive Enforcement Report

Matters for Information

- P108/21 Confidential Minutes of Planning Committee held on 6 July 2021
P109/21 Enforcement Cases Opened
P110/21 Enforcement Cases Closed

P111/21 Duration of Meeting

The meeting was called for 7 pm and concluded at 10.30 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

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



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 3rd August 2021

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

Chairs Business – Appeal decision 2020/E0038

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.4	Consultation response from DfI Roads.	Members to note the response and the 3 rd reason for refusal pertaining to PPS 3 is hereby withdrawn.
4.6	Further objection letter	Members to note and consider
4.8	Agent has advised they would like hours of operation from 7 am to 11pm, EHO consulted and offer no objections to this.	Members to note and consider

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Thursday 2 September 2021 in the Council Offices, Circular Road,
Dungannon and by Virtual Means**

Members Present Councillor Molloy, Chair

Councillors Black, Burton, Clarke*, Corry*, Cuddy*, Doris*,
Kerr*, Milne*, Quinn*

Officers in Attendance Ms Campbell, Director of Leisure & Outdoor Recreation
Ms Linney, Head of Community Development**
Ms Grogan, Democratic Services Officer

Others in Councillor S McGuigan*

Deputations
Blackwater Community Barge
For You Charity, Dungannon
Naomh Colum Cille GAA

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7.00 pm.

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

D128/21 Apologies

Councillor Ashton, Elattar, Monteith.

D129/21 Declarations of Interest

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

D130/21 Chair's Business

The Chair advised that questions would be taken after each completed presentation.

D131/21 Blackwater Community Barge

The Chair welcomed to the committee Mr Brian MacAuley, Mr Conor Mallon and Mr Andrew Trotter, representatives from Blackwater Community Barge and invited them to make their presentation.

The representatives thanked members for giving him the opportunity to present to the committee the Blackwater Community Barge Project (appendix 1).

They provided a brief overview and outlined the attraction of the Blackwater River which included:

- Heritage – The Argory, Coalisland Canal, Ulster Canal, Moy and Blackwatertown, Verners and Bonds, GNR Railway, The Vikings, Clonmore Shrine, Eel Fishing on Lough Neagh and Coney Island
- Natural History – Birds, Flora and Fauna, Insects
- Leisure – Fishing, Boating Canoeing and Walking

The Chair thanked the representatives for their impressive presentation and stated that the Blackwater River was something very close to his heart as he had grown up very close to it.

Councillor Doris thanked the representatives for their presentation and said that she was really glad to see this being brought to this committee tonight and encouraged any of the Councillors who planned a boat trip to go ahead and stated that she would certainly be in contact with the group. She advised that she had been down at the site not so long ago with the Chief Executive and Head of Tourism to see the entry at the barmouth at Lough Neagh which resembled a wall being built to stop access into it and felt that this was very sad as there were a lot of boat owners who had indicated that it was easier to put their boats on the Lakes of Fermanagh rather than the Lakes of Lough Neagh because of how bad it was.

She said that it was very hard to see the issues when there was such potential within the area which hasn't been reached and if the Lakes of Kerry was looked at, felt that this was nothing compared to what we have locally. She advised that a motion had been brought to Council a few months ago about securing the bed and soil at Lough Neagh and felt that this project really needed to tie in with it. She commended the group and reassured them that the Council would certainly continue to work hard on this project and said that it was fantastic to see the disability access onto the boats amongst other things as her uncle who was a wheelchair user unfortunately didn't get the chance to see this which would have been fantastic for him, but advised that it was great to see this service now being offered.

Councillor Cuddy advised that he knew the representatives well through his work with the Enterprise Centre and recalled them talking about this project for years. He stated that Mr MacAuley had taken him out on a boat a few weeks ago and he had previously kayaked up and down the Blackwater for a good few years with his daughter and was a world of its own, with the banks being high and whilst paddling up and down and can hear the traffic going from Benburb to Blackwatertown and unreal to think that a few miles away from here there was a complete new world there. He said that he hadn't been out to Lough Neagh yet but certainly the day he went out with Mr MacAuley he was confident that he knew the Blackwater reasonably well, but whilst on the boat the team were able to explain the entrances for the Ulster Canal, Coalisland Canal and other small rivers going in and out which was very interesting and have something going really well. He said it goes to show what a small group of people within the community can do without a serious amount of money and revisit what was our strength

and wealth a hundred years ago. He concurred with Councillor Doris' comments regarding Council becoming more aware of Blackwater and Lough Neagh and felt that it would be important to keep this momentum going.

Councillor Kerr thanked the representatives for their presentation and said that he was glad to see them mention the enhancement of all the bodies of water which was attached to the Blackwater especially the Coalisland Canal. He said that the dredging issue had really come to a head and one of the issues which he had raised regarding the dredging was the barrier of time it took Lough Neagh Rescue to get onto that part of the lough especially if a person got into difficult circumstances as the debris and other stuff which was causing the blockage would result in time delays for Lough Neagh Rescue and its volunteers. He referred to damage to boats the hoped that along with ourselves, ABC and all the relevant stakeholders that this issue could be grabbed by the scruff of the neck and try and get it resolved for once and for all.

The Chair thanked the representatives for their impressive presentation and said that the River Blackwater runs straight up to the Clogher Valley. He said that the group were providing fantastic work and the more people which could access the River and its facilities the better and as a Council working in unison with our neighbours in ABC, that this was the kind of projects this Council wish to develop where we encourage tourism and recreation and where people can get out and about and enjoy their local surroundings and encourage people from afar to come and see what was on offer. He concluded by stating that Officers would be in touch to press on some of the issues raised tonight.

The representatives left the meeting at 7.25 pm.

D132/21 For You Charity, Dungannon

The Chair welcomed to the committee Ms Glena McDowell-Khan from For You Charity and invited her to make her presentation.

Ms McDowell-Khan thanked the committee for allowing her the opportunity to address the meeting tonight and provided a brief overview of the work carried out by Me, You and Them which was a registered charity based in the heart of Dungannon (appendix 2).

She advised that the charity was a social enterprise which reacted to the need within the local area which provided everyday help, ie second-hand furniture items, clothing, mental wellness, foodbank, prepared meals, workshops & training, holistic therapies, befriending service, drop-in centre etc.

For You became a registered charity within 10 months of being established and supported:

- Over 1600 people since For You established in January 2020
- Provided toys for over 1000 children at Christmas
- Delivered over 6000 meals during Covid

MUDC, CFNI, Comic Relief, Halifax and Clothworkers are some of the funders that have invested in For You's work and currently there are over 20 active volunteers delivering services which was massively the organisation were very proud of and achievements to date and the support which was received.

Ms McDowell-Khan outlined the group's intentions for the future:

- To continue to consult with the community
- To create a positive impact in the area
- To work towards sustainability in the area
- Remove stigma in getting help or support
- Being reactive, now was the time to be proactive

The Chair thanked Ms McDowell-Khan for her impressive presentation and said that this was a moderate run down of what the group had achieved over the last while as he was aware of some of the fantastic work in which the group had been engaged in. He felt that 1600 people was well underestimated and the positive impact which the group had made on the community.

Councillor Burton thanked Ms McDowell-Khan for her presentation and said that it was interesting to hear of all the good work which was being carried out locally and delighted to hear that the group had linked in well with the Council to obtain funding and would really encourage her to keep that link going. She said that she would also encourage the group to liaise with Lorraine from COSTA based at President Grant's who quite often seeks funding and may also help the group find trained up Counsellors in dealing with some issues the people which the group are in contact with on the ground. She said that she was aware of how difficult it was when trying to support families and support the elderly through providing meals and having been a bit involved with this during the Covid lockdown, there were times that she had called at some elderly person's home when they were not seeing their extended family as often as they would have normally done. She recalled calling with an elderly lady and 9 times out of 10 when you met her in the past she was a really happy-go-lucky kind of lady, but had lost a child of her family and when Councillor Burton was about to leave her, she felt that the lady was going to go back into the house and not see anyone for the rest of the day and there was a part of her that was afraid to leave her. The lady picked up on Councillor Burton's anxiety about leaving her and she advised that she had lived with this every day and had come to terms with it, but really appreciated someone calling and providing her with a lunch really meant a lot to her.

She commended the work the group were doing and said that there were other agencies out there that would support the group. She advised that she also sat on the PCSP and over lockdown there had also been a lot of issues within families which had to deal with domestic violence and asked that Ms McDowell-Khan get in touch with Officers with that regard to see what support they could provide the group. For each of the 40 Councillors which meet in this Council asked that Ms McDowell-Khan keep in touch with them also to let them know what the group were currently working at as there could be some help and support which could be provided as well and encouraged the group to liaise with COSTA as they do grant trackers and grant finders to support the work in which the group were doing.

She concluded by thanking Ms McDowell-Khan for taking the time to attend the meeting tonight and wished her well for the future.

Councillor S McGuigan thanked Ms McDowell-Khan for her impressive presentation and acknowledged the work the group had done as he knew her well. He said that following on from Councillor Burton's comments, it was now the case of how to broaden and develop the networks as this was the course which was needed. He stated that support was needed from Councillors from those members which know about the group already and was confident that the group had a strong support from them and was good to see that this being spread amongst the remainder of members.

Ms McDowell-Khan said that she appreciated all the support she had received to date from Council.

Councillor Kerr reiterated with previous members comments and advised that he follows the group's work on social media and commended the workload they have done in such a short space of time especially establishing the group in the middle of a pandemic which no-one was prepared for. He said that in a post-Covid society, poverty was only going to get worse, with services and organisations like For You being made very welcome. He referred to the news today that the Tories were going to cut £20 each week from welfare and reading one beneficiary's account stated that it was like practically taking food from his mouth. He advised that a food bank was established in Coalisland to deal with the enormous amount of pressure some families had encountered and now it has been decided to set this up permanently. He hoped that the group would be about for a very long time and commended the group on the very good work that was being carried out.

Councillor Doris commended Ms McDowell-Khan and her group as they had been a lifeline to local people during the most difficult times within their lives and their service was invaluable to some people. She concurred with member's comment regarding putting yourself within a difficult position as there were all types of different situations and may be beneficial linking up with other groups in the area as it was a very heavy burden to carry. She said that she was very interested in comment made regarding working parents and quite often or not there was two parents working where the childcare was putting them over that edge for poverty but on paper they do not qualify for benefits. In relation to mental health said that if a person had an ongoing counselling service that costs £45 to £50 per week to get trauma or something similar and felt that there should be more of a focus on how to help people who are working and under that kind of threshold and not in the position to receive government help. She concluded by saying that the group were doing fantastic help and any help that she could provide please do not hesitate to get in contact and she would do everything she possibly can.

The Chair advised that Ms McDowell-Khan had the support of the Councillors which were at the meeting and had also continued support across the board and anything the Council could do i.e. signposting etc. towards many of the groups to get in touch. He also said that there were various strands of funding available and asked her to keep her ear to the group and keep in touch and wished her continued success in everything that the group were doing.

Ms McDowell-Khan left the meeting at 7.41 pm.

D133/21 Naomh Colmcille GAA

The Chair welcomed to the committee Ms Joanne Canavan, Mr Damien O'Neill and Mr Colm Morgan from Naomh Colmcille GAA and invited him to make her presentation.

The representatives thanked the committee for permitting them the opportunity to present to committee on future plans of their club (appendix 3).

Ms Canavan advised that CLG-CC Naomh Colum Cille Hurling and Camogie Club was established in 1986 and was the only hurling club serving the Coalisland and Clonoe area. The camogie club was established in 2021 due to community feedback and demand.

She said that the club was working in collaboration with community groups to increase community wellbeing and provision of a variety of events to increase inclusion of all members of the community:

- Summer Camps, Yoga, Online Concerts, Halloween events, Irish Language Classes/Events, Cultural Events, Fun Days, Music Classes, Virtual 5km, Walks, Nutrition Sessions and Volunteer Work Schemes within club grounds.

Mr Morgan outlined the future plans for the club were:

- For a multi-use community facility
- Skills arena
- Walkway and flood lights
- Clubrooms made accessible for disabled access and female changing areas

The Chair advised that when capital projects were going to be developed like this, funding was always the stumbling block no matter what community group or enterprise it was. He said that from the presentation he picked up that there was community buy in and this could only be a good thing and a start. He said that it was up to Council and Councillors to signpost, engage and make sure that the group had covered all avenues in regards to what funding streams that may be available i.e. Rural Development, Sport NI, Sports Council etc. and was under no illusion that the group were already doing this work but just on the off change there may be something that falls through the cracks or missed. He stated that there was also renewable funding streams coming on board on a regular basis and the Council would endeavour to make the group aware of those.

Councillor Doris commended the representatives in doing such a fantastic job on providing an oversight on some of the issues in the area. She felt the group were being very modest and have been left behind and constantly fell through the cracks in relation to funding.

Proposed by Councillor Doris

That the relevant Council Officers at their earliest convenience arrange a meeting at the site just to see how dilapidated the place was.

She felt the Hurling Club was asking for very little for the value in which they bring to the community. She said as the Hurling Club was the only one within the community, there was literally lots of children coming on board from newcomer and minority groups etc. as there wasn't anywhere else locally. She felt the first thing to do would be to make the site safe and accessible as this currently wasn't the case and people need to get it into their heads what the issues were down there as the photos show an aspect of it but in reality it was completely different. She said that there was community buy-in and were much more than a Hurling Club and had an awful lot of overheads like sliotars, sticks, helmets etc which other places do not have.

Councillor Kerr seconded Councillor Doris' proposal.

Councillor Kerr said that as far as he was aware there was previous dialogue with Council Officers and wanted to thank the representatives for their impressive presentation.

He referred to previously mentioned comment in the presentation regarding it being a hotbed of activity for young people and said that it was great to see such a huge interest in hurling as it was under appreciated within our County compared to football, as it was our natural heritage in which we should be very proud of.

He said as alluded to earlier in the presentation, volunteers from Naomh Colum Cille worked through the pandemic and assisted the foodbank which was greatly appreciated and was one of the many positive activities that the club carries out. He said that he knew some the members personally and were very passionate Gael goers and GAA members and hoped that going forward that the Council could provide every option on the table for the representatives to realise their ambitions. He stated that this was the only Hurling Club that was predominately in the East Tyrone area and provided for the Coalisland, Brackaville, Derrylaughan, Derrytresk, Brockagh and the whole catchment. He hoped that this was the start of a conversation and in a few years' time we will be seeing Naomh Colum Cille's plans as a reality.

Resolved That it be recommended to Council that the relevant Council Officers at their earliest convenience arrange a meeting at Naomh Colum Cille's site to see how dilapidated the place was.

Councillor S McGuigan wanted to say on behalf of himself and others that the area and the Club itself should be very proud of the work it was doing at present with the struggling resources, but also the fact that this was reflected in the strong support in which they were getting from their area and wished them well in the future.

The Chair thanked the representatives for their impressive presentation and outlining their intentions for the future of the Club and said that the committee wished them well and hoped to see things developing in the near future.

D134/21 Duration of Meeting

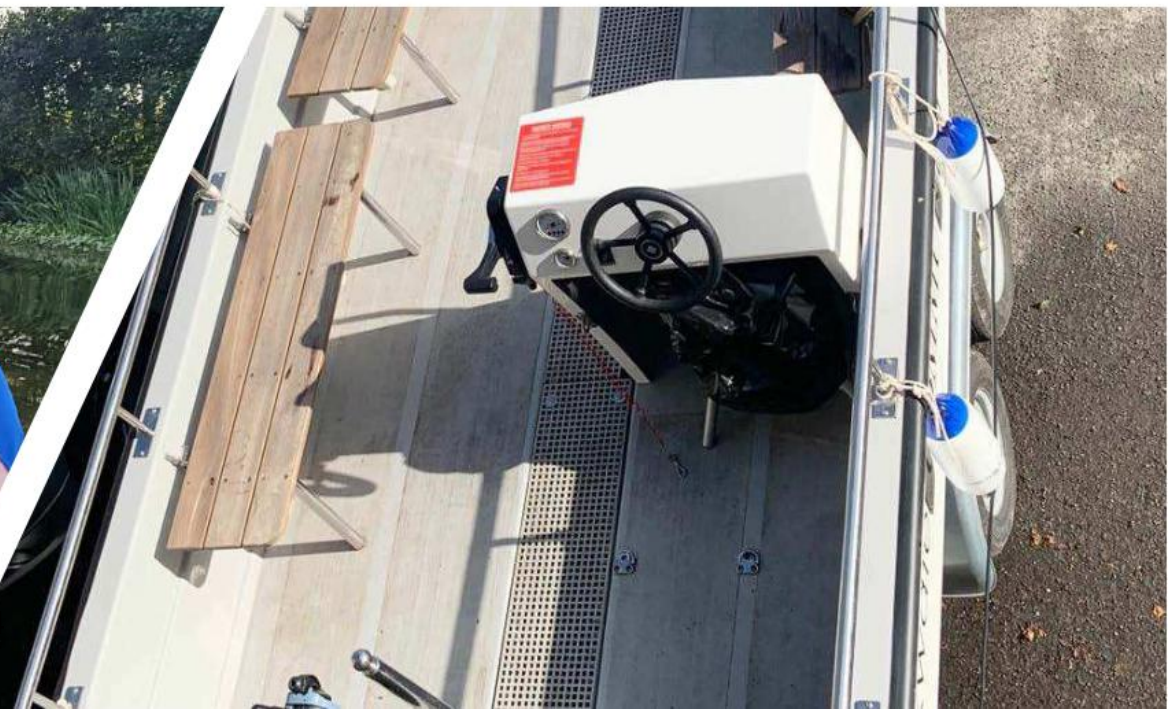
The meeting commenced at 7 pm and ended at 8.05 pm.

Chair _____

Date _____

Blackwater Community Barge Project





What is the attraction of the Blackwater River

Heritage

- The Argory
- Coalisland Canal
- Ulster Canal
- Moy and Blackwatertown
- Verners and Bonds
- GNR railway
- The Vikings
- The Clonmore Shrine
- Eel fishing on Lough Neagh
- Coney island

Natural history

- Birds
- Flora and fauna
- Insects

Leisure

- Fishing
- Boating
- Canoeing
- Walking





Verners Bridge, Tamnamore

The Clonmore Shrine





Derry Road Railway Bridge



Bonds Bridge



The Argory



Ulster Canal Lock Entrance



Moy Jetty





Opportunities for the Blackwater River

- Entrance to the river cleared
- Moy Jetty upgraded



Who are we?

Me You and Them is a registered charity based in the heart of Dungannon

How did we come about

- ▶ We first set up the social enterprise 'For You' reacting to the need within our area for help with everyday second-hand furniture items and clothing.
- ▶ It quickly became clear that low finances were impacting on some people's mental wellness. Triggering low moods and lack of motivation.
- ▶ We began offering training on looking after your overall well-being
- ▶ THEN COVID HIT
- ▶ We listened to our community and carried out services to keep our most vulnerable safe!

Our aims

- ▶ No child goes hungry
- ▶ Work with everyone, along with focusing on marginalised groups
- ▶ Basic essential needs are met
- ▶ Training and education on supporting mental health
- ▶ Workshops and activities for all ages
- ▶ Ensure the individual/family are in the right services
- ▶ Create a safe and secure environment accessible to all

What do we do?

- ▶ We deliver services to promote positive mental health within our community
- ▶ Food Bank
- ▶ Prepared Meals
- ▶ Essential Furniture Items
- ▶ Workshops & Training
- ▶ Holistic Therapies
- ▶ Befriending Service
- ▶ Drop-in Centre

Our successes to date

- ▶ Became a registered charity within 10 months of being established
- ▶ Supported over 1600 people since we established January 2020.
- ▶ Provided toys for 1000 children at Christmas
- ▶ Delivered over 6000 meals during covid
- ▶ MUDC, CFNI, Comic Relief, Halifax and Clothworkers are some of the funders that have invested in our work
- ▶ Currently we have over 20 active volunteers delivering services
- ▶ Massively proud of our achievements to date and the support we receive.

What next?

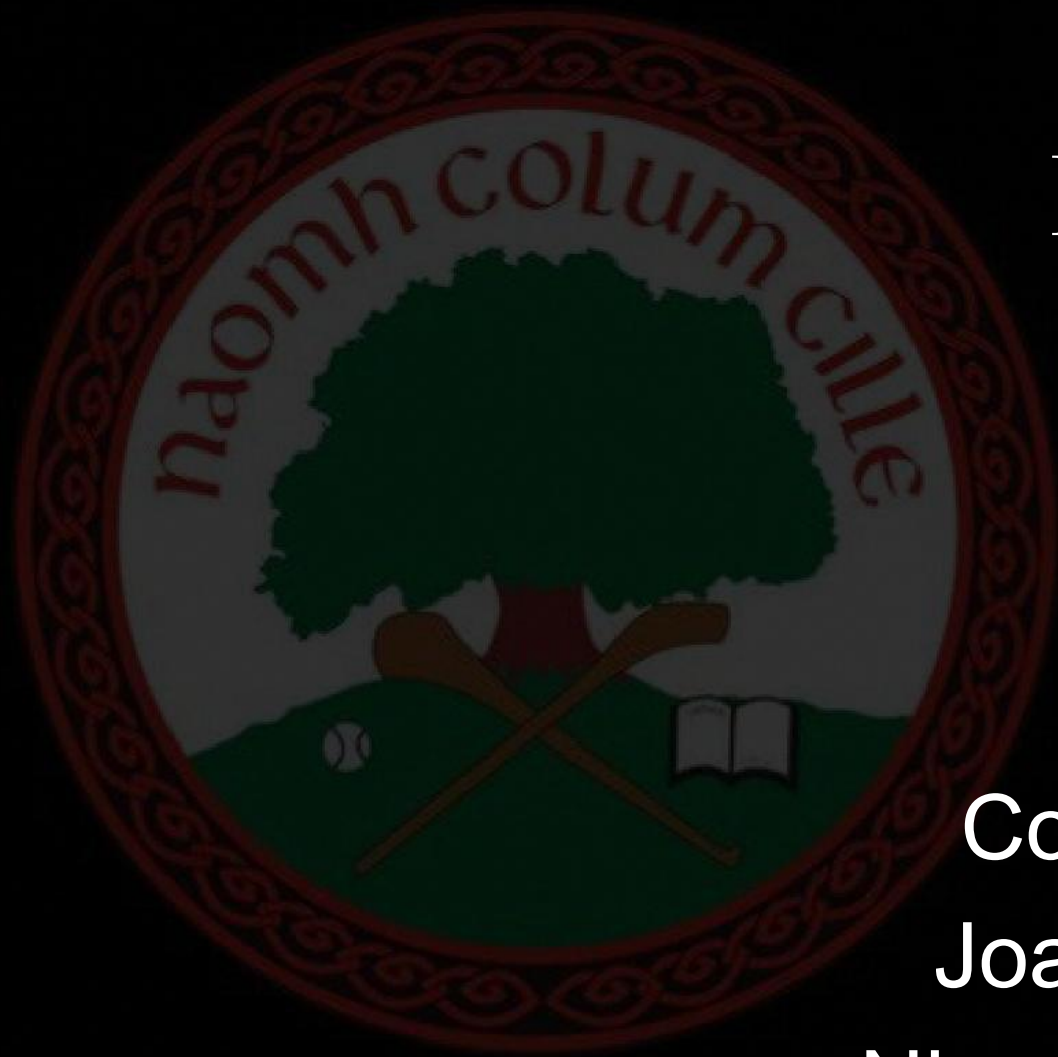
- ▶ To continue to consult with our community
- ▶ To create a positive impact in the area
- ▶ To work towards sustainability in the area
- ▶ Remove stigma in getting help or support
- ▶ We have been Reactive, we now want to be Proactive

Finally

- ▶ Any questions?
 - ▶ Thank you for listening
-
- ▶ Chairperson - Glena McDowell-Khan

CLG-CC Naomh Colum Cille

Hurling and Camogie Club

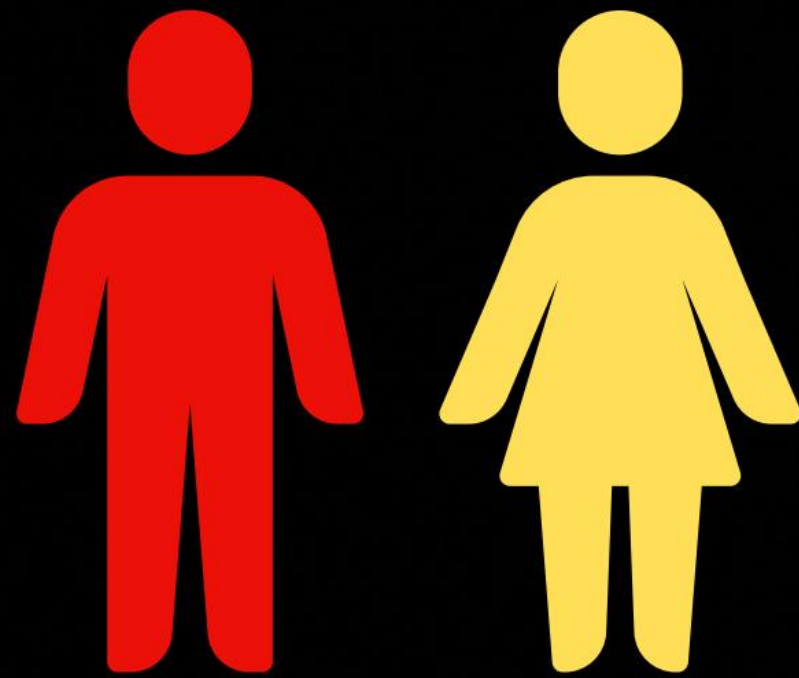


Déardaoin 2 Meán Fómhair 2021
Thursday 2 September 2021

Damian Ó Néill - Cathaoirleach | Chairperson
Colm Morgan - Oifigeach Cóitseála | Coaching Officer
Joanne Canavan - Oifigeach Leanaí | Children's Officer
Niamh Corr - Oifigeach Airgeadais | Chartered Accountant

Baill Chláraithe 2021

Registered Members 2021



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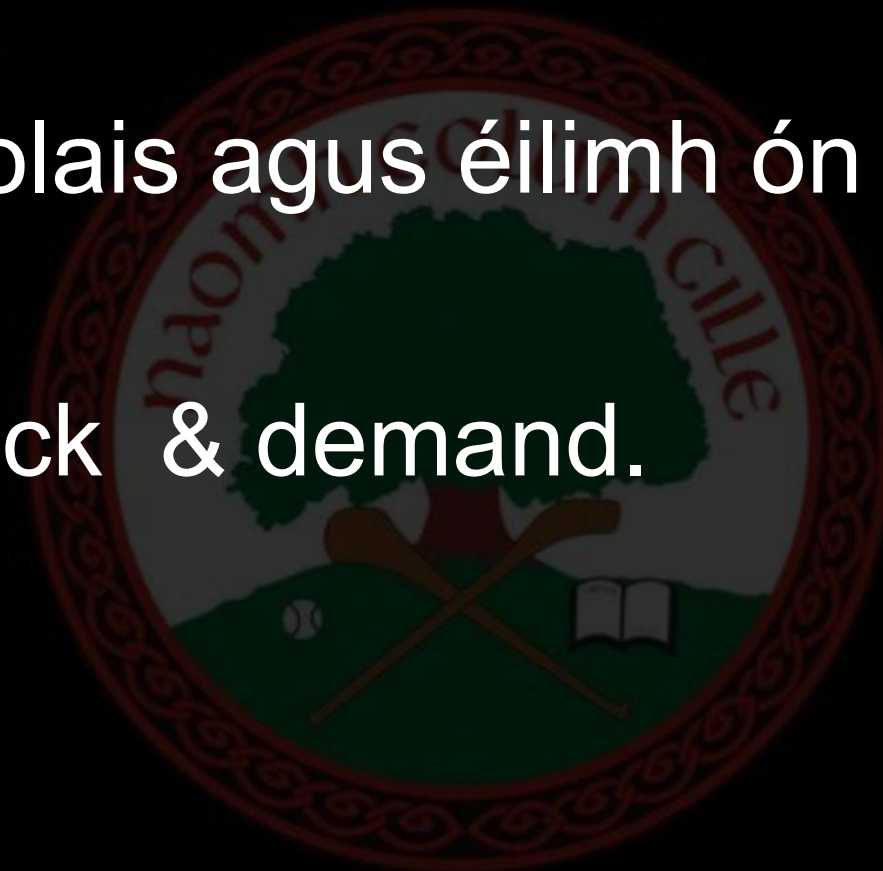
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CLG-CC Naomh Colum Cille

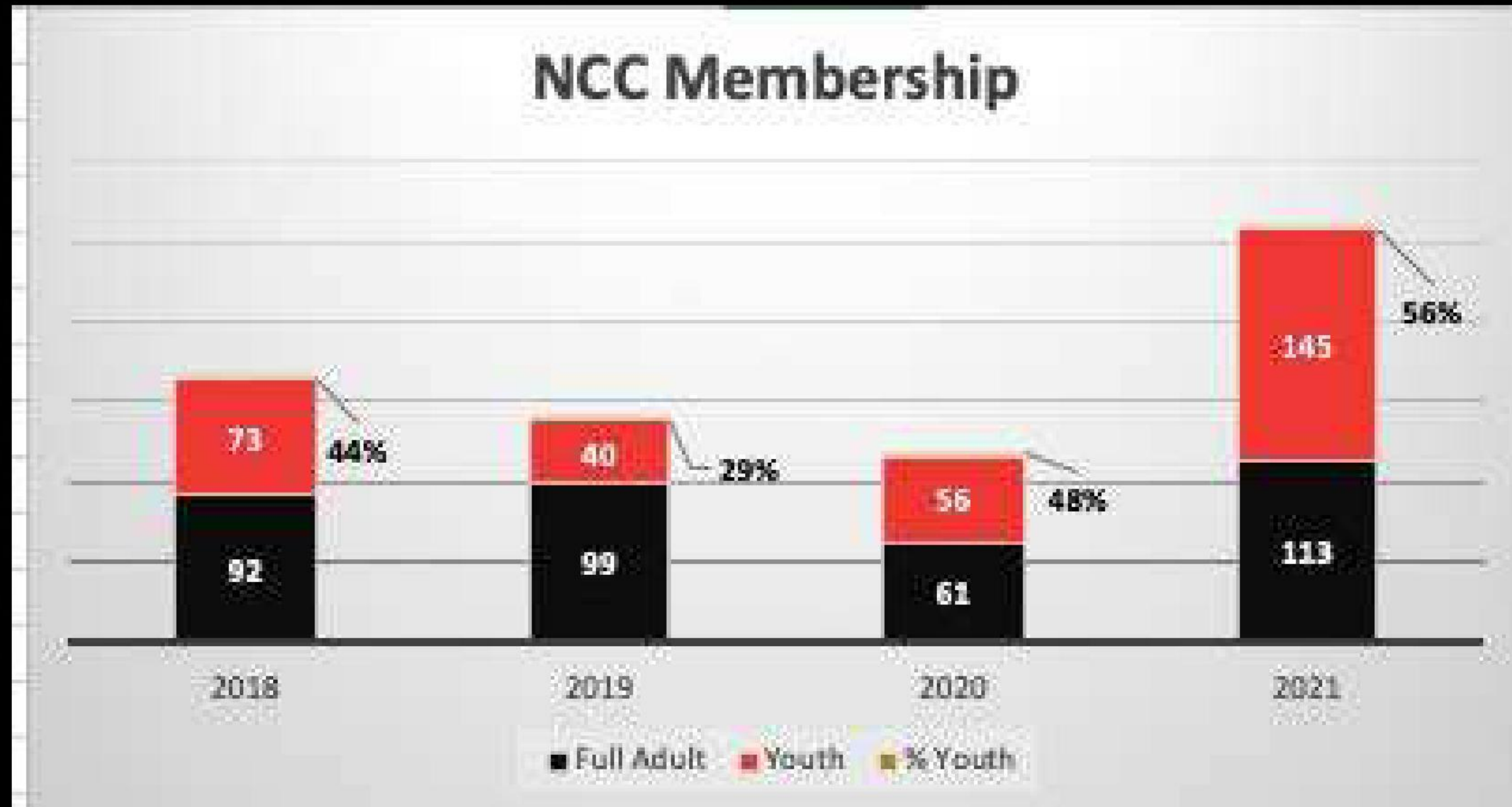
Hurling and Camogie Club

- Bunaíodh sa bhliain 1986.
Established in 1986.
- An t-aon chumann Iománaíocht amháin sa cheantar Oileáin agus Cluaine.
Only hurling club serving the Coalisland and Clonoe area
- Bunaíodh an Cumann Camógaíocht i mbliana de bharr aiseolais agus éilimh ón phobal.
Camogie club established in 2021 due to community feedback & demand.



Bail Chláraithe 2021-2018

Registered Members 2021-2018

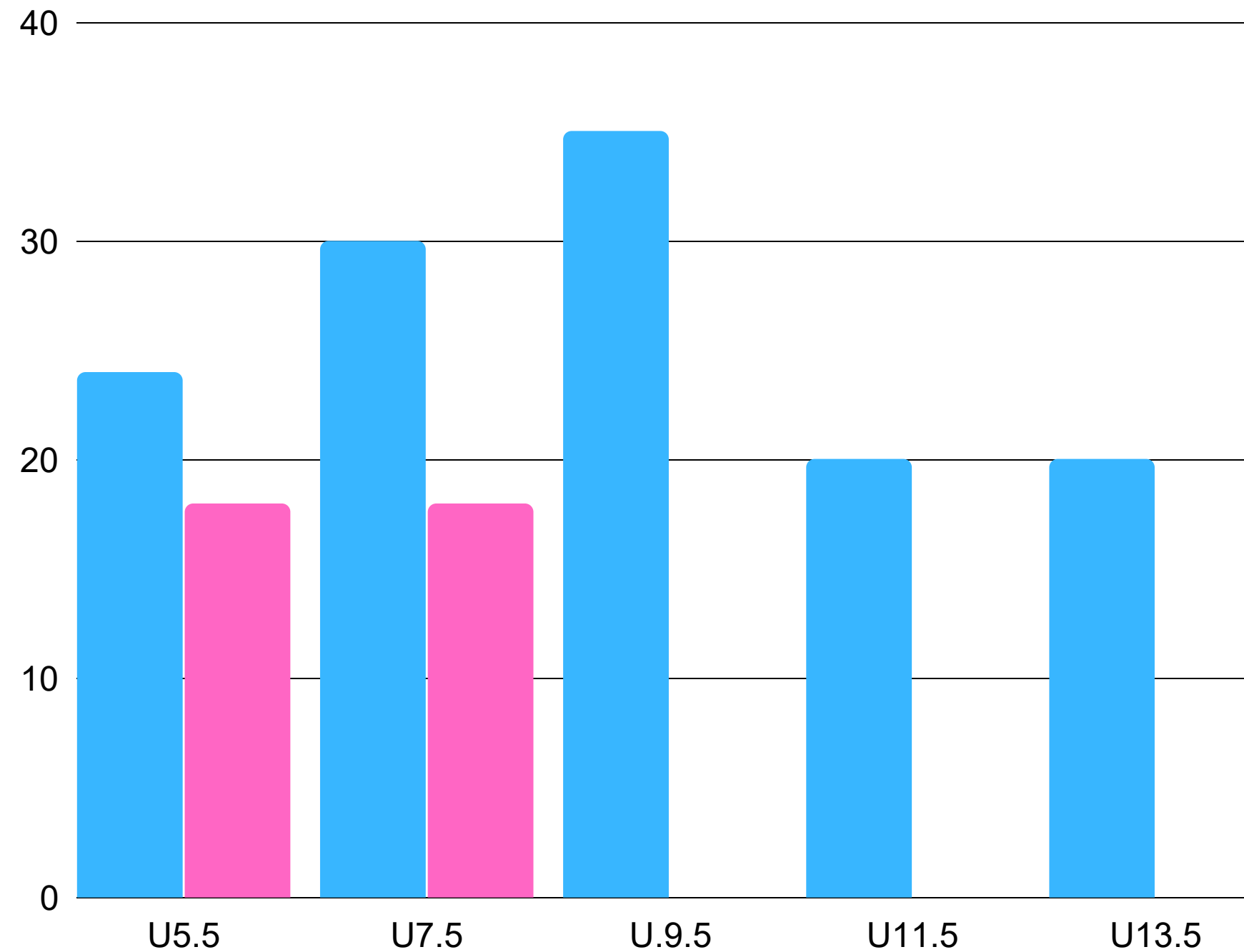


2022
350+



Baill Óige Cláraithe 2021

Registered Youth - 2021



Baill Óige Cláraithe 2021

Registered Youth - 2021

- Remaining youth teams amalgamated with Tulach Óg



Ag éirí linn ar na mallaibh

Recent Success



Ní ina chumann spóirt amháin muid...

Not just a sports club.....

- Ag obair le chéile ar son leasa an phobail....

Working in collaboration with community groups to increase community wellbeing and provision of a variety of events to increase inclusion of all members of the community:

- Summer Camp
- Yoga
- Online concert
- Halloween events
- Irish Language Classes | Events
- Cultural events

Fun Days

Music classes

Virtual 5km

Walks

Nutrition sessions

Volunteer work schemes in our grounds





Aiseolas ónár gclár samhraidh....

Feedback from our summer programme.....

3. Where are you from?

50 Responses

38	anonymous	Clonee
39	anonymous	Killyman
40	anonymous	Coalisland
41	anonymous	Drummurrer, Coslisland
42	anonymous	Coalisland
43	anonymous	Coalisland
44	anonymous	Coalisland
45	anonymous	Coalisland
46	anonymous	Coalisland
47	anonymous	Stewartstown
48	anonymous	Coalisland
49	anonymous	Coalisland
50	anonymous	Coalisland

Questions

Responses

50

Coalisland
"Coalisland"

4. I thought this summer programme was

[More Details](#)



5. The summer programme made me feel

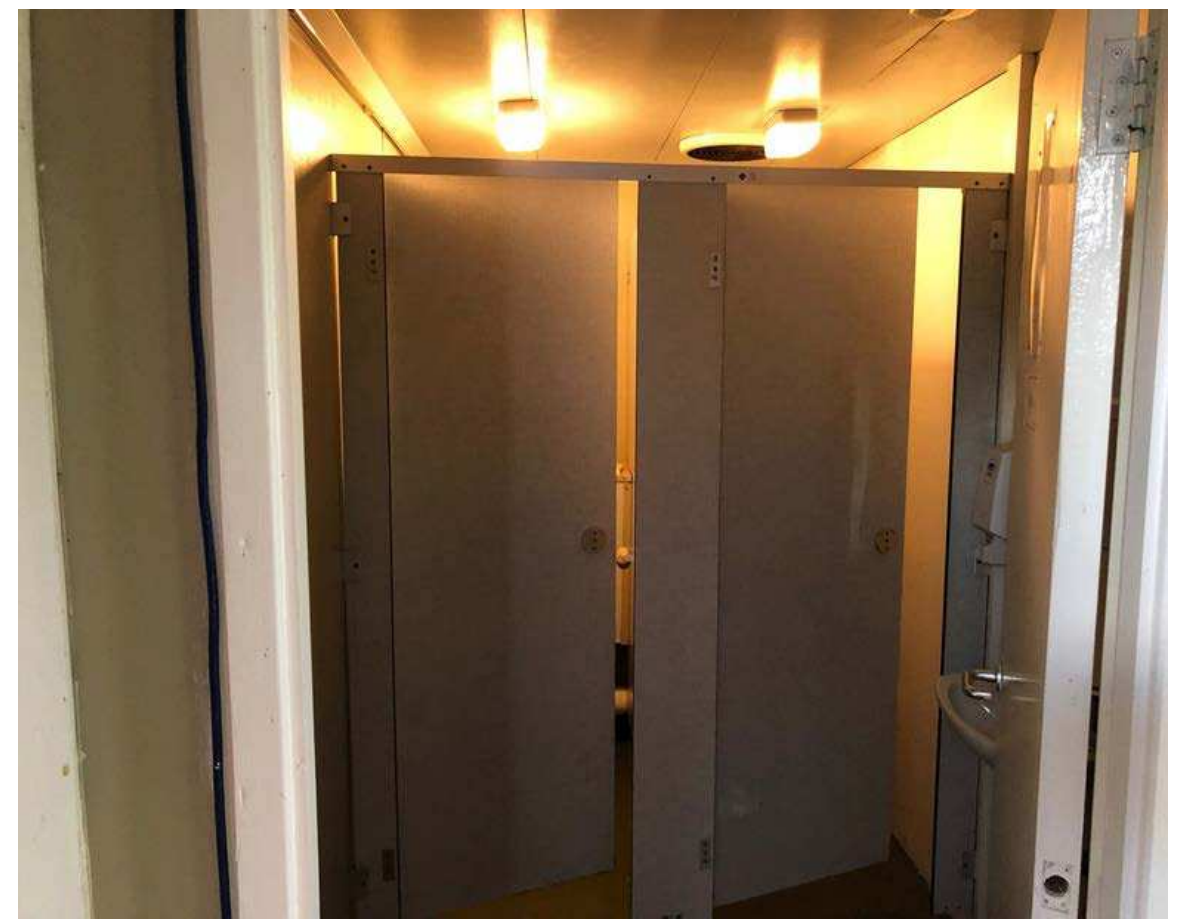
[More Details](#)



Feabhsuithe le gairid

Recent improvements



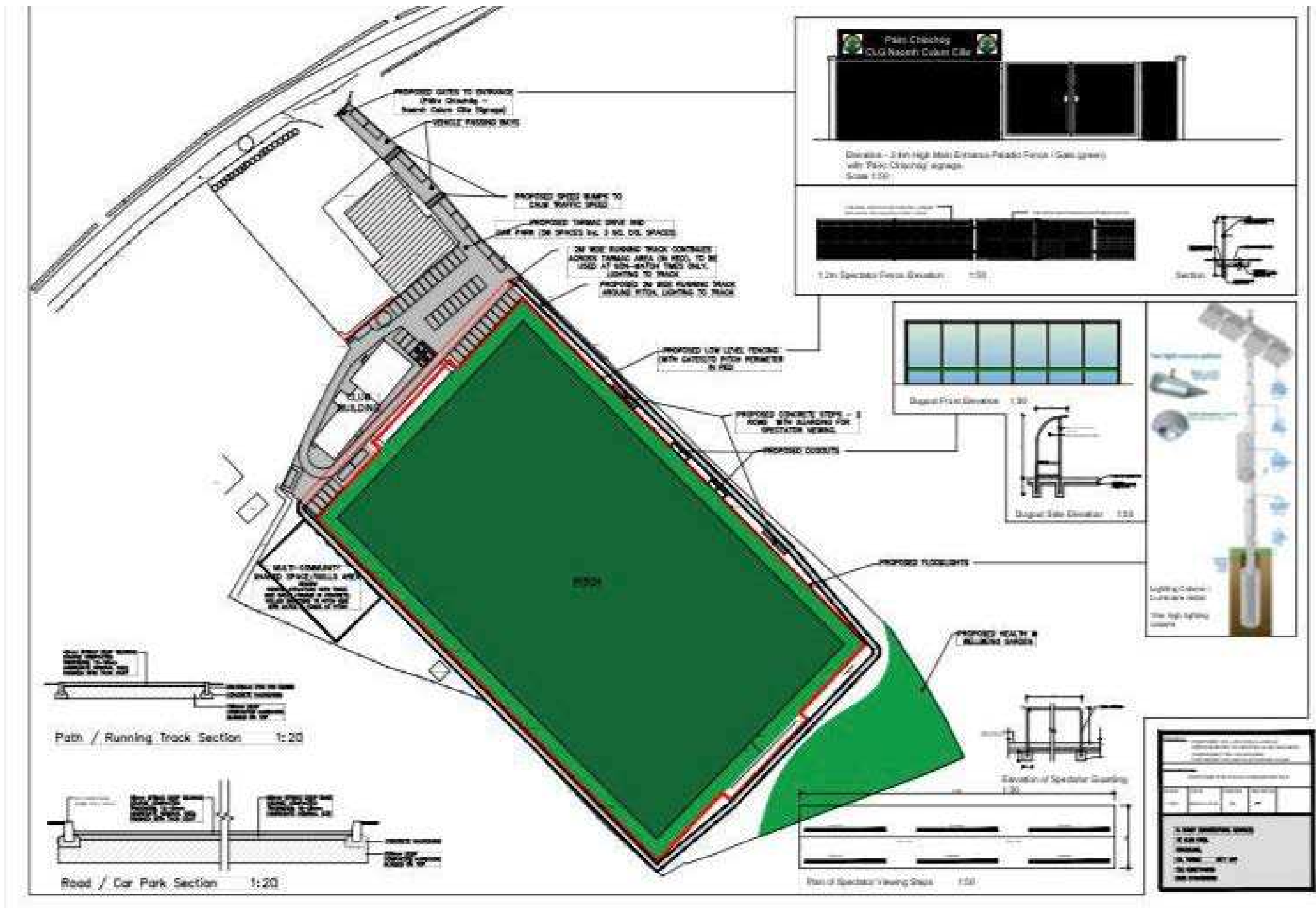


Pleananna don am atá le teacht

Future plans

- Plans for multi -use community facility
- Skills arena
- Walkway and flood lights
- Clubrooms made accessible for disabled access and female changing areas





Cuidiú don todhchaí - Help for the future

- We need financial help:
- Build a multi -use community facility
- Develop a skills arena
- Create a walkway and flood lights
- Make our clubrooms accessible for disabled access and provide female changing areas



Go raibh míle maith agaibh
Thank you



Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 7 September 2021 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor Black, Chair

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

Officers in Attendance

Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms Donnelly, Council Solicitor
Ms Doyle, Senior Planning Officer
Mr Marrion, Senior Planning Officer
Mr McClean, Senior Planning Officer
Ms McCullagh, Senior Planning Officer
Miss Thompson, Democratic Services Officer

Others in Attendance

Councillor Gildernew***

LA09/2021/0635/O	Mr Gourley*
LA09/2021/0734/RM	Mr McCann
	Ms McCann
LA09/2017/1366/F	Mr Rogers*
	Ms McIlvar

* 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 7.27 pm

P117/21 Apologies

Councillors Brown and Hughes.

P118/21 Declarations of Interest

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

Councillor McFlynn declared an interest in agenda item 8 - Receive report on request for review of TPO Decision.

Councillor D McPeake declared an interest in agenda item 5.14 - LA09/2021/0116/O - Dwelling & garage at lands E of 91 Creagh Road, Castledawson, for Ciaran Devlin.

P119/21 Chair's Business

The Planning Manager referred to recently held DEA meetings to discuss settlements and in particular the Cookstown DEA meeting in which only one Member could attend on the day. The Planning Manager asked if Members would like a further Cookstown DEA meeting to be held.

Proposed by Councillor Mallaghan
Seconded by Councillor Glasgow and

Resolved That a further Cookstown DEA meeting be scheduled to discuss settlements.

The Planning Manager drew attention to the addendum and the appeal decision regarding conditions for Creagh Concrete Quarry at Pomeroy. The Planning Manager stated that in the past there has been little to no restoration following quarrying activities and he felt there could be better governance on this matter. The Planning Manager stated that more recently, particularly in Scotland, when such applications have come forward conditions have been applied which would require the developer to take out some form of assurance in that if they went bust there would be a fund to undertake an appropriate level of restoration. In this instance, the Planning Manager stated that Creagh Concrete lodged an appeal regarding the conditions set and that they won their appeal. The Planning Manager stated that the Commissioner advises that the options are for standard conditions in which restoration will be sought against the landowner which the Planning Manager felt is of little use if the landowner has gone bust. The alternative option is to seek planning agreements, however the Planning Manager stated these can be costly and cause delays to an application. The Planning Manager stated that Creagh Concrete have won the appeal on this case and this did not give him any concern. Unfortunately, it now meant planning agreements would have to be pursued in some cases.

The Planning Manager referred to previous discussion in relation to holding an additional planning meeting and that a date was set in place for 28 September. The Planning Manager stated that when applications are advertised, dates of planning committees are also advertised in order to give prior warnings to applicants to check the Council website as to what is on the agenda for a meeting and that this caused a difficulty in trying to arrange an additional meeting. The Planning Manager stated it would be in order to hold an additional planning committee to discuss items which are not in the public domain ie. Local Development Plan or for overspill from one meeting to the next but not for new application items. The Planning Manager stated he felt the meeting scheduled for 28 September would no longer be required but that it may be wise to hold a further date for overspill however it would not be known if a further date would be required until after the planning meeting on 5 October.

In response to question from Councillor Mallaghan relating to the planning appeal by Creagh Concrete the Planning Manager advised that the planning application for Creagh Concrete had now been approved. The Planning Manager stated that Council were seeking better governance and were not trying to prevent development and that the standard conditions were applied to the approval by the PAC.

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

Agenda Item 4.1 – LA09/2019/0179/F - Variation of condition 12 of M/2011/0126/F (opening hours condition) at lands 70m S of 177 Annagher Road, Coalisland for DMAC Engineering.

Agenda Item 4.2 – LA09/2019/0822/F - Shed over existing storage tank at lands 48m SE of 130 Coolreaghs Road, Cookstown for Mr Ronnie Smith.

Agenda Item 4.4 – LA09/2019/1548/O - 4 Detached dwellings and garages, accessed through Riverside Gardens, at lands approx. 80m S of Hughes Furniture, Bellshill Road, Castledawson, for Hughes Furniture.

Agenda Item 4.16 – LA09/2021/0539/O - Site for dwelling & garage 180m NE of 83 Moneysharvan Road, Maghera, for Mrs Bridget Church.

Agenda Item 4.18 - LA09/2021/0690/O - 2 dwellings adjoining and NE of 100 Trewmount Road, Killyman, for Briege O'Donnell.

Agenda Item 4.20 - LA09/2021/0739/F - Dwelling & Garage/Store 150m NE of 230 Coalisland Road, Gortin, Dungannon, for Mr Cathal Keogh.

Councillor S McPeake asked that agenda item 4.21 - LA09/2021/0822/O - Infill site of dwelling & domestic garage at 60m S of 88 Gulladuff Hill, Magherafelt, for Dan McCrystal also be deferred for an office meeting as the applicant had not yet engaged an architect.

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

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

The Planning Manager advised that agenda item 4.6 - LA09/2020/0516/F - Amendment of house location (previously approved in M/2008/0722/RM) and new access at 36 Lisgallon Road, Dungannon, for Farasha Properties Ltd had been withdrawn.

Matters for Decision

P120/21 Planning Applications for Determination

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

LA09/2019/0179/F Variation of condition 12 of M/2011/0126/F (opening hours condition) at lands 70m S of 177 Annagher Road, Coalisland for DMAC Engineering

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

LA09/2019/0822/F Shed over existing storage tank at lands 48m SE of 130 Coolreaghs Road, Cookstown for Mr Ronnie Smith

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

LA09/2019/1300/F Amendment to the overall turbine tip heights (consented under LA09/2015/0460/F and K/2015/0066/F) and varying of planning condition from 25 years to 35 years at Murley Wind Farm in the townlands of Killygordan, Tattanafinnell, Edgegole and Cole Glen Forest near Fivemiletown for Renewable Energy System Limited

Members considered previously circulated report on planning application LA09/2019/1300/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/1300/F be approved subject to conditions as per the officer's report.

LA09/2019/1548/O 4 Detached dwellings and garages, accessed through Riverside Gardens, at lands approx. 80m S of Hughes Furniture, Bellshill Road, Castledawson, for Hughes Furniture

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

LA09/2019/1667/O 2 dwellings and garages with new access, at land adjacent to 95 Mullaghmore Road, Dungannon, for Ms C Cuskeran

Members considered previously circulated report on planning application LA09/2019/1667/O which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2019/1667/O be approved subject to conditions as per the officer's report.

LA09/2020/0516/F Amendment of house location (previously approved in M/2008/0722/RM) and new access at 36 Lisgallon Road, Dungannon, for Farasha Properties Ltd

Application withdrawn.

LA09/2020/0537/F Housing development (40 units) with associated carparking and landscaping, at Killymeal House and adjacent lands, Killymeal Road, Dungannon for J & V Construction

Members considered previously circulated report on planning application LA09/2020/0537/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/0537/F be approved subject to conditions as per the officer's report.

LA09/2020/0759/F Housing development consisting of 8 dwellings with associated access, roads, landscaping and provision of temporary treatment plant (Amended Plan) at lands adjacent to 121 Ruskey Road, The Loup, for Mr McVey

Members considered previously circulated report on planning application LA09/2020/0759/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/0759/F be approved subject to conditions as per the officer's report.

LA09/2020/0832/F Application to vary Condition 16 of H/2010/0009/F to change the operational lifetime of the wind farm from 25 years to 30 years at Crocandun approx. 450m WSW of junction of Cullion Road and Drumard Road Draperstown for Brookfield Renewable

Members considered previously circulated report on planning application LA09/2020/0832/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/0832/F be approved subject to conditions as per the officer's report.

LA09/2020/0949/F Extension of existing confectionery warehouse, additional car-parking and external hardstanding / loading / unloading area at 58 Old English Road, Dungannon, for Northern Confectioners Ltd

Members considered previously circulated report on planning application LA09/2020/0949/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2020/0949/F be approved subject to conditions as per the officer's report.

LA09/2021/0077/F Alternative acoustic noise barrier (to approved LA09/2016/0543/F) at 100 Gortgonis Road, Coalisland for Toubcal Limited

Members considered previously circulated report on planning application LA09/2021/0077/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2021/0077/F be approved subject to conditions as per the officer's report.

LA09/2021/0226/F Extension and alterations to existing clubhouse for additional changing facilities, bar/function area, kitchen, toilets, storage and viewing gallery at 7 Meadowbank Road, Magherafelt, for Rainey Old Boys RFC

Members considered previously circulated report on planning application LA09/2021/0226/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2021/0226/F be approved subject to conditions as per the officer's report.

LA09/2021/0387/F Renewal of change of house type from 3 detached dwellings (approved under I/2014/0081/F) to 6 semi detached dwellings at 15, 15A and 16 St Jeans Cottages Cookstown for Hoover Investments Ltd

Members considered previously circulated report on planning application LA09/2021/0387/F which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/0387/F be approved subject to conditions as per the officer's report.

LA09/2021/0462/F Housing development and associated works at lands immediately SW of 44 Dungannon Road, Moy, for P D Construction Ltd

Mr Marrion (SPO) presented a report on planning application LA09/2021/0462/F advising that it was recommended for approval. Mr Marrion drew attention to the addendum which advised of late objection and additional condition to be considered.

Councillor Colvin asked what happens if the developer proceeds to erect the houses before the drainage system is put in place.

The Planning Manager stated that planning is directed to use conditions if it enables development and this is the starting principle. If there is development outside of the conditions there are two courses of action namely a breach of condition notice which could be used for minor breaches or service of an enforcement notice with the further option of a stop notice for a breach such as commencing works prior to having proper infrastructure in place. If an enforcement notice is breached then an applicant can be summonsed and prosecuted. The Planning Manager stated the officer's condition is worded in such a way so as to have infrastructure in place prior to commencement of the development rather than prior to occupation of dwellings.

Councillor Colvin stated that on the face of it it all sounded good but that he had concerns that the houses will be built and bought before infrastructure is in place and the occupiers will be left to deal with the matter. The Councillor stated there are examples of where this has happened before and that this issue needs to be considered at a higher level.

Councillor Bell stated that the objector has legitimate concerns and that he would like reassurance from the officer that they are content with the conditions being proposed and that the drainage system will be adopted and maintained after the site is handed over.

Mr Marrion advised that officers consulted with DFI Rivers and that they advised that the systems will be adopted by NI Water via an Article 161 Agreement. Mr Marrion stated that those matters were outside of planning legislation and all planning can do is to put forward to the developer that they have certain obligations to adhere to before development commences.

Councillor Bell asked for the views of the Planning Manager on the concerns raised and that the developer won't be able to get away without putting infrastructure in place.

The Planning Manager stated that planning cannot prevent someone from not doing something they were supposed to do but that it can enforce against breaches and

that whilst Mid Ulster takes less enforcement complaints than any other council in NI it has taken action against more people than any other authority in NI. In this instance the matter relates to drainage and the Planning Manager advised he was not an expert in this regard nor were his staff. The Planning Manager advised that Rivers Agency had been consulted on the application and that they are not unduly concerned however a permission is needed and that the condition is stating that the permission should be in place before building commences. The Planning Manager stated that the condition is not standard and he could not guarantee it would not be appealed however he felt that it is right to put the condition in place.

The Chair, Councillor Black stated he accepted the comments of Councillors Bell and Colvin and that the Planning Manager has outlined a way of striking a balance.

Proposed by Councillor Robinson
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2021/0462/F be approved subject to conditions as per the officer's report and the additional condition outlined in the addendum.

LA09/2021/0478/F Dwelling (amended plans) at 20m SE of 30 Moneyneany Road, Moneyneany, for Mr F McCloskey

Members considered previously circulated report on planning application LA09/2021/0478/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/0478/F be approved subject to conditions as per the officer's report.

LA09/2021/0539/O Site for dwelling & garage 180m NE of 83 Moneysharvan Road, Maghera, for Mrs Bridget Church

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

LA09/2021/0635/O Dwelling & domestic garage at land immediately N of 43 Tullyglush Road & between 43 & 51a Tullyglush Road, Ballygawley, for Gerard Quinn

Mr Marrion (SPO) presented a report on planning application LA09/2021/0635/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 Gourley to address the committee.

Mr Gourley attempted to address the committee remotely but Members were unable to hear what he was saying.

The Planning Manager stated that as there was a technical problem and the committee could not hear what Mr Gourley was saying he would offer an office meeting in this instance. The Planning Manager asked Mr Gourley if he would accept an office meeting.

Mr Gourley indicated that he would accept an office meeting.

Resolved That planning application LA09/2021/0635/O be deferred for an office meeting.

LA09/2021/0690/O 2 dwellings adjoining and NE of 100 Trewmount Road, Killyman, for Briege O'Donnell

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

LA09/2021/0734/RM 2 dwellings and garages at lands between 61 and 65 Kilnacart Road, Dungannon, for Mr Thomas Cassidy

Mr Marrion (SPO) presented a report on planning application LA09/2021/0734/RM advising that it was recommended for approval.

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

Mr McCann stated he lived at 65 Kilnacart Road and that his neighbour at 61 Kilnacart Road has no soakaway from his tank with the result of effluent arriving outside his house. Mr McCann referred to the application for two more houses within the site boundary with no soakaway. Mr McCann also stated that the developer will be unable to access grounds as these are all family owned. Mr McCann asked who will be responsible when effluent arrives at his back door again and stated that his grandson had fell off his bike into the effluent which was not acceptable. Mr McCann referred to pumping machines and that he felt by pumping water up a hill it will only run down again. Mr McCann stated he was not objecting to development but that it was a basic civil right not to have to walk through other people's sewerage.

Ms McCann stated that this application has an in depth history and has been refused numerous time previously and this needs to be taken into consideration. Ms McCann stated the objection was on the grounds of health and safety and that there is an ongoing issue with effluent which will only be exacerbated by having two more dwellings.

Mr McCann stated that his neighbour's septic tank is piped halfway into the proposed site and then piped into the public sewer. When this blocks and overflows the effluent comes down the hill to his back door.

The Planning Manager asked when planning approval was granted for the application.

Mr Marrion advised that planning approval was granted by committee decision in July 2018 as infill.

The Planning Manager asked regarding the history of the site as previous refusals had been referred to.

Mr Marrion advised that there were previous refusals on the site which had been considered under previous policy context.

The Planning Manager stated that planning policy changed with the introduction of PPS21 and in some instances, such as infill, it made it easier to get planning permission. The Planning Manager advised that the planning permission was there and had to be honoured, that said, the objections in terms of provision of a septic tank were reasonable.

The Planning Manager asked if Water Service and Environmental Health had been consulted on the application.

Mr Marrion advised that the only consultation was with Roads Service in relation to access.

The Planning Manager stated he felt the other bodies should be consulted given the previous problems incurred in the area. The Planning Manager stated that planning does not regulate septic tanks and the upkeep of these is ultimately the responsibility of the individual concerned, Environmental Health could regulate if there were smells and NIEA could regulate if there was unauthorised discharge. The Planning Manager suggested that the application be deferred in order to consult with Environmental Health and NIEA.

Councillor Bell proposed that the application be deferred for consultation with the relevant bodies.

Councillor Cuthbertson seconded Councillor Bell's proposal as he felt now is the time to try to sort out the issues.

Councillor Bell asked if there could be a quick turnaround on getting responses to the consultations.

The Planning Manager stated that every effort will be made to get a quick turnaround. The Planning Manager stated that if there is discharge consent Building Control often ask for this and if they have a copy of the discharge consent then the question in that regard is answered but it would be better to conduct all consultations in order to be sure.

Councillor Colvin stated that Building Control's responsibility stops at the septic tank and that any problems beyond this will involve other bodies such as NIEA and Environmental Health.

The Chair, Councillor Black stated that the principle of development is there but it is important to look into the concerns which have been raised and that the consultations will allow this to happen.

Resolved That planning application LA09/2021/0734/RM be deferred for consultation with Environmental Health and NIEA.

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

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

LA09/2021/0822/O Infill site of dwelling & domestic garage at 60m S of 88 Gulladuff Hill, Magherafelt, for Dan McCrystal

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

LA09/2017/0319/F Relocation of 2 chimney stacks (approved M/2011/0126/F); retention of 4 further chimney stacks at 70m S of 177 Annagher Road, Dungannon for DMAC Engineering

Members considered previously circulated report on planning application LA09/2017/0319/F which had a recommendation for approval.

The Planning Manager advised that a late objection addressed to the Chief Executive was received from Mr Hughes who had spoken against the application at a previous meeting and that the late objection was asking for a deferral and investigation. The Planning Manager stated he took the view that the application has been investigated as it was brought to committee and deferred, that meetings with Environmental Health and DMAC took place and a report was completed in relation to odour. The Planning Manager stated that Environmental Health have accepted the report based on the proper operation of the equipment. The Planning Manager stated that a site meeting had also taken place. The Planning Manager stated that it is up to DMAC to ensure the proper operation of the extraction system and if they fail in this then it becomes a matter for Environmental Health but that all planning tests have been met. The Planning Manager referred to the request for deferral but that he felt all investigations had been exhausted.

Councillor S McPeake proposed the officer recommendation.

Councillor Colvin seconded Councillor S McPeake's proposal.

Councillor Glasgow felt the site meeting was very beneficial and that on the day of the visit the site was a fully functioning operation so Members were able to get a good idea of how things worked on a day to day basis.

The Chair, Councillor Black stated the site meeting had been a good opportunity to look at the site first hand and that, as outlined by the Planning Manager, proper consideration has been given to the concerns raised.

Resolved That planning application LA09/2017/0319/F be approved subject to conditions as per the officer's report.

LA09/2017/1366/F Residential Development for 52 units at 20 Dungannon Road, Cookstown for McKernan Construction Ltd

Councillor Mallaghan declared an interest in this application and withdrew to the public gallery.

Ms Doyle (SPO) presented a report on planning application LA09/2017/1366/F advising that it was recommended for approval, the officer also drew attention to the addendum which set out a further condition of approval which had been omitted from the officer report.

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

Mr Rogers advised he was acting on behalf of Mr Anderson whose address is 15 Dungannon Road, Cookstown which is opposite the entrance to the application site. Mr Rogers advised that there had been an objection to this application since its inception in 2017 and that the last representation was made in December 2020. Mr Rogers advised that his client holds planning permission for 20 apartments at 15 Dungannon Road, Cookstown and that the permission has commenced within appropriate time limits and is protected by virtue of completing pre start conditions, entrance being formed from Dungannon Road and undertaking significant construction works on part of the building itself. In forming the entrance, Mr Rogers advised that a right hand turning lane was installed which is 15m long and allows 3 cars to safely queue, it was advised that this application seeks to reduce this to 6m and that the objection continues to be one of safe access. Mr Rogers stated he did not consider it to be reasonable to alter the existing approved entrance from 15m to 6m and felt that when TransportNI made their assessment they were not aware that the existing entrance permission was protected and that there is a live and lawful planning permission. Mr Rogers stated that the proposal significantly compromises the safety of the access and the economic viability of their site.

The Planning Manager asked if Mr Rogers was aware that the access and turning lane which exists on the ground has a certificate of lawful of development and that the planning appeal granted this.

Mr Rogers stated he was aware.

The Planning Manager asked if Mr Rogers had a certificate of lawful development.

Mr Rogers stated he did not.

The Planning Manager stated he could not verify if development had started as there was no certificate of lawful development and that this could have been obtained if the client had chosen to.

The Planning Manager asked the planning officer if the certificate of lawful development showed access to the other site.

Ms Doyle advised that the drawing submitted showed three right turn lanes – (1) To the applicant site (2) To Mr McGurk's site (3) To Mr Anderson's site.

The Planning Manager asked Mr Rogers why this application should be refused when, as stated, the other application had been started and there was an access in place.

Mr Rogers stated it was because it was felt the access was unsafe.

The Planning Manager stated that Roads Service have confirmed that the access is safe and that the matter has been given full consideration.

Ms McIlvar stated that in terms of roads issues she felt the Planning Manager had covered these. Ms McIlvar advised that the applicant has two certificates of lawful development in place which certify that the pre commencement works required for the 2012 permission were in place in time and the roadworks were commenced in time. Ms McIlvar stated that the planning appeal also worked out in favour of the applicant as there is also a certificate of lawful development for the right turning lanes. Ms McIlvar referred to comments relating to Roads Service not being aware of the application and highlighted that this application has been in the system for four years and that Roads Service have been consulted on numerous occasions throughout that period and there was no way there had been any oversight in that regard. Ms McIlvar stated that no statutory consultees had any objection to the application and urged Members to accept the recommendation to approve the application.

The Planning Manager stated that the issue of road safety was at play and that there was a view that an access was unsafe. The Planning Manager stated that Roads Service had granted a departure from standards on the piece of road in question and that this process is complex and lengthy.

The Planning Manager referred to comments relating to pre commencement conditions and that these had been met. The Planning Manager stated these had been met, however, in terms of the old permission a visibility splay had been interfered with because a totem pole had been put up which would question whether the original planning permission could be implemented. The Planning Manager stated that Roads Service accept that there is adequate visibility for this site due to the number of dwellings being reduced. The Planning Manager also referred to the argument as to whether a lawful start had been made but stated that this was not a key material consideration in this as it is clear a planning permission had been granted in the past and whether that planning permission could have been implemented is questionable. The Planning Manager stated that the application site is on white land, all technicalities have been overcome and the application has been widely consulted on and that there was no reason that the application could not go forward on its own merits.

Councillor Bell stated that having read the officer report and listened to the debate he would be happy to propose the recommendation.

Councillor Clarke seconded Councillor Bell's proposal.

Councillor McFlynn stated that as the application has been in the system for four years she had no doubt that all consultations have been undertaken and that she would be happy to support the proposal to approve.

Resolved That planning application LA09/2017/1366/F be approved subject to conditions as per the officer's report and condition outlined in addendum.

Councillor Mallaghan rejoined the meeting.

LA09/2018/1648/F Retention of open-sided storage building at Blackpark Road, Toomebridge, for Creagh Concrete Products Ltd

The Planning Manager advised that a late representation had been received in respect of this application.

Mr Marrion (SPO) outlined the late objection as per addendum. Mr Marrion stated that the objection does not change the considerations within the officer report as the same issues have been raised. It was advised however that there may still be another representative to come forward but highlighted that the application was subject to press notification.

The Planning Manager stated that the issue relating to the application relates to land ownership and it is not the role of planning to decide who owns land. The Planning Manager stated the application was deferred for a long period in order to investigate the submission of land ownership certificates and this was undertaken by the Council Solicitor. The Planning Manager stated that the advice given was that what had been done to date was procedurally correct. The Planning Manager stated that the law is there to protect ownership rights.

The Planning Manager stated that the development has occurred and from a planning point of view there is no objection to this. The Planning Manager stated that it is up to the Committee as to how it moves forward, that the application could be approved, deferred, or another decision taken. The Planning Manager stated that if there was a challenge then Council would have to defend its position.

Proposed by Councillor McKinney
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2018/1648/F be approved subject to conditions as per the officer's report.

LA09/2019/0787/O Site for a dwelling and garage at 40m SW of 44 Moyagoney Road, Portglenone, for Mr Paul Madden

Members considered previously circulated report on planning application LA09/2019/0787/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor McKinney and

Resolved That planning application LA09/2019/0787/O be approved subject to conditions as per the officer's report.

LA09/2019/1305/F 8 No. two storey apartments within 2 blocks at 63 Thomas Street, Dungannon, for Farasha Properties Ltd

Members considered previously circulated report on planning application LA09/2019/1305/F which had a recommendation for approval.

Councillor Cuthbertson stated that when this application was previously presented he had requested a site meeting and that he had since attended the site meeting. Councillor Cuthbertson stated he still felt there would not be enough parking for eight apartments and that there should be two car park spaces per apartment. The Councillor felt that if this application was in a city centre occupiers would have access to buses and trains but that there was not the same provision in Dungannon. Councillor Cuthbertson also highlighted that if someone with a disability moved into one of the apartments then parking spaces would have to be redrawn in order to give proper spacing and thereby reducing the number of parking spaces further. Councillor Cuthbertson stated that on street parking in the area is limited to one hour.

Councillor Mallaghan stated he had also attended the site meeting and felt the Committee needed to be careful as approval had already been given by Roads Service for what was previously put forward. The Councillor stated that the Planning Committee sought to negotiate with the developer in order to achieve the best living conditions on site and that as a result the developer had included additional car parking spaces. Councillor Mallaghan felt that to push any further the developer would be within their rights to accuse the Committee of unnecessarily holding up their development.

The Planning Manager stated that when it comes to on site parking, planning are the determining authority and that Roads Service advise in relation to road safety.

Mr Marrion referred to the parking standards which planning have to adhere to which states that for a two bedroom apartment the number of car parking spaces per dwelling is 1.5 units therefore this application is in compliance with guidance as there are 8 apartments with 12 car parking spaces being provided.

Councillor Cuthbertson referred to Roads Service being consulted in relation to access onto the road and asked if they are also consulted on the site itself as he did not envisage the road on the site being adopted in the future.

Mr Marrion advised that there is a statutory responsibility to consult with Roads Service when a new access is being created to a public road or when there is likely to be intensification of access to the public road. Mr Marrion advised that Roads Service were consulted on this application and they came back with no objection.

The Planning Manager asked if there was a private streets determination.

Mr Marrion advised that there was not a private streets determination for this development.

The Planning Manager stated that as there is no private streets determination the assumption has to be the road on site will remain private. The Planning Manager stated that Roads Service can make comment on car parking but the decision is for the Planning Committee to take. The Planning Manager stated that if the application was refused and this was challenged he would have to prove that the Committee acted reasonably.

Councillor Cuthbertson stated he would not go against the recommendation but felt that, as discussed earlier, this was another example of the department having a policy which suits a city centre but not a rural town in Mid Ulster.

The Planning Manager stated he would agree with this.

The Chair, Councillor Black stated that the points raised by Councillor Cuthbertson were valid and it was good to get clarification on these.

Proposed by Councillor Corry
Seconded by Councillor Bell and

Resolved That planning application LA09/2019/1305/F be approved subject to conditions as per the officer's report.

LA09/2019/1432/O Site for dwelling and domestic garage at approx. 100m NW of 84 Loup Road, Moneymore, for Mr Michael O'Boyle

Members considered previously circulated report on planning application LA09/2019/1432/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/1432/O be approved subject to conditions as per the officer's report.

LA09/2020/0452/F Replacement dwelling and garage (amended description) at 20 Reaskcor Road, Dungannon, for Mr & Mrs G Burrows

Members considered previously circulated report on planning application LA09/2020/0452/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/0452/F be approved subject to conditions as per the officer's report.

Councillor Robinson left the meeting at 9.15 pm

**LA09/2020/0657/O Dwelling between 66 & 66a Derryoghill Road, Dungannon,
for Eugene Daly**

Members considered previously circulated report on planning application LA09/2020/0657/O which had a recommendation for approval.

Councillor Cuthbertson asked if this application had been compared against the new planning guidance as it had been an infill site which was being refused originally.

Mr Marrion (SPO) stated that the application had originally been submitted and considered under infill policy, was recommended for refusal and then deferred. Mr Marrion stated that additional information was then submitted and a farming case was put forward however the application did not meet all the criteria under that policy. Mr Marrion advised that when the application was considered under clustering it met all criteria apart from having a focal point. Mr Marrion stated that the report recommends that an exception is made in this case based on the fact that the proposal will not impact on the character of the area nor the amenity of neighbouring dwellings and does have the appearance of a cluster. Mr Marrion stated that the Planning Advice Note recognises that there may be reasons for not meeting all policy tests and if that is the case these should be set out clearly. Mr Marrion stated that the report sets out all of the officer's considerations and reasons why an exception can be made in this case.

The Planning Manager stated that officers work in accordance with policy but that it is recognised that policy does not have to be followed slavishly in all instances as there may be reasons as to why a departure can be made. In this instance, the Planning Manager stated that for the reasons set out, a departure and exception from policy is recommended. The Planning Manager stated that the departure is minor in this case in order for an exception to be made but the important thing is that the reasons for the exception are cited.

Councillor Cuthbertson stated that whilst his question had been answered there were a number of policies this application had not met.

The Planning Manager stated that in planning, everything can be challenged.

Proposed by Councillor Bell
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/0657/O be approved subject to conditions as per the officer's report.

**LA09/2020/0707/F Dwelling and garage 20m E of 15 Lisgorgan Lane, Maghera,
for William Drennan**

Members considered previously circulated report on planning application LA09/2020/0707/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/0707/F be approved subject to conditions as per the officer's report.

LA09/2020/0840/F Dwelling and garage (infill site) adjacent to 55 and opposite 59 Coole Road, Bogside Aughamullan, Coalisland, for Fionntan Cullen & Niamh Carberry

Members considered previously circulated report on planning application LA09/2020/0840/F which had a recommendation for approval.

Proposed by Councillor Quinn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/0840/F be approved subject to conditions as per the officer's report.

LA09/2020/1337/O Dwelling and garage at 10m W of 45 Drumenny Road, Ballinderry, for Gavin Mc Geehan

Members considered previously circulated report on planning application LA09/2020/1337/O which had a recommendation for approval.

Proposed by Councillor Bell
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2020/1337/O be approved subject to conditions as per the officer's report.

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

Councillor Clarke proposed the officer recommendation to approve.

Councillor Corry seconded Councillor Clarke's proposal.

Councillor Cuthbertson asked if the concerns of the objectors had been addressed.

The Planning Manager stated that the objectors were still objecting on this application.

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

Councillor McKinney stated he had been at the site meeting and would not be supporting the application as there was a lot of anti social behaviour whereby people were running through private back gardens. The Councillor also referred to the breakdown in communication between residents and the club and felt there was a lot going on with this application that he could not support at this time and that should a vote be taken tonight he asked that his concerns were noted.

Councillor S McPeake stated that he had been to the site meeting which he felt had been useful, that a number of residents had also been in attendance and had received a good hearing. The Councillor stated that he felt the design of the stand will not be detrimental to neighbouring properties and that in relation to the anti social behaviour there is an onus on landowners to ensure that their property is secured in order to prevent unwanted access. Councillor S McPeake stated he would be supportive of the application.

Councillor Colvin stated he felt the club were quite dismissive of the concerns of residents and that he did not want to be included in supporting the application.

The Planning Manager stated that it had been previously put forward that practically all the residents were objecting to this application and asked, from the experience of the site meeting, if it seemed that way or was it only one or two who were objecting.

The Head of Development Management stated that there were a number of residents who attended the site meeting and all contributed to the discussions on the day. The officer advised that most of the correspondence has been led by one or two individuals from the residents group but that he felt that the views were wide ranging from a number of properties on the day of the site meeting.

The Planning Manager stated that if the application is refused it does not cure any of the concerns the residents have in that noise will continue to be more open and access will still be gained through back gardens. The Planning Manager stated that the frequency of use for club games did not seem too arduous. The Planning Manager stated he did not feel the development will result in harm and in fact the situation might be improved.

Councillor Glasgow stated that he had been to the site meeting and that he felt there had been quite a large number of residents also in attendance. The Councillor stated that, in his own opinion, to put up a stand which is covered will make the residents a prisoner in their own back gardens. Councillor Glasgow stated he felt there was still merit in the alternative site and that this was discussed and explored at the site meeting. Councillor Glasgow stated he felt there was nothing to solve the ongoing problems but that to approve the proposal will only make matters worse.

Councillor D McPeake stated that he had been to the site visit and that whilst there are issues on the ground he did not feel the proposed stand will make any difference and he would therefore be supportive of the application.

Councillor McFlynn stated she had been unable to attend the site meeting but having listened to the residents when they addressed the Committee she would still have concerns and stated she didn't know whether she could fully support the recommendation to approve the application.

The Planning Manager stated he had not been to the site but that the key test in refusing an application is would it result in harm to those whose interests are of acknowledged importance. The Planning Manager stated there are clearly a number of residents whose interests are of acknowledged importance but that in relation to harm opinions had been provided from planning officers and Environmental Health

who state the application will not lead to further harm. The Planning Manager stated that the application is open to Members determination.

The Chair, Councillor Black stated that he also had concerns in relation to the application but that there is a balancing act. The Chair stated that residents have had the opportunity to raise their concerns and that officers have taken advice from consultees. The Chair stated that there is a terrace already in place and that Environmental Health have stated that a stand may help to shelter some of the noise. The Chair stated that whilst he had concerns he felt they had been adequately dealt with in so far as possible.

Councillor Bell asked for a recorded vote.

For –

Councillors Black, Bell, Clarke, Corry, Mallaghan, D McPeake, S McPeake, Quinn (8)

Against –

Councillors Colvin, Cuthbertson, Glasgow, McKinney (4)

Abstained –

Councillor McFlynn (1)

Resolved That planning application LA09/2020/1549/F be approved subject to conditions as per the officer's report.

LA09/2021/0053/F Change of house type (approved I/2008/0439/F) at approx. 120m E of 24 Muntober Road, Cookstown, Mr Daniel Ward

Members considered previously circulated report on planning application LA09/2021/0053/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2021/0053/F be approved subject to conditions as per the officer's report.

LA09/2021/0116/O Dwelling & garage at lands E of 91 Creagh Road, Castledawson, for Ciaran Devlin

Members considered previously circulated report on planning application LA09/2021/0116/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/0116/O be approved subject to conditions as per the officer's report.

**LA09/2021/0381/F Change of house type at approx. 110m S.W. of 125
Killycolpy Road, Ardboe, for Mr R O'Neill and Ms L Donnelly**

Members considered previously circulated report on planning application LA09/2021/0381/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor McKinney and

Resolved That planning application LA09/2021/0381/F be approved subject to conditions as per the officer's report.

Councillor Glasgow left the meeting at 9.35 pm.

P121/21 Receive report on application LA10/2021/0806/F

Mr Marrion (SPO) presented previously circulated report which sought agreement in relation to Mid Ulster District Council's response to consultation on a planning application that Fermanagh and Omagh District Council are considering.

Councillor Cuthbertson stated it was his understanding that the dwellings on the other side of the road opposite the entrance to the factory are in Mid Ulster area. The Councillor also highlighted that there are two accesses into the factory, the original access which goes onto a minor road which then accesses the protected route, and which he felt would be the better route for the factory to be operating from rather than directly on to the relatively new access which is used. The Councillor stated that in order to protect road users and residents on the opposite side of the road the opinion should be to recommend that the rear access is used.

The Planning Manager stated that the fact that there is a rear access and that this should be used should be included in the response but it is hard to see how this could be regulated. The Planning Manager stated that this application is in Fermanagh and Omagh area but that it is reasonable for this Committee to give its observations.

Councillor Cuthbertson stated that while he recognised that this Council are not the decision makers on this application it is the response he would make on the consultation in order to protect the residents of Mid Ulster.

The Planning Manager stated the spirit of Councillor Cuthbertson's comments could be reflected within the response in that traffic should be directed to use the rear access.

Councillor Cuthbertson asked if Mid Ulster Environmental Health should be consulted in relation to noise impact on residents in Mid Ulster area.

Mr Marrion advised that Environmental Health in Mid Ulster have been consulted and that the closest residents are in the Fermanagh and Omagh District Council area. Mr Marrion advised that the closest residents in Mid Ulster live across the road from the factory and that this road in itself can generate a lot of noise.

Councillor S McPeake stated that he would be uncomfortable taking a decision without having a site visit.

Councillor Clarke stated that there is a crest in the road around the entrance to the factory and therefore there are not long views of traffic. The Councillor stated he also felt a site visit would be useful.

The Planning Manager stated that the Committee are not being asked to make a decision on the application but to give comment on it. The Planning Manager stated that if there are concerns these should be raised but that does not include saying whether the application should be approved or refused. The Planning Manager stated that a comment can be included within the response outlining the concerns in relation to road safety and use of a protected route and that this Council would trust that Fermanagh and Omagh District Council will work with Roads Service to ensure that those concerns are addressed.

Councillor S McPeake stated he was happy enough if the above comments were added to the response.

The Planning Manager stated that the concerns should be as definitive as possible and reflected in the right spirit.

Councillor Colvin stated that Council has been asked for its opinion on the application which is what it would be offering by adding commentary to the draft response as outlined by the Planning Manager.

The Planning Manager suggested that the following could be added to the response - "That Mid Ulster Council has noted that there is opportunity to provide access from another route other than the protected route ie. rear access to the factory and has also noted that there could be visibility issues associated with the access onto the protected route. Mid Ulster Council would trust that Fermanagh and Omagh District Council will work in conjunction with Roads Service to adequately address these concerns in order to facilitate this development."

Councillor Cuthbertson stated he would be content with this being added to the response and highlighted that there was another consultation a number of months ago in relation to electricity storage and that the same issues were raised as the two sites are beside each other.

Proposed by Councillor S McPeake
Seconded by Councillor Cuthbertson and

Resolved That Mid Ulster District Council respond to the consultation on planning application LA10/2021/0806/F as follows –
(1) Mid Ulster Council has noted that there is opportunity to provide access from another route other than the protected route ie. rear access to the factory and has also noted that there could be visibility issues associated with the access onto the protected route. Mid Ulster Council would trust that Fermanagh and Omagh District

- Council will work in conjunction with DFI Roads to adequately address these concerns in order to facilitate this development.
- (2) Fermanagh and Omagh District Council in consultation with DFI Roads may wish to consider upgrading the access into the proposed site.
 - (3) Mid Ulster District Council have no concerns in relation to long term visual impacts of this development provided a robust and properly detailed landscaping scheme and maintenance proposals are agreed prior to commencement of development and properly conditioned for implementation.

Matters for Information

P122/21 Minutes of Planning Committee held on 3 August 2021

Members noted minutes of Planning Committee held on 3 August 2021.

Councillors Clarke and Cuthbertson left the meeting at 9.48 pm.

Live broadcast ended at 9.48 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Bell
Seconded by Councillor S McPeake 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 P123/21 to P128/21.

Matters for Decision

P123/21 Receive report on request for review of TPO Decision
P124/21 Receive Enforcement Report

Matters for Information

P125/21 Confidential Minutes of Planning Committee held on 3 August 2021
P126/21 Enforcement Case Live List
P127/21 Enforcement Cases Opened
P128/21 Enforcement Cases Closed

P129/21 Duration of Meeting

The meeting was called for 7 pm and concluded at 10.05 pm.

Chair _____ Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

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



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 7 September 2021

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

Chairs Business

Receive appeal decision 2020/A0006 against conditions for Creagh Concrete, Quarry at Pomeroy.

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.14	<p>Late objection received</p> <p>Members to consider attaching an additional condition:</p> <p>Prior to the commencement of the development hereby approved, the developer shall provide a copy of an Article 161 Agreement with NI Water to show they will adopt and maintain the drainage system associated with the development.</p> <p>Reason: To prevent flooding and to ensure the drainage system is maintained.</p>	DFI Rivers and EHO have commented on the objection.
4.17	Photographs and Map included	Members to note for discussion of this item
5.1	Late correspondence received	Members to note.

5.2	<p>A condition was omitted from the case officer report and should be included should planning permission be granted. It should read as follows:</p> <p>“A stage 4 Safety Audit shall be carried out at the Right Turning Lane, 20 Dungannon Road, this should be completed to the approval of DFi Roads Authority in accordance with the Design Manual for Roads and Bridges, Standard GG119. Any recommendations/remedial works should be carried out prior to the erection of the dwellings hereby permitted. Reason: In the interest of road safety”.</p>	Members to note.
5.3	Late objection received	Members to note

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 9 September 2021 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor McKinney, Chair

Councillors, Buchanan*, Doris*, Forde*, Gildernew*, Kearney, S McAleer*, S McGuigan, McLean, S McPeake*, Molloy, Quinn*, Totten*

Officers in Attendance

Mrs Canavan, Director of Organisational Development
Ms Dyson**, Head of Human Resources
Mr Hill**, Head of Parks
Mr Moffett, Head of Democratic Services
Mr O'Hagan, Head of ICT
Mr Tohill, Director of Finance
Mrs Grogan, Democratic 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 pm.

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

PR157/21 Apologies

Councillors Cuddy, Elattar.

PR158/21 Declarations of Interest

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

PR159/21 Chair's Business

None.

Matters for Decision

PR160/21 Request(s) to Illustrate Council Property – September 2021

The Head of Democratic Services presented previously circulated report which considered requests received to illuminate/light up the Council's three designated properties to raise awareness of and mark;

- Childhood Cancer Awareness Month from member of public – Monday 27th to Thursday 30th September

Proposed by Councillor McLean

Seconded by Councillor Molloy and

Resolved That it be recommended to Council to light up designated Council properties to mark Childhood Cancer Awareness Month from Monday 27th to Thursday 30th September – the colour be Yellow/Gold.

Councillor Doris wanted to thank Ms Nuala McEvoy from Coalisland and her daughter who was unfortunately personally affected. She said that this was suggested last year and meant a lot to the family and further proposed that the Communications team upload some information online on the early signs of childhood cancer and things to look out for as prevention was better than cure.

Resolved That it be recommended to Council that Council's Communications team upload some information online to highlight the early signs and indicators of childhood cancer.

PR161/21 Performance Improvement: Annual Assessment Report 2020-2021

The Head of Democratic Services presented previously circulated report to inform members on progress made towards discharging its General Duty to Improve under Part 12 of the Local Government (NI) act 2014 by way of an annual self-assessment report. Having due regard for the Department of Communities having set aside Council's requirement to develop a Performance Improvement Plan for 2020 to 2021.

Councillor Kearney advised that this was an 80 page report which was very extensive during a unique period of lifetime of this Council with so many things which had happened and wanted to commend the report in its entirety. He referred to the Council's Emergency Plan and stated that it was something that was discussed many times but didn't actually realise that it would be used in these unprecedented circumstances.

Councillor Kearney wished to praise staff for their hard work and referred to the three "R's" – *"Response, Reconfiguration and Recovery"* and said that we were now in the latter part of this and seeing this situation through. He also said that he was pleased and surprised to see only 3.4% going into waste landfill and felt that this was very significant as it was a very small percentage which was unique and worth praising.

Proposed by Councillor Kearney
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to approve the Annual Self-Assessment Report 2020 to 2021.

PR162/21 Tamnamore Close Play Park Lease Agreement

The Head of Parks presented previously circulated report and sought approval to progress lease proposals in relation to a parcel of land adjacent to 1 and 4 Tamnamore Close, Dungannon from Northern Ireland Housing Executive.

Councillor Molloy enquired when it was anticipated to see work beginning on the ground at this site.

The Head of Parks advised that once approval was granted for the transfer of land, early access to the site would be sought from the Housing Executive. He said that discussions had already taken place as works were long overdue and there was an intention to get early possession of the site. He stated that there was an ambition to achieve these works before Christmas with an update being provided to members if there was any change to that.

Proposed by Councillor Molloy
Seconded by Councillor S McGuigan and

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

- 1) To accept the Lease Agreement from Northern Ireland Housing Executive in relation to the proposed 25 year lease for the amount of £25.00 for the designated land at Tamnamore Close, Dungannon for the provision of public play facilities.
- 2) To present all associated lease documentation for approval and Seal.

PR163/21 Member Services

No issues.

Matters for Information

PR164/21 Minutes of Policy and Resources Committee held on 1 July 2021

Members noted Policy & Resources Committee Minutes of Meeting held on 1 July 2021.

PR165/21 Provisional Recommendations on Local Government Boundaries Review

The Head of Democratic Services provided a brief overview of Local Government Boundaries Commissioner review of the Local Government Boundaries in Northern Ireland.

He brought members attention to item 3.4 and said that he was conscious that 2 of Mid Ulster's wards – Ballysaggart and Coalisland South, which were 2 of our 20 wards where there was going to be a change of electors. These 2 wards currently benefit from Coalisland and Dungannon Neighbourhood Renewal Partnership and after looking at it, identified that approximately 300 people could potentially move in and out of those wards and anyone gaining an advantage of being in that Neighbourhood Renewal area i.e. access to childcare and benefits etc. may fall out of that. He stated that although this may be a small number he wished to bring the issue to the attention of members present tonight.

PR166/21 Recordings of Council and Committee Meetings – Audio and Video

Members noted update on the arrangements in place for audio-video recording Council and Committee meetings in line with the Local Government (NI) Act 2014 and in response to the movement to virtual meetings emanating from the COVID-19 pandemic.

PR167/21 Service Improvement Plan – Legal Services

Members noted update in relation to the Legal Services Department Service Improvement Plan for 2021/22.

PR168/21 Service Improvement Plan – Democratic Services

Members noted update in relation to Democratic Service Improvement Plan for 2021/22.

Live broadcast ended at 7.15 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor Kearney and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR169/21 to PR174/21.

Matters for Decision

PR169/21 Staffing Matters for Decision

PR170/21 Legal Update – VAT Matters

Matters for Information

PR171/21 Confidential Minutes of Policy & Resources Committee
Meeting held on 1 July 2021

PR172/21 Financial Report for 2 Months ended 21 May 2021

PR173/21 Contracts and DAC

PR174/21 Staff Matters for Information

PR175/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 7.20 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 14 September 2021 in Council Offices, Circular Road,
Dungannon and by virtual means**

Members Present

Councillor Brown, Chair

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

**Officers in
Attendance**

Mr Kelso, Director of Public Health and Infrastructure
Mr Leavey, Civil Engineer**
Mr McAdoo, Head of Environmental Services**
Mrs McClements, Head of Environmental Health**
Mr McNeill, Technical Services Manager**
Mr Scullion, Head of Property Services**
Mr Wilkinson, Head of Building Control**
Miss Thompson, Democratic Services Officer

**Others in
Attendance**

Councillor McFlynn***

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

E187/21 Apologies

Councillor Totten.

E188/21 Declarations of Interest

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

E189/21 Chair's Business

The Chair, Councillor Brown advised that the Council's BinSmart recycling campaign has been shortlisted for a national recycling award. The Chair stated that the previous Chair, Councillor S McGuigan, had been very much involved in the campaign at the time and was hopeful that Council will be successful at these awards.

Matters for Decision

E190/21 DfI Roads Proposal to Mid Ulster District Council - Proposed Traffic Calming Measures at Windsor Terrace, Coagh

Members considered previously circulated report which sought agreement in relation to proposed traffic calming measures at Windsor Terrace, Coagh.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed traffic calming measures at Windsor Terrace, Coagh.

E191/21 DfI Roads Proposal to Mid Ulster District Council - Proposed Traffic Calming Measures at Ardboe Road and Pairc Na Mona, Moortown

Members considered previously circulated report which sought agreement in relation to proposed traffic calming measures at Ardboe Road and Pairc Na Mona, Moortown.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed traffic calming measures at Ardboe Road and Pairc Na Mona, Moortown.

E192/21 DfI Roads Proposal to Mid Ulster District Council - Proposed Clearway – Moneymore Road Dual Carriageway, Cookstown

Members considered previously circulated report which sought agreement in relation to proposed Clearway at Moneymore Road Dual Carriageway, Cookstown.

Councillor Wilson stated he had no objection to the proposal and that he had raised road safety issues regarding the dual carriageway previously. The Councillor asked that when planning permission was sought and approval obtained for the new petrol station and shop on the dual carriageway what response Roads Service made to planning on this application as he felt there was an accident waiting to happen. Councillor Wilson stated he was aware that one access has been closed off to try to reduce risk and there was now the proposal for clearways almost as an afterthought and asked that the Committee request a copy of the Roads Service response to that planning application.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

- Resolved** That it be recommended to Council to –
- Endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Clearway at Moneymore Road Dual Carriageway, Cookstown.
 - Request a copy of the Roads Service response to the planning application in relation to the petrol station and shop on the Moneymore Road dual carriageway.

E193/21 DfI Roads Proposal to Mid Ulster District Council - Proposed 40MPH Speed Limit – Kilmascully Road, Ardboe

Members considered previously circulated report which sought agreement in relation to proposed 40mph speed limit at Kilmascully Road, Ardboe.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

- Resolved** That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 40mph speed limit at Kilmascully Road, Ardboe.

E194/21 Memorandum of Understanding (MOU), in relation to regulatory checks on poultry meat, beef and veal and eggs between Mid Ulster District Council and the Department of Agriculture, Environment and Rural Affairs

The Head of Environmental Health presented previously circulated report which advised of request received from the Department of Agriculture, Environment and Rural Affairs (DAERA) for a Memorandum of Understanding (MOU) to be established and agreed, in relation to regulatory checks on poultry meat, beef and veal and eggs between DAERA and the 11 District Councils in Northern Ireland, including Mid Ulster District Council.

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

- Resolved** That it be recommended to Council to sign up to the Memorandum of Understanding (MOU) as set out at appendix 1, in relation to regulatory checks on poultry meat, beef and veal, and eggs with DAERA and the other District Councils in Northern Ireland, as requested.

E195/21 Request for support for a Regional Home safety facility from Causeway Coast & Glens Borough Council

The Head of Environmental Health presented previously circulated report which advised of correspondence received from Causeway Coast and Glens Borough Council requesting support from Mid Ulster District Council to consider a regional Home Safety facility.

The Chair, Councillor Brown asked whether a regional home safety facility would impact on the Be Safe event or if it would be an additional resource.

The Head of Environmental Health advised that she was unsure at the moment how a regional facility would impact on the Be Safe event. The officer advised that part of the Be Safe programme may redirect schools to the facility to support it but that it would all depend on how the request for the facility develops going forward.

Councillor Kearney stated that he felt Desertcreat could offer an excellent facility.

Councillor B McGuigan stated he had no issues in supporting the recommendation but felt that more information is needed going forward. The Councillor referred to the two centres which have closed and asked why they closed when there was now a request to open another facility.

The Chair, Councillor Brown stated that Council could request that more information be provided within their response and also highlight Desertcreat as being an excellent facility which could be used and would be central.

Proposed by Councillor Kearney
Seconded by Councillor S McGuigan and

- Resolved** That it be recommended to Council to –
- Agree in principle to support a “fit for purpose” Regional home safety facility to be funded by Central Government in a manner that enables free access to school age children across NI.
 - To request more information regarding a regional facility, make enquiries as to why the other two facilities have closed and highlight Desertcreat as a central site for a facility going forward.

E196/21 Update on Age Friendly and Mid Ulster Loneliness Network

The Head of Environmental Health presented previously circulated report which provided update on the ongoing work around Age Friendly Communities and associated Networks across the Mid Ulster District Council Area and also advised on a request for funding towards community projects.

Councillor Wilson proposed the recommendation and also proposed recurring funding towards the Loneliness Network as he felt it allows everyone to plan ahead. Councillor Wilson also referred to the Chatty Bench Initiative and stated that this is a great initiative which should be rolled out across the District.

Councillor Cuthbertson seconded Councillor Wilson’s proposal.

Councillor Burton declared an interest in this item as a member of Agewell.

Councillor Kearney declared an interest as he had been approached by a number of people in relation to obtaining a Chatty Bench along the River Bann at Molloy’s Ford.

- Resolved** That it be recommended to Council to –
- Make a contribution of £3,000 towards programme costs for the Loneliness Network in order to deliver on the Chatty Bench Initiative as supported by the other key partners of the Mid Ulster Loneliness Network including NHSCT and SHSCT.

- To agree in principle the potential for recurring funding towards the Loneliness Network to allow for future planning and preparations.

E197/21 Updated Service Level Agreement in relation to the Affordable Warmth Programme

The Head of Environmental Health presented previously circulated report which provided update on the funding for the Affordable Warmth Scheme and Council's Energy Efficiency Advice Service and sought approval for Service Level Agreement.

Proposed by Councillor McNamee
Seconded by Councillor N McAleer and

Resolved That it be recommended to Council to approve the Service Level Agreement for 2021/22 as set out at appendix 1 of report.

E198/21 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report which considered the naming of new streets within residential Housing Developments within Mid-Ulster.

Site off Castledawson Road, Magherafelt

Proposed by Councillor Brown
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to name development off Castledawson Road, Magherafelt as LINC Business Park.

Site off Mullaghboy Road, Bellaghy

The Chair, Councillor Brown proposed the name The Folly.

Councillor Kearney seconded Councillor Brown's proposal.

Councillor Milne stated that this area is known to everyone as The Folly Brae and that he felt officers should go back to the contractor to request that the development be named The Folly Brae.

The Chair, Councillor Brown stated he was happy to amend his proposal for officers to go back to the contractor asking that the development be named The Folly Brae. Councillor Kearney was in agreement with this.

Resolved That it be recommended to Council to go back to the contractor to request that development off Mullaghboy, Road, Bellaghy be named The Folly Brae.

Site off Molesworth Street, Cookstown

Proposed by Councillor Brown
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to name development off Molesworth Street, Cookstown as Church Mews.

E199/21 Consultation on Proposed Amendments to Building Regulations

The Head of Building Control presented previously circulated report which advised of a consultation forwarded by the Department of Finance, inviting a response on the proposed Amendments to the Building Regulations.

The Chair, Councillor Brown referred to the issues raised within the report regarding an assembly type building which can accommodate 350 people having to provide a Changing Places Toilet and also the inclusion of cemeteries. The Chair, Councillor Brown proposed that Council go back to the Department querying the 350 threshold and whether this can be raised and also requesting that cemeteries be excluded from having to comply with the amended regulations.

Councillor Wilson seconded Councillor Brown's proposal.

Resolved That it be recommended to Council to –

- Agree and submit the draft consultation response to the proposed Amendments of the Building Regulations as set out at appendix 3 of report.
- Include commentary within the response asking that the 350 threshold for assembly type buildings be raised for provision of a Changing Places Toilet and that cemeteries be excluded from complying with the amended regulations.

E200/21 Bus Shelters Update

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

In response to question from Councillor Wilson regarding response times from DfI Roads the Technical Services Manager advised that there have been no recent requests sent to DfI Roads hence the nil response.

Proposed by Councillor Milne
Seconded by Councillor O'Neill and

Resolved That it be recommended to Council –

- To approve installation of bus shelter at Lisaclore Road, Killeen.
- To withdraw requests for bus shelters at Bellaghy and Meenagh Park, Coalisland.
- To put on hold the following requests until further clarification is obtained from Statutory Agencies -
 - Innishrush Village
 - Eglish View, Ballinderry
 - Main Street, Benburb

Matters for Information

E201/21 Minutes of Environment Committee held on 5 July 2021

Members noted minutes of Environment Committee held on 5 July 2021.

Councillor Cuthbertson asked for an update in relation to the roll out of defibrillators.

The Head of Environmental Health advised that the defibrillators for the recycling centres have all arrived and that contact has been made with Environmental Services to get these installed. The defibrillator for President Grant's Homestead has been ordered. In relation to Gardiner's Hall, the officer advised that there is a 24 hour AED within 0.2 miles at the Community First Responders building. It was further advised that there is also a defibrillator located inside Gardiner's Hall which is associated with the boxing club. A defibrillator for Lough Fea has been ordered and officers are continuing to explore the best location for this as only part of the site has electricity. The officer advised that a defibrillator has been installed at Drum Manor Forest Park and that there is an external defibrillator located within one mile of Glenone River Walk. It was advised that there is a 24 hour access defibrillator at Drumcoo Bowling Green with further defibrillators located internally at Oaks Road depot and the Enterprise Centre.

Councillor Cuthbertson thanked the officer for the update but stated he was extremely disappointed how long it was taking to get defibrillators on site and highlighted that the defibrillator for the President Grant Homestead was approved last November and is still not on site. In relation to Gardiner's Hall, Councillor Cuthbertson stated it was his recollection from a previous meeting that there were to be discussions with the boxing club with regard to siting their defibrillator on an external wall of the building for public access. The Councillor also asked where the 24 hour access defibrillator was at Drumcoo.

The Head of Environmental Health advised that officers have checked and that there is a 24 hour access defibrillator at Drumcoo Bowling Green.

Councillor Cuthbertson stated he would check this as he was aware that the defibrillator at the Bowling Green had previously been removed due to vandalism.

E202/21 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for January to March 2021

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter 4 of 2020/21 from January to March 2021.

E203/21 Call for Evidence to Eliminate Plastic Waste Pollution

Members noted previously circulated report which outlined Council's proposed response to a Call for Evidence on a Plan to Eliminate Plastic Pollution in Northern Ireland.

E204/21 Drinking Water Quality Report for Northern Ireland 2020 – Mid Ulster District Council

Members noted previously circulated report which outlined the Drinking Water Quality Report for Northern Ireland 2020.

E205/21 Environmental Plans, Principles and Governance for Northern Ireland Public Discussion Document (Synopsis of Responses)

Members noted previously circulated report which advised of the responses made to a previously circulated consultation document by DAERA entitled “Environmental Plans, Principles and Governance for Northern Ireland”: Public Discussion Document.

E206/21 Building Control Workload

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

E207/21 Entertainment Licensing Applications

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

E208/21 Dual Language Signage Requests

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

Councillor Cuthbertson stated that it was his understanding from previous discussions that because there is no current electoral register Dual Language signage requests would have to be put on hold until a new electoral register is produced. Councillor Cuthbertson also referred to request relating to Earls Court and that this is a shared housing development under the T:buc scheme. The Councillor stated that there are strict rules on developments which are funded through T:buc and to go ahead and erect dual language signage would go against this scheme. Councillor Cuthbertson stated that as there is strict guidance in relation to T:buc shared housing Council would need to consult with the Housing Association in relation to the request.

The Head of Building Control advised that prior to officers going back to view the Electoral Register it was confirmed by the Electoral Office that there was an electoral register published on 1 June 2021 which is a current and public document, in addition to this a monthly addendum will be included showing additions/deletions where required and this is the document(s) the Council officer would be viewing when they visited the offices.

Councillor Cuthbertson stated that he felt that the message that had went out previously was different as he understood that on 1 July there was a canvas of all electors in Northern Ireland. The Councillor felt there is a lot of confusion and it would be better to wait until the new register is produced.

The Director of Public Health and Infrastructure advised that the request for Earls Court would be checked with the internal teams and the Housing Association with an update coming to the next Environment Committee meeting.

E209/21 Cookstown Public Realm – Inspection

Members noted presented previously circulated report which provided a report on the condition of Cookstown Public Realm following the readoption of the project by DfI Roads in March 2019.

E210/21 Town Centre Footpath Snow/Ice Clearance Agreement

Members noted previously circulated report which outlined the rolling annual agreement with DfI/Transport NI in relation to the treatment of footpaths in the main town centres within Mid Ulster District following heavy snowfall or prolonged freezing.

Councillor Cuthbertson asked if there was any progress in relation to the treatment of car parks, that this issue is discussed every year but that there never seems to be movement forward.

The Head of Property Services advised that that the agreement is the same as previously agreed. The officer advised that the mitigation measures in car parks still stand in that there is signage to advise that they are not treated in snow/ice conditions, that there are self help boxes with grit should they be required. The officer stated that officers have used the Town Centre Retail Core maps in each town in order to achieve consistency.

The Chair, Councillor Brown asked if what is highlighted in dark blue on the maps is what has been covered in the past and then the shaded light blue on the map is what will be included from now on.

The Head of Property Services advised that these were the same maps which have been used for several years and that effectively it is the outer blue line which highlights the boundary of the retail core in each town.

The Chair, Councillor Brown asked if the maps could be updated as he felt they were not clear in what is being covered.

The Head of Property Services agreed to circulate updated maps for the next Environment Committee meeting.

Councillor O'Neill referred to the good work done in Coalisland with the Public Realm Scheme but highlighted that in icy conditions the footpaths are very slippery and that there is a need for grit in Coalisland.

The Head of Property Services noted the Councillor's comments.

Live broadcast ended at 7.46 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor B McGuigan and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E211/21 to E220/21.

Matters for Decision

E211/21 Review of policy for collection of additional brown bins
E212/21 Clean Neighbourhood Action Plan
E213/21 Tender report for the appointment of a Vehicle Supplier

Matters for Information

E214/21 Confidential Minutes of Environment Committee held on 5 July 2021
E215/21 Refuse Collection – Roll out of One Armed Vehicles (OAVs)
E216/21 Disposal/Sale of Assets - Fleet and Plant
E217/21 Energy Management Update – Display Energy Certificates (DEC's)
E218/21 Capital Framework – ICT Contracts Update
E219/21 Capital Framework – IST Contracts Update
E220/21 Capital Projects – Scoping Contracts Update

E221/21 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.35 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
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- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

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

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Thursday 16 September in the Council Offices, Circular Road,
Dungannon and by Virtual Means**

Members Present Councillor Molloy, Chair

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

Officers in Attendance Ms Campbell, Director of Leisure and Outdoor Recreation
Mr Browne**, Head of Tourism
Mr Gordon**, Head of Leisure
Mr Hill**, Head of Parks
Ms Linney**, Head of Community Development
Mr McCance, Head of Culture & Arts
Ms McKeown**, Head of Economic Development
Mr O'Hagan, Head of ICT
Mrs Grogan, Democratic Services Officer

Others in Attendance Councillor Gildernew*
Councillor Bell*

Deputation – Achadh Lú Ui Neill CLG (Aghaloo O'Neills)
Mr Felim Óg Gildernew***
Mr Stephen Donnelly***

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7.00 pm.

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

D149/21 Apologies

Councillor Elattar.

D150/21 Declarations of Interest

The Chair, Councillor Molloy reminded Members of their responsibility with regard to declaration of interest highlighting agenda items 11 and 17 which dealt with grants.

Councillor Monteith declared an interest in agenda item 11 – Community Development – Good Relations Grants – An Seansiopa, Ballysaggart Community Association as involved with the project.

Councillor Gildernew advised that although he wasn't a member of the Development Committee he wished to declare an interest in agenda item 4 - Deputation – Achadh Lú Ui Neill CLG (Aghaloo O'Neills).

D151/21 Chair's Business

Councillor Burton advised that she had been contacted by a number of expectant mothers regarding their hopes to avail of the birthing pool facility at Craigavon Area Hospital. She advised that the birthing pool had been removed from the room that was normally used due to Covid and the need for more space and she was aware of some expectant mothers being given the option of delivering their child in a bath which was not safe. She asked that the issue be raised and a letter issued to the Executive Director and Interim Assistant Director for Maternity Services in Craigavon.

Councillor Burton sought committee's approval for Council to follow this matter up as a lot of women found this resource very useful at a stressful and trying time and felt that the option should be there.

All members were in agreement.

Resolved That it be recommended to Council that a letter be issued to the Executive Director and the Interim Assistant Director for Maternity Services at Craigavon Area Hospital on concerns regarding the removal of the birthing pool for expectant mothers.

Councillor Corry wanted to wish Mid Ulster Pride all the best for their 2nd parade on Saturday in Cookstown. Pride was an opportunity to showcase our area as welcoming and inclusive and she for one cannot wait to attend as anyone who has been to a Pride parade will know that they are full of vibrancy, colour, fun and with a great carnival atmosphere of love and celebration. She said that she would like to take this opportunity to encourage people to attend the event, stay safe and to have fun at it.

Councillor Cuddy entered the meeting at 7.05 pm.

Councillor Doris proposed to invite Coalisland Development Association to present to the next Development Committee. She said that lately they embarked on the Great Place Scheme which was hugely successful and carried out a number of different projects i.e. reopening of the weaving factory in Coalisland and was the first time she had been to it which was really outstanding and would encourage anyone to attend. They also ran an event last weekend in regards to Tyrone Crystal where people could come and see how the crystal was made and some people were fortunate to take a piece of crystal home with them. She advised that over Covid the group had started a podcast on local history and heritage of the area and a lot of work has been carried out which was too much to mention here tonight.

She advised that the Great Place Scheme was now coming to a close shortly and the group were keen to continue on the good work that they have done already and asked that they be invited to the next Development Committee so that they can explain to the rest of the Councillors the good work that they were doing and how the Council could assist them going forward.

Councillor Cuddy advised that there had been a night at the start of the month where 4 deputations were scheduled to take place but on the night 3 had turned up. He said that there were deputations and standing orders and felt that the Chair had done a good job on the night but felt that Councillors had to realise that these meetings were for asking questions and not making a commitment for funding. After one of the presentations an email was issued to members indicating that Senior Officers would be going down to visit a site and whilst this was fair enough, felt that this should be done outside the meeting. He said it seemed to be if a member wished to make a proposal that this had to be done during a meeting and if a member didn't shout whilst the delegation was here, then there didn't seem to be any progress and sought clarification. He also felt that some refresh was needed for members on what they were allowed and not allowed to ask.

The Chair took on board Councillor Cuddy's comments but felt this was a way of finding out what these groups were doing, their ambitions and what they were delivering within our district across the board. He said that he would temper any Councillors from giving any kind of assurances that the Council would be funding anything or becoming involved in a presentation as this was for Officers to decide and for Councillors to take through the process. He advised that purely on the night it was to hear from the groups on their ambitions and what they were doing.

Councillor Wilson said that maybe a suggestion which had been the case in the past, was to listen to the presentation, ask specific questions relating to the project and when the group withdraws from the meeting or virtually, then a discussion can ensue on how to move forward rather than the group listening in on the conversation as well.

The Chair said although this may be easy in a room environment, it would be much harder to control within a virtual environment.

Councillor Monteith said that he totally understood what Councillor Wilson was alluding to but within the new way that this Council operates it would be difficult and he would not be supportive of the old closed committee system. He said that these were public meetings and he had raised before his concerns about the complete nonsense asking someone to come in to make their presentation, then asking them to leave the room whilst the committee discuss what the Council was going to do for them whilst the public can sit there and listen to the full proceedings. He felt that it was useful for groups to hear that the Council were proposing something and not unreasonable for them being in the room or in touch virtually where Councillors were able to propose that Senior Officers meet with them to discuss opportunities and should be the standard response that things should be at. He said that the way meetings were run it would be pretty silly to ask groups to leave the room as they have every right to walk straight back in and there would be nothing that could be done about it.

The Chair concurred with Councillor Monteith about meetings being open to all and said that if anything was needed to be discussed in confidential business then this should be at the Chair's discretion.

Councillor Monteith concurred with member's comments regarding refreshing and felt that it would do no harm to keep members reminded but felt that the standard response which was going to be given to everyone and their entitlement to hear it was that it be recommended that Senior Officers work with them and bring back a report.

Councillor Cuddy advised that Councillors were there to ask questions and for anyone bringing forward a presentation 99.9% of members were broadly in agreement. He referred to Coalisland district which had numerous parties like independent, Sinn Féin and SDLP who were trying to outshine each other and all trying to get to the front of it and said that they were each doing great work but the problem was that there was a need to be responsible as there was a whole area from Swatragh to Fivemiletown and there was a requirement to balance the resources right the whole way through. He said that there was a need to get a right way forward as there was going to be more of these delegations and members wanted to do their best for each one.

The Chair said that he fully accepted the member's point and hoped that all DEA Councillors when these groups come together would work in conjunction with each other and has seen evidence of this in the Torrent DEA as Councillors all work together with the groups.

Resolved That it be recommended to Council to invite Coalisland Development Association to present to a future Development Committee on their good work to date and how the Council could assist them going forward.

D152/21 Deputation - Achadh Lú Ui Neill CLG (Aghaloo O'Neills)

The Chair, Councillor Molloy welcomed Mr Felim Óg Gildernew and Mr Stephen Donnelly from Achadh Lú Ui Neill CLG (Aghaloo O'Neills) and invited them to make their presentation.

Mr Gildernew and Mr Donnelly thanked Council for allowing them the opportunity to make a presentation tonight.

Mr Donnelly provided a brief overview of their club and their ambitions for the future (appendix 1).

He advised that Achadh Lú Uí Neill CLG were seeking support in their aim to enhance their club through Phases 1 – 5 of a five phase capital development plan:

1. Refurbishment of existing pavilion;
2. Spectator Stand to main pitch;
3. Gym/Health and Wellbeing centre;
4. Community walking track around the perimeter of the club grounds;
5. A covered AstroTurf games and training area.

These five capital developments incorporate all of the primary areas identified through the community consultation.

The Chair thanked the representatives for their impressive presentation and said that being involved with a club himself it was an ongoing continuing development of facilities and that related to all sports clubs and community associations and commended the club so far and their plans for the future.

Councillor Monteith wished Aghaloo club all the best and was aware of the group being out in Dungannon before Covid and similar to his club who were also in the middle of a huge fundraising drive which wasn't easy as it takes a lot of knocking doors and a lot of dedication from a lot of people and shared the pain of any club which was at it. He said that he was delighted tonight to have them here tonight making their presentation and wished Aghaloo all the best in the future and hoped that the Council could help them in any way they could.

Councillor Kerr concurred with previous comments on a very ambitious programme and agreed that it was a monumental effort to gather funds and said that being involved himself with the Coalisland Fianna committee there was major plans but unfortunately it takes a bit of time.

Councillor Clarke thanked the group for their presentation and said that he had been involved with a club a long time himself which went through a lot of development over the years and was aware what the club were up against and what they had to do. He said that knowing Aghaloo and their background and competing with the club many a time, the club will get there and would be fully supportive of the Council including them in the organisations that can avail of the £50k to make up the shortfall in their funding package.

Councillor McNamee echoed the sentiments of the committee to Aghaloo and asked if the Club had been directed towards the Council's Sports Capital Grant.

Mr Gildernew advised that the Club hadn't been directed towards this yet but were keeping an eye out on any potential funding which became available, but agreed that they would keep any eye out for the grant mentioned.

The Head of Community Development confirmed that the Sports Capital Grant was closed at present but they were being supported for the discretionary.

Councillor Quinn also echoed the previous comments and thanked Felim Óg and Stephen for the presentation and advised that he had scored his finest goal down in Aghaloo many years ago. In referring to his own club in Derrytesk, he was aware how hard it was to fundraise and commended the group on an excellent presentation.

Councillor Cuddy referred to the £210k Aghaloo had raised and felt it was a great achievement for a Club of 200 to 300 members. He enquired if the Club had received any funding from the Department for Communities or anything else or was it purely raised through the local community.

Mr Gildernew confirmed that the £210k raised was purely through ticket sales and from the local community and no funding received to make up the figure of £210k. He advised that there was a team of nearly 80 club volunteers who were out selling tickets 4 to 5 nights per week from October 2019 to March 2020 when Covid hit.

The Chair said that this was a fantastic effort and was sure that the Club would have their ear to the ground in relation to all the funding streams which may become available like DAERA or any other different bodies that may avail of bringing funding. He thanked Felim Óg and Stephen for their impressive presentation and wished the Club well in their future endeavors and hoped that the development was up and running very soon.

D153/21 Visitor Safety Group Membership

The Head of Parks presented previously circulated report and sought approval to become a member of the Visitor Safety Group (VSG). The VSG provide a focal point of knowledge, expertise and proven good practice for managing visitor safety.

Proposed by Councillor Cuddy
Seconded by Councillor Kerr and

Resolved That it be recommended to Council to approve the annual membership to the VSG for one year at a cost of £1,000.00.

D154/21 Forest Recreation Development Programme 2021-2030

The Head of Parks presented previously circulated report:

- To present for Council approval completed Forest Recreation Scoping Studies for Drumcairne, Altmore and Dunmoyle Forests.
- To seek Council approval to progress with the phased recommendations presented and to seek all necessary Licence and Lease Agreements with relevant stakeholders in order to progress development plan outcomes for Drumcairne, Altmore and Dunmoyle Forests, subject to available funding.
- To further, progress the approved Action Plan of Mid Ulster District Council Outdoor Recreation Strategic Plan, March 2020.

The Chair advised that this was a very comprehensive presentation for the 3 proposals and very well done.

Councillor Doris said that she was delighted to see this report coming to Council and was aware of the huge amount of effort which went into it and thanked all the staff involved. She said that it was important to keep the momentum going on this and would be happy to propose the recommendations but due to the importance and the amount of detail that were included in the documents, it would be essential that the relevant Council Officers set up a meeting to engage with Cappagh Village Regeneration Group and Stewartstown Community Group to go over the plan in detail as a number of relevant concerns had been raised with her. She stated that overall

she was very happy to see it and was excited to see such hard work being put into it and cannot thank the communities of Stewartstown and Cappagh enough as there were over 1,000 responses to the consultation and was a community project led by the community so was fantastic work.

Councillor Kerr reflected Councillor Doris' comments and agreed that it was a hugely comprehensive report with a lot of work and detail instilled in it but due to the magnitude of significance for other areas and agreed with previous comment on the importance of including the relevant stakeholders and community groups. He referred to a few observations relating to Altmore:

- The costs for the playpark identified as around £25k and felt that this was a very conservative figure for what was needed as an investment for the scale and regeneration of the overall recreation area
- Community Facility Provision – water based activities and provision and asked for on top of toilets/training room/changing provision/catering a multi-usage room for different ideas
- Lighting provision – no real mention of this as the proposed development was not fully utilised in darker evenings as can be seen in this time of year – Autumn/Winter time and also for safety in a rural perspective which will help with greater accessibility opportunities
- Altmore/Forest Area (Fermanagh & Omagh District Council Boundary) is outlined, only has basic signage and some furniture, with existing paths provided highly functional facilities for purposeful exercise. He enquired if there was a guarantee the site would be suitable for existing paths for families with pushchairs and wheelchair users, particularly with the coarse gravel.
- Toilet Provision – no reference to toilet provision in Altmore Forest Zone 1 area, with a 7.6 km route and the potential for organised events such as running and a lot of local running groups existing in the locality. If development in Zone 2 Cappagh Reservoir this might alleviate this issue.
- Connecting links proposal is fundamental to link the projects all together and ensure that Riverside Walk and each of the zones are brought together to maximise the project development.

Councillor Ashton referred to item 4.1 and sought clarification on the recommendation in the paper to look for the capital funding out of the P&R for match funding. She sought clarification from the Officers on projected costs of 4.1 figures and asked if we were looking for Council to support it 50%, 30% or even 20% and enquired if some of the Departments were contacted first to see what funding was available to us or was there a possibility that we were going to be left with 100% funding.

The Head of Parks said that this stage a letter of offer would not have been received from the funders and obviously the Officers would be pursuing the different streams of funding for each of these projects as done with previous and current Forest Development Proposals and would be brought to committee on whatever package funding would be required at that particular time. He said that this was depend on available funding but in relation to previous projects funding had ranged from 50% to 70%, but whether we will be able to achieve that level of funding remains to be seen but would be an objective to try and ensure to get as much maximum funding for these projects. He advised that these would be brought at the appropriate time to P&R as

each individual projects was developed.

Councillor Ashton stated that there was a need to be prudent, especially listening to the two previous speakers who were obviously looking more community consultation and would be important that this doesn't come to the P&R committee until after this was completed and the true total cost known as there seemed to be a long list of requirements coming forward and already a long project which was already over £1.4m. She felt that the total costs at the finance end needed to be brought forward as complete.

The Director of Leisure and Outdoor Recreation wished to reassure members that the concepts which were in front of them tonight were essentially that, high level concepts. She advised that no reports would be brought forward to P&R committee until we were further down the design route and know exactly what was included in it and appropriate funding sourced to allow the projects to progress. She stated that no report would be brought forward to committee next month as time was needed to get further details on design and some of the requests coming from the community through members tonight would be incorporated into the next stage of the development with the costs being reviewed and revised at that point and time. She confirmed what was in front of members tonight were high level concepts with the next stage to work up the detail of exactly what was to be included within each of the specific elements.

Councillor Cuddy said that it was his understanding more work needed to be done to get to the stage and enquired if Officers were actively looking for funding and when it was anticipated to be brought to P&R committee as the Altmere Project was 2021-2130 and could be 10 years before it may be completed. He stated that if there was extra money in the reserves that this could be brought but would like to think that Officers were talking about 50% funding or possibly more as he had a feeling that this could turn up some night at P&R which Councillors outside the area not being made aware resulting in a huge decision to make as there was £2.5m proposed at the moment. He said that he would be keen to know exactly how much funding was available because at the end of the day it was the Forestry Service who owned the site and would like to think that they could also source some money towards the project.

The Director of Leisure and Outdoor Recreation advised that Officers would be seeking as much funding as possible and was pleased to say that the Council were pretty successful in getting funding for these types of projects, but a lot of the times there was a requirement to have the project shovel ready for when the funding was there. She stated that there was a need to progress with the development and a more detailed design and proactively looking all the time and it there may be an instance where a programme opens quite quickly and Officers needs to be ready to avail. She wished to reassure members that funding was being sought with the possibility of getting as much as possible as some of the projects had generated funding of 70 – 75% in the past. She cannot say whether this kind of funding would be available in the future or not, but usually if there was a good project, then funding could be found somewhere which Officers were actively doing as these were really good projects and were something that benefits the local areas as well as Mid Ulster district. She reiterated her confirmation that these projects would not be brought to P&R seeking 100% funding without sourcing match funding and the requirement to have agreement

from stakeholders and landowners in place which would take time.

Councillor Burton said that by listening to the whole debate around these projects it would be important to have the money in place but agreed that there was a requirement to have it as near shovel ready if funding becomes available. She referred to past experiences with the Brantry and Round Lake with Council being very successful in getting money but may come when we run out of steam and unable to allocate money to that area and this may be the one caveat. She said that whilst reading the report she would be a bit concerned about some of the projects ranging from 7 to 10 years and the absence of Lumfords Glen yet again and was aware of this work for these projects solely in mind. She wished to remind Officers that it was not so long ago where a meeting was held with Councillors right across Mid Ulster asking them to bring projects they wished to see going forward and this saddened her as this was somewhere in the Clogher Valley that the local people wanted to see utilised and some people chance going into the site even though it was not safe. She stated that if this site was enhanced then it would really open up tourism for the Clogher Valley area the same as the aforementioned projects also but would really like to keep it on the agenda and she never missed an opportunity to raise it.

She referred to previous comments made regarding when works were completed and referred to upgrades at White Lough by the Rivers Agency and said that it was a wonderful place to have and being really well utilised, with pressure being taken away from the Brantry Lough as it was really oversubscribed during Covid period resulting in some people being afraid to go near it due to the large crowds. She said that metal frames had been erected around White Lough and agreed with Councillor Kerr's comments about restricting mothers who wished to walk around it with their children in possibly a double buggy and yet if someone goes in with a quad bike or a bike and should not be solely down to what suits the anti-social behaviour to block it out as quite often it also blocks out people who really needed that facility who really needed to get out to have a piece of headspace with their young children. She said that it would be useful if Officers could progress this matter and look at alternatives so families can avail of these sites along with all forestry projects.

The Chair stated that any funding which could be garnered from external bodies should be pursued.

Proposed by Councillor Doris
Seconded by Councillor Kerr and

Resolved That it be recommended to Council to approve:

- 1) To adopt the broad recommendations presented in the scoping studies for Drumcairne, Dunmoyle and Altmore Forests and to progress a phased approach to the devolvement objectives subject to stakeholder approvals, partnership agreements and successful sourcing of capital match funding streams.
- 2) To procure and appoint suitably qualified Integrated Consultancy and Supply Teams (ICT and IST) to develop all necessary designs, specifications, procurement documentation and project manage agreed schemes associated to Drumcairne, Altmore and Dunmoyle Forests,

- subject to available funding.
- 3) All identified capital expenditure associated to the Drumcairne, Altmore and Dunmoyle Forest development proposals, subject to sourcing available match funding.
 - 4) Relevant Officers to set up a meeting to engage with Cappagh Village Regeneration Group and Stewartstown Community Group to go over the plan in detail.

D155/21 Sperrin Partnership Project

The Head of Tourism presented previously circulated report to provide Council with an update on progress of the Sperrins Partnership Project and seek approval for future support funding.

Councillor Clarke said that it was unbelievable to think it was 4 years exactly since the conference was held and two and half years from any spend at all and would be happy to propose the recommendation.

He said that the Dark Skies was a component part of this and was saddened to see forestry work ongoing in Davagh in the last few weeks with tree-felling going right into the edge of the archeological site which was part of our archeological walk. He said that this was a very risky business as that site may extend as previously identified by surveyors approximately 15 years ago that some of the features in place extended through the trees. He stated that the machinery which cuts the trees were up to 30 to 40 ton and leave the site like a moonscape because the trees were stripped and a bed made with the branches which were removed and haul out the trunks. He said that he would be afraid that there could be irreparable damage done at the site as this was actually the Davagh Eskers which was a very important heritage site as it was site of the Battle of Esker McLaughlin which was a major event back in the 1200s.

He said that he was fairly confident that this was around the site of Loch Beigfhine where O'Neill stayed on the 12th September 1607 during the Flight of the Earls and this was beside Davagh Eskers also. He also referred to Templemoyle which also sits in that site somewhere more than 80 yards from the County boundary and must be somewhere around where the archeological site was. He concluded by saying that all of those features were there under trees amongst other things and requested that Council contact Forest Service to ensure that these sites were protected and suggested that a meeting be arranged on site due to the amount of hidden heritage within the area which was unique and one chance of saving it and would be terrible to lose something which was irreplaceable.

Proposed by Councillor Clarke
Seconded by Councillor McNamee

Resolved That it be recommended to Council agree:

- 1) To continue to offer financial support for the continuation of the Sperrins Partnership Project at a cost of £22,000 annually. This funding will be vital to ensure that the Sperrins Partnership Project can

- deliver on its vision as outlined at the Sperrins Future Search Conference. Subject to all Councils agreeing.
- 2) That Council contact Forest Service requesting an onsite meeting regarding concerns around possible irreparable damage to archaeological sites around Davagh.

D156/21 Blackwater Study

The Head of Tourism presented previously circulated report and sought approval from the Council to carry out a study on the economic, recreational and environmental benefits of reopening water access to the Backwater River.

The Chair stated that this was something close to his heart and had raised it a number of times and said that this scoping exercise was very welcome and would be happy to propose the recommendation.

Councillor Kerr said that he would be happy to second the proposal.

He commended the Head of Tourism and his team on a very good report and some very positive actions being carried out, especially in reference to the dredging of the Lough. As previously mentioned at earlier meetings he had met with Lough Neagh Rescue and local Fishermen who organise the boat Flotilla and was glad to see affirmative action being carried out and hopefully this was the beginning of solving this long term issue. He also believed there was a lot of potential with the Lough Neagh, accessibility to local sources including Coalisland Canal which was exciting and something he was looking forward to seeing.

He said that he had a slight issue regarding 2nd point on item 3.2 *“Identify and engage with all relevant statutory bodies which identify all legal responsibilities for boating, tourism, navigation, water quality, flooding, dredging, waste disposal and funding”* and asked that Lough Neagh Rescue be included in that engagement as they would be better aware than the Council about safety issues at Lough Neagh as dredging of the Lough would be one of them as it slows the team down when they are trying to rescue people in distress.

The Head of Tourism agreed to take this on board and apologised to members as Lough Neagh Rescue should have been included in the report front and centre.

Councillor Cuddy concurred with the previous two speakers but sought clarification on whether consent was needed from the owner of the Lough to proceed.

The Head of Tourism advised that the responsibility for the bed of the Lough was the Shaftsbury Estate and part and parcel of the consultation and anything the Council proceeded to do would be done through their permission.

Councillor Quinn said that he welcomed the report and sought clarification on the £12k from the tourism bridge and enquired if DfI had been approached about the funding they were allocating towards the Blueway/Greenway Project and funding towards feasibility studies and whether they were approached in regards to that. He noted that

the project had to be completed by 30th November 2021 and enquired if this was a bit ambitious and hoped that the feasibility study would be done for the Coalisland Canal and was aware that a clean out was currently being done on the canal in the town and hoped that this would really pick things up. He said that he could not underestimate the potential of opening up the Blackwater for Moy and the Mid Ulster area and referred to the £12m which was allocated to the Ulster Canal and the real effort which was being put in by Dublin to get this opened up and hoped that this would be extended up through Mid Ulster in the years to come.

Councillor McNamee enquired if this would link into ICBAN work which was taking place.

The Head of Tourism advised that agreed that this would link in and when you take Ulster Canal, this would be start of the process.

In referring to Councillor Quinn's query about achieving the completion by 30 November 2021, the Head of Tourism advised that he would ideally like to see this completed by that date at the very latest and agreed that it was a tight turnaround but at the same time given its potential and the potential for opening up for next season and would be keen to get it done and in the event of not being completed by the end of November, certainly December. In regards to contacting DfI, confirmed that they hadn't been approached but would endeavor to do this.

Proposed by Councillor Molloy
Seconded by Councillor Kerr and

Resolved That it be recommended to Council to procure a company to produce a feasibility study and recommendations report to assess the potential of opening the Blackwater River.

D157/21 Market Led Product Development Programme

The Head of Tourism presented previously circulated report to:

- Inform members of the Tourism Northern Ireland Market Led Product Development Programme and details of application to TNI for funding.
- Seek approval from Council to deliver the outputs of the application if application is successful

Councillor Cuddy said that it was great to see the funding but was disappointed that Hill of The O'Neill wasn't included and seemed to miss the opportunities for funding every time in last number of years and hoped that going forward a set of proposals could be drawn up to get them over the line as the area had such potential which wasn't being fully utilised.

The Head of Tourism advised that under the Living History Programme, the living scripts, costumes and actors at £50K, Hill of The O'Neill was included in there and was pleased to say that it had been included in that section. He said that he was also disappointed that the Hill of The O'Neill wasn't eligible for funding but it was in there.

The Chair said that he was confident that some of the other programmes could be facilitated at the Hill of The O'Neill.

Councillor Kerr referred to item 3.6 point 4 – Feed and Watered Programme and said that he was disappointed that only Dungannon, Cookstown and Magherafelt towns would be included and not Coalisland or any other areas across the Torrent District electoral area including Donaghmore, Stewartstown, Ardboe etc. and asked if this could be relooked at.

The Chair said that it was his understanding that this was not exclusive to the three towns.

The Head of Tourism agreed that it wasn't exclusive and assured Councillor Kerr that his request could be included at this stage as Officers hadn't got to the stage of detailing the development of the programme and would relative to the entire district.

Proposed by Councillor Cuddy
Seconded by Councillor Kerr and

Resolved That it be recommended to Council that if application to Tourism Northern Ireland is successful, to deliver the outputs of the programme.

D158/21 Corporate Events – Halloween and Christmas Update 2021

The Head of Tourism presented previously circulated report to:

- Update members on the proposals for both Halloween and Christmas 2021, as the district continues to move out of restrictions being mindful of the fluid environment
- Seek approval to move forward with the recommendations.

Councillor Doris referred to the budget for Coalisland particularly Halloween where there was specific issues during that period and enquired if the budget had decreased from 2019 for events.

The Head of Tourism advised that all budgets had changed form 2019 as Coalisland and Maghera would have been greater and also Dungannon, Magherafelt and Cookstown having a greater budget. Fireworks displays would have been included which were quite costly and it was felt that £5,000 should animate the town centres, excluding the fireworks displays and going forward allocate an even funding to each town in terms of their size and budget. He concluded by saying that the budget had been decreased due to no fireworks display taking place as this could cost up to £3k on its own.

Councillor Corry said that it may be beneficial to look at the possibility of having a vaccination clinic running alongside some of these events. She said that it may be worthwhile inviting some of the Trusts to host close by and do it as a joint initiative.

The Head of Tourism agreed that this could be investigated.

Councillor Monteith said each year correspondence was received from animal lovers in the community who continually raise the issue of fireworks causing much stress to pets, wildlife and farm animals. He suggested that it would be beneficial to investigate pet friendly light shows in place of fireworks displays. This could be laser displays around towns or on huge screens as there was a need to reinvent ourselves going forward.

He proposed that Officers investigate pet friendly light shows going forward in place of fireworks i.e. laser displays to protect pets, wildlife and farm animals.

Proposed by Councillor Kerr
Seconded by Councillor Corry and

Resolved That it be recommended to Council -

- 1) With restrictions remaining in place the primary focus in planning for this year's Halloween and Christmas Events will be a programme comprising multiple sites that accommodate footfall and social distancing while enabling people to enjoy a variety entertainment and experiences safely.
- 2) Develop a programme of events both live and online events to enhance the customer experience when visiting the town centres during last weekend of October to celebrate Halloween and the four weekends prior to Christmas.
- 3) To investigate pet friendly light shows going forward in place of fireworks i.e. laser displays to protect pets, wildlife and farm animals.

D159/21 Community Development

Councillor Quinn declared an interest in Community Festival Grants – Derrytresk Community Projects.

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

- Community Grants - to agree the rolling grant awards - Local Community Festivals, Good Relations, and Decade of Anniversaries
- Mid Ulster Advice Service – to agree to go to tender
- Community Development - to update on Community Development
- Community Planning; Response to the Department for Health Consultation on the Integrated Care System – to agree a Council response

(i) Community Grants - Local Community Festivals, Good Relations, and Decade of Anniversaries

Proposed by Councillor Kerr
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve grant award recommendations outlined in Appendix 1.

(ii) Mid Ulster Advice Service

Proposed by Councillor Corry
Seconded by Councillor Quinn and

Resolved That it be recommended to Council to proceed to tender for Mid Ulster Advice Service.

Councillor Burton enquired who monitored the advice.

The Head of Community Development advised that there was two parts to the recommendation, the first part was the tender for the Council advice provision and Officers monitor this element. The second part of the recommendation was to release the funding that DfC give directly to the Advice Services outside of the Council's contract, but allocate through Council, and they carry out the monitoring on the element of delivery.

(iii) Community Development

Noted.

(iv) Community Planning; Response to the Department for Health Consultation on the Integrated Care System

Councillor Monteith welcomed the response and commended Officers on a good piece of work following on from other good pieces of work coming out of the Development Department. He said that he shared the Head of Community Development's concerns relating to administrative boundaries proposed which would be similar in Cookstown and Magherafelt, but not Dungannon and its wider hinterland, which had always suffered due to this boundary issue with Southern Trust and the former old Education & Library Board. Dungannon has lost out due to it being within a different boundary with the focus being on *Craigavon and/or Newry*. He also stated that although he had no difficulty with partnership in principle, his concern would be if the Council become involved there was a danger that it could get the blame if difficult decisions were required and they have no say in the outcome, but would be used as a consultee. He would like assurances that there was input to decisions and new ways of working and not used for community led consultation which resulted in a deterioration of services, rather than an enhancement of services.

He concluded by saying that it was a good piece of work but there was a need to be cautious as the Council could be used by Officials from the Department of Health as they could say that we were in agreement and this would result in our Council getting the blame. If Council does get involved heavily we could be classed as being part of

the problem rather than the solution.

The Chair shared Councillor Monteith's sentiments.

Councillor Burton concurred with Councillor Monteith's comments and said that she couldn't have said it better herself and commended the Community Development team on the report. She stated that she used to sit on the South Tyrone Hospital Forum and at the end of its existence the group felt it was being used as a consultee for difficult decisions such as closure of key services when they did not agree with these and their involvement was more of a tick box exercise. She felt that there was an onus on Council to take a hard look at this.

She also advised that she was part of NILGA and she had raised the issue of the differences between the Northern Trust and the Southern Trust and the need for one overall approach and process.

The Chair said that the sooner we get rid of bureaucracy and levels of administration within Trusts that exist we will have a better health service. We have all seen the issue with GP's especially in the Dungannon and South Tyrone area this last while and this has been extrapolated across. He asked that the Head of Community Development take on board members concerns and iterated previous comments regarding a good piece of work.

The Head of Community Development stated that in light of concerns raised by members and the lack of detail in the document there was a need for further engagement and discussion. Whilst it does state that Specialist Regional Services would not be part of the discussion of the proposed groups further clarity on the remit of discussion would be helpful. She said that it may be beneficial to get a meeting with the Trust to identify what the basis of decision making and via what partnerships and receive more information in a proposed Terms of Reference for the groups.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended to Council:

- 1) To issue response to Department for Health Consultation on the Integrated Care System.
- 2) To request that a meeting be arranged with the Department of Health to discuss the future model and how it will work in terms of decision making and real influence of future health outcomes, and its representation and links with community planning.

D160/21 Economic Development Report - OBFD

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

(1) Mid Ulster Town & Village Business Spruce Up Scheme

Proposed by Councillor Burton
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to:

- 1.1.1** Note Evaluation Report for Phase 2 of Mid Ulster Town & Village Business Spruce Up Scheme (2020/2021)
- 1.1.2** Approve to ring-fence funds in the economic development budget in 2022/2023, totalling £148,484, to fund the remaining successful businesses in Phase 4, currently held on the ranked reserve list.
- 1.1.3** Approve for officers to seek quotations to appoint an independent Chartered Architect to manage the delivery of the scheme for the final year (Phase 4 - 2022/2023).

(2) Future Business Start Provision Research

Proposed by Councillor Quinn
Seconded by Councillor Burton and

Resolved That it be recommended to Council to approve a financial contribution from Mid Ulster District Council of £1,735 (excluding Vat) towards the costs of undertaking an options analysis to inform the potential delivery of business start-up support post 2023 using Belfast City Council's Consultancy Framework to appoint a service provider on behalf of the 11 Councils.

(3) NI Chamber of Commerce: Regional Networking Event 2021

Proposed by Councillor Cuddy
Seconded by Councillor Burton and

Resolved That it be recommended to Council to approve request from NI Chamber of Commerce to fund a Mid Ulster Regional Networking Event on 8 November 2021 at Hill of the O'Neill, Dungannon, for a fee not exceeding £700 (excluding Vat) for catering and room hire, subject to the alignment of attendee numbers being in accordance with government guidelines.

(4) DAERA Rural Policy Framework for NI – Consultation

Proposed by Councillor Corry
Seconded by Councillor Quinn and

Resolved That it be recommended to Council to retrospectively approve Council's consultation response to DAERA's Rural Policy Framework, which was

submitted to DAERA by the deadline of 6 September 2021. If any member wishes for additional comments to be forwarded to DAERA to supplement Council's consultation response, these should be forwarded to the Head of Economic Development by 22 September 2021.

(5) Skills Strategy for NI – Consultation

Proposed by Councillor McNamee
Seconded by Councillor Doris and

Resolved That it be recommended to Council to retrospectively approve Council's consultation response to the NI Skills Strategy: Skills for a 10x Economy, which was submitted to the Department for the Economy by the deadline of 19 August 2021. If any member wishes for additional comments to be forwarded to DfE to supplement Council's consultation response, these should be forwarded to the Head of Economic Development by 22 September 2021.

(6) MEGA Strategic Review and 3 Year Action Plan

Councillor Monteith said that this covered in the last point, this point and the one coming up in point 9 and would be happy to propose and move forward with this particular project now that the trade unions were involved. He said that there was the MEGA proposal and then the LMP's later on in the recommendations regarding working and skills within an area and was conscious that MEGA were concentrating on manufacturing and engineering. He said that that it had been raised with him in the last few weeks about the lack of opportunities for training for young people in the construction industry. He stated that there were courses at SWC and again down to boundary nonsense as East Tyrone College suited this a lot better as it was more local and more susceptible to needs, with SWC now indicated that if they provide the course it doesn't matter where it is, might be in Enniskillen or Omagh and that was them covered and not good enough in the local community. He advised that he had been approached by a number of parents and young people who wished to be trained as bricklayers and had a lot of difficulty in trying to access this locally, but thankfully it was resolved eventually. He felt that a commitment was needed that these essential skills and trades were going to be available locally for people to avail off and would be happy to propose the recommendation to accept MEGA, but the Council mustn't lose sight that there were other industries out there and may be better suited to LMP as it was more of a wide ranging remit. He said that it would be beneficial for Officers to sit down with the skills providers and was aware of some community providers delivering these courses also, but this needed addressed and reassure people that these courses were going to be put on locally especially when young people were trying to pick a career and no point in picking a trade if there was no access to it. He felt that this could be a vicious circle as Colleges could say that there was no demand for these essential trades like construction, bricklaying, plumbing, and electrician etc. and up to us to make sure that these trades can be accessed locally.

Councillor Kerr concurred with previous comments and said that when he was growing up and talking to local young people and who wanted to learn the trade of plastering

they had to travel to Omagh which was quite ridiculous. He said that this could be costly for a young person who may be only earning an apprentice wage and from a low income family and may depend on a generous employer or different streams of funding available. He referred to the low number of lorry drivers in the area and had read an article where one lorry driver's wage went up 40% overnight and welcomed comments made especially relating to the construction industry.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended to Council to approve Council's match funding contribution of £5,000 is released to the MEGA Network for the preparation of MEGA's Strategic Review and 3 year Action Plan.

(7) ESF Call 3 Match Funding Requests (2022-23)

Councillor Wilson declared an interest as Chair of Cookstown Enterprise Centre and as part of Enterprise NI.

Resolved That it be recommended to Council to defer consideration of match-funding requests from Enterprise NI, NOW Group and Specialisterne Northern Ireland, until further information on match funding is received from the Department for Economy and Department for Communities. A further report will be brought to committee once the outcome of match-funding is known.

(8) Mid Ulster Enterprise Week 2021

Proposed by Councillor McNamee
Seconded by Councillor Corry and

Resolved That it be recommended to Council to approve the appointment of "ND Events" to co-ordinate, manage and organise all virtual events and promote and evaluate Mid Ulster Enterprise Week 2021 at a cost of up to £8,000 (including expenses and excluding vat) subject to the completion of all contract requirements.

(9) Labour Market Partnerships (LMPs)

The Head of Economic Development referred to previous comments made by Councillors Monteith and Kerr and advised that these would be taken on board and passed on to the Consultant. She stated that this particular initiative included all sectors and would welcome any comments back from members.

The Chair said that by working in the food industry he was very aware of the acute shortages by providers in the area which seemed to be a Brexit effect where a number of people have moved out of the area and employers were struggling to provide and had to downscale their operations accordingly. He said that there was a dearth of labour there which Councillor Kerr alluded to regarding the lack of HGV drivers getting

food out and in and products to the shelves and said that it would be useful for comments to be taken on board on how these companies were going to resolve this.

Resolved That it be recommended to Council to approve the appointment of “Food for Thought” to prepare an Interim LMP Action Plan for 2021-2023, at a cost of up to £14,900 (including expenses and excluding Vat).

(10) Mid Ulster Business Excellence Awards 2021

Councillor Monteith advised that he had raised this issue in previous years and found it a bit rich for Bank of Ireland sponsoring Mid Ulster Business when they have closed their premises in Dungannon. He raised concern regarding Dalradian and the category they used the last time was ‘Best Community Impact’ and although this was sitting as unconfirmed, he stated that he certainly would not want to be connected with any events that particular company was associated with. He said that he had no difficulty in agreeing to the Council sponsoring the ‘Business of the Year’ award which was the perfect one for us and propose to proceed with this but make it clear to JPI that this was conditional and even at the last minute that Dalradian were confirmed as sponsor that Officers would have the authority to pull our sponsorship from the event.

Councillor Corry said that she would be happy to second the proposal as long as Dalradian weren’t connected to the event.

Councillor Kerr concurred with previous comments and said that Dalradian was like a bad smell that will not go away as seen in Ballinascreen where they were looking to take soil samples. He said that he looked forward to the day that the company leave the area and small actions like this show them that they are not welcome on the shores of Ireland.

Councillor Burton sought clarification on last sentence on item 2.10 within report where it states that it was going to send a team of people into the Clogher Valley area to promote the awards and her issue in the past was that a person had to vote for their favourite chippy or whatever was being voted for and to be fair one of the local restaurants did win in the past. She said that her concern was how the voting was carried out and it was her understanding that the paper carries the voting slips and with the paper not widely purchased in the Clogher Valley area and reduced the chances of having potential winners and yet there were businesses in the area who were also ratepayers to our Council. She felt that this should be an opportunity where everyone gets a fair chance and if the whole event was sponsored, she felt it shouldn’t be about the newspaper but about the businesses and this was where this all falls down. Looking back to how long this was going on and now only at this stage they were thinking about sending a team of people out when they were about to have another award ceremony which said it all really. She didn’t think that there would be many people rushing out from the Clogher Valley area to support it either. The Head of Economic Development said that she would go back and enquire if there was other means of voting i.e. through their website as well as through the newspaper slips.

Councillor Corry agreed that if there was a facility to vote online it would allow to reach a wider audience.

Proposed by Councillor Monteith
Seconded by Councillor Corry and

Resolved That it be recommended to Council:

- 1) To sponsor the 'SME Business of the Year' category at the Mid Ulster Business Awards 2021 at a cost of £1,750+Vat, subject to the following two conditions being met;
 - (i) Dalradian not being connected in any way to the Mid Ulster Business Awards 2021 and if there is evidence that they are, then Mid Ulster Council will withdraw its offer of funding.
 - (ii) Readers Voting Categories - JPI media to make available and promote two options for the public to vote for these categories – these being a new online voting option (via JPI's website) and the existing option of completing the form in the newspaper.

D161/21 Leisure Participation

The Head of Leisure presented previously circulated report to advise Members on the Council's Participation team activity year to date, to provide information on the intended active lifestyle plan for October 2021 – 31st March 2022 and to seek approval for a new pilot programme of activities to be delivered within the leisure service.

Councillor Monteith said that this was a good initiative to reach out to people who were not usually targeted like over 50's, physical or learning disabilities etc. and an ambitious plan to meet as many of these targets as possible. He said that some of these groups were hard to reach at the best of times and may be a lot harder during these unprecedented times of the pandemic and may not work out successfully the way it was wanted due to vulnerable groups being extra cautious. He asked that this initiative be continually worked upon and urged Officers to stick with this and commended them on their fantastic work.

He said that he had raised this issue before about the opportunity to take this forward, funding for external sporting groups who carry out fantastic work across a wide range of different sports and felt there was a need to try and tailor some funding to encourage them to target over 50's, people who had learning disabilities, physical disabilities. He said that there was a need to encourage the view that sport was life long and may be a smaller window in life where a person may have done competitive sport, then this doesn't mean that sport doesn't remain part of a person's life.

He proposed that a paper be brought to a future meeting on incentives to encourage external sporting organisations to target groups that this Council was about to target.

Councillor McNamee seconded the proposal to include a paper being brought on incentives for external sporting organisations. He also commended Officers in bringing forward a good report.

Councillor Corry concurred with previous comments and commended the Head of Leisure and his team on preparing such a comprehensive report which was well thought through on reaching out to hard to reach groups.

Proposed by Councillor Monteith
Seconded by Councillor McNamee and

Resolved That it be recommended to Council:

- 1) To note the Council's Participation team activity year to date, to note the intended active lifestyle plan for October 2021 – 31st March 2022 and to approve a new pilot programme of activities to be delivered within the leisure service.
- 2) That a paper be brought back to a future meeting on funding for external groups i.e. sporting groups to target over 50s, people with learning and physical disabilities etc. to encourage people that sport is life-long for everyone.

Councillor Wilson left the meeting at 8.56 pm.

D162/21 Sports Representative Grants

The Head of Leisure presented previously circulated report to present to Members the proposed community grant allocations for the range of:

- Sports Representative Grant - Team and Individuals (February 2021 – August 2021)

Proposed by Councillor McNamee
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to approve the sports grant allocations as recommended within this report.

Matters for Information

D163/21 Minutes of Development Committee held on 7 July 2021

Members noted Minutes of Development Committee held on 7 July 2021.

D164/21 Mid Ulster District Tourism Development Group

Members noted update on progress in Tourism Development Projects, Funding, Visitor Information and Business Engagement across the Tourism Section.

Resolved That it be recommended to Council that an update be forwarded to Councillor Kerr tomorrow or at the earliest opportunity regarding Washingbay Walkway.

D165/21 Economic Development Report – OBFI

Members noted update on key activities as detailed below:

- Mid Ulster Business Marketing Grant Scheme Update
- TRPSI Rural Business Development Grant Scheme 2021/22
- Department for Communities Funding Immediately after Public Realm Schemes

Live broadcast ended at 8.59 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Kerr

Seconded by Councillor Cuddy and

Resolved In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider items D166/21 to D169/21.

Matters for Decision

D166/21 Brookmount to Spring Road Alleged PRow

D167/21 Mid Ulster Gift Card Tender Report

Matters for Information

D168/21 Confidential Minutes of Development Committee held on 7 July 2021

D169/21 Leisure Facilities Café Operations

D170/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 9.16 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Report on	Conferences, Seminars & Training
Date of Meeting	23 September 2021
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Eileen Forde, Member Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for (i) elected member attendance and the payment of registration/ attendance fees and associated costs, as incurred and, (ii) council officer approvals.
2.0	Background
2.1	Costs associated will be set against 2021-22 member Conference, Seminar and Training allocations.
3.0	Main Report
3.1	<p>Approval for Consideration of Attendance by Elected Members</p> <p>There are occasions when it is beneficial to Members to attend training, conferences and seminars to better equip them in their role as elected representatives. Approval for attendance as detailed in Appendix A to this report is sought.</p>
3.2	<p>Officer Approvals</p> <p>There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. Approval for attendance as detailed in Appendix B to this report is sought.</p>
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: Costs to be set against Members 2021/22 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member</p>

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

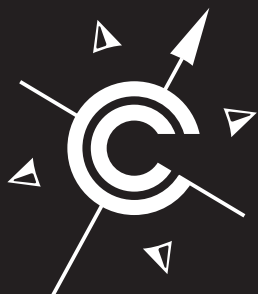
Appendix A

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests

Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
Cross Border Testing The Health Of Conditions For Post-Brexit Cooperation: The evolving social and political contexts	Friday 24 September 2021	On line	Nil	Cllr S McGuigan
NILGA: Local Government Annual Conference 2021 Councils Make It Happen	24 November 2021	Clandeboyne Lodge Hotel, Bangor & Online	Physical Delegate £99 +VAT (only 6 pemitted) Virtual Delegate £35 + VAT	



Centre for
Cross Border Studies

22nd ANNUAL CONFERENCE

Friday 24th September 2021

Online

@CCBSCrossBorder
#CCBSconf



TESTING THE HEALTH OF CONDITIONS FOR POST-BREXIT COOPERATION

The evolving social and political contexts

Programme

- 9.30am WELCOME**
Dr Helen Johnston, Chair, Centre for Cross Border Studies
- 9.35am OPENING REMARKS**
Dr Anthony Soares, Director, Centre for Cross Border Studies
- 9.40am KEYNOTE**
Madeleine Alessandri, Permanent Secretary, Northern Ireland Office
- 10.15am THE POLITICAL CONTEXT**
CHAIR: **Sir David Sterling**, Ex-Head of the Northern Ireland Civil Service,
Member of the Board of the Centre for Cross Border Studies
Professor Brigid Laffan, European University Institute
Nichola Mallon MLA, Northern Ireland Minister for Infrastructure
Professor Pete Shirlow, Institute of Irish Studies, University of Liverpool
Jess Sargeant, Institute for Government
- 11.30am VIRTUAL COFFEE BREAK**
- 11.45am THE SOCIAL CONTEXT**
CHAIR: **Tara Farrell**, Chief Executive, Longford Women's Link
Brian Dougherty, North West Cultural Partnership
Dr Nicola Brady, Irish Council of Churches
Eoin O'Keeffe, Glencree Centre for Peace and Reconciliation
Kate Clifford, Rural Community Network
- 1.00pm VIRTUAL LUNCH**
- 2.00pm LAUNCH OF THE 2021 EDITION OF *JOURNAL OF CROSS BORDER STUDIES IN IRELAND***
Dr Anthony Soares, Director, Centre for Cross Border Studies
- 2.15pm MEASURING THE CROSS-BORDER IMPACTS OF HEALTHY COOPERATION**
CHAIR: **Dr Anthony Soares**, Centre for Cross Border Studies
Maureen O'Reilly, Centre for Cross Border Studies
Aidan O'Kane, Cross-Border Workers Coalition
Dr Helen McAvoy, Institute for Public Health
Ann Nolan, Trinity Centre for Global Health
- 3.45pm CLOSING KEYNOTE**
Paul Narain, US Consul General to Northern Ireland
- 4.20pm CLOSING REMARKS**
Dr Anthony Soares, Director, Centre for Cross Border Studies

Conference Speakers



Dr Helen Johnston

Dr Johnston is Chair of the Centre for Cross Border Studies. In her day job, Helen is a Senior Social Policy Analyst at the Irish National Economic and Social Council (NESI). Helen previously worked at the Irish Combat Poverty Agency where she was Director for six years and Head of Research for eight years. During her time with Combat Poverty, Helen was involved in implementation of the Peace Programme, with Pobal, in the Border Counties. A native of Northern Ireland, Helen worked in the Northern Ireland Civil Service in the early years of her career. She has qualifications in environmental science, town and country planning, business administration and a doctorate in governance.



Dr Anthony Soares

Dr Anthony Soares is Director of the Centre for Cross Border Studies. His role includes leading in the development and advocacy of policies at regional, national and European levels that support sustainable cross-border and transnational cooperation. This has increasingly meant coordinating CCBS's responses to the UK's referendum on EU membership and its aftermath, publishing Briefing Papers and reports, submitting evidence to parliamentary committees in both Westminster and Dublin, and consulting with a range of political representatives and organisations on the island of Ireland, Great Britain and in Europe.



Madeleine Alessandri

Madeleine Alessandri is the Permanent Secretary for the Northern Ireland Office. Previously she was the UK Deputy National Security Advisor and Prime Minister's Adviser on National Resilience and Security. She joined government service in 1988 and has held a wide variety of positions in the Diplomatic Service and in National Security in the UK and overseas.



Sir David Sterling

David Sterling joined the Northern Ireland Civil Service (NICS) in February 1978 and served in a variety of grades and roles in the Police Authority for Northern Ireland (PANI) and the Northern Ireland Office (NIO). He was Head of the NI Civil Service on 14 June 2017 and retired from this role on 31 August 2020. The devolved institutions were in suspension from the time of his appointment in June 2017 until the resumption of the Executive and Assembly in early January 2020. The main issues he had to deal with during his time as Head of the NICS were the challenge of delivering public services in the absence of ministers, preparing for Brexit, preparing for the resumption of devolved government and dealing with the Covid-19 Pandemic.

David was educated at RBAI and Ulster University and his interests are golf, cycling, walking and the environment. He is Chair of the Chief Executives' Forum and a Trustee of the Cancer Fund for Children and Ulster Wildlife. On 10 October 2020 David was awarded a Knighthood in the 2020 Birthday Honours. David is a member of the Centre for Cross Border Studies' board.



Professor Brigid Laffan

Prof. Laffan was Director and Professor at the Robert Schuman Centre for Advanced Studies and Director of the Global Governance Programme and the European Governance and Politics Programme at the European University Institute (EUI), Florence until her retirement in August 2021.

Previously, Prof. Laffan was Professor of European Politics at the School of Politics and International Relations (SPIRe) University College Dublin (UCD), and she was Vice-President of UCD and Principal of the College of Human Sciences from 2004 to 2011.

Prof. Laffan was also the founding director of the Dublin European Institute UCD from 1999 and in March 2004 she was elected as a member of the Royal Irish Academy. She is a member of the Board of the Mary Robinson Foundation for Climate Justice, the Fulbright Commission (until September 2013) and was the 2013 Visiting Scientist for the EXACT Marie Curie Network.



Nichola Mallon MLA

Nichola Mallon is the SDLP Minister for Infrastructure and MLA for North Belfast. Nichola is a graduate in Economic & Politics from Trinity College Dublin and has a Masters from Queens University Belfast in Comparative Ethnic Conflict. She was elected as a SDLP MLA for North Belfast in May 2016. Previously she represented the Oldpark DEA on Belfast City council for six years and was the Lord Mayor of Belfast in 2014.

Nichola is focused on transforming lives for citizens across the North. Committed to social justice, Nichola has always sought to represent the needs of all in society especially those who have been left behind. In her Ministry Nichola has set out her ambition to better connect communities, tackle regional imbalance, transform communities through place shaping and tackle the climate crisis, socio-economic inequality and protect our society from the damage of Brexit.



Professor Pete Shirlow

Professor Peter Shirlow (FaCSS) is the Director at the University of Liverpool's Institute of Irish Studies. He was formerly the Deputy Director of the Institute for Conflict Transformation and Social Justice, QUB. He is the Independent Chair of the Executive Office's Employers' Guidance on Recruiting People with Conflict-Related Convictions Working Group and a

board member of the mental health charity Threshold. He is a Visiting Research Professor at the Senator George J. Mitchell Institute for

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Global Peace, Security and Justice. He sits on the editorial boards of Irish Political Studies and International Planning Studies.

Professor Shirlow has undertaken conflict transformation work in Northern Ireland and has used that knowledge in exchanges with governments, former combatants and NGOs in the former Yugoslavia, Moldova, Bahrain and Iraq. He has also presented talks to members of the US Senate and House of Representatives and is a regular media contributor.



Jess Sergeant

Jess is a senior researcher at the Institute for Government working on devolution and Brexit, with a particular interest in Northern Ireland and the operation of the Protocol. She joined the Institute in May 2019 from the House of Lords Library. Jess previously worked as a Research Assistant at the Constitution Unit, University College London where she researched referendums.



Tara Farrell

A native of Roscommon, Tara has over 20 years' experience in the Community, Voluntary and Education sectors, working in a variety of areas including Project Management, Social Economy, Women's Human Rights, Conflict Resolution and engaging in Broadcast and Social Media. Tara is the Chairperson of AONTAS, the National Adult Learning

Organisation and a Director of Irish Rural Link and Roscommon Women's Network. She is a member of the Steering Group of The New Common Charter and is also part of the Ad-Hoc Group for North-South East-West Co-operation as well as a member of the recently formed All-island Women's Forum. Tara also lectures in Human Rights and Equality at St. Angela's College (National University of Ireland Galway) in Sligo. She holds an LL.M. in International Human Rights Law and has also lectured in Political Science in the University of Limerick and Management Development at Dublin City University.



Brian Dougherty MBE

Brian has been involved in the voluntary and community sector as a volunteer and paid worker for over 25 years working primarily in Unionist/Loyalist communities. For 10 years he was a development worker for the Tullyally and District Development Group and for 7 years, Director of St Columba's Park House Centre for Reconciliation in the city and is

currently working with the North-West Cultural Partnership and Londonderry Bands Forum.

In 1998 he was appointed as the community development representative on the Northern Ireland Civic Forum and in 2001 for 5 years, he was an independent member of the inaugural Northern Ireland Policing Board. He is currently a Governor at Foyle College, Chairperson of the North-West Cricket Union and a board member of Cricket Ireland and Institute F.C. In 2003, he won the Business in the

Community Sieff Award for Community Enterprise awarded by HRH Prince Charles at Highgrove estate.

In January 2007, Brian was awarded Member of Order of the British Empire (MBE) for services to the community in Northern Ireland and is a 2012 fellow of the Sir Winston Churchill Memorial Trust. Brian has a Masters degree in Town Planning from the University of Manchester and is currently studying for a PhD at Ulster University looking at the Londonderry Bands Forum and their leadership role in Londonderry.



Dr Nicola Brady

Dr Nicola Brady is the General Secretary of the Irish Council of Churches and Joint Secretary of the Irish Inter-Church Meeting where she facilitates relationship-building between Christian churches on the island of Ireland and collaborative action on issues of shared concern to member churches. She has a PhD from Trinity College Dublin. Her thesis

examined the response of the Catholic hierarchy to political violence in Northern Ireland (1921-1973) and the Basque Country (1936-1975). With Dr Susana Bayó Belenguer she is co-editor of *Pulling Together or Pulling Apart: Perspectives on Nationhood, Identity and Belonging in Europe* (Peter Lang, 2019). She is an Eisenhower Fellow and a Director of Christian Aid Ireland and the Maximilian Kolbe Foundation.



Eoin O'Keeffe

Eóin joined Glencree's Community and Political Dialogue Programme as an Assistant Programme Manager in September 2020. Prior to this, he spent six years working as the Senior Researcher and Policy Analyst at the Institute of International and European Affairs (IIEA) in Dublin. In this role, he was responsible for a number of policy areas including: Justice

and Home Affairs; Security; International Development; and, Brexit issues. While at the IIEA, Eóin wrote a series of blogs and papers on prominent issues as well as creating a programme of keynote lectures with leading speakers from around the world. Previously, Eóin worked for the European Border and Coast Guard (Frontex) in Warsaw and for a number of NGOs across the EU. Eóin has a Master's Degree in Peace and International Development Studies from the University of Limerick and a Master's Degree in Humanitarian Action (NOHA) from University College Dublin.



Kate Clifford

Kate holds the post of Director of RCN since April 2013, having previously worked as a Rural Enabler (Institutions) within RCN's Rural Enabler Programme working to support the development of peace and understanding within and between institutions such as the Orange Order, the GAA, Churches and others. She also worked with these institutions to address issues of sectarianism and racism.

Kate is a graduate of Queen's University Belfast, with a BSc in Agricultural Economics and Management and an MSc in Rural Development. She has a strong background in creative thinking techniques, facilitation skills, research techniques, and supporting groups in the areas of project development and implementation. Kate tutored on the QUB MSc programme in Rural Sustainable Development and the NUI Galway Community Development Practice Diploma course.



Maureen O'Reilly

Maureen is an independent economist with more than 25 years experience across a range of area including policy evaluation, economic impact assessment, cost benefit analysis, economic appraisal, strategy, briefing, research and statistical analysis. She was previously Senior Research Economist with the Economic Research Institute for Northern Ireland (ERINI).

Prior to this she headed up the Policy Evaluation Unit at the Northern Ireland Economic Research Centre (NIERC). She was an Associate Lecturer in Economics with the Open University from 2003 to 2009. She now heads up her own consultancy company.

Maureen acts as economist for the NI Chamber of Commerce and Industry, which includes briefing, policy formulation, consultation submissions along with responsibility for the Chamber's Quarterly Economic Survey (QES). She is an Economic Associate with Pro Bono Economics in London, which helps charities and social enterprises improve their impact and value. Her role involves working with volunteer economists, managing and advising on impact assessment, data advice and advocacy research on behalf of UK and locally based charities. She is an Associate with the Public Policy Advisors Network in Ireland and writes regular features on local government in Northern Ireland for the Local Government Information Unit (LGIU), a local authority membership organisation representing local government in the UK, Ireland and Australia. She is also a Board Member of Enterprise Northern Ireland which represents the interests of local enterprise agencies and lobbies on behalf of small business.



Aidan O'Kane

Aidan O'Kane is Vice President of the Londonderry Chamber of Commerce as well as a Director at Allstate Northern Ireland, a company that employs 2400 people across NI including Belfast, Derry and Strabane. Aidan is also Co-Chair of the Cross Border Workers Coalition - an alliance of individual employees who are resident in the Republic of Ireland but

work in Northern Ireland and businesses who are concerned about the impact of restrictive cross border tax legislation. The group was established in March 2020 and originates from the North West (Donegal / Derry).

Aidan lives in Claudy, is married to Allison and have 4 young children, Anna, Catherine, Cormac and Cillian. When he is not leading global IT teams, Aidan enjoys spending time at his local martial arts club and is ranked 1st Dan blackbelt in Ju Jitsu within the World Ju Jitsu Federation.



Dr Helen McAvoy

Dr. Helen McAvoy graduated from Trinity College Dublin with a primary medical degree in 1997 and worked for several years in both hospital and general practice. She completed her MD in 2000 as part of the Masters in Health Promotion programme NUI Galway. She has worked on a number of government programmes relating to ageing and older

people. She is now working as Director of Policy with the Institute of Public Health focusing on progressing the government's health inequality agenda in Ireland and Northern Ireland. In this role, she has contributed to a number of reports and policy papers on inequalities in maternal and child health, fuel poverty, tobacco, alcohol and inequalities in the border region.



Ann Nolan

Ann Nolan is an Assistant Professor in Global Health in Trinity College, Dublin and Director of both the MSc in Global Health and the Trinity Centre for Global Health (TCGH) in the School of Medicine. She is technical specialist in HIV and sexual health with research interests in the politics of public health, the transnational dimensions of health, and

inclusion health. Ann is a former Executive Director and Chairperson of HIV Ireland Ltd and has led the development of global policy frameworks for adolescents and most-at-risk young people with UNICEF and UNAIDS.



Paul Narain

Paul Narain took up his duties as U.S. Consul General in Belfast in August 2021. He most recently served as Political & Economic Counselor at the U.S. Embassy in Sweden. Mr. Narain's previous assignments include service as Deputy Political Counselor at the U.S. Embassy in Pakistan, and, prior to that, as Deputy Economic Counselor at the U.S.

Embassy in Greece. In Washington, Mr. Narain has served in the Operations Center – the Department's crisis management hub – and on the Executive Secretariat Staffs of Secretaries of State Rice and Clinton. A career member of the U.S. diplomatic service since 2002, he has also served in Azerbaijan and twice in India.

Mr. Narain has received several superior and meritorious honor awards. In 2013, he was awarded the American Foreign Service Association's Mathilda W. Sinclair Award for outstanding foreign language study. In 2018, he received the Department-wide James Clement Dunn Award for Excellence.

SUPPORTERS OF THE CONFERENCE



An Roinn Breisoideachais agus Ardoideachais,
Taighde, Nuálaíochta agus Eolaíochta
Department of Further and Higher Education,
Research, Innovation and Science



An Roinn Gnóthaí
Eachtracha agus Trádála
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Mr Adrian McCreesh
Chief Executive
Mid Ulster District Council
Circular Road
Dungannon
BT71 6DT

19th August 2021

LOCAL GOVERNMENT ANNUAL CONFERENCE 2021 *Councils Make It Happen*

Wednesday 24th November, Clondeboy Lodge Hotel, Bangor & Online

Dear Adrian

The 2021 Local Government Conference will be held on Wednesday 24th November 2021 in the Clondeboy Lodge Hotel, Bangor.

The theme for the conference is **“Councils Make It Happen”**. Conference will focus on the economic, social, health and related recovery together with the vital role of local government in partnership with the Executive in strengthening our communities, enabled by a transformative Programme for Government.

NILGA and SOLACE, working in partnership with sponsors and councils, welcome the attendance, physical and virtual, of councillors and officers from the 11 councils at this, the main learning, networking, and recognition event of the council calendar year.

To support this, we are offering competitively priced tickets to support councillor and officer attendance from across each council area.

PLACES CHARGED AT THE FOLLOWING RATES
CONFERENCE - PHYSICAL DELEGATE* - £99 (+VAT)
CONFERENCE - VIRTUAL DELEGATE - £35 (+VAT)
(Please see attached booking form)

Should you have any queries please do not hesitate to contact us at events@nilga.org. We are looking forward to a great event!

Yours sincerely,



Derek McCallan, CEO, NILGA



Stephen Reid, Chair, SOLACE NI

Enc. NILGA conference booking form (conference agenda to follow).

** At this stage we are offering up to six physical delegate places to each council*

Approval - Conferences

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Dfc/QUB Practitioner Placemaking Academy	15/10/21 – 1 morning per month for 6 months + 2 field trips	1	QUB, Belfast + 2 x Field Trips to Dublin & Kilkenny	Travel & Subsistence only
NI Law Society Conveyancing Conference	19/10/21	1	Webinar	£100 + vat

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 23 September 2021
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	E Forde, Member Support Officer

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

1.0	Purpose of Report				
1.1	To consider approval of request(s) for civic recognition from members, in line with council's current <i>Civic Honour and Receptions Policy</i> .				
1.2	In the context of the Coronavirus outbreak in March 2020, the Council has been transacting essential business only from this period. Reports on civic recognition have not been considered over this period however given the relaxing of certain restrictions by the NI Executive it is hoped to reconvene civic recognition receptions where it is possible to do so in line with current guidance.				
2.0	Background				
2.1	All requests for recognition are to be submitted with Democratic Services using the pro-forma, <i>Request for Civic Recognition: Civic Honour & Civic Reception</i> . Requests for recognition are reviewed against the categories and associated criteria contained within the policy as detailed at 2.2.				
2.2	<u>Recognition</u> <ul style="list-style-type: none">Civic Honour: recognition will be permissible when the following has been achieved at an All-Ireland, European, International, or National level:<table><tr><td>Have won first place at a competition in their relevant field at the highest level of competition</td></tr><tr><td>Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition</td></tr></table>Civic Reception: will be permissible for individual, groups or organisations when:<table><tr><td>Representing their country at International, European, All-Ireland or National level at the highest level</td></tr><tr><td>Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition</td></tr></table>	Have won first place at a competition in their relevant field at the highest level of competition	Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition	Representing their country at International, European, All-Ireland or National level at the highest level	Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition
Have won first place at a competition in their relevant field at the highest level of competition					
Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition					
Representing their country at International, European, All-Ireland or National level at the highest level					
Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition					

	Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition	
2.3	<u>Processing the Request</u> <ul style="list-style-type: none"> Reviewed against the policy/criteria Reviewed to identify if recognition provided for similar achievement within 3 years prior to this Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception Requests not meeting criteria will be recommended to receive letter from Council Chair 	
2.4	Appendix A details those requests received for recommendation to and approval by council. The request have been categorised in line with the revised policy.	
3.0	Main Report	
3.1	Implementation of the policy allows the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members. Recognition requests received from Members have been categorised, details of which are set out within appendix A to this report.	
3.2	In April 2020 it was resolved that due to COVID a letter together with an award would be posted to Civic Reception and Civic Honour recipients. Due to lifting of restrictions around COVID it is the intention going forward to cease this process and resume hosting receptions where current guidance permits.	
4.0	Other Considerations	
4.1	Financial, Human Resources & Risk Implications	
	Financial: not applicable	
	Human: not applicable	
	Risk Management: not applicable	
4.2	Screening & Impact Assessments	
	Equality & Good Relations Implications: not applicable	
	Rural Needs Implications: not applicable	
5.0	Recommendation(s)	
5.1	Members give consideration to approving civic recognition requests as presented and be dealt with as appropriate.	
6.0	Documents Attached & References	
	Appendix A: Civic Recognitions Recommended for Approval	

Appendix A: September 2021 Requests for Civic Recognition Submitted: For Approval

Category: Civic Honour

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Tyrone County Senior GAA Team	All Ireland 2021 Champions Ulster GAA Champions 2021	Cllr Monteith & Cllr Kerr	<ul style="list-style-type: none"> Have won first place at a competition in the relevant field at the highest level 	For: Ulster GAA Champions Date: 2017

Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Helen Shivers	NI Business person of the Year All Ireland Business Foundations	Cllr S McPeake	<ul style="list-style-type: none"> Outstanding achievement award at the highest level 	For: N/A Date: N/A
Tyrone County Minor GAA Team	Ulster Minor Championships	Cllr Monteith & Cllr Kerr	<ul style="list-style-type: none"> Won first place at a competition at provincial level 	For: Ulster GAA Minor Champions Date: 2017
Tyrone Camogie Minors	All Ireland Minor C Tesco Championship	Cllr Kerr	<ul style="list-style-type: none"> Won first place at a competition at provincial level 	For: N/A Date: N/A
Burger Burger	Ulster Champion in National Burger Day	Cllr Kerr Cllr Doris	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A
Matthew Downey	2020 Electric Ireland GAA Minor Football Team of the year Player of the Year	Cllr S McPeake	<ul style="list-style-type: none"> Attained an outstanding achievement at a 	For: N/A Date: N/A

			Northern Ireland or provincial level	
Lee Brady	2020 Electric Ireland GAA Minor Football Team of the year	Cllr Milne	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A
Eoin McEvoy	2020 Electric Ireland GAA Minor Football Team of the year	Cllr Totten	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A
Ruairi McHugh	2021 Electric Ireland GAA Minor Football Team of the year	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A
Callan Kelly	2021 Electric Ireland GAA Minor Football Team of the year	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A
Cormac Devlin	2021 Electric Ireland GAA Minor Football Team of the year	Cllrs N McAleer Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A

Shea O'Hare	2021 Electric Ireland GAA Minor Football Team of the year	Cllrs N McAleer, Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A
Ronan Cassidy	2021 Electric Ireland GAA Minor Football Team of the year	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A
Anna Byrne	Miss Northern Ireland Costume Design Competition	Cllr Mallaghan	<ul style="list-style-type: none"> Attained an outstanding achievement at a Northern Ireland or provincial level 	For: N/A Date: N/A
Lewis Henry	ICTSC National Skeet Home Countries International Tournament	Cllr Black	<ul style="list-style-type: none"> Won first place at a competition at provincial level 	For: N/A Date: N/A
Padraig Hampsey	RTE Sunday Game 2021 Team of the Year Player	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement 	Received a letter for attaining County Team Captain Date: July 2021
Niall Morgan	RTE Sunday Game 2021 Team of the Year Player	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement 	For: N/A Date: N/A

Kieran McGeary	RTE Sunday Game 2021 Team of the Year Player	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement 	For: N/A Date: N/A
Conn Kilpatrick	RTE Sunday Game 2021 Team of the Year Player	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement 	For: N/A Date: N/A
Peter Harte	RTE Sunday Game 2021 Team of the Year Player	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement 	For: N/A Date: N/A
Darren McCurry	RTE Sunday Game 2021 Team of the Year Player	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Attained an outstanding achievement 	For: N/A Date: N/A
Rebecca Edwards	Team GB Rowing Team in the Tokyo Olympics	Cllr Graham	<ul style="list-style-type: none"> Representing NI at International level 	For: N/A Date: N/A

Other: Letter from Council Chair

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

Proposed Recipient	Achievement	Submitted by
Ellie McMenemy	Councillors Wilson & Buchanan	Cllrs Wilson & Buchanan Received an award June 2019

Notre Dame LGFC	North America Junior B Champions 2021	Cllr Kerr
Bernadette Quinn	Irish Clay Target Shooting Association Perfect 100/300 DTL Competition (first lady to shoot 100/300 in the competition)	Cllr Doris
Paudie Hempsey	Appointed captain of County Tyrone Senior Team securing the Ulster Championship	Cllr Kerr
Michael McKernan	Player in County Tyrone Senior Team securing the Ulster Championship	Cllr Kerr
Pól McKeown	Cycled in the Donegal Ultra to raise money for local cancer charity and Men's Shed	Cllr Doris
Moy Tír na nÓg GFC	County Tyrone Under 19 football Grade 2 League champions 2021	Councillor Monteith
Edendork St Malachy's	County Tyrone Under 15 Camogie Féile Champions 2021	Councillors Monteith & Kerr

Tyrone Ladies Under 14	Ulster Ladies Gaelic Under 14 Gold Champions	Cllrs Monteith & Kerr Received Civic Award October 2019 for GAA All Ireland Gold Championship
Stewartstown Harp GFC	Tyrone Ladies GFA Minor Grade 4 League & Championship Winners	Cllr Kerr

Report on	Correspondence to Council - September 2021
Date of Meeting	Thurs 23 rd September 2021
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	P Moffett, Head of Democratic Services

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

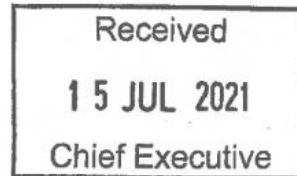
1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Derry City & Strabane District Council</p> <p>The Chief Executive of Derry City & Strabane District Council has corresponded with the Chief Executive to give notification that it has carried motion on the Rights of Nature. The council received notification at its July meeting that Fermanagh & Omagh Council carried a similar motion on the matter. Refer to Appendix A.</p>
3.2	<p>Correspondence from Department for the Economy</p> <p>The Council Chairperson has received correspondence from the Minister for the Economy in response to the Council's request that the £14m clawback due from BT in 2023 and 2024 is redirected into broadband provision into rural areas with poorest broadband speeds. Refer to Appendix B.</p>
3.3.	<p>Correspondence from Department for Infrastructure</p> <p>The Council Chairperson has received correspondence from the Minister for Infrastructure in response to rural roads and maintenance contract issues across the Mid Ulster district. Refer to appendix C.</p>
3.4	<p>Correspondence from Department for Health</p> <p>The Council has received a response to the correspondence from the Council Chair from the Minister for Health regarding the Council support for the Newry, Mourne & Down DC motion requesting consideration be given to the extension of free dental care for mothers beyond the initial 12-month period during the COVID period. Refer to appendix D.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	Appendix A: Derry City & Strabane District Council Appendix B Department of the Economy Appendix C: Department for Infrastructure Appendix D: Department for Health

Our Ref: TJ/344/21

8 July 2021

Mr Adrian McCreesh
Chief Executive
Mid Ulster District Council
Dungannon Office
Circular Road
Dungannon
BT71 6DT



Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSratha Báin
Derry Cille & Strabane
Destrict Council

Dear Mr McCreesh

At a Meeting of Derry City and Strabane District Council held on 24 June 2021, the following Motion was passed:

That Council notes the legal and social movement globally for the 'Rights of Nature' aimed to strengthen protections for people, place and planet.

Council recognises that 'Rights of Nature' can help catalyse an innovative rethinking about how to create regenerative, not extra-activist economies while also making human and other living communities safer, stronger and more resilient.

Council commends the excellent work already being done by Council officers on the climate emergency and biodiversity crisis but recognises the need for a rights based approach to nature.

Council will, over the next 6 months, collaborate with civic society (including The Gathering, Friends of the Earth Northern Ireland and trade unions) to explore what rights of nature mean for the people and economies of the region and to investigate how Rights of Nature could be expressed in community plans, corporate plans, improvement objectives and other strategic frameworks. In particular, the Council will in the next 6 months hold two community workshops and work with the local community and stakeholders including DAERA, NFU, UFU, IFA and any local farming groups to draw up a Declaration for the Rights of Nature for the Council area to be brought back before Council for adoption.

Derry

C/o Council Offices
98 Strand Road
Derry
BT48 7NN

Strabane

C/o Council Offices
47 Derry Road
Strabane
BT82 8DY

John Kelpie MEng., CEng., MStructE., MIEI

Chief Executive
Derry City and Strabane District Council

+44 (0) 2871 253 253
chiefexecutive@derrystrabane.com
www.derrystrabane.com

f Derry City & Strabane District Council
@dcsdcouncil

Council asks for a report to come to Council on embedding 'Rights of Nature' as a keystone concept into Council's operational practices, planning processes and long term decision making.

Council notes our position as a border region and our mutual environmental obligations under the Espoo Convention and so invites Donegal County Council, in addition to all Councils in the North to also explore 'Rights of Nature' for their Council areas.

I would appreciate your consideration in this important matter would be grateful for a response in relation thereto.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John Kelpie', with a large, stylized initial 'J'.

**John Kelpie
Chief Executive**

From the Office of the Minister
Gordon Lyons MLA



Councillor Paul McLean
Chairperson
Mid-Ulster District Council
E-mail: Eileen.Forde@midulstercouncil.org

Netherleigh
Massey Avenue
Belfast BT4 2JP
02890 529250
email: private.office@economy-ni.gov.uk

Our Ref: CORR-1079-2021

10 August 2021

Dear Paul,

Broadband Investment

Thank you for your letter of 30 July 2021, in which the Council have requested that the £14m clawback due from British Telecom due in 2023 and 2024, should be redirected into broadband provision into rural areas with poorest broadband speeds.

The Department for the Economy (DfE) fully appreciates the impact of poor broadband on local communities, particularly in rural areas of Northern Ireland, and recognises that the Covid-19 crisis has emphasised the greater challenges faced by those with poor broadband coverage.

The terms of the contracts for the Northern Ireland Broadband Improvement Project (NIBIP) and the Superfast Rollout Project (SRP) include clawback provisions to enable the Government funders of these projects to share in excess revenues, as a result of greater than expected take-up of broadband services during the life of the contracts. The projects were jointly funded by my Department and the Department for Digital, Culture, Media and Sport (DCMS).

The NIBIP contract ends on 31 March 2023, and the SRP contract ends on 31 December 2024. Clawback accumulates until the end of the contracts, at which point it will be paid by the supplier to the Department.

It is currently estimated that total clawback that will accrue to Government over the life of the two contracts might total £14 million. This final amount will not be confirmed until the contracts have ended.

Northern Ireland, along with the rest of the UK's contracting authorities, received an amount of clawback early (£1.7Million), and used it for additional broadband delivery under the Superfast Rollout Project (SRP). This clawback was paid in advance of being due contractually, as part of a UK wide agreement between DCMS and Openreach. It has been deducted from the clawback accumulating under NIBIP.

The money will be shared between DfE and DCMS in proportion to each Department's original funding provided for the projects. Clawback funds are not ring-fenced for future

telecoms projects, and it will be for the NI Executive to decide how Northern Ireland's share of clawback funds are used.

My Department is currently rolling out Project Stratum, and working with DCMS on the UK's Project Gigabit to identify future broadband needs. The need to make a case to the Executive for access to this funding will be considered in due course.

My Department will ensure that all clawback funds are paid in line with the supplier's obligations under the contracts.

Yours sincerely,



GORDON LYONS MLA
Minister for the Economy

**From the office of the Minister for Infrastructure
Nichola Mallon MLA**

Councillor Paul McLean

Eileen.Forde@midulstercouncil.org

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0540
Email: Private.office@infrastructure-ni.gov.uk

Your reference: XXXX
Our reference: INV-0281-2021
2 August 2021

Dear Councillor McLean,

RURAL ROADS

Thank you for your letter of 30 June 2021 requesting a meeting to discuss the condition of rural roads in the Mid Ulster district and the impact of the current absence of an asphalt resurfacing contractor in the area.

I am aware that my officials met with the Council on 22 July 2021 to deliver the annual spring council report. At that meeting they provided an update on the current situation with respect to the contracts, and the efforts that are being made to mitigate the difficulties with the asphalt term contracts in particular. Work is also ongoing to procure one-off contracts to resurface longer sections of carriageway in the Mid Ulster area. At this stage it is envisaged that two major schemes will be delivered in the Council area over the coming 12 months. The first will be on the A29 Dual Carriageway between Cookstown and Moneymore. The second scheme will be on the B34 between Ballygawley and Dungannon. The combined cost of these schemes is anticipated to be in the region of £2.3m.

The Small Scale Responsive Works contract is still in place in Mid Ulster, and this is the main vehicle by which works on rural roads are delivered. Increased funding has been secured to resurface approximately 170 sites as part of the Road Recovery programme. The majority of these sites will be rural in nature and this work is always well received by local communities. This represents a 27% increase over that delivered during the 2020/21 financial year.

In addition budgets have been amended to deliver a comprehensive Surface Dressing programme on rural roads within the Mid Ulster area. In total over 830,000m² of surface dressing has been delivered which represents a 31% increase on the 2020 surface dressing programme. Surface dressing is a preventative treatment used on roads in a reasonable condition, to protect and prolong their life. These works will seal and waterproof the road and provide improved skid resistance.

The Section offices also plan to deliver a number of footway resurfacing schemes to encourage the use of sustainable modes of transport within the Mid Ulster area

I hope that the details above and the information provided at the meeting with my officials on the 22 July is helpful in setting out the situation.

However, if you wish to discuss the matter further with the Divisional Roads Manager, David McKinley is happy to meet with your council members and officials at any time. David can be contacted at david.mckiney@infrastructure-ni.gov.uk or by telephone at 028 82254169.

A handwritten signature in black ink, appearing to read 'N. Mallon'.

NICHOLA MALLON MLA
Minister for Infrastructure

FROM THE MINISTER OF HEALTH

Department of
Health

An Roinn Sláinte

Mánnystrie O Poustie

www.health-ni.gov.uk

Councillor Cathal Mallaghan
Chair
Mid Ulster District Council

info@midulstercouncil.org

Castle Buildings
Stormont Estate
BELFAST, BT4 3SQ
Tel: 028 9052 2556
Email: private_office@health-ni.gov.uk

Your Ref: C 105/21

Our Ref: CORR-1980-2021

Date: 6th September 2021

Dear

Cathal,

Thank you for your letter of 4 June 2021 in relation to an extension to the 12 month free dental care period for mothers. Please accept my apologies for the delay in providing this response.

Exemptions to dental charges are outlined in the Dental Charges Regulations (Northern Ireland) 1989 (as amended) and the Travelling Expenses and Remission of Charge Regulations (Northern Ireland) 2004 (as amended). The exemption status of a patient is determined at the time that the Health Service Dental Claim form is signed for acceptance of treatment. The exemption status remains for the course of treatment even if the individual's qualification for the exemption changes.

Whilst no changes to the legislation are currently planned, this issue will be considered further as part of the wider general dentistry rebuilding plans.

I trust you find this response helpful.

Yours sincerely

Robin Swann

Robin Swann MLA
Minister of Health



Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	23 rd September 2021
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Ann McAleer, Corporate Policy and Equality Officer

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

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

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Health	Cancer Strategy for Northern Ireland 2021-2031	<p>Draft Strategy sets out 67 recommendations over 4 themes to take forward significant strategic change over the next decade. These are:</p> <ul style="list-style-type: none"> • Preventing Cancer • Diagnosing and Treating Cancer • Supporting People • Implementing the Strategy <p>Zoom consultation dates will take place as follows:</p> <ul style="list-style-type: none"> • Tuesday 5 October 2021 - 2-3.30pm • Thursday 7 October 2021 - 11am - 12.30pm • Tuesday 12 October 2021 - 7 - 8.30pm 	20 th Oct 2021	
	Link to Consultation	https://www.health-ni.gov.uk/consultations/consultation-cancer-strategy-northern-ireland-2021-2031		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Yes	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Health and Social Care Board	Pharmaceutical Needs Assessment (PNA) model	The aim of the consultation is to seek views on the factors that have been identified and how these	30 th Nov 2021	

		have been constructed within the model.		
	Link to Consultation	https://consultations.nidirect.gov.uk/hsc-new-models-of-prescribing/consultation-on-the-pharmacy-needs-assessment-ques/		
	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
Northern Health and Social Care Trust (NHSCT)	How We Propose to Purchase Domiciliary Care Provided by Non-statutory Providers	Consultation sets out some proposals for a new way of purchasing domiciliary care services from non-statutory providers.	29 Nov 2021	
	Link to Consultation	https://www.northerntrust.hscni.net/about-the-trust/involving-you/consultations/		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Health	Laboratory Validation of COVID-19 tests	This consultation contains proposals to introduce further scrutiny of COVID-19 tests on the UK market through mandatory laboratory validation	30 Sept 2021	
	Link to Consultation	https://www.gov.uk/government/consultations/validation-of-covid-19-tests-laboratory-validation		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Yes	

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Dept for Agriculture, Environment & Rural Affairs (Marine Strategy Team)	Public consultation on the Updated UK Marine Strategy Programme of Measures	The Programme of Measures sets out suite of existing and planned actions that the UK intends to use over the next 6 years to achieve or maintain Environmental Status for UK seas.	29 Nov 2021	
	Link to Consultation	UK Marine Strategy Part Three: Programme of Measures - Defra - Citizen Space		
	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	