



29 October 2020

Dear Councillor

You are invited to attend a meeting of the Council to be held in The Chamber, Dungannon and by virtual means Council Offices, Circular Road, Dungannon, BT71 6DT on Thursday, 22 October 2020 at 19:00 to transact the business noted below.

In accordance with the spirit of the recent COVID restriction, Members are strongly encouraged to join virtually as the preferred option. Should you need to attend in person then provision will be made at the Council Offices, Dungannon. Please notify Democratic Services in advance if this is the case.

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

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business
4. Deputatuion - Department for Infrastructure (Roads)

Matters for Decision

- | | | |
|-----|---|-----------|
| 5. | Council minutes of meeting held on 24 September 2020 | 65 - 86 |
| 6. | Development Committee (Special) minutes of meeting held on 1 October 2020 | 87 - 96 |
| 7. | Planning Committee minutes of meeting held on 6 October 2020 | 97 - 134 |
| 8. | Policy and Resources Committee minutes of meeting held on 8 October 2020 | 135 - 148 |
| 9. | Environment Committee minutes of meeting held on 13 October 2020 | 149 - 166 |
| 10. | Development Committee minutes of meeting held on 15 October 2020 | 167 - 194 |
| 11. | Conferences, Training and Seminars | 195 - 198 |

12.	Civic Recognition Nominations	199 - 206
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Matters for Information

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14	Consultations	215 - 220
15	COVID and Service Delivery	221 - 230

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

Matters for Decision

16. Council Confidential minutes of meeting held on 24 September 2020
17. Planning Committee Confidential minutes of meeting held on 6 October 2020
18. Policy and Resources Committee Confidential minutes of meeting held on 8 October 2020
19. Environment Committee Confidential minutes of meeting held on 13 October 2020
20. Development Committee Confidential minutes of meeting held on 15 October 2020
21. Confirmation of Banking Services Mandate
22. Document for Sealing: Village Extension Programme - Roundlake, Fivemiletown, - Bell Contracts & Co Ltd
23. Document for Sealing: Village Extension Programme - Maghera Leisure Centre - E Quinn Civils
24. Document for Sealing: Rural Development Programme - Davagh, Washingbay & Portglenone - E Quinn Civils

Matters for Information

25. COVID Regulations - Regulatory Controls



Department for

Infrastructure

An Roinn

Bonneagair

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DfI ROADS WESTERN DIVISION

Report to

MID ULSTER DISTRICT COUNCIL

Spring 2020

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Foreword

I have pleasure in submitting the 2020-2021 Annual Report on the work of DfI Roads across the Mid Ulster Council Area.

This report deals with works completed across the Council area during the year 2019-2020 and sets out our initial proposals for schemes to be undertaken in the year 2020-2021. The opportunity is also taken to provide an update on the strategic roads schemes that are being taken forward and which will benefit the Mid Ulster District Council (MUDC) area.

This has been an unprecedented year caused by the impact of the Covid-19 pandemic. However I am pleased to advise that our contractors have been working hard again since May, to complete the schemes that were stopped as a result of the restrictions and we are now implementing our 20/21 works programme.

Since 2013 the Department for Infrastructure's baseline Resource budget has been insufficient to meet its needs and we have relied on in year funding to deliver core services including public transport and winter gritting. This continues to be the case for 2020-21. In Capital terms, the 2020-21 is similar to last year with almost 70% of this budget taken up with committed or priority projects, leaving insufficient budget to meet the Department's responsibilities as custodian of some £40 billion of public assets which includes the Water and Sewerage network as well as the Roads and Public Transport systems.

In the current year we are pleased to welcome a similar level of initial funding for Structural Maintenance when compared to last year with £75m allocated of which £10m has been set aside for a 'rural roads fund'. While this level of investment is welcome it still falls far short of the £143 million required annually to maintain the road network in a reasonable condition.

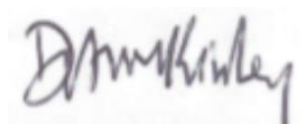
On the capital side funding has allowed construction on a number of important major schemes along the A6 to progress while consultants are currently reviewing, updating and taking forward development work on the A29 Cookstown Bypass. On the A5 dual carriageway public inquiry has been concluded and the Department has just received the Inspector's Report and is considering its recommendations.

Capital funding also influences our Structural Maintenance and Local Transport and Safety Measures programmes which in any year are based on available budgets. In 20/21 additional funding is being made available for walking and cycling and safer routes to schools and this will allow the introduction of part time 20mph speed limits at 8 schools in the Mid Ulster Area.

The opening allocation for routine maintenance (Resource funding) is also similar to that for 2020-2021 and I am pleased to report that the Minister has allocated sufficient funding to allow a full street lighting repair service for the entire year. While the operation of a limited service continues the funding that is available allows the

Department to repair defects greater than 50mm on all roads including low trafficked rural roads and undertake two cuts of grass on roadside verges between April and October.

Our Request/Enquiry forms can be used to raise local issues with the Department, or deal with matters that are not directly related to my report. I would encourage Councillors to avail of the online fault reporting system on NI Direct. My operational staff are of course also available to assist with queries. I hope that you find this report informative. The Department values constructive comment on all its activities and I, along with Section Engineers Neil Bratton and Gerry Hackett, look forward to meeting the Council.

A handwritten signature in purple ink, appearing to read 'D. McKinley', is positioned above the printed name.

David McKinley
Divisional Roads Manager (Acting)

Western Division

Western Division is one of four Client Divisions within DfI Roads. It spans the local Council areas of Mid-Ulster, Derry City & Strabane and Fermanagh & Omagh.



In Western Division we are responsible for approximately 9,712 km of public road together with 2,816 bridges, and 64,147 street lights, 124 controlled crossings (Pelican/Puffin/Toucan & Zebra type), 117 traffic signalised junctions. We carry out functions under the headings:-

- Strategic Road Improvements – Road Improvement Schemes greater than £1.5 million on the strategic road network
- Network Maintenance – Maintenance of Roads and Structures
- Network Development - Street Lighting and Road Improvement Schemes up to £1.5 million
- Network Planning - Development Control, Private Streets and Area Plans

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Western Division - Senior Management Team



David McKinley

Divisional Roads Manager (Acting)

The Senior Management Team and their areas of responsibility are listed below. Day to day matters should be raised in the first instance with the relevant Senior Engineers whose details are listed at the start of each section.



Alan McMurray

Network Maintenance Manager

Road maintenance operations, structural maintenance planning and programming, inspections, road maintenance standards, utility street works, winter service



Seamus Keenan

Strategic Road Improvement Manager

Major works schemes.



Harry Gallagher

Network Development Manager

Traffic Management, Street Lighting, Local Transport and Safety Measures schemes



Darren Campbell

Network Planning Manager

Development Control, Private Streets, Area Plans

1.0 STRATEGIC ROAD IMPROVEMENTS

Strategic Roads Improvement Manager - A5WTC: Seamus Keenan

He is supported by:

1.1 A5 Western Transport Corridor (A5WTC)



Manny Gault

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1.2 A29 Cookstown Bypass



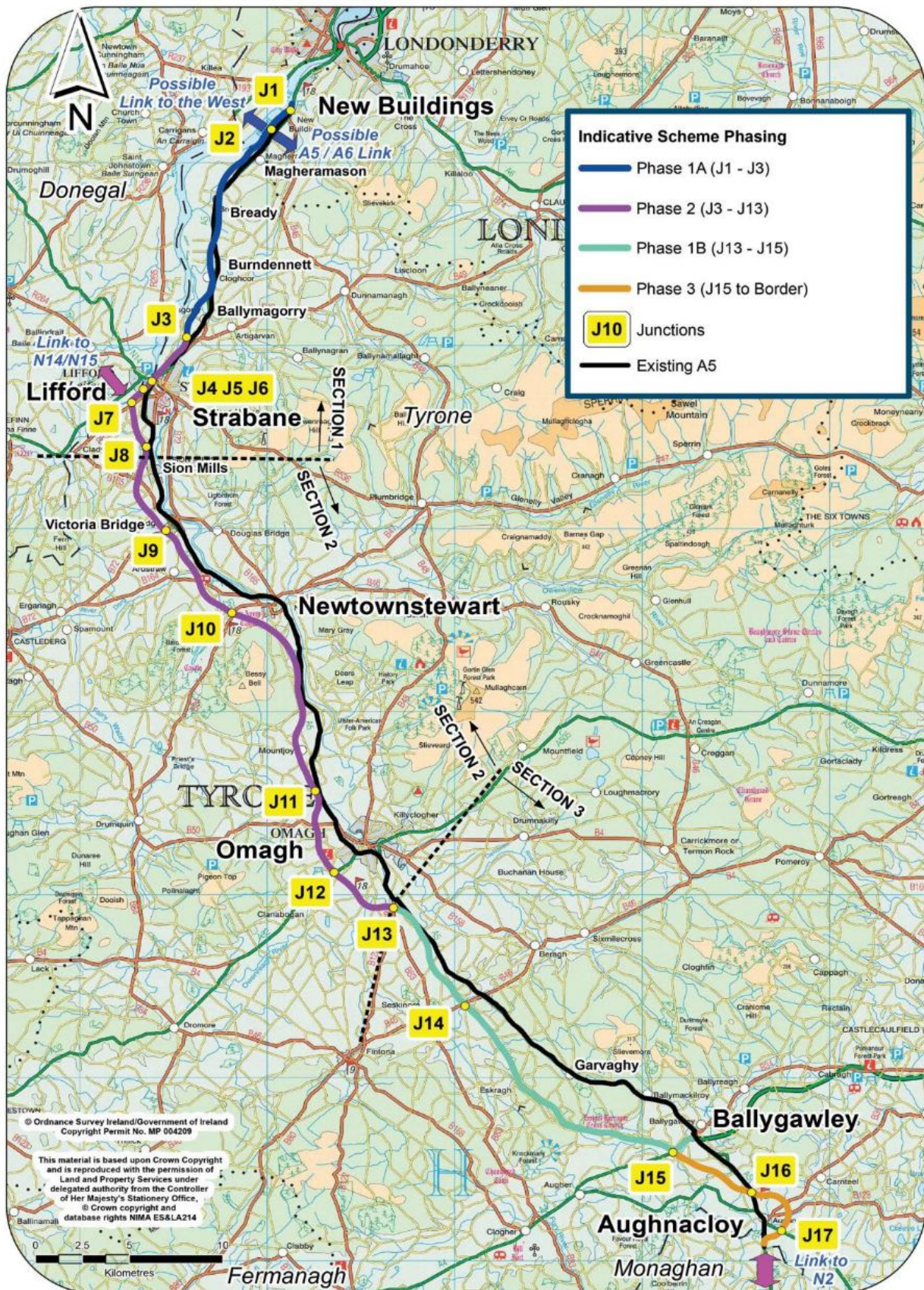
Gordon Noble

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1.1 A5 Western Transport Corridor (A5WTC)



The delivery of the A5WTC dual carriageway scheme, which would provide 85 kilometres of new dual carriageway between New Buildings and the border south of Aughnacloy, is a commitment of all five parties in the Northern Ireland Executive and the British and Irish Governments and is specifically referenced in the *New Deal: New Approach document*, published on 9 January 2020.

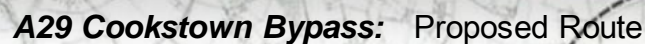
The scheme is currently split into 4 phases as follows (see above map):

- Phase 1A: New Buildings to North of Strabane;
- Phase 1B: South of Omagh to Ballygawley;
- Phase 2: North of Strabane to South of Omagh; and
- Phase 3: Ballygawley to the border at Aughnacloy.

Following a public consultation on an addendum to the Environmental Statement (ESA) and Habitat Regulations reports for the scheme during 2019, a Public Inquiry, administered by the Planning Appeals Commission (PAC), was held over 7 days, concluding on 13 March 2020.

On 2 September 2020 the Department received an Interim Report from the Inspector. The Project Team is considering the issues raised and recommendations made in this Report and taking legal advice. A submission will then be made to the Minister for her consideration, after which she will be in a position to consider the next steps for the scheme and the timing of the publication of the Inspector's Report.

The Preferred Route for the A29 Cookstown Bypass was announced in June 2010. The proposal involves the construction of over 4 kilometres of new wide-single carriageway, extending from the Dungannon Road Roundabout, south of Cookstown to meet the Moneymore Road to the north at a proposed new roundabout. The upgrading of approximately 0.5 kilometres of the C622 Sandholes Link Road is also included in the proposal.



Work is currently on, and undertake new have been completed ongoing.

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Delivery of the project thereafter will be dependent on successful completion of the statutory processes, environmental assessments and the availability of funding for construction.

1.3 A6 Randalstown to Castledawson

(Managed by Northern Division)

This scheme consists of 15 kilometres of high standard dual carriageway from the end of the M22 at Randalstown via the Toome Bypass to the Castledawson Roundabout. Completion of the scheme will improve journey times and road safety on this key transport corridor.

Following advance works, full construction commenced in June 2017, and good progress has been made in the last 38 months.

The new dual carriageway built offline from the M22 at Randalstown to Toome opened to traffic in August 2019 and was officially opened by the Department for Infrastructure's Permanent Secretary Katrina Godfrey on 12 September 2019.

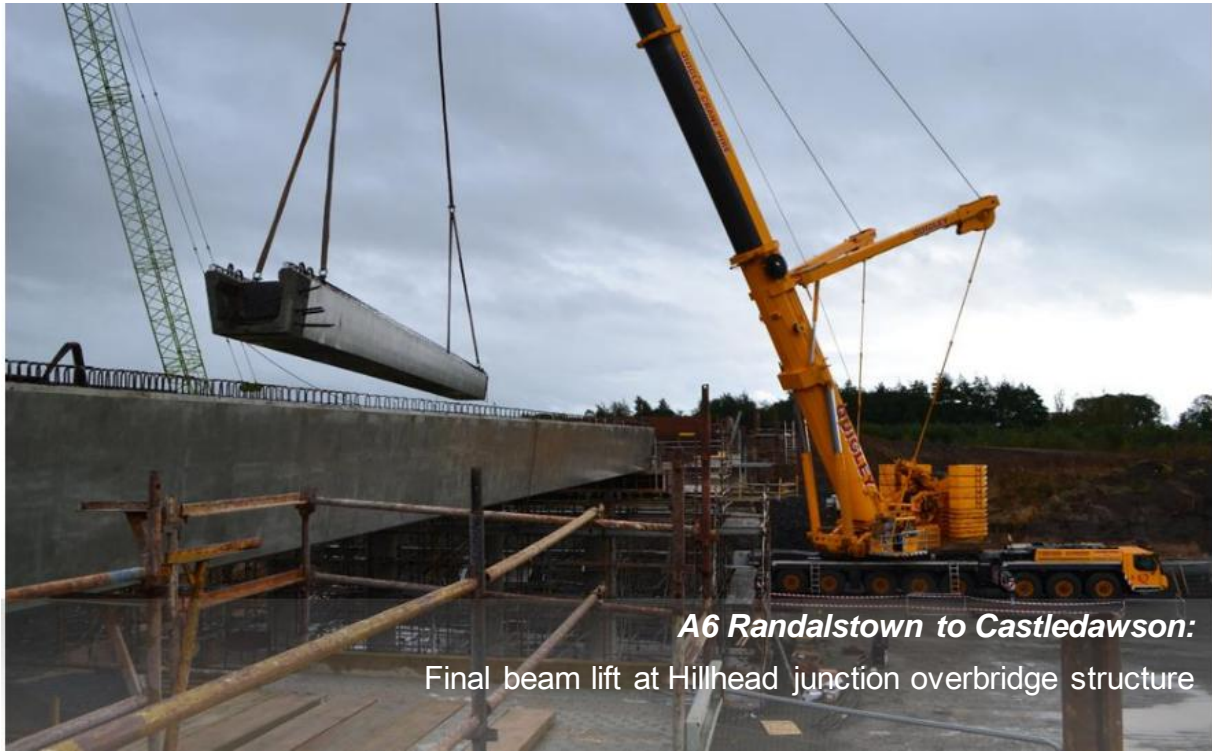
The completion of the first section is a significant milestone for the scheme and welcome news for the road users in the 22,000 vehicles using the route daily who are already benefitting from safer, quicker and more reliable journeys.

Between Castledawson Roundabout and Broagh Road, traffic is running on the new dual carriageway on one lane in each direction, with the pedestrian/cycleway overbridges at Castledawson Roundabout and the Bellshill junction operational.

Construction works on the stretch from Broagh Road, through Hillhead Road junction and Deerpark Road junction to the Toome Bypass are well advanced, with the Hillhead Road now diverted over the dual carriageway and work is ongoing at Deerpark to achieve the same. Construction works recommenced on the 18 March 2020 within the sensitive swan area between Deerpark Road and the Toome Bypass.

Coronavirus has had an impact on progress which is likely to delay completion from early 2021 to mid-2021.

The scheme represents an investment of £185 million.



A6 Randalstown to Castledawson:
Final beam lift at Hillhead junction overbridge structure

2.0 NETWORK MAINTENANCE

Network Maintenance Manager: Alan McMurray

He is supported by:



Gerry Hackett

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EXPLANATION OF MAINTENANCE OPERATIONS

Resurfacing and Strengthening

Roads generally fail by cracking and rutting. They usually do not fail suddenly, but gradually deteriorate due to the impact of traffic, age and weathering. Wear normally appears as either excessive permanent deformation of the whole or part of the carriageway structure, or is associated with the cracking of the bituminous layers.

Road pavements are normally designed for an operational life of 20 years. During this period and beyond, there is a need for the highway authority to intervene at times to either treat or replace the top course of bituminous material known as the "surface course" or to provide additional depth to preserve the structure of the pavement and extend its life.

Resurfacing is the application of a layer of this mixed material of 40mm (1.5") minimum thickness. It strengthens the road, seals it against the ingress of water, and improves skidding resistance and riding quality. The thicker the layer, the more strength imparted.

Surface course bitmac has an expected life of 7-12 years (which can be extended by subsequent surface dressing) whereas asphalt has an expected life of 15-20 years but costs more.

Resurfacing of existing roads can usually be carried out on top of the existing surface (overlay) but where kerb levels or bridge heights are restricted the existing surface may need to be removed by planing.

Surface Dressing

This process involves spraying a bitumen emulsion binder onto the existing road surface, followed by a layer of stone chippings, which is then rolled. It has three main purposes:-

- to improve skidding resistance of the surface
- to seal the road surface against ingress of water
- to prevent deterioration.

DEALING WITH CORRESPONDENCE/PUBLIC INTERFACE

As you will be aware following a restructuring exercise the Department has adopted a new approach in relation to dealing with some queries that come our way. It is perhaps worth refreshing on this process and the background to it.

DfI lost a significant number of staff through the Voluntary Exit Scheme which was implemented across the whole of the Northern Ireland Civil Service. As a result of this Divisions had to develop new staffing structures across all work areas to try to maintain an acceptable level of service.

One area of significant workload is dealing with correspondence. The Department, and in particular DfI Roads, receives a large volume of correspondence from the public and public representatives throughout the year. Indeed, the level of correspondence has been increasing in recent years at a time when staff resources have been reducing.

In a large number of cases the correspondence relates to reports of individual defects on the road, such as potholes, blocked gullies, defective street lights etc. In order to improve efficiency the Department now deals with correspondence which is only reporting routine defects differently from other general correspondence. Therefore if a member of the public, or public representative, writes to the Department by letter or e-mail, reporting a routine defect then our staff will simply log this information onto our work systems and an automated response detailing the query reference number will issue to the correspondent. Technical staff will then deal with the query received in accordance with our maintenance standards.

If the initial letter relates to a more general roads issue rather than simply reporting a defect, a substantive reply will issue in the normal way.

In order to reduce the volume of general correspondence reporting routine defects, we are encouraging the reporting of defects through our on-line "Report a Fault" section on our website. Alternatively a phone call can be made to one of our telephone operatives who will record the details directly onto the "Report a Fault" system. You can report a fault on-line at <https://www.nidirect.gov.uk/> or by telephone to 02890 540540.

It is noted that the vast majority of dealings with the public are by phone or email and the number of visitors to our offices has reduced considerably as communication methods have improved. Therefore it has also been decided that the Section Offices will have reduced opening to public hours of 10am - 12noon although meetings outside of this can be arranged by appointment.

2.1 STRUCTURAL MAINTENANCE COMPLETED WORKS 2019-2020

Resurfacing

24.48 kms of road have been resurfaced in the financial year 2019-2020 at a cost of £5.3 million.

Resurfacing on Trunk Road Network 2019-2020 (Mid Ulster District (North))

Road No	Road Name	Length (m)
A0029	Tobermore Road, Desertmartin	781
A0029	Desertmartin Road at Millars Farm	80

Resurfacing on the remaining road network 2019-2020 (Mid Ulster District (North))

Road No	Road Name	Length (m)
B0073	Coagh Road, Killybearn	720
U0623	Drumconvis Road, Stewartstown	1569
B0160	Ballynargan Road, Coagh	2320
U5009	Greenvale Drive, Magherafelt	510
A0042	Moyagall Road, Gulladuff	755
C0559	Mullaghboy Road, Gulladuff	200
U0711	Slaught Road, Cookstown	1609
U0608	Ardtree Road, Cookstown	765
U5318	Enterprise Road, Ardboe	170
U0831	Strifehill Road, Cookstown	200
C0554	Sixtowns Road, Draperstown	990
B0160	Sherrigrim Road, Stewartstown	700
B0040	Draperstown Road, Desertmartin	1600
B0041	Tobermore Road, Draperstown	256
U5382	Glenelly Villas, Draperstown	500
B0160	Ballinderry Road, Ballylifford	555
B0520	Donagherry Road, Stewartstown	390

Road No	Road Name	Length (m)
U5175	Coolshinney Road, Magherafelt Road	430
U5007	Burn Road, Cookstown	170
C5026	East Circular Road, Cookstown	75
B0160	Ballinderry Road at the Bridge Bar	125
C0618	Drumenny Road, Ballinderry	110

**Resurfacing on Trunk Road Network 2019-2020
(Mid Ulster District (South))**

Road No	Road Name	Length (m)
A4	Ballagh Road Fivemiletown	1000
A4	Colebrooke Road Fivemiletown	271
A4	Annaghilla Road Augher	220
A29	Moy Road Dungannon	193
A29	Hospital Roundabout Dungannon	160

**Resurfacing on the remaining road network 2019-2020
(Mid Ulster District (South))**

Road No	Road Name	Length (m)
A45	Oaks Road, Dungannon	493
B34	Killyman Road, Dungannon	785
B106	Trewmount Road, Dungannon	530
U7500	Beechvalley, Dungannon	275
U7506	Corrainey Gdns	70
U7523	Eastvale, Dungannon	208
B122	Murley Road, Fivemiletown	800
U7005	Queens Park, Fivemiletown	59
B34	Tamnamore Road, Dungannon	300

Road No	Road Name	Length (m)
U7007	Nelson Park, Fivemiletown	46
B128	Favour Royal Road, Aughnacloy	515
U7150	Fairgreen, Ballygawley	63
U7007	Spout Road, Fivemiletown	401
U7508	Donaghmore Road	656
B45	Dyan Road	1200
C635	Old Caulfield Road	650

In addition £1.05 million was allocated from the Roads Recovery Fund which resulted in 146 sites being treated and delivering an additional 17.5 kms of resurfacing.

Brexit Preparedness

During 2019-20 the Division received Brexit Preparedness Funding. This funding, together with Divisional baseline funds, delivered 14km of resurfacing of roads carrying cross border traffic within Mid Ulster Council area at a cost of £820,000. Resurfacing works were undertaken at the following locations:

Road No	Road Name	Length (m)
<u>U329</u>	Ravella Road, Aughnacloy	1800
C650	Knockmany Road, Augher	586
C654	Altadavan Road, Augher	258
U420	Altadavan Road, Augher	474
U421	Altadavan Road, Augher	1560
U423	Dunroe Road, Augher	2590
U423	Dunroe Road, Augher	785
B45	Annaghroe Road, Caledon	1050
U332	Favour Royal Road, Aughnacloy	700

Road No	Road Name	Length (m)
U536	Derrycourtney Road, Caledon	302
C423	Alderwood Road	498
B128	Favour Royal Road, Aughnacloy	421
B83	Knockmany Road	893
B83	Knockmany Road	1778

SURFACE DRESSING 2019-2020

During 2019-20 192 kms of road were surface dressed in the Mid Ulster area

Mid Ulster District (North)

Road No	Road Name	Length (m)
B0161	Mountjoy Road	1890
B0161	Killycolpy Road	2617
B0161	Mullanahoe Road	1298
B0161	Drumenny Road	1207
C0564	Ballymaguire Road	6196
C0618	Drumenny Road	1494
C0619	Mountjoy Road	2360
C0621	Limehill Road	3960
C0621	Keerin Road	4974
C0622	Glenarny Road	770
U0605	Grange Road	606
U0618	Blockfield Road	542
U0623	Killycolpy Road	1603
U0635	Gortnalough Road	1200
U0636	Drumhubbert Road	2608
U0637	Ballygittle Road	1775
U0639	Legmurn Road	1532

Road No	Road Name	Length (m)
U0640	Mountjoy Road	330
U0709	Kinagillan Road	1225
U0715	Ballynagilly Road	2169
U0728	Old Coagh Road	2014
U0801	Crancussy Road	3374
U0814	Slate Quarry Road	2546
U0819	Tamnaskenny Road	2288
U0822	Ballynakilly Road	1670
U0828	Drumnacross Road	1468
U2203	Tullaghboy Road	1563
U2205	Ballyforlea Road	1067
B0160	Coagh Road	562
A0029	Desertmartin Road	2627
B0018	Creagh Road	2260
B0075	Kilrea Road	4750
B0182	Gulladuff Road	4720
C0552	Five Mile Straight	2682
C0552	Glen Road	752
C0556	Longfield Road	2700
C0557	Ballynahone Road	4630
C0559	Mullaghboy Road	4886
C0559	Mullaghboy Road	800
U5023	Ampertaine Road	2142
U5028	Macknagh Lane	1546
U5164	Inniscarn Road	840
U5169	Durnascallon Lane	1106
U5195	Kilcronaghan Road	2264
U5197	Brackalislea Road	492

Road No	Road Name	Length (m)
U5199	Longfield Lane	1675
U5200	Cullion Road	2510
U5206	Cahore Road	775
U5229	Gortnaskey Road	1782

Mid Ulster District (South)

Road No	Road Name	Length (m)
A29	Moy Road	1730
A28	Derrycourtney Road	4093
C649	Cullenramer Road	3135
U509	Cullenramer Road	1282
C642	Washingbay Road	3381
C640	Reenaderry Road	2372
B34	Killyman Road	707
B128	Clonfeacle Road (2 locations)	2452
B34	Tamnamore Road	2450
U937	Moghan Road	3432
C0635	Reclain Road	2874
U1139	Old Moy Road	1840
C0646	Stiloga Road	3052
U1022	Drummurer Lane	1059
U1023	Drummurer Lane	896
U1032	Drumaspil Road	2087
C0635	Gortlenaghan Road	3883
U1403	Bolies Road (2 locations)	3985
C0423	Kell Road Spur	700
C0423	Slatmore Road	589
U0423	Fardross Road	3625
U1418	Fardross Road	736

Road No	Road Name	Length (m)
U1418	Corleaghan Road	2473
U0425	Crossowen Road Spur	764
U0430	Corbo Road	1483
U0341	Richmond Lane	1144
U0345	Tullybryan Road	1024
U0334	Lisginny Road	2151
U0337	Lisnaweary Road	833
U0501	Tulnavern Road	2678
U0316	Cravenney Road	520
C0649	Kileeshil Road	995
U0506	Tullyvannon Road	1511
U0506	Kileeshil Road	3158
U0547	Coolhill Road	657
U0522	Cadian Road (2 locations)	4478
U0530	Tullybletty Road	2527
U0541	Tannagh Lane	2176
B0035	Legilly Road	651
C649	Castletown Road	3629
U1409	Garlaw Road	2489
U0911	Camaghy Road	3159
U1407	Fintona Road Spur	833

Completed Drainage Work 2019-2020

Each year a number of drainage schemes are carried out throughout the Council Area. These vary from the replacement or upgrading of culverts and verges damaged by subsidence to the installation of gullies where flooding has been an issue. In addition a programme of routine maintenance work such as gully cleaning is undertaken.

Mid-Ulster District (North)

During the 2019-20 financial year a total of 141 projects were completed on the sections small scale programme. These schemes range from installing new gullies to repairing collapsed culverts and often involve improving drainage infrastructure. Listed below is a small selection of the projects completed.

Road No.	Road Name	New drainage, new gullies
A0029	Moneysharvin Road, Swatragh	Install new gullies and WW2000 manholes
A0505	Drum Road, Cookstown	Relocate existing drainage out of the carriageway
B0075	Kilrea Road, Kilrea	Install new drainage system
B0004	Pomeroy Road, Cookstown	Upgrade existing drainage
C0554	Sixtowns Road, Draperstown	Install new road gullies
C0552	Five Mile Straight, Moneyneany	Install new gullies
C0612	Orritor Road, Cookstown	Pipe open drain
U0731	Mackney Road, Cookstown	Repair collapsed culvert
U5205	Drumard Lane, Draperstown	New drainage system installed
U5133	Pound Road, Magherafelt	Upgrade existing drainage system
U5033	Craigmore Road, Maghera	Upgrade existing drainage system
U0720	Wellbrook Road, Cookstown	Install new drainage system

In addition 10,493 road gullies, 14,527 outlets and 12,152 metres of open drain were cleaned to assist in controlling surface water to help maintain roads in a safe and passable condition.

Mid-Ulster District (South)

Road No.	Road Name	New drainage, new gullies
U937	Terrenew Road	New Pipe & Gullies
C635	Gortlenaghan Road	New Gully
U902	Eskerhill Road	New drainage system
U914	Crosscavanagh Road	New Drainage System
U914	Dernanaught Road	New Drainage System
C636	Drumreany Road	New Pipe and gullies
U925	Garvagh Road	New Gully
B520	Lineside, Coalisland	New Pipe and gullies
U7686	The Square, Coalisland	New Pipe and gullies
U1014	Ballygittle Road	New Pipe and gullies
B106	Bovean Road	Extend Culvert
U1135	Bogbane Road	Replacement Pipe and MH
B35	Carnteel Road	Replace masonry culvert with H Class Pipe
U420	Altadaven Road	Replacement Culvert
U417	Errigal Road	New Pipe & Gullies
A04	Annaghilla Road	Repair Existing drainage
A04	Dungannon Road	New Pipes , Gullies & Manholes
A05	Omagh Road	Clean open Drain re previous work
U305	Todds Leap Road	New Pipes, Gullies & Manholes
U313	Killymorgan Road	New Pipes, Gullies & Manholes
U311	Cavey Road	New Drainage

In addition 23,752 road gullies, 5,338 outlets and 5,115 metres of open drain were cleaned to assist in controlling surface water and help maintain roads in a safe and passable condition.

Completed Footway Resurfacing 2019-2020

Mid Ulster District (North)

Last year a total of 4.08 km of footway was resurfaced, some in conjunction with resurfacing or other works.

Road No.	Road Name	Length (m)
A0029	Moneysharvin Road	330
A0029	Tobermore Road, Maghera	224
C0612	Orritor Road, Cookstown	100
U0505	Milburn Park, Cookstown	189
U5021	Castle Villas, Cookstown	167
U5382	Mallon Villas, Draperstown	254
U5026	Cahore Road	144
F5321	Grove Terrace, Maghera	288
U5175	Coolshinney Road, Magherafelt	430
U5321	Sycamore Drive, Maghera	753
U5382	Glenelly Villas, Draperstown	1200

Mid Ulster District (South)

Last year we resurfaced 2.2 km of footway, some in conjunction with resurfacing of other works.

Road No	Road Name	Length (m)
A29	Hospital Roundabout	120
U7508	Donaghmore Road	670
B34	Killyman Road	565
B106	Trewmount Road	538
C635	Old Caulfield Road	200
C646	Killyliss Road, Eglish	110
U7985	Roan Close, Eglish	43

2.2 ROUTINE MAINTENANCE COMPLETED 2019-2020

Grass Cutting.



The grass verges on all rural roads were cut twice last year with additional cutting carried out at sightlines as required. In total we cut approximately 7,500 kms of grass to ensure sightlines are preserved.

Defects

Section Office staff regularly inspect the local network for actionable defects in accordance with the Road Maintenance Guidelines. These guidelines classify the local roads according to traffic volume and establish corresponding deadlines for the repair of any defects identified.

The available figures show that during this past year 10732 priority defects were recorded with 83.76% being repaired inside the specified timescales.



Public Liability Claims Mid Ulster District 2019-2020

In 2019-2020 we received 218 new claims for compensation. This was made up of:

- 187 claims for vehicular damage
- 27 personal injury
- 4 for property damage

In the same period £105,417.64 was paid out on 145 claims, some of which covered settlements relating to previous years.

There were 109 claims rejected during this period.

2.3 WINTER SERVICE 2019-2020

The official winter maintenance period commenced on 14th October 2019 and ended on 30th March 2020. The first application of salt took place on the evening of 20th October 2019, with the final application taking place on the morning of 23rd March 2020.



Winter Service: Loading one of the gritting lorries with salt

Mid Ulster District (North)

During the winter of 2019-2020 there were 94 occasions when salt was applied to the 426.5km of roads on the gritting schedule using 4,341 tonnes of salt, in the previous year there were 55 salting actions using 2,739 tonnes of salt.

Mid Ulster District (South)

During the winter of 2019-2020 there were 92 occasions (11 of these were high ground only) when salt was applied to the 326km of roads on the gritting schedule using 3,301 tonnes of salt, in the previous year there were 47 salting actions using 1,924 tonnes of salt.

2.4 STREET WORKS

DfI Roads monitors the installation, maintenance and removal of utility plant within the public road network. The activities of Statutory Utilities are controlled under the *Street Works (Northern Ireland) Order 1995* and a range of Codes of Practice.



There is an electronic web-based system to allow DfI Roads and utilities to exchange street works information. This system, NISRANS (the Northern Ireland Street Works Registration and Notification System) is a jointly owned system involving DfI Roads and most utility/communication companies which have statutory rights to place and maintain their apparatus in or on the public road network. DfI Roads can also use NISRANS to control utilities street works activities. Approximately 30% of statutory inspections are carried out at works stage and subsequent stages prior to accepting reinstatements as final. The cost of these inspections is covered by the utilities.

All reasonable efforts to minimise disruption and delay to road users is employed through advertised road closures and co-ordination of these street works.

All openings (except for emergencies) are notified in advance on the electronic Street Works Gazetteer operated by Symology and monitored by DfI Roads.

Mid Ulster District (North)

Over the past year 2,070 notifications (schemes) of intention to excavate in the highway were made by the various utilities in the Mid Ulster District (North) Council area, of which 579 were subject to inspection. Of those reinstatements inspected 7.09% were classified as unsatisfactory. A total of 11,310 notifications were recorded within the section during the past year.

Mid Ulster District (South)

Over the past year 1,883 notifications of intention to excavate in the highway were made by the various utilities in the Mid Ulster District (South) Council area, of which 85 were subject to inspection. Of those reinstatements inspected 9.4% were classified as unsatisfactory.

2.5 STRUCTURAL MAINTENANCE – Planned Works 2020-2021

Resurfacing

It is proposed to resurface the following roads in Mid Ulster during the 2020-2021 financial year at an estimated cost of £3.8 million.

Mid Ulster District (North)

Road No	Road Name	Length (m)
A0006	Glenshane Road/Hillhead Road Hardshoulders	5000
A0029	Dungannon Road, Cookstown at Kelso Cars	500
A0029	Moneymore Road Dual Carriageway	2000
A0029	Desertmartin Road, Tobermore	620
A0031	Magherafelt Road, Moneymore	550
A0042	Clady Road, Clady Village	600
B0040	Moneyneaney Road, Moneyneaney	1990
B0160	Ballinderry Road, Coagh	1800
B0181	Ruskey Road, Coagh	1700
C0546	Glenone Road, Clady	370
U5321	Browne Drive, Maghera	400

Mid Ulster District (South)

Trunk Road Network

Road No	Road Name	Length (m)
A4	Crossowen Road, Augher	440
A4	Edfield Way, Fivemiletown	100
A5	Omagh Road, Ballygawley	1300
A29	Cookstown Road, Dungannon	700

Remaining Road Network

Road No	Road Name	Length (m)
A45	Coalisland Road, Dungannon	830
A45	Coalisland Road, Dungannon at Farlough Road Junction	100
B34	Killyman Road, Dungannon	300
U7961	Granville Industrial Estate	550
U7527	Mark Street, Dungannon	530
A45	Ballynakilly Road near From Creenagh Lane to Hackingblock Road	500
A45	Ballynakilly Road (Tamnamore end)	1000
B168	Fintona Road Clogher	400
B45	Dyan Road from Tullygiven Point	500
B106	Cavan Road	300

Surface Dressing 2020-2021

This year it is proposed to surface dress approximately 134 kms of road in the Mid Ulster District.

Mid Ulster District (North)

Road No	Road Name	Length (m)
B0073	Battery Road	5000
B0073	Drumconvis Road	1700
C0554	Blackrock Road	5279
C0612	Dunamore Road	1400
C0619	Mountjoy Road	2800
C0619	Tamnaghmore Road	3200
C0619	Castlefarm Road	3590
C0564	Tullyveagh Road	530
U0617	Anneeter Road	2425
U0708	Beaghbeg Road	1715
U0707	Beaghbeg Road	1378
U2234	Rock Road	1499
U0725	Holyhill Road	849
U0725	Maloon Road	994
U0645	Liskittle Road	1522
U0644	McKeowns Lane	869
U0643	Shankey Road	400
U2238	Scotts Road	1464
U0635	Gortnalough Road	2561
U0607	Knockanroe Road	1234
U0725	Toberlane Road	1235
U0831	Strifehill Road	900
A0042	Moyagall Road	3535
A0029	Tobermore Road	850

Road No	Road Name	Length (m)
B0041	Draperstown Road	1810
C0549	Drumbolg Road	1933
C0546	Boveedy Road	1504
C0546	Innisrush Road	820
C0546	Ballynease Road	3886
U5139	Aghagaskin Road	3294
U5124	Ballyheifer Road	1700
U5143	Station Road	975
U5001	Portna Road	1486
U5009	Killygullib Road	2582
U5009	Hervey Road	1169
U5013	Knockoneill Road	1773
U5050	Curragh Road	2082
U5064	Drennan Road	2493
U5080	Carnaman Road	2910
U5109	Airfield Road	1926
U5116	Ballymaguigan Road	527
U5122	Rockbrook Road	1006
U5130	Bellshill Road	465
U5132	Killyneese Road	2211
U5233	Drumconready Road	1313
U5234	Ballyhagan Road	1874
U5240	Fallagloon Road	624
U5241	Lisnamuck Hill	1647
U5257	Cloane Road	675
U5256	Cloane Lane	629

Mid Ulster District (South)

Road No	Road Name	Length (m)
A0028	Caledon Road(2 locations)	1410
B0035	Legilly Road	2678
B0083	Ballymagowan Road	2510
B0128	Drumflugh Road	3628
B0128	FavourRoyal Road	3060
B0128	Rehaghey Road	3120
B0168	Aghafad Road	3106
B0106	Bush Road	2321
B0520	Stewartstown Road	2548
C0184	Maydown Road	389
C0634	Lurgylea Road	1000
C0645	Gorestown Road	1300
C0647	Glassdrummond Road	2467
C0656	Aghintain Road	4701
C0658	Altnaveragh Road	1393
U1028	Greenagh Lane	1432
U0324	Glencrew Road (2 locations)	4173
U1117	Kilnagrew Road (2 locations)	1673
U1035	Spademill Road	1380

Drainage 2020-2021

This year it is envisaged that there will be another comprehensive programme of proposed drainage improvements across the Mid Ulster area. Proposed schemes include:

Mid Ulster District (North)

Road No	Road Name	Proposal
A0006	Hillhead Road @ Hillhead Cottages	Install new drainage
A0029	Maghera Road, Tobermore	Repair existing drainage
A0505	Drum Road @ Corchoney Road	Repair existing drainage
B0041	Draperstown Road, Tobermore	Install new drainage
B0075	Kilrea Road @ Dunglady	Install new drainage
B0160	North Street, Stewartstown	Repair existing drainage
C0549	Drumbolg Road, Culnady	Upgrade existing drainage
C0552	Fivemilestraight, Maghera	Repair existing verge
C0557	Hillhead Road @ Broagh Road	Install new drainage and hard stand
U0616	Mullan Road, Ballinderry	Upgrade existing drainage
U5254	Mulnavoo Road, Moneyneaney	Install new drainage

Mid Ulster District (South)

Road No	Road Name	Proposal
U924	Drumconnor Road	New Pipe and gullies
C634	Lurgylea Road	New Pipe & Gullies
C640	Coole Road	New Pipe and gullies
U7700	Roskeen Road	New Pipe and gullies
B128	Clonfeacle Road	New Pipe and gullies
B130	Derryfubble Road	Culvert Replacement
U416	Glenhoy Road	Culvert Replacement
U317	Tullywinney Road	New Pipe and gullies
C651	Ballynanny Road	Culvert Replacement
C649	Farriter Road	New Pipe and gullies
U547	Coolhill Road	New Pipe and gullies
U522	Cadian Road	New Pipe and gullies
B45	Dyan Road	New Pipe and gullies
U528	Mullyneill Road	New Pipe and gullies

Proposed Footpath Work 2020-2021

Mid Ulster District (North)

It is planned to resurface the following footpaths:

Road No	Road Name
B0040	Rainey Street, Magherafelt
U5321	Brown Drive, Maghera
U5027	Macknagh Road, Upperlands

Mid Ulster District (South)

Local footway improvements will be carried out in conjunction with the resurfacing schemes as listed in page 31.

Subject to additional funding it is planned to resurface the following footpaths:

Road No	Road Name	Length (m)
A004	Colebrooke Road, Fivemiletown	350
C648	Minterburn Road, Caledon	200

3.0 NETWORK DEVELOPMENT

Network Development Manager: Harry Gallagher

He is supported by:



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3.1 LOCAL TRANSPORT AND SAFETY MEASURES (LT&SM)

3.1.1 Completed Schemes 2019-2020

The Local Transport and Safety Measures budget for this financial year was £140,000. An additional £200,000 has been provided from Active Travel Section in line with the Minister's priorities. The following schemes were completed during the 2019-20 financial year.

Carriageways

Road No	Road Name	Description	Position
A4	Ballagh Road, Fivemiletown	Provide right turning lane on Ballagh Road, Fivemiletown	Complete
C646/B35	Killyliss Road/ Granville Road, Dungannon	Sightline improvement scheme	Complete
U744	Westland Road/ Morgans Hill Road/ Orritor Road Cookstown	Traffic Signal Upgrade including installation of Microprocessor Optimised Vehicle Actuation (MOVA) system to improve traffic progression	Complete

Pedestrian Measures

Road No	Road Name	Description	Position
U7524	Cunningham's Lane, Dungannon	Pedestrian crossing build out with dropped kerbing and tactile paving	Complete
C565	Muff Road, Churchtown	Missing link footway from school into village	Complete
A505	Drum Road at Black Hill, Cookstown	Provide uncontrolled crossing point	Pending
Road No	Road Name	Description	Position
A29	High Street, Moneymore	Provide puffin crossing	Deferred
U7681	School Lane, Coalisland	Tactile crossing	Complete

Cycling Measures

Road No	Road Name	Description	Position
A42	Mayogall Road, Clady	Shared footway/cycleway from St Mary's College to Ford Road	On site
A54	Magherafelt Road, Castledawson	Shared footway/cycleway from Castledawson village to Castledawson Roundabout	Complete
U7514	Quarry Lane Dungannon	Signalised Toucan crossing & localised footway widening	On site

Traffic Calming

Road No	Road Name	Description	Position
U730	Fairhill Road, Cookstown	Traffic Calming measures to include speed reduction cushions	Complete
B161	Mountjoy Road, Brockagh	Gateway Signage	Complete

Park and Ride

Road No	Road Name	Description	Position
P1032	Tamnamore	Provide CCTV cameras	Pending
P0345	Ballygawley	Provide CCTV cameras	Complete
Road No	Road Name	Description	Position
P5053	Maghera	Provide CCTV cameras	Complete
P0005	Castledawson	Provide CCTV cameras	Complete
A29	Moy Road, Dungannon	Stangmore Park & Ride options study	Under review

Safer Routes to School (SRS)

Road No	School Name	Description	Position
C551	Tirkane PS, Maghera	2 no new school flashing warning signs	Complete
A29	Macartan's PS, Clogher	Replacement school flashing warning sign	Complete
B35	Regional PS, Aughnacloy	Replacement school flashing warning sign	Complete
A29	St John's PS, Swatragh	Replacement of school flashing warning signs	Complete

Road Signs, Markings, and bollards

Road No	Road Name	Description	Position
A5	Omagh Road, Ballygawley	Replacement of direction and warning signs	Pending
U5133	Pound Road, Magherafelt	Enhanced signage at school	Complete
U7932	Tamnamore Close, Tamnamore	No waiting at any time restriction markings	Complete
A5	Moore Street/ Revaller Road, Aughnacloy	Enhanced junction signage & road markings with junction priority change	Complete
B45	Dyan Road, Eglish	Enhanced route directional signage	Complete

Speed limits

Road No	Road Name	Description	
U5112 / U5113	Gracefield Road and Ballymaguigan Road	30mph speed limit on all approaches to Gracefield	Complete
C622	Sandholes Road, Cookstown	40mph speed limit from Kilcronagh Road to Cookstown Free Presbyterian Church	Pending
U831	Strifehill Road, Cookstown	40mph speed limit from DVA Test Centre to C622 Sandholes Road	Pending
A45	Granville Road, Dungannon	Extended 30mph Speed limit	Complete
U925	Garvagh Road, Donaghmore	Extended 30mph Speed limit	Complete

Accessible Parking

Road No	Road Name	Description	Position
B40	Castledawson Road, Magherafelt	Provide 2 disabled parking bays	Complete
U5382	Glenelly Villas, Draperstown	Provide disabled parking bay	Complete
U7517	Dunlea Vale, Dungannon	Provide disabled parking bay	Complete
U7517	Dunavon Park, Dungannon	Provide disabled parking bay	Complete
U1128	Jockey Park, Moy	Provide disabled parking bay	Complete

Road No	Road Name	Description	Position
U5322	King William III Crescent, Maghera	Provide disabled parking bay	Complete
A54	Main Street, Bellaghy	Provide disabled parking bay	Complete
U5021	Stewart Avenue, Cookstown	Provide disabled parking bay	Complete

Progression of the following Local Transport and Safety Measures have continued throughout the year in anticipation of additional funding during the financial year. Additional funding was received to allow a number of schemes to progress.

Road No	Road Name	Description	Position
C652	Washingbay Road, Clonoe	Provide infill footway	Complete
B47	Sixtowns Road, Straw	Provision of new Puffin crossing	Complete

3.1.2 PLANNED WORKS 2020-2021

In support of the Ministers desire to introduce part time speed limits at 100 schools across Northern Ireland, the initial Local Transport and Safety Measures budget in Mid Ulster Council area for the 2020-2021 financial year has been increased to £300k. With regards to assisting the “Green Recovery” as we continue to manage the Covid-19 pandemic, DfI will continue to work with Councils to investigate ways to make better use of road space and to assist with the repurposing of road space where it is safe to do so.

Carriageways

Road No	Road Name	Description
C646/ B35	Killyliss Road/Granville Road, Dungannon	Sightline improvement scheme
U7539/ U744/ A45	Scotch Street/John Street/ Railway Road, Dungannon.	Traffic Signal Upgrade including installation of Microprocessor Optimised Vehicle Actuation (MOVA) system to improve traffic progression
A45	Greenagh Bridge Ballynakilly Road, Coalisland	Carriageway realignment and bridge replacement. Phase 1- Site clearance and advanced earthworks

Pedestrian Measures

Road No	Road Name	Description
B106	Tamnamore Road at the junction with Tamnamore Roadabout	Tactile crossing points & improved pedestrian measures
U5031	Crewe Road, Maghera	Provide missing link footway in conjunction with Mid Ulster District Council
U5009	Greenvale Drive, Cookstown	Tactile crossing points & improved pedestrian measures

B40	Moneymore Road, Magherafelt	Provide pedestrian refuge island
U5053	Craigadick Road, Maghera	Provide pedestrian refuge island
A29	High Street, Moneymore	Provide controlled crossing point
C560	King Street, Magherafelt	Provide controlled crossing point

Cycling Measures

Road No	Road Name	Description
A42	Moyogall Road, Clady	Shared footway/cycleway from St Mary's College to Ford Road
B43	Mullaghmore Road, Dungannon	Provide missing link of shared footway/cycleway

Traffic Calming

Road No	Road Name	Description
U730	Fairhill Road, Cookstown	Traffic Calming measures to include speed reduction cushions
C618	Drumenny Road, Derrychrin	Traffic Calming measures to include speed reduction cushions
U1014	Ballygittle Road, Killen	Traffic Calming measures to include speed reduction cushions
C642	Washingbay Road, Clonoe	Traffic Calming measures to include speed reduction cushions
C550/ C549	Culnady, Magherafelt	Advanced gateway signage on all approaches to Culnady village

Park and Ride

Road No	Road Name	Description
P1032	Tamnamore	Provide CCTV cameras
A29	Moy Road, Dungannon	Stangmore Park & Ride Preferred Option

Road Signs, Markings, and bollards

Road No	Road Name	Description
A5	Omagh Road, Ballygawley	Replacement of direction and warning signs in conjunction with upgraded road markings

Road No	Road Name	Description
A5	Tullyvar Road between Ballygawley Roundabout and the A5	Replacement of direction and warning signs in conjunction with upgraded road markings
A6	Glenshane Road from Castledawson Roundabout to MUDC boundary	Replacement of direction and warning signs

Speed limits

Road No	Road Name	Description
C638	Farlough Road/ Derryvale Road, Newmills	40mph Speed limit
A4	Ballagh Road, Fivemiletown	Speed limit reduction – 40 mph reduced to 30mph
B41	Tobermore Road, Draperstown	Extension to the 40mph speed limit.
B520	Moor Road, Clonoe at Clondallon Drive	Speed limit reduction – 40 mph reduced to 30mph
U5133	Pound Road, Magherafelt	Speed reduction – 60 mph reduced to 40mph
B40	Moneymore Road, Magherafelt	Speed reduction – 50 mph reduced to 40mph

Accessible Parking

Road No	Road Name	Description
U7182	Coronation Park, Aughnacloy	Provide disabled parking bay

Part Time 20 mph Speed Limits at Schools

In June 2020 the Minister announced an additional funding allocation of £2 million to bring forward a programme of around 100 part time 20 mph speed limits at schools across Northern Ireland. In the Mid Ulster Council area, 8 schools will have the measures introduced in the current financial year.

At each of the following schools new road signs will be erected in the form of standard fixed speed limit roundel signs with flashing amber lights set to come on at the times the reduced speed limit applies. This follows trials at a number of schools to determine the effectiveness of this arrangement of signs and it was found they have a positive impact on the reduction in mean speeds.

School Name	Location
Crossroads Primary School	147 Drumagarner Road, Kilrea
Edendork Primary School	181 Coalisland Road, Dungannon
Saint Trea's Primary School	225 Shore Road, Ballyronan
Orritor Primary School	249 Orritor Road, Cookstown
Aughnacloy College & Aughnacloy Regional PS	Carnteele Road, Aughnacloy
Saint Eoghan's Draperstown	51 Moneyneany Road, Draperstown
Saint Brigids Mayogall	52 Mayogall Road, Magherafelt
Ampertaine Primary School	94 Kilrea Road, Upperlands

The Minister is keen to roll the 20mph scheme to more schools in the next financial year. The extent of the roll out will depend on the funding allocated to her Department.

It is also intended that the following Local Transport and Safety Measures schemes will be progressed to detailed design and land acquisition stage and are ready to be taken forward to construction dependent on the allocation of funding from the Executive to the Department.

Road No	Road Name	Description
A45	Greenagh Bridge Ballynakilly Road, Coalisland	Phase 2- Carriageway realignment and bridge replacement
B122	Murley Road, Fivemiletown	Provide footway in conjunction with Mid Ulster District Council

B18	Creagh Road, Toomebridge	Provide footway in conjunction with resurfacing scheme close to the junction with Hillhead Road
U7514	Quarry Lane, Dungannon	Provision of new pedestrian refuge island and additional length of cycleway
A42	Gulladuff Road, Gulladuff	Provide missing footway/cycleway from the village towards Maghera
B161	Mountjoy Road, Brockagh	Road realignment with shared cycling/pedestrian footway
A6/ U5041	Glenshane Road at Ranaghan Road Junction	Provide right turning lane on Glenshane Road at U5041 Ranaghan Road
A6	Glenshane Road at Castledawson Roundabout	Provision of additional entrance lane on the A6 Dungiven leg of the Castledawson Roundabout. (Will be delivered as part of the A6 Dualling)

3.2 STRUCTURES

STRUCTURES MANAGER: David McKinley

He is supported by:



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3.2.1 STRUCTURES - COMPLETED WORKS 2019-2020

The following bridge works were carried out within the Mid Ulster Council area, representing an investment of £71,800 in the local infrastructure. The types of work carried out include flood damage repairs, general maintenance, repairs due to vehicle impact damage, bridge strengthening and bridge replacements.

Bridge No/ Road No	Location	Description of Work
61743/U702	Davagh Road, Dunnamore	Masonry Repairs
60055/U2211	Letteran Road, Churchtown	Parapet Repair
61142/U720	Wellbrooke Road, Kildress	Parapet Repair
60735/U731	Mackenny Road, Orritor	Parapet Repair
60697/U612	Tulnacross Road, Dunnamore	Parapet Repair
61854/C635	Altaglushan Road, Ballygawley	Parapet Repair
62266/U942	Clonavaddy Road, Castlecaulfield	Bridge Foundation and Masonry Repairs
61274/C632	Lurgyea Road, Cappagh	Parapet Repair
61176/B83	Ballymagowan Road, Clogher	Parapet Repair
60042/U427	Tullybroom Road, Clogher	Parapet Repair
62398/U506	Killeeshill Road, Cabragh	Parapet Repair
60233/U1404	Shantonagh Road, Clogher	Bridge Foundation and Masonry Repairs
61269/U907	Crosscavanagh Road, Castlecaulfield	Parapet Repair
61270/U910	Lurganeden Road, The Rock	Bridge Foundation and Masonry Repairs
61275/C634	Gortindarragh Road, Donaghmore	Bridge Foundation and Masonry Repairs

Bridge No/ Road No	Location	Description of work
61767/U1014	Ballygittle Road, Killeen	Parapet Repair
60009/B128	Drumflugh Road, Benburb	Parapet Repair
60142/U1419	Ashfield Road, Clogher	Bridge Foundation and Masonry Repairs
70726/U5037	Grillagh Road, Upperlands	Parapet Repair
70690/C554	Sixtowns Road, Dunnamore	Parapet Repair
70673/C550	Culnady Road, Upperlands	Parapet Repair
70630/B4	Magherafelt Road, Draperstown	Parapet Repair
70620/A29	Main Street, Swatragh	Parapet Repair
70850/B75	Drumagarner Road, Kilrea	Parapet Repair
71687/B75	Kilrea Road, Upperlands	Repair Footbridge Parapet Railings

The following Vehicle Restraint System works were carried out within the Mid Ulster Council area, representing an investment of £32,200 in the local infrastructure.

VRS Completed Work 2019-2020

Road No	Road Name	Description of work
A29	Tullywiggan Road, Cookstown	VRS Repair
A29	Stangmore Road Roundabout	VRS Repair
C560	Aughrim Road, Magherafelt	VRS Upgrade

3.2.2 STRUCTURES – PLANNED WORKS 2020-2021

Subject to available funding during 2020-2021 Bridge Management Section intends to carry out work to structures in the Mid Ulster District Council area representing an investment of approximately £215K in the local infrastructure.

Bridge No/ Road No	Bridge Name, Location	Description of proposed work
61762 / C563	Ardtree Bridge, Littlebridge Road, Coagh	Completion of design. Production of procurement documentation. 7.5 Tonne interim measure weight restriction in place.
70810 / U255	Boherdaile Bridge, Cloane Road, Moneyneany	It is proposed to carry out concrete repairs to the bridge floor.
61809 / A29	Feenan Beg Bridge, Moneymore	It is proposed to repaint the existing bridge parapets
60680 / A29	Doctors Bridge, Cookstown Road Moneymore	It is proposed to carryout bridge strengthening
60215 / C621	Teebane Bridge, Teebane Road Dunnamore	It is proposed to replace this bridge with twin box culverts
61274 / C635	Bridge and Weir, Lurgylea Road, Cappagh	It is proposed to repair masonry and repoint this structure
70650 / B75	Turners Bridge, Drumgarner Road, Swatragh	It is proposed to repair masonry and repoint this structure
70630 / B40	Gortnaskea Bridge, Magherafelt Road, Draperstown	It is proposed to repair masonry and repoint this structure

Bridge No/Road No	Bridge Name, Location	Description of proposed work
70608 / A6	Maghera Flyover, Glenshane Road, Swatragh	It is proposed to carry out repairs to the steel parapet at this structure

Subject to additional funding becoming available during 2020-2021, Bridge Management Section in conjunction with Local Traffic and Safety Measures (LT&SM) Section intends to carry out work to the following structure

Bridge No/ Road No	Bridge Name, Location	Description of proposed work.
61714 / A45	Creenagh Bridge, Coalisland	It is proposed to replace this bridge in conjunction with the LT&SM carriageway realignment scheme.

3.3 STREET LIGHTING

STREET LIGHTING MANAGER: Harry Gallagher

He is supported by:



Martin Curran

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Omagh
BT79 7AF

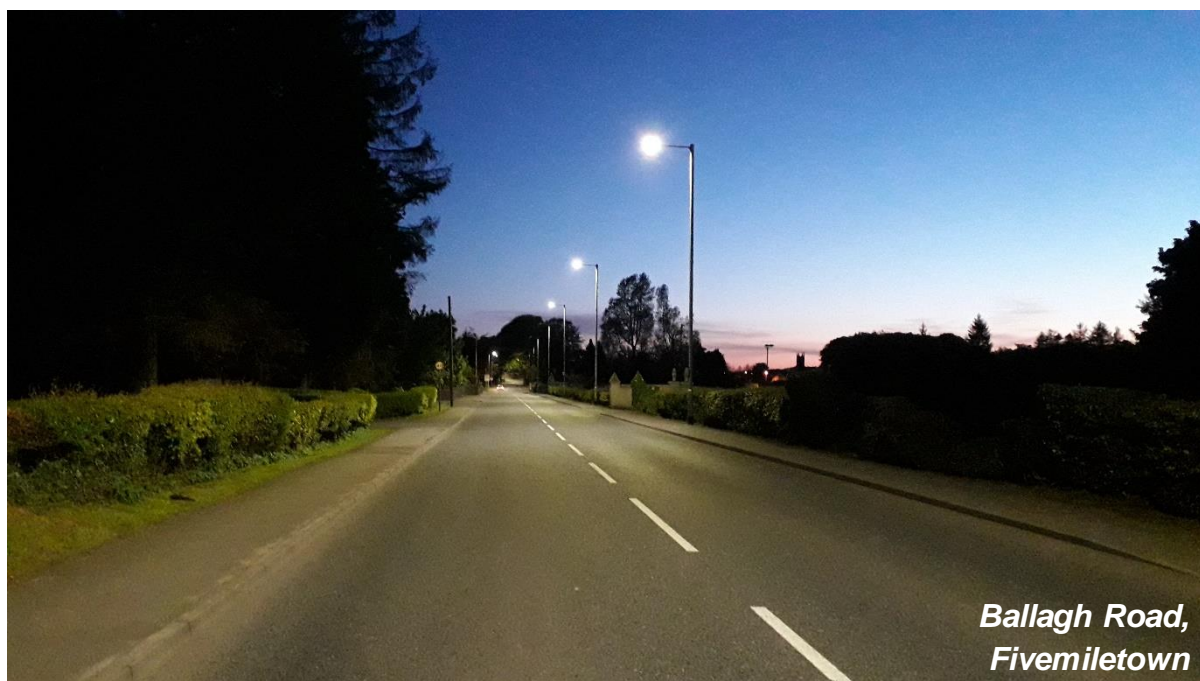
Tel: 028 8225 4157

Email: StreetLightingWestern@infrastructure-ni.gov.uk

3.3.1 COMPLETED WORKS 2019-2020

Street Lighting

The total number of lights in the district is presently 18,872. The Minister has allocated funding this year to ensure a full 12 month repair service can be provided. Regular outage repairs are carried out following reports of defects from elected representatives and/or the general public via our on line reporting system at www.nidirect.gov.uk or through our new call centre (0300 200 7899). Due to budgetary constraints a reduced repair service had to be introduced in October 2019. Expenditure on street lighting during 2019-2020 amounted to £1,040k for maintenance (including £719k on energy). Total capital expenditure amounted to £654k (including £186K on LED retrofitting).



The following capital works were carried out during 2019/2020:

Scheme Title	Scheme Description
The Cairn, Dungannon	Street Lighting Renewal Scheme
Coolreaghs Road, Cookstown	Street Lighting Renewal Scheme
Coleraine Road, Maghera	Street Lighting Renewal Scheme
Culnady Village, Culnady	Street Lighting Renewal Scheme
Ash Drive & Sycamore Drive, Maghera	Street Lighting Renewal Scheme

Scheme Title	Scheme Description
Main Street & Ballagh Road, Fivemiletown	Completion of a Street Lighting Renewal Scheme
Glen Road & Fairhill, Maghera	Commencement of Street Lighting Renewal Scheme
Tobermore & Craigadick Road, Maghera	Commencement of Street Lighting Renewal Scheme
Church Street & Carricknakielt Road, Maghera	Commencement of Street Lighting Renewal Scheme
Grange Park, Avenue, Drive & Gardens, Magherafelt	LED lantern Retrofit
Malloon Estate, Cookstown	LED lantern Retrofit
Derramore Way, Cookstown	LED lantern Retrofit
Castlevue Heights, Dungannon	LED lantern Retrofit
Foxborough, Dungannon	LED lantern Retrofit
Forthglen, Cookstown	LED lantern Retrofit
Elm Park, Moneymore	LED lantern Retrofit
Glen Road, Glen	LED lantern Retrofit
Glen Road, Fallagloon	LED lantern Retrofit
Glenshane Road, Fallagloon	LED lantern Retrofit
Fallagloon Road, Fallagloon	LED lantern Retrofit
Castledawson Road, Magherafelt	LED lantern Retrofit
Sandy Mount, Magherafelt	LED lantern Retrofit
Sandy Grove, Magherafelt	LED lantern Retrofit
Sandy Braes, Magherafelt	LED lantern Retrofit
Laurel View, Dungannon	LED lantern Retrofit
Cedar Ridge, Dungannon	LED lantern Retrofit
Washingford Row, Dungannon	LED lantern Retrofit
Craigavon Crescent, Dungannon	LED lantern Retrofit
Old Eglis Road, Mullaghadrolly	LED lantern Retrofit
Aughnagar Road, Dungannon	LED lantern Retrofit
Esker Hill Road, Dungannon	LED lantern Retrofit
Ballynakilly Road, Coalisland	LED lantern Retrofit
Killymerron Park, Dungannon	LED lantern Retrofit
Altmore Drive, Dungannon	LED lantern Retrofit

Scheme Title	Scheme Description
Drumcoo Green, Dungannon	LED lantern Retrofit
Drumglass Way, Dungannon	LED lantern Retrofit
Mournebeg Drive, Dungannon	LED lantern Retrofit
Bernagh Gardens, Dungannon	LED lantern Retrofit
Dungannon Road, Moy	LED lantern Retrofit
Ballynorthland Demense, Dungannon	LED lantern Retrofit
Whites Road, Cabragh	LED lantern Retrofit
Annaghmore Road, Castledawson	LED lantern Retrofit
Station Road, Castledawson	LED lantern Retrofit
New Row, Castledawson	LED lantern Retrofit
Bridge Street, Castledawson	LED lantern Retrofit
Queens Street, Magherafelt	LED lantern Retrofit
Moneymore Road, Magherafelt	LED lantern Retrofit
Gallows Hill, Dungannon	LED lantern Retrofit
Donaghmore Road, Dungannon	LED lantern Retrofit
Circular Road, Dungannon	LED lantern Retrofit
Cookstown Road, Carland	LED lantern Retrofit
Brackaville Road, Coalisland	LED lantern Retrofit
Derryvale Road, Coalisland	LED lantern Retrofit
Milburn Street, Cookstown	LED lantern Retrofit
Oldtown Street, Cookstown	LED lantern Retrofit

3.3.2 PLANNED WORKS 2020-2021

In the 2020-2021 financial year indicative budgets are £999K for Capital Renewal schemes and £574K for LED lantern retrofitting along with £252K for street light outage/cable fault repair.

The following street lighting works are identified for 2020-2021

Scheme Title	Scheme Description
Ballyronan Road, Magherafelt	Street Lighting Renewal Scheme
Desertmartin Road, Tobermore	Street Lighting Renewal Scheme
Tullagh Road, View & Drive, Cookstown	Street Lighting Renewal Scheme
Circular Road, Dungannon.	Street Lighting Renewal Scheme
Mullaghmore Road, Dungannon	Street Lighting Renewal Scheme
Hillhead Road, Castledawson	Street Lighting Renewal Scheme
Moyagall & Glenone Road, Clady	Street Lighting Renewal Scheme
Beechland Drive & Park, Clady	Street Lighting Renewal Scheme
Mid Ulster District Council Area - Various locations	LED Lantern retrofits

4.0 NETWORK PLANNING

Network Planning Manager: Darren Campbell

He is supported by:



Tracy Flanagan

Development Control
DfI Roads
County Hall
Drumragh Avenue
Omagh
BT79 7AF

Tel: 028 8225 4019

Email: Tracy.Flanagan@infrastructure-ni.gov.uk



Paul Cassidy

Private Streets
DfI Roads
County Hall
Drumragh Avenue
Omagh
BT79 7AF

Tel: 028 8225 4088

Email: Paul.Cassidy@infrastructure-ni.gov.uk

4.1 PLANNING CONSULTATIONS

DfI Roads is a statutory consultee to the planning process and in carrying out this role provides specialist advice to the planning authority on roads and transportation related matters associated with proposed development.

Our Development Control Section examines a planning application from a number of different aspects including access to the public road, road safety, transportation, traffic progression and car parking depending on the type of application.

In the previous calendar year 31st March 2019 to 1st April 2020 Development Control Section dealt with 1,525 planning consultations in the Mid Ulster District Council area. These range from single dwelling applications to major housing & mixed use retailing applications.

4.2 PRIVATE STREETS

We have been successful in adopting 19 private streets within developments and a total length of 3.495 km has been added to the maintained network in the past year. These include:

Location	Adopted Length
Gallion Heights, Moneymore	380m
Riverbrook, Moneymore	160m
Eglish View, Coagh	115m
Fintona Road, Clogher	100m
Knockmoy/Gortview, Coalisland	219m
Brick Road, Moy	22m
Farlough Manor, Edendork	95m
Hunters Chase, Moy	365m
Augher Road, Clogher	10m
Lisnamonaghan Meadows, Castlecaulfield	380m
Sycamore Drive, Dungannon	462m
Castle Place, Castlecaulfield	50m
Richmond Hill Ballygawley	530m
McGurks Villas, Gulladuff	127m
Churchfields, Upperlands	80m
Clarkes Drive, Gulladuff	35m

Location	Adopted Length
Ballyscullion Road, Bellaghy	50m
Cordarragh Heights, Draperstown	200m
Gracefield Road, Magherafelt	115m



Richmond Hill, Ballygawley: Recently adopted

Private Streets - Enforcement

Private Streets Section continues to invoke enforcement proceedings against developers who fail in their responsibility to provide bonds before commencement of work on site. This takes the form of a series of warning letters followed if necessary by enforcement action.

DfI Roads will afford a developer every opportunity to fulfil their responsibilities in completing development infrastructure works to an adoptable standard. Where it becomes evident that a developer is either incapable or unwilling to complete the work, DfI Roads will consider initiating legal proceedings. This may result in the need for DfI Roads to complete the works and recover the costs.

DfI Roads has a finite contracting resource at its disposal and given the variation in annual funding levels, the availability of contracting resource to deliver private street enforcement works cannot be assured. In addition, DfI Roads has no control over the interests of other stakeholders, primarily Northern Ireland Water (NIW), which impact on the delivery of the completion of adoption works.

DfI Roads is currently undertaking enforcement completion works on:

Location

Kilcronagh Business Park, Cookstown

USEFUL NUMBERS

Out of Hours Emergencies

Telephone: 0300 200 7899

Flooding Incident Line

Telephone: 0300 200 0100

Street Lighting Faults

Telephone: 0300 200 7899

Website: www.nidirect.gov.uk/services/report-street-light-fault

General Enquiries

email: DfIRoads.Western@infrastructure-ni.gov.uk

Website: www.infrastructure-ni.gov.uk

Telephone: 0300 200 7899

Blue Badge Unit

Provides on-street parking concessions for Badge Holders who travel either as drivers or passengers.

Contact: BBU PO Box 64 Enniskillen BT74 0BL

email: bluebadges@infrastructure-ni.gov.uk

Telephone: 0300 200 7818

Parking Enforcement Processing Unit

Processes all penalty notices under Decriminalised Parking Enforcement.

Contact: PEPU, PO Box 84, Omagh BT78 9AN

Website: <https://www.nidirect.gov.uk/articles/parking-enforcement>

Telephone: 0300 200 7895

Minutes of Meeting of Mid Ulster District Council held on Thursday 24 September 2020 in the Burnavon Arts and Cultural Centre, Cookstown and by virtual means

Chair Councillor Mallaghan

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

Officers in Attendance Mr A Tohill, Chief Executive
Dr Boomer, Planning Manager **
Ms Campbell, Director of Leisure and Outdoor Recreation
Ms Canavan, Director of Organisational Development
Mr Cassells, Director of Environment & Property
Mr Kelso, Director of Public Health & Infrastructure
Ms Mezza**, Head of Communications
Mr Moffett, Head of Democratic Services
Mr JJ Tohill, Director of Finance
Mr O'Hagan, Head of ICT
Mrs Forde, Member Support Officer

In Attendance **Representatives of Northern Ireland Housing Executive**

Director of Regional Services	Siobhan McCauley
Head of Place Shaping (Southern Region)	Ailbhe Hickey
Regional Manager (South)	Jonathan Blease
Area Manager	Sharon Crooks

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm

The Chair, Councillor Mallaghan 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.

C168/20 Apologies

Councillor Oneill

C169/20 Declarations of Interest

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

C170/20 Chair's Business

The Chair, Councillor Mallaghan referred to COVID 19 stating that it appeared to be spiralling, that the numbers for Mid Ulster district were concerning highlighting in particular those in Cookstown. He said that all were aware of the current difficulties society was facing in relation to social encounters and that as a large organisation Council must be united in spreading the message of adherence to guidelines. He spoke of the tighter restrictions being brought into Donegal and emphasised the important role Council had to play. He spoke on the scepticism flooding social media especially in relation to the good work being carried out by health professionals and stressed the need to listen to the facts and trust the science. He acknowledged Council had a duty to ensure that as much information be provided as possible through marketing and communications, officers and Members and that whilst it was hard to comprehend why some things were ok whilst others were not each person should do their best.

Councillor Gildernew sought an update on the A5 Cross Border Group as to whether there was a date to reconvene meetings. In response the Head of Democratic Services stated he had contacted Fermanagh & Omagh District Council and they had confirmed the group had not met from March and were still awaiting a date to meet with the Minister of Department of Infrastructure.

Councillor Gildernew requested that further contact be made as such a lapse in progress was not conducive to the project.

Resolved That Council make contact with Fermanagh & Omagh District Council as lead organisation for A5 Cross Border Group to reconvene the Group to progress matters in relation to A5 project

Councillor Monteith brought to the attention of the meeting the Dungannon Clarkes GAC, who for many years had been the underdogs in the sport but the previous weekend had won and brought home to Dungannon the County Tyrone O'Neill Cup. He further commended Edendork GAC who had won the Intermediate County Championship and Moy GAC Ladies for winning the Junior County Championship. He stated it was great that the competitions had been able to conclude and the hard work on the field had paid off. He commended all the clubs on their work in providing community support to the vulnerable during the height of the lockdown and extended congratulations to them on their achievements.

Councillor Molloy echoed Councillor Monteith's remarks and requested Chair, Councillor Mallaghan to recognise the aforementioned teams who in normal circumstances would have progressed to Ulster Championships but could not be afforded the privilege in current circumstances. He reflected particularly on Dungannon Thomas Clarke's who had 'come to the very wire' but had won.

Councillor Molloy reflected on begrudging comments made in the past weeks about the GAA in general. He spoke of his home club of Clonmore Robert Emmets GFC named after a former President and highlighted the facilities it provides to the local community and its work during the height of the pandemic providing essential community support. He further highlighted that the club had always had cross community membership reflecting that during the troubles one member had been convicted of UVF activity. He stated he would refuse to apologise for his Club.

Councillor Kerr echoed Councillor Molloy's remarks and congratulated in particular Dugannon Clarke's on their historic win. He further congratulated Edendork, and Moy ladies highlighting that it had Coalisland ladies who had lost out to Moy. He concluded wishing Coalisland GAA best wishes for matches in the coming week.

Councillor Quinn seconded Councillor Molloy's proposal for recognition and echoed the comments of previous speakers stating to describe the Dungannon Thomas Clarke's match as 'nail biting' did not do it justice. He spoke of those who had jumped on the back of such fantastic achievements to bring the club down and described it as 'sad' especially when they had done so much for the wider community during lockdown.

Councillor Cuthbertson said that whilst in a normal society Members should be congratulating a sporting achievement for Dungannon, any significance of the win, had been lost to the disgraceful, reckless scenes witnessed on Sunday past when blatant disregard had been shown to Social Distancing and Covid-19 regulations, which are in place to protect all. Councillor Cuthbertson said he had been contacted by many in the brave health service in utter despair to what took place and if that was not serious enough, there were quite a number of social media videos circulating clearly showing clips of singing & chanting by groups of men, wearing Dungannon GAA shirts, some waving the trophy cup aloft and others in licensed premises. Councillor Cuthbertson stated that the words to the song were much too vulgar to be repeated at the meeting describing them as misogynistic, derogatory, offensive, sectarian and Pro IRA.

Councillor Cuthbertson stated that he would be expecting both the Ulster GAA and Dungannon GAA to come out to condemn and distance themselves from the disgusting behaviour and he would also expect every Member in the room to out rightly condemn these actions. He stated that the PSNI were investigating the matters and until complete and the outcome known as to whether condemnation would be forthcoming the Council should suspend all funding to the GAA in Mid Ulster. Councillor Cuthbertson stressed that Mid Ulster Council should not be associated through its financial support of any form of misogynistic, derogatory, disgusting terms against women.

Proposed by Councillor Cuthbertson
Seconded by Councillor McLean

That pending the outcome of investigations aforementioned Council suspend all grants to the GAA across Mid Ulster district.

Councillor Cuddy congratulated the massive win for the Dungannon club and its supporters and spoke of when Dungannon Rugby Club had won the All Ireland in 2000 and the jubilancy that followed. He stated however on this occasion for supporters to come onto the pitch was wrong and hoped that there would be no serious consequences. In respect of the issue of media clips chanting songs in support of an illegal organisation he said that anyone wearing a club jersey should not have displayed such behaviour as sport should be open to all. He spoke of how Dungannon Swifts had once been viewed as 'loyalist' it had developed to ensure it was all inclusive and like Dungannon Rugby Club welcomed anyone who was a good player. He concluded that Dungannon was a sporting town and he would challenge the Dungannon Clarke's to continue to build on the good work they had done.

Councillor McNamee stated as a 'Rocks' man he would congratulate the Dungannon Clarke's who had provided great entertainment throughout the championship. He stated that emotions were alive and how he had known the former school principal who had sadly passed away Tony Devlin, whose son was playing in the number four shirt on the day. He commented how the player's uncle had spoken of just how proud the player's father would have been of him participating in such a game.

The Chair, Councillor Mallaghan as a Pomeroy Plunkett man told how he had watched his team play in the competition a few years ago and how they just hadn't made it, adding that across Mid Ulster there was a sense of joy that was phenomenal on the Clarke's win. He welcomed Councillor Cuddy's congratulations and also the encouraging comments from both Dungannon Rugby Club and Dungannon Swifts and commented on the healthy relationships that existed between the three clubs which highlighted how successful sport was in uniting people. The Chair, Councillor Mallaghan reflected on the proposal of Councillor Molloy and stated he would investigate how best Council could recognise the clubs in this unique situation with no Ulster Championship.

Resolved That the Chair Councillor Mallaghan investigate how to recognise in a fair and appropriate manner, in the current circumstances, the undernoted Sports Club successes:

- (i) Dungannon Clarkes winning the County Tyrone Senior Football Championship;
- (ii) Edendork winning the County Tyrone Intermediate Football Championship;
- (iii) Moy GAA ladies winning the County Tyrone Junior Football Championship; and

The Chair, Councillor Mallaghan referred to his opening remarks at the beginning of the meeting and reflected how in recent days Sammy Wilson MLA had travelled on a London tube with no face covering, there had been reports in relation to golf, gaelic games and there was no point trying to split blame. He stated Dungannon Thomas Clarke's would deal with their issues, highlighted that the Ulster Council had spoken out about the pitch invasion and concluded reflecting on a press article by Cathal O'Kane as to whether sport was ready to come back given the great emotion that drives it.

The Chair, Councillor Mallaghan highlighted that there was a proposal and using a quote of Councillor McLean's 'it was using a sledge hammer to crack a nut' called for a vote on Councillor Cuthbertson's proposal.

For 14

Against 23

The Chair, Councillor Mallaghan confirmed the proposal fell.

Councillor McFlynn as Chair of the Policing and Community Safety Partnership she together with the local Chief Inspector of the PSNI had met had met with a group of officials visiting from Lithuania. Councillor McFlynn advised that during the meeting anti social behaviour taking place at The Junction and Tesco's in Beech Valley, Dungannon had been discussed. She reported that although it was an issue for the PSCP it was not scheduled to meet until 14 October but she felt action from Council would be appropriate to look at perhaps erecting a fence and consider issues in relation to lighting.

Councillor Monteith concurred that Council should act reflecting that when Councillor Dillion had chaired the Council, officers and Members had participated in a site visit and it had been agreed that undergrowth would be removed, lighting would be improved and there had been similar initiatives under each subsequent Chair but no action. He stated that the Council refuses to take simple action to considerably improve the safety of the area and Members had been told it would not be done until all the 'all singing and dancing' major capital projects are completed. Councillor Monteith was emphatic that it was not acceptable and there was no reason why the area should have to wait for undergrowth to be pulled out and whilst the action may not solve everything it would alleviate some issues and make people feel safer. He concluded stating it was 2020 and that the town should not have to wait for a capital project to be completed before minor works as aforementioned could be carried out.

Councillor Cuddy concurred that there had been a series of meetings with the PSNI together with Dungannon DEA Members, highlighted that the issues are frustrating and all Councillors needed to support the peace in this area. He stated that with the issue of public safety everyone needed to work together as there was social issues across the town and this particular area boasted a lovely walk. He said that Council could improve lighting and cut back hedges but everyone needed to work together to alleviate anti social behaviour. Councillor Cuddy stressed that all agencies needed to get the young people involved to assist in regeneration and nurture in them a sense of ownership to make the town a better place to live, work and belong to. He appealed for all to work with the PSNI and statutory agencies to work with the new generation to encourage them to become good citizens.

Councillor McKinney said as former Chair of the PCSP this report was nothing new. He stated there had been a decision to cut back undergrowth and there had been discussions in relation to employing a warden for which all bodies would contribute. He further stated that it was not just local children that many travelled to participate in anti social behaviour in the area commenting that if a warden could be employed to keep an eye out in the area, engage with the young people and endeavour to instil

in them the concept that it is not acceptable to destroy other people's property it would be money well spent.

Councillor Cuthbertson stated that unfortunately this was not new but a historic issue and reflected that he had brought a motion early in the first term of Mid Ulster Council and it had been rejected without a hearing but he welcomed the fact that now others were willing to do something about it. He also referred to a report to the Environment Committee earlier in the month regarding invasive species at Railway Park an issue which he had followed up with the Director following the meeting. He stated that some undergrowth may not be able to be cut back, as to do so would mean it would grow back thicker and more detail was needed as to how severe the issue was as it could hold up works in the area.

Councillor Molloy echoed the comments of previous speakers concurring that it had been discussed on many occasions. He reflected that a large pane of glass had had to be replaced at one of the buildings and advised that a gas pipeline had been brought through the area in question. Councillor Molloy spoke of the anti social behaviour and also illegal dumping. With regard to the youths he suggested that instead of labelling them criminals there was a lack of activities for them and Council should engage with schools and youth services to see what could be done.

Councillor Ashton stated that the situation had been ongoing for years and was long past reports and DEA meetings it was action that was required. Councillor Ashton proposed that a report be presented to the Development Committee on 15 October 2020 detailing a strategy, action plan and time line for work and actions to be carried out to endeavour to alleviate antisocial behaviour in the area of the Junction at Beach Valley and across the Railway Park area of Dungannon.

The Chair, Councillor Mallaghan sought agreement.

Resolved That a report be presented to the Development Committee on XX October 2020 detailing a strategy, action plan and time line for work and actions to be carried out to endeavour to alleviate antisocial behaviour in the area of the Junction at Beach Valley and across the Railway Park area of Dungannon.

Councillor Colvin reflected that such behaviour was happening in other areas and in supporting Councillor Ashton's initiative he stated the learning should be used across the district.

Councillor Burton spoke of complaints made to her from people trying to get into petrol station at Tesco's who had been hindered as someone had blocked the entrance with a traffic cone. She reflected that the PCSP had endeavoured to engage with the youth and there had been a frustration in the community that the community building was not open for community activities for them.

Councillor Cuthbertson stated that he wanted to bring to the Council's attention, although many would already be aware of the poster erected on the Newell Road, Dungannon which targeted the PSNI and other security services. He stated that the

poster was disgusting and an act of hatred to those from the community of Dungannon and Mid Ulster whose job role was to protect the entire community.

Proposed by Councillor Cuthbertson
Seconded by Councillor Black and

Resolved That Council condemn the aforementioned poster on Newell Road, Dungannon

Councillor Burton left the meeting at 7.44 pm

The Chair, Councillor Mallaghan adjourned the meeting to allow ICT to eliminate connectivity problems.

Councillor Burton returned to the meeting at 7.46pm

The meeting resumed at 7.52 pm

C171/20 Deputation – Northern Ireland Housing Executive

The Chair, Councillor Mallaghan acknowledged the difficulties with connectivity and thanked representatives from Northern Ireland Housing Executive team for waiting and invited them to make their presentation.

The Director of Regional Services Siobhan McCauley stated technology was difficult for all and introduced the team all of who had joined the meeting remotely.

Ms McCauley presented the power point presentation following which the Chair, Councillor Mallaghan sought Members questions.

The Chair, Councillor Mallaghan asked

- (i) In relation to aspirations of homes to be built the report highlighted it as 202 but the need is 336, so there appears to be a major gap between provision and need, how does the NIHE propose to address?
- (ii) New build social housing rents charged are in excess of housing benefit allowed, thus it is impossible for many to access affordable social housing, how can this be addressed?
- (iii) In relation to COVID 19 and contractors provision of maintenance work. Reports are being received that the NIHE, from 1st October may be going to penalise contractors if targets are not reached which is concerning given in the current crisis when it is difficult to access materials, labour etc.

In response to question one Ms McCauley stated that there was always difficulties in financial provision and also during the height of the pandemic construction workers were not on site thus this laid to delay in delivery. With regard to housing benefit in line with social rents charged Ms McCauley acknowledged the difference in levels

and stated that they worked hard to achieve levels that permitted rents to be affordable.

Ms Hickey requested that questions be repeated as she was struggling to pick them up. The Chair, Councillor Mallaghan repeated question one and Ms Hickey advised that it had been anticipated that more social housing would be delivered and referred to page 57 of the development plan advising that in the last financial year some had been held up in the planning process but it was hoped to bring some forward. The Chair again reflected that the need was 336 and the programmed units was 202.

Ms McCauley stated that the NIHE were still endeavouring to secure lands to plan for further housing units.

Mr Blase referred to question (iii) and stated that the NIHE had met with contractors and acknowledged the difficult circumstances stating that during the height of the pandemic they had got emergency jobs done but were now dealing with a backlog of routine jobs. He acknowledged that they had been flexible with contractors over the past 7 months and continued to be aware of difficulties but stated they were a public body and had to deliver services. He stated that the NIHE had to challenge contractors on costs and time for jobs as they had to deliver a first class service.

The Chair, Councillor Mallaghan stated that contractors needed flexibility at this time.

The team from NIHE continued to experience sound difficulties and the Chair, Councillor Mallaghan requested that Members forward questions to the Head of Democratic Services which would then be forwarded to the NIHE team to respond on.

The NIHE team left the meeting.

Councillor McKinney stated he had said this more than once but the ICT system is bad in the room and worse at home and yet again it was a poor show.

Councillor Monteith stated he had issues which he would forward to the Head of Democratic Services. He referred to page 8 of the NIHE report and proposed that Council engage with Department for Communities to discuss the private rental sector. He also stated he would love to know where houses could be got to rent for £120 per week in Dungannon.

Councillor Monteith also stated that Council needed to look at stand alone meetings for statutory agencies as tonight's proceedings was conducive to no one.

Councillor Kerr seconded Councillor Monteith's proposal for a meeting with DfC.

Councillor Colvin concurred with Councillor Monteith and stated that Council also needed to put pressure on NI Water as the current infrastructure would not sustain future housing.

Councillor Milne proposed that DEA meetings should be arranged to discuss a way forward in relation to housing.

Councillor Elattar seconded the proposal.

Resolved That

- (i) DEA specific meetings be scheduled with NIHE representatives;
- (ii) Council seek a meeting with Department for Communities to discuss issues around private rental sector; and
- (iii) Due to technical difficulties in communication technology that Councillors emails questions in relation to the NIHE presentation to Democratic Services, to be forwarded and addressed by NIHE representatives following the meeting.

In response to Councillor Cuthbertson's suggestion that Dfl attend the environment committee it was acknowledged that the wider Membership may wish to attend and under current COVID regulations there would be too many in the room.

Matters for Decision

C172/20 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on Thursday 27 August 2020

Councillor Cuthbertson drew attention to C155/20 Chair's Business to the issue in relation to cemeteries and sought an update stating that he had received several complaints during the week and felt that the answer to the problem would be to close access gates from the road from dusk to dawn.

In response the Director of Environment and Property stated that Officers had been assessing the issue and an update would be provided at the Environment Committee in October.

Councillor Corry highlighted the issue of COVID 19 and local restrictions emphasising the need for guidance to be regularly updated and available on media platforms. She also sought assurance that Environmental Health would keep businesses up to date.

In response the Director of Public Health and Infrastructure stated there was ongoing conversations regarding the matter, a memorandum of understanding was in place with the PSNI and further information would be provided at the Environment Committee.

Proposed by Councillor McNamee
Seconded by Councillor Milne and

Resolved That the Minutes of the Council held on Thursday 27 August 2020 (C153/20 – C162/20 and C167/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C173/20 Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on Tuesday 1 September 2020

Proposed by Councillor S McPeake
Seconded by Councillor D McPeake

Resolved That the Minutes of Planning Committee held on Tuesday 1 September 2020 (P073/20 – P080/20 and P088/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C174/20 Receive and Consider Minutes of matters transacted in “Open Business” Policy and Resources Committee Minutes of Meeting held on Thursday 3 September 2020

Proposed by Councillor S McPeake
Seconded by Councillor Doris and

Resolved That the minutes of Policy and Resources Committee held on Thursday 3 September 2020 (PR126/20 – PR133/20 and PR148/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C175/20 Receive and Consider Minutes of matters transacted in “Open Business” Environment Committee Minutes of Meeting held on Tuesday 8 September 2020

Councillor Kerr drew attention to *E170/20 COVID 19 Collective Response* and concurred with the recommendation stating that pressure should be applied to ensure testing facilities was easily accessible to residents.

Councillor Kerr expressed concern regarding the dumping of animal carcasses and suggested that a meeting should be held with Environment Agency to endeavour to nip the fly tipping in Kettle Lane in the bud.

Councillor Kerr drew attention to *E172/20 Bus Shelter Update*- stating that some bus shelters were an ‘eyesore’ and requested that regular inspections perhaps every 6-12 months be introduced.

Councillor Kerr also sought an update on the recycling centre in Coalisland.

Councillor Corry left the meeting at 8.30 pm

The Chair, Councillor Mallaghan stated that he thought there was an inspection routine in relation to bus shelters. The Director of Environment and Property

confirmed that there was and advised he would report back in relation to frequency of same. He further advised that an update report in relation to Recycling Centre at Coalisland would be brought to the October Environment Committee.

Councillor Colvin brought it to the attention of the meeting that Councillor Glasgow who was connecting to the meeting virtually could view proceedings but could not hear.

Councillor Cuthbertson drew attention E165/20 – Waste Collection Service Policy Public Consultation and advised that schools were under enormous pressure in dealing with additional waste due to COVID 19 procedures and asked if Council could assist with disposal of same.

In response the Director of Environment and Property stated he would investigate what could be done to assist schools.

Councillor Burton referred to discussion on bus shelters and concurred that an inspection across all bus shelters was required as she was aware of some at which access was overgrown with weeds.

Councillor Black left the meeting at 8.32pm

Councillor Corry returned to the meeting at 8.32 pm

The Chair, Councillor Mallaghan stated that updates would be presented to the Environment Committee on the undernoted:

- (i) Bus shelters frequency of inspections;
- (ii) Coalisland Recycling Centre; and
- (iii) Director to investigate how Council could help schools with additional waste generated due to COVID-19

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

Resolved That the Minutes of Environment Committee held on Tuesday 8 September 2020 (E158/20 – E184/20 and E191/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C176/20 Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Thursday 10 September 2020

Councillor Wilson drew attention to D118/20 social housing working group & Pilot Shaping Plan and expressed concern that phase 2 land was being utilised in Dungannon prior to phase 1 lands and this was not permitted in Cookstown which was a growing town.

Proposed by Councillor Wilson

Seconded by Chair, Councillor Mallaghan and

Resolved That a Cookstown DEA meeting be scheduled with the Planning Manager to discuss issues on Phase one and Phase two Lands

It was again brought to the attention of the meeting that those connecting remotely could not hear proceedings.

The Chair, Councillor Mallaghan advised that ICT were endeavouring to eliminate the problem and if Members could bear with this.

Councillor Graham left the meeting at 8.35 pm

Councillor Colvin stated that if it was a planning meeting taking place the meeting would have to be adjourned and expressed concern with regard to the sound quality and the fact that Members connecting remotely could not hear proceedings. He was emphatic that the meeting should be postponed.

The Chair, Councillor Mallaghan stated he understood frustrations but would prefer to continue with the meeting, he stated Mid Ulster was one of the few Councils hosting hybrid meetings and in relation to comments with regard to the planning committee he stated most issues before Council had had prior debate at committee. He stated whilst it would be his desire that all should be able to fully participate the meeting should move on.

Councillor McKinney stated when Council had amended standing orders to permit this type of meeting he had expressed concern regarding Members connecting remotely losing contact. He stated Members were elected to represent people and should be able to do so and if the meeting takes longer due to technology hitches so be it.

In response to Councillor McKinney's question 'was the meeting moving on as it was a Ulster Unionist Member experiencing sound difficulties', the Chair, Councillor Mallaghan expressed disappointment in the remark and highlighted that four Nationalist Members was also impacted.

Councillor McLean expressed concern with regard to debate or a vote being restricted with some Members not being able to participate.

The Chair, Councillor Mallaghan advised that Councillor Glasgow had already participated in a vote. He further highlighted that Members had been made aware if they could not attend due to example shielding a separate room in a Council facility could be made available. The Chair sought an explanation as to whether problems being experienced were due to poor connectivity of Councillor Glasgow's location or a fault in the overall system.

Councillor Cuthbertson drew attention to D113/20 Chair's Business COVID 19 Business Support Scheme (Tranche 1) and asked if Council could support businesses who for example wished to put an awning outside and had to apply for planning permission/building control approval thus Council was attaining fees.

In response the Director of Business and Communities advised that Council had already provided match funding for rural development and asked if businesses experiencing difficulties could make contact with Council officers.

Councillor Cuthbertson asked if statutory fees could be waived in the current circumstances. In response the Director of Business and Communities said Council should not set such a precedent especially given the number of support schemes in place.

The Chair, Councillor Mallaghan concurred with the Director stating that waiving such fees would also impact budgets.

Councillor Wilson drew attention to standing orders and again stated that Councillor Glasgow could not participate in the meeting as he could not hear proceedings.

In response the Chair, Councillor Mallaghan highlighted it was at his discretion should the meeting be adjourned.

Councillor Ashton drew attention to *page 42 of standing orders* “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.”

The Chair, Councillor Mallaghan adjourned the meeting at 8.45 pm for a period of 5 minutes.

The Chair, Councillor Mallaghan resumed the meeting.

Councillor McFlynn drew attention to *D114/20 Outdoor Recreation Master Plan Programme* and requested that in the interim, until the implementation of the Outdoor Recreation Master Plan Programme, picnic benches be installed at Iniscarn Forest leading towards Slieve Gallion.

In response the Director of Leisure and Outdoor Recreation advised that this would be feasible.

Resolved That in the interim, until the implementation of the Outdoor Recreation Master Plan Programme, picnic benches be installed at Iniscarn Forest leading towards Slieve Gallion.

Proposed by Councillor Wilson
Seconded by Councillor Kerr and

Resolved That the Minutes of Development Committee held on Thursday 10 September 2020 (D111/20 – D129/20 and D138/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C177/20 Requests for Civic Recognition

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, as detailed within the report at appendix A.

Proposed by Councillor Kerr
Seconded by Councillor Quinn and

In response to Councillor Quinn's request the Chair, Councillor Mallaghan agreed to consider Noamh Colm Cille for some form of recognition together with Edendork and Dungannon Clarkes following the recent County title wins.

Resolved That Naomh Colum Cille, Derrytresk winning the County Tyrone Junior Hurling title be added to the list that the Chair, would endeavour to recognise.

Resolved That approval be given to submitted requests for civic recognition as outlined in the report and be dealt with as previously resolved by April Council in that recipients receive a letter together with an award, where appropriate.

C178/20 Conferences, Seminars and Training

Approval was sought for the undernoted for attendance of Councillors and Council Officers as outlined in the report, the payment of attendance fees and associated costs as incurred.

Conferences

Provider/Course	Date & Time	Location	Costs
Next Steps for Skills and Apprenticeships	8 October 2020	E Conference	Yes
RTPI NI Conference – Connected Neighbourhoods	15 September 2020	Webinar	No
RTPI NI Conference – Integrated approach to future development through Development Plan	16 September 2020	Webinar	No

Proposed by Councillor Doris
Seconded by Councillor McLean and

Resolved That the attendance of officers, the payment of attendance fees and associated costs as incurred be approved, as required for attendees.

Matters for Information

C179/20 Correspondence

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

Councillor McKinney referred to the letter emailed to Members earlier in the day received from Department of Agriculture, Environment and Rural Affairs dated 23 September 2020 and stated that for the second time the Minister had failed to answer the specific point in relation to suckler farmers.

The Chair, Councillor Mallaghan asked if Councillor McKinney wished Council to write yet again to the Minister.

Councillor McLean stated that business should move on as no answer would satisfy the said Member.

Councillor Cuthbertson drew attention to the response dated 23 September 2020 received from the Department for the Economy in relation to Coach Industry and requested that Council write to the Minister of Department for Infrastructure in relation to the matter.

Councillor McKinney referred to Councillor McLean's previous comments and declared them to be 'out of order' and suggested that the Member read the response and enlighten the Council.

The Chair, Councillor Mallaghan called the meeting to order.

C180/20 Consultations Notified to Mid Ulster District Council

Members considered the previously circulated report.

C181/20 Notion of Motion

Councillor Corry spoke on the motion stated the following,

"As part of the ongoing review of hate crimes in the North of Ireland due to be released this year, many individuals, women's groups, LGBT groups, representatives from trade unions, voluntary and community groups, as part of the raise your voice project, have urged that misogyny should be recognised as a form of hate crime. The Law Society have also opened a consultation on this just yesterday.

A report this week on women MLAs revealed 70% had sexist remarks made to their face, 75% had experienced sexism on social media and 26% had been sexually harassed during their political career. This is shocking but it's only a snippet from MLAs alone, as throughout society women face this but as most of it goes unreported it is difficult to get accurate figures. In areas where Misogyny is recognised as a hate crime, victims felt more confident to report, felt they were taken seriously and encouraged other victims to report an example being Nottinghamshire.

Misogyny can have a major impact on the lives of young girls and women. Incidents of harassment and assault changes their behaviours and life choices from that moment and the impact is carried throughout their lives. Some say that misogyny is

a way of maintaining the hierarchy and status quo in society. The MeToo movement highlighted these issues across the world.”

Councillor Corry moved the motion as undernoted:

Raise Your Voice – Against Sexual Harassment

“This Council recognises the impact of misogyny and trans misogyny on those affected by it, as well as the role these attitudes play in a variety of crimes, including harassment, assault, sexual assault and hate crimes, and on the career choices and personal lives of women, girls and non-binary people.

The Council supports the inclusion of misogyny as a standalone offence and as a category of hate crime, recognising crimes targeted at women including trans women as hate crimes based on misogyny, and will write a letter to that effect to Judge Desmond Marrinan, as part of his ongoing review of hate crime legislation in Northern Ireland.

The Council supports also the Raise Your Voice Project, which tackles sexual harassment and sexual violence across Northern Ireland, by placing posters in all Council properties to raise awareness of the project.”

“The Council will invite representatives of the Raise Your Voice project to deliver training for Members on the realities facing victims of sexual harassment and violence and how we can best equip ourselves to assist them in our role as Elected Members.”

Councillor Doris seconded the motion stating

“Go raibh mile maith agat Chair

Firstly, there is no doubt that life and women’s rights have vastly improved over the few decades. However, there is further to go to create a cultural shift to stop sexual harassment, sexual violence and misogyny against women and indeed in many cases young girls. This motion is certainly a continued step in the right direction towards a fairer and safer society. If misogyny is to be a stand alone criminal act as outlined in this motion I truly believe that women would have a much higher representation within public life and therefore more of a say in legalization and policy change that will have a direct impact on society. Personally I am not surprised by the statistics that Councillor Corry has outlined as I have personally been on the receiving end of many sexist remarks and harassment during my time as a councillor.

I am sure every female in this room and particularly the female elected representatives have been casually called a “bitch” whether to their face or online, and if I am completely honest with you that is not a name that has caused me great offence or upset. And the reason why it hasn’t caused me upset or offence is because in my first job I worked in retail at the age of 15 and it was something we working in the customer service industry were just taught to ignore or casually laugh

off. The ‘customer is always right’ is what they would say. It isn’t a big deal, just keep it quiet.

Misogyny does not just impact on us women who I quote “choose to put ourselves in this position” by God forbid participating in public life but it happens every hour of the day to many young girls in our society as they develop into women and this can have devastating impacts on their self-esteem, self-worth, confidence and their life decisions thereafter. This is not a motion to attack men or pretend that there are not very obvious differences between men and women but it is about challenging the culture that lends itself to the lessening of the serious implications that misogyny can have on society as a whole. This motion is not about denying difference but about embracing equality. I therefore am happy to second Councillor Corry’s motion. “

Councillor Hughes stated that the SDLP would also support the motion recognising the inequalities across society and would also support the need for better child care facilities. She stated that the party opposed discrimination against women and non binary people and concurred that a job of work needed to be done across the island of Ireland to eradicate misogyny and the SDLP would continue to work towards this.

Councillor Ashton stated that the DUP would propose an amendment to the motion, copies of the amendment was distributed.

Councillor Ashton moved the amendment stating,

“Mr Chairman, the reason for our amendment is firstly that my understanding is that Judge Desmond Marrinan’s Hate Crime review consultation in Northern Ireland closed on 30 April 2020. It was open for 16 weeks and received over 1,000 responses. This is why we are asking instead to write to the PSNI for information. Our amendment draws on the fact that we as a council need better understanding of the data under the six headings identified in our amendment. This will enable us to address the issues factually, promptly and effectively. We should get the local facts and work with the PSNI and other organisations such as Women’s Aid to address this ongoing problem.

Mr Chairman, while Raise Your Voice project identifies some very important and serious issues, none more so that the way sexual assaults, domestic abuse and domestic homicide are often reported. Our amendment focuses on the broader issues of hate crime and we oppose all forms of harassment, sexual assault and hate crimes – against anyone as we believe every single person in Mid Ulster Council area should be able to live free from sexual harassment and hate crime.”

Councillor Ashton proposed the amendment

“This Council opposes all forms of misogyny and accepts its impact upon all victims.

Furthermore this Council opposes all forms of hate crime and will write to the PSNI to request the most recent 12 month breakdown of hate incidents in Mid Ulster District Council under the six strands of hate motivation that are

monitored; race, sexual orientation, sectarianism, faith, disability and transphobia.

This Council supports also the Raise Your Voice Project, which tackles sexual harassment and sexual violence across Northern Ireland by placing posters in all Council properties to raise awareness of the project.”

Councillor McLean seconded the amendment.

Councillor Colvin supporting the amendment stated that misogyny is wrong and stressed that there was a lot of local groups for example First Steps Women’s Centre in Dungannon together with many others who work on transforming women’s lives and suggested that Council engage with local groups to support such measures. He further stated that ‘the cart was being put before the horse” and suggested Council should have had a presentation from the group prior to the motion.

Councillor Mullen stated that she had been a victim of threatening behaviour and harassment and stressed that there was no help out there for victims.

The Chair, Councillor Mallaghan ensured all had read the amendment and upon agreement called for a vote.

For	19
Against	17

The Chair, Councillor Mallaghan stated that the amendment was carried and had now become the substantive motion.

Councillor Corry expressed grave disappointment especially regarding hate crime when women are getting abused regularly, she stated she had been aware that the consultation had closed in April but that she was aware others had wrote post the close date.

The Chair, Councillor Mallaghan declared the motion as undernoted carried.

“This Council opposes all forms of misogyny and accepts its impact upon all victims.

Furthermore this Council opposes all forms of hate crime and will write to the PSNI to request the most recent 12 month breakdown of hate incidents in Mid Ulster District Council under the six strands of hate motivation that are monitored; race, sexual orientation, sectarianism, faith, disability and transphobia.

This Council supports also the Raise Your Voice Project, which tackles sexual harassment and sexual violence across Northern Ireland by placing posters in all Council properties to raise awareness of the project.”

Members of the public left the meeting at 9.20pm

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 broad cast concluded at 9.21 pm

Proposed by Councillor McNamee
Seconded by Councillor Molloy and

Resolved That items C182/20 – C189/20 be taken as confidential business.

Matters for Decision

- (i) Council Confidential Minutes of Meeting held on 27 August 2020
- (ii) Planning Committee Confidential Minutes of Meeting held on 1 September 2020
- (iii) Policy and Resources Confidential Minutes of Meeting held on 3 September 2020
- (iv) Environment Confidential Minutes of Meeting held on 8 September 2020
- (v) Development Confidential Minutes of Meeting held on 10 September 2020
- (vi) Audit Confidential Minutes of Meeting held on 15 September 2020
- (vii) Planning System Procurement September 2020
- (viii) Document for Sealing: Lease of lands situated at Limekiln Lane, Cookstown between Mid Ulster District Council and Mid Ulster Women's Aid

C190/20 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.37 pm

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

Good evening and welcome to our meeting of Mid Ulster District Council in the Burnavon Arts & Cultural Centre, Cookstown whether you have joined us remotely or in the auditorium.

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

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

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

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

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 1 October 2020 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor McNamee

Councillors Black, Burton, Clarke*, Corry*, Doris, Elattar*, Kerr, Hughes, Kearney, Milne*, Monteith, Wilson*

Officers in Attendance

Mr McCreesh, Director of Business and Communities
Mr M Browne, Head of Tourism**
Ms Linney, Head of Community Development**
Mr Kennedy, ICT Support
Ms Grogan, Democratic Services Officer

Others in Attendance

Councillor S McGuigan*

Deputations

Magherafelt Volunteer Centre***
North West Mountain Rescue Team***
Lough Neagh Partnership School Land's Project***
Cookstown and Western Shores

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7.00 pm.

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

D139/20 Apologies

Councillors Ashton and Cuddy.

D140/20 Declarations of Interest

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

D141/20 Chair's Business

The Chair advised that questions would be taken after each completed presentation.

D142/20 Magherafelt Volunteer Centre

The Chair welcomed to the committee Ms Michele McKeown, Ms Barbara Kennedy and Ms Mairead Devine from Mid Ulster Volunteer Centre and invited them to make their presentation.

The representatives thanked members for allowing them the opportunity to address the committee and advised that Mid Ulster Volunteer Centre had celebrated 20 years in business. They advised that their vision was to fully recognise the need for an effective and efficient service; to have local presence and experience, local offices which understand and reflect local needs; Person Centred Approach – to provide a sufficiently flexible service to meet local and individual needs; A volunteer centre which is able to work in partnership with others and to support sustainability. (Appendix 1).

The Chair thanked for representatives and asked for any members comments.

Councillor Kearney commended the organisation and the work they carry out and stated that during his term as Chair of the Council he had been invited to the prize giving and witnessed first-hand the excellent job they do. He said that the group had adapted greatly during the pandemic by delivering meals and praised the work that they do with disabled learners and post primary pupils and wanted to formally acknowledge the good work they carry out. He stated that former Councillor George Shiels had been a great advocate of the organisation and had always championed their cause.

The Chair stated that Covid-19 had brought the focus of volunteering to the fore from groups like Magherafelt Volunteer Centre and other groups across the North of Ireland and wished the group all the best for the future and asked them to keep up the great work for the future as the community depended on it.

The Chair advised that there would be a change to the running order of the Agenda and that North West Mountain Rescue Team presentation would now follow Lough Neagh Partnership School Land's Project presentation.

D143/20 Lough Neagh Partnership School Land's Project Located in Derrylaughan

The Chair welcomed Mr Gerry Darby and Dr William Burke representatives of Lough Neagh Partnership School Land's Project and invited them to make their presentation.

The representatives advised that the group's aim was to co-ordinate a range of activities that can make a significant impact on the economic, environmental and social wellbeing of the Lough Neagh Area. Work involved five strategic thematic area: Tourism promotion; Environmental protection, enhancement and sustainability; Heritage conversation, management and promotion; Leisure, recreation and safety; Attracting investment and financial sustainability; £14 million+ secured since 2014. (Appendix 2).

The Chair thanked for representatives for their presentation and asked for any members comments.

Councillor Doris thanked the group for their informative presentation which was very detailed and goes to the heart of the issue. She said that she had grown up in the area her whole life and was well aware of the change in landscape and to the wildlife surroundings and especially over lockdown it was evident to see the increase in walking activities and felt that this was now an opportunity to open this up.

She raised the ongoing issue with the Education Authority for the past 15 years and advised that Linda Dillion MLA had issued a question to the Education Minister which he has to be reply to this month. She said that she was pretty positive that this will be eventually moving forward which was a positive thing.

Councillor Doris referred to local extraction in the area and said that there was no issues within the local community with those extracting the peat as it provided employment and once this was transferred over from the Education Authority then it can be moved forward.

She advised that she had raised the issue of the burning of the moss at a previous committee meeting. She said that years ago that an official burning of the moss had taken place around February time which left the ground not as prone to catch fire as quick and not as much harm to wildlife. She asked if there was any plans to bring such an action forward so as to protect the area and wildlife.

Dr Burke advised that in terms of controlled burning and overall management, currently work was being carried out on a 10 year management plan on the examination of methodology and issues which are there. He stated that within that 10 year management plan there would be series of actions taken into consideration on how fires can be controlled through controlled burns working in conjunction with Northern Ireland Fire Service, committee partners and others around Derrylaughan, Derrytresk and Washingbay. He said that it was an appropriate methodology but there needed to be an appropriate management plan approach agreed in advance to take it forward on the controlling of fires in that area.

Councillor Clarke thanked Mr Darby and Dr Burke on their impressive presentation and concurred with the previous Councillor's comments. He said that he had an interest in the burning of historical heather and that burning patches of the mountain on a yearly basis meant that there were different stages of growth of heather which was vital for the Grouse. He said that because it was burned on a rotation basis this meant that nothing got out of control if something did spark it. He said that there was an issue with DAERA as they were against controlled burning, but felt that this was not correct as this kept things under control and was better for the wildlife and cut out the risk of a massive outbreak of uncontrolled fires.

Mr Darby said that he agreed with Councillor Clarke's comment regarding DAERA's stance on the banning of controlled burning but stated that speaking to the people of that area and feedback received, it wasn't farmers or landowners which were starting the fires but more carried out maliciously. Fire starting was more the fundamental

issue, but he took Councillor Clarke's point about controlled burning as this can have a positive impact if carried out continuously within certain perimeters and limits.

Councillor Kerr said that he had spoken to members of Lough Neagh Partnership and others around the illegal extraction in the area and from previous engagement with members with the group, there had been issues around Planning. He said that Planning Department needed to take a real firm attitude towards this illegal extraction as it was a huge inconvenience whenever there is fire brigades being diverted to an area which could be required for different areas. He also raised concern regarding residents having to keep their windows closed due to smoke.

He referred to the Beekeeping Group at Lough Neagh and said that they were interested in a conservation area for the native Irish Bee and stated that he was aware of other species being mentioned but said that local residents would be keen to set an area up.

Mr Darby concurred with member's comments regarding the bees and also tree planting carried out by football clubs in an appropriate way and also agreed that beekeepers and Irish Bees was of a fundamental importance. In relation to the Planning, he felt that this was a catch 22 situation as they have indicated that the Education Department was not interested in the management of the land as it was a historical hangover from the past and back to the plantation of Ulster era. Planners have suggested that Lough Neagh Partnership seek ownership or long term lease on the project, then this would allow them to work more closely with them in trying to address this as this was having a serious impact on the habitat within that area. He felt that it may an opportunity for Councillors to lobby the Education Department and hoped by November that the lease would be transferred over to the Lough Neagh Partnership and then work can be done more closely with the Planning Department.

The Director of Business and Communities stated that in relation to land and property, officers would be happy to engage with Mr Darby and Lough Neagh Partnership. He said that officers were currently engaging with the Partnership in relation to the Derrytresk, Derrylaughan issue and the input from Lough Neagh has been very positive and very constructive to date and offered his thanks for that. He said as an officer team right across the organisation which includes planning were happy to engage with Lough Neagh Partnership as the body that is recognised as the voice of Lough Neagh. He said across 3 decades Lough Neagh as one of the largest inland waterways in Europe did not have no collective voice, no strategy, no direction, no government department taking ownership, taking responsibility or providing leadership and said that he personally welcomed where Lough Neagh is now and what they are bringing to the table.

The Director advised that Lough Neagh Partnership was supported by all the parties in a structure which allows the community right across the Lough to have a voice. He said that in the past communities in and around Lough Neagh built away and with their back to the Lough, but this was now changing and the community were now seeing what a fantastic resource it is and embracing it again. The community are now beginning to see it beyond fishing and sand extraction and more of a value from both an environmental flora and fauna but in the future as an economic resource, particularly if there was an opportunity to get to the point where it could be linked

through the Ulster Canal with the Shannon as this would be the ultimate prize. He said that the work that was ongoing at the lower Bann, from Portglenone, Bellaghy and Maghera linking into Lough Neagh, this could be implemented with Clones and Shannon that everyone should all strive for.

The Director of Business and Communities concluded by saying that the officer team would be very happy to work with Lough Neagh Partnership as the management structure had the best interests for Lough Neagh. He said that he had previously advised Mr Darby that post Covid that a meeting be convened with every Council around the Lough, elected leaders and those in authority to get Council commitment because collectively, there was an opportunity to make good things happen.

Councillor Black referred to the issue of peat extraction and declared an interest in this matter due to being a member of the Planning Committee.

Councillor Kearney also declared an interest as he also was a member of the Planning Committee.

Councillor Kearney stated that there was a course of action envisaged by the Planning Department currently taking place.

The Chair commended Lough Neagh Partnership for the work they do, and the numerous projects they do each year especially around the curlew and asked that the good work continue.

D144/20 North West Mountain Rescue Team

The Chair welcomed Mr Graeme Stanbridge and Mr Andrew Kelly representatives of North West Mountain Rescue Team and invited them to make their presentation.

The representatives advised that North West Mountain Rescue Team provides a 24/365 call out service on behalf of the PSNI, NIFRS, NIAS and/or Coastguard. They asked for consideration from the Council for a new base within Mid Ulster area. (Appendix 3).

The Chair thanked for representatives and asked for any members comments.

Councillor Kerr enquired if Council should provide a facility and try and waiver the charge of £10 per hour as this could go towards front line services.

Councillor Molloy referred to the interland of Cookstown, Magherafelt and the Sperrins and all the natural areas Mid Ulster had to promote for walking tourism and leisure he felt that a base should be identified as walking tourism was anticipated to grow within the area. He stated that it would be beneficial for this Council to identify a base and suggested that Officers put their heads together to see if anything can be sourced or even signpost the group in the right direction to somewhere it can be of benefit to them.

The Chair concurred with Councillor Molloy and said that last month the Council's walking schedule was being promoted and anticipated when post Covid, walking will

be greatly enhanced especially around Davagh. He said that he was made aware of people becoming lost in Davagh and that the experience would be terrifying if it was getting dark and cold at night and feels that the Council should do what they can to help.

Proposed by Councillor Black

That officers reach out directly with the organisation on this particular point and discuss it further to see what assistance can be provided to see what opportunities there might be.

Seconded by Councillor Molloy

Resolved That it be recommended to Council to agree that Officers liaise directly with North West Mountain Rescue Team to discuss the matter further to see what assistance can be provided and what opportunities there might be sourcing a base going forward.

Councillor Clarke advised that one of the biggest target areas was from the Sperrins down to Newtownstewart, but referred to Draperstown, Maghera area and enquired if this could be a possibility. He stated that a new site in Maghera within an industrial estate should be investigated as a possibility.

Mr Kelly stated that this would be a prime site as it was very central to the community.

Councillor Clarke stated that it would be 20 miles nearer to the centre of the action.

Mr Stanbridge concurred with Councillor Clarke's comments and said that as long as it was close to a main road as much time was wasted getting members to the rescue base and to activate the vehicle to get it onto the road, but were fortunate that there was a strong link with many members living and around the town and a strong membership in the area. He said that it was found that when a base was identified, there was greater recruitment around that area so members were able to activate the vehicle quickly.

Councillor Clarke said that it may be something that could be looked at in Maghera and Draperstown areas as well as Magherafelt to give further options.

The Chair thanked the representatives and asked them to keep up the good work in saving lives.

Councillor Burton left the meeting at 8.02 pm.

D145/20 Cookstown and Western Shores

The Chair welcomed Mr Conor Corr and Ms Clare Henry representatives of North West Mountain Rescue Team and invited them to make their presentation.

Mr Corr provided members with an update on where Cookstown and Western Shores were currently regarding community development and service to the community development support within the rural areas of Mid Ulster. He referred to SPRING Social Prescribing which was a partnership between Healthy Living Centre Members – which includes CWSAN, Bogside and Brandywell Health Forum, the Healthy Living Centre Alliance and Scottish Communities for Health and Wellbeing. This pilot is operational across 5 Trust areas, with a team of 38 Social Prescribers in Northern Ireland and Scotland and over 100 GP practices making referrals. (Appendix 4).

The Chair said that the Social Prescribing Programme sounds to be an excellent and sought clarification on where it was currently available.

Mr Corr advised that it was a pilot project was essentially in the old Magherafelt and Cookstown areas but not operational yet in the Dungannon area. He said that it operated on GP referral, so basically all of the GP's throughout Cookstown and Magherafelt could make referrals into this programme and was fortunate enough to have a good working relationship with GP's in places like Coagh, Cookstown and Maghera, Stewartstown.

The Chair referred to the online programme and issues around limited Broadband in some areas and asked if this affected the service.

Mr Corr agreed that this could be the case, not only broadband and access to IT, but there were clients/patients in the countryside and urban areas which don't have access to adequate equipment. He also advised that others were not savvy with IT and not able to operate emails or social media as some clients were quite older.

The Chair thanked for representatives and asked for any members comments.

Councillor Kerr said that he wanted to personally thank Mr Corr and his team for the presentation and for all the help with the Coalisland Food Bank in the early stages of the pandemic. He said that several issues had been identified with the governance and the signposting towards community grants etc.

Councillor Black thanked the representatives for their presentation and said that it was very positive to see such availability of a service which contributed to a holistic approach to an individual's health. He raised the issue of different referral points for example the good working relationship with GP's and enquired overall how the response has been and whether it has been a positive uptake or has there been any particular barriers in building relationships in referrals coming the group's way.

Mr Corr advised that there wasn't necessarily any barriers, but most or all GP's were extremely busy and some see the Social Prescribed Programme as a way of getting clients/patients of their books and into the community which helps their overall health and wellbeing. In stated that they have not come across any negativity in relation to the Social Prescribed project, but some GP's were more au fait with the outcomes as it is seen as a new phenomenon in the area within the past few years and may take some other GP's a little longer to see how it works, but the group would work with them to provide reassurance going forward.

The Chair thanked the representatives for their impressive presentation and stated that the group provided outstanding work and wished them well in the future. The live broadcast ended at 8.25 pm

D146/20 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.28 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 6 October 2020 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor S McPeake, Chair

Councillors Bell, Black, Brown, Clarke*, Colvin, Cuthbertson, Gildernew*, Glasgow, Kearney, Mallaghan, McFlynn, McKinney, D McPeake, Quinn, Robinson

Officers in Attendance

Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms McCullagh, Senior Planning Officer
Ms McKearney**, Senior Planning Officer
Ms McNally, Council Solicitor
Mr Stewart, Senior Planning Officer
Miss Thompson, Democratic Services Officer

Others in Attendance

Applicant Speakers

LA09/2019/0562/F	Councillor Elattar
	Mr McLaughlin*
LA09/2020/0484/O	Mr Ross
LA09/2020/0692/O	Mr Coney
LA09/2019/1540/O	Councillor B McGuigan
	Mr Cassidy*

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

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm

The Chair, Councillor S McPeake 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 Committee in the Chamber and by virtual means, by referring to Annex A to this minute.

The Chair also referred to addendum which had been circulated earlier in the day and asked if those joining remotely had seen this document and had time to read it.

Members joining remotely confirmed that they had seen the addendum and had time to read it.

P089/20 Apologies

None.

P090/20 Declarations of Interest

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

The Chair, Councillor S McPeake referred to agenda items 4.23 (LA09/2020/0603/F), 4.24 (LA09/2020/0604/F) and 4.29 (LA09/2020/0979/F) and that as these items are Council applications all Members should declare an interest.

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That all Members present at the Committee both in the room and virtually (Councillors Bell, Black, Brown, Clarke, Colvin, Cuthbertson, Gildernew, Glasgow, Kearney, Mallaghan, McFlynn, McKinney, D McPeake, S McPeake, Quinn, Robinson) declare an interest in agenda items 4.23 (LA09/2020/0603/F), 4.24 (LA09/2020/0604/F) and 4.29 (LA09/2020/0979/F).

Councillor Black declared an interest in agenda item 4.25 – planning application LA09/2020/0630/O.

Councillor Kearney declared an interest in agenda item 4.10 – planning application LA09/2019/16.30/F.

P091/20 Chair's Business

Councillor Quinn referred to the recent demolition of O'Rahilly House in Dublin and asked if the planning department had undertaken an audit of historic buildings within Mid Ulster and if so was this consulted on with the public.

The Planning Manager stated that such an audit would be conducted by Historic Buildings Section within the Department for Communities and that they would consult with Council in relation to historic buildings. The Planning Manager stated that Historic Buildings have compiled a report which details buildings at risk and that there were some buildings within the Mid Ulster area.

Councillor Quinn stated he would raise the issue with the Department for Communities.

The Planning Manager referred to the recent performance statistics issued for the period of April, May and June. The Planning Manager stated that during this time 287 applications were received by Mid Ulster Council and that this was the 3rd highest number received by Councils with the highest being around 300 applications. The Planning Manager stated that this number was down on what is normal but should be understandable given this was during the period of lock down. During this time 231 applications were decided these all being approvals, this was the 2nd highest rate of decisions. The Planning Manager stated that Mid Ulster is dealing with applications within 14 weeks and any Councils who are quicker are receiving less applications. Members were also advised that during the 3 month period 170

enforcement cases were concluded in time. The Planning Manager stated that during the April, May, June period the department received more applications than it dealt with and that there is currently a large caseload of live applications.

In relation to the Development Plan it was advised that re-consultation ended on 24 September and the aim is to move to having all representations online hopefully before Christmas. The Planning Manager stated it was difficult to foresee what further impact COVID19 will have on delivery of service but that officers will continue to push on as best possible.

Councillor S McPeake stated that the planning department's performance is commendable during the current challenging times.

Matters for Decision

P092/20 Planning Applications for Determination

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 4.5 – LA09/2019/0060/F – 2 holiday villas to match previously approved (I/2012/0159/F) at 60m E of 62 Loughbracken Road, Pomeroy for Karl Heron.

Agenda item 4.11 – LA09/2020/0034/O – Dwelling at an existing cluster adjacent to and SW of 150a Washingbay Road, Upper Meenagh, Coalisland for Patrick Brady.

Agenda item 4.13 – LA09/2020/0093/O – Dwelling and garage on a farm 60m E of 43 Carnaman Road, Gulladuff for Mr James McErlean.

Agenda item 4.14 – LA09/2020/0213/F – Restructuring and alterations of vehicular access at 18 Cookstown Road, Dungannon for Mr Barry O'Neill.

Agenda Item 4.15 – LA09/2020/0331/O – Site for a dwelling and domestic garage approx. 15m NE of 153 Sixtowns Road, Owenreagh, Draperstown for Ms Lisa Murray.

Agenda item 4.21 – LA09/2020/0550/O – Replacement dwelling at site 100m E of 2 Halfgayne Road, Maghera for Seamus Logue.

Agenda item 4.22 – LA09/2020/0561/F – Unit for valeting and cleaning of cars 15m SE of 82 Corr Road, Dungannon for Dan McNulty.

The Planning Manager further advised that planning applications LA09/2019/1624/F (Agenda item 4.9) and LA09/2019/1376/O (Agenda item 5.2) had been withdrawn.

Proposed by Councillor Brown
Seconded by Councillor McFlynn and

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

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

LA09/2017/1279/F 2 Broiler Poultry sheds with 4 feed bins, 2 gas tanks and an office changing and standby generator building at Land approx. 50m SW of 40 Edendoit Road Pomeroy for Mr Eric Black

Members considered previously circulated report on planning application LA09/2017/1279/F which had a recommendation for approval.

Councillor McKinney stated that as agenda items 4.1 to 4.4 were all for approval and there were no requests to speak on these applications that he would propose that they be considered collectively as approvals.

Councillor Colvin seconded Councillor McKinney's proposal.

Resolved That planning application LA09/2017/1279/F be approved subject to conditions as per the officer's report.

LA09/2018/0211/F Free range organic poultry shed with 2 feed bins and a standby generator building (poultry shed to contain 6,000 free range organic egg laying hens) at land approx. 200m NE of 72 Sessiagh Scott Road, Dungannon, for Jim Hamilton

Members considered previously circulated report on planning application LA09/2018/0211/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Colvin and

Resolved That planning application LA09/2018/0211/F be approved subject to conditions as per the officer's report.

LA09/2018/0391/F Dwelling adjacent to and 15m S of 3 Park Lane, Dungannon for Arlene Jardine

Members considered previously circulated report on planning application LA09/2018/0391/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Colvin and

Resolved That planning application LA09/2018/0391/F be approved subject to conditions as per the officer's report.

LA09/2018/0652/F Housing development for 5 detached units with private access road and 1 no. detached dwelling with separate access from Loves Road at lands S of 1 Loves Road, Magherafelt, for FP McCann Ltd

Members considered previously circulated report on planning application LA09/2018/0652/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Colvin and

Resolved That planning application LA09/2018/0652/F be approved subject to conditions as per the officer's report.

LA09/2019/0060/F 2 holiday villas to match previously approved (I/2012/0159/F) at 60m E of 62 Loughbracken Road, Pomeroy for Karl Heron

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

LA09/2019/0562/F Residential Development of 20 dwellings; includes site access, access roads, landscaping, car parking, driveways, garages and all associated site works and the retention of existing dwelling with new front boundary and access at 9a Slieve Gallion Drive, Magherafelt Road, Draperstown, for Viva Bingo Hall Ltd

The Head of Development Management presented a report on planning application LA09/2019/0562/F advising that it was recommended for approval.

The Chair advised the committee that requests to speak on the application had been received and invited Councillor Elattar to address the committee.

Councillor Elattar stated that the proposal is to be sited on white lands and in the garden of an existing property and none of the residents of Slieve Gallion Drive would ever have imagined a development of 20 houses would be built in the grounds of the existing residence.

Councillor Elattar stated that the objectors recognise the efforts of the planning department and the developer to try to minimise the effects of the development on nos. 5 and 7 Slieve Gallion Drive however the residents of 7 Slieve Gallion Drive still have concerns relating to increased traffic flow and how this will impact their daily lives. The Councillor referred to the extensive health problems the residents of no.7 have and the search they had to find a property which would suit their needs. In finding no.7 Slieve Gallion Drive the residents believed they had found a suitable property but would not have purchased the property had they known a new housing development would mean the traffic flow outside their bedroom would increase substantially.

Councillor Elattar stated that there was also concern from nos. 5 and 7 Slieve Gallion Drive on the safety of access to and from their driveways which are both beside the new access road. Visibility from the new access road into Slieve Gallion Drive is also a concern. Councillor Elattar stated that objectors feel the DfI Roads have not fully considered these concerns.

Councillor Elattar also referred to the use of the road through Slieve Gallion Drive for agricultural vehicles and that it had previously been stated that the developer can provide alternate access for these vehicles but that this has not materialised and DfI Roads have not pursued this option. Councillor Elattar stated that there is a potential alternative access for the proposal onto the Magherafelt Road and objectors would like this taken into consideration.

Councillor Elattar stated that if the proposal is to go ahead then the objectors would like it conditioned that there would be no future access through for any future development beside the current proposed site as there is another site beside the proposal site which is zoned and there is a potential for a loop road which would exacerbate the problems already being faced by nos. 5 and 7 Slieve Gallion Drive.

Councillor Elattar asked that the application be deferred until the points raised have been considered and to give Members a chance to see the problem for themselves. Councillor Elattar stated that the objectors would be keen to have a site meeting with Members and that DfI Roads and Environmental Health be included at such a meeting.

The Planning Manager stated that there appeared to 3 main issues of objection to the application, 2 being roads issues and the other being noise and nuisance. The Planning Manager asked the Head of Development Management if Environmental Health had been consulted on the application.

The Head of Development Management advised that Environmental Health were consulted and were asked to examine the issues raised by one of the residents in relation to personal circumstances. It was advised that Environmental Health responded to say that issues around ease of access to and from no.7 Slieve Gallion Drive and noise impact is a matter for DfI Roads to consider.

The Planning Manager asked if the objectors concerns were highlighted to DfI Roads.

The Head of Development Management stated that following a site meeting with objectors DfI Roads were asked to specifically consider the issues raised at that meeting – primarily access through Slieve Gallion Drive, access in and out of properties in Slieve Gallion Drive and sight lines. It was advised that DfI Roads did respond on these issues and that they considered the layout and access arrangements of the proposal to be consistent with road design guidelines.

The Planning Manager referred to the issue of the road loop and asked if there are any safeguards against this.

The Head of Development Management stated that the layout of the site shows a future access way that can link in to the zoned housing site to the North and therefore provision has been left, if the other site was ever developed, to have 2 means of access to the site via Slieve Gallion Drive and directly from Magherafelt Road.

The Planning Manager stated that planning permission would be required to create the link and asked if there was any other way into the land.

The Head of Development Management stated that the only way directly onto the Magherafelt Road is from the narrow strip of land.

The Planning Manager stated that as the land is zoned it is a reasonable expectation that the narrow strip of land can be used for access. He stated however that Members cannot determine the application before them tonight on what may happen in the future but at the same time consideration needs to be given to the Development Plan and what is proposed within that document.

The Planning Manager referred to the earlier request for deferral and stated that as all objections have been forwarded to the relevant consultees and considered thoroughly he did not believe there was anything to add by deferring the application.

The Council Solicitor referred to email submitted by Councillor Elattar which was emailed to Councillors as part of the addendum and that Members should take the time to consider this document.

The Chair, Councillor S McPeake asked if all Members had been able to access the addendum which was emailed to them.

Councillor Gildernew indicated that he did not receive the addendum which was emailed and confirmed that he would therefore not speak/vote on the application.

The Council Solicitor stated that if the Head of Development Management went through the points raised in the email for Members now then Councillor Gildernew can take part in discussion/ voting on the application should he wish to do so.

Councillor Cuthbertson stated that the Chair had asked at the beginning of the meeting if everyone had received the addendum and no one had said they had not received it. Councillor Cuthbertson stated that if planning officers are content that all concerns have been taken into account, including those raised in the email as part of the addendum then he would propose the recommendation to approve the application.

The Planning Manager stated that as there appeared to be some ambiguity as to Members having received the email with the addendum it would be better to take some time to go through the points raised in the email.

Councillor McKinney stated that it was his belief under the Code of Conduct that if Councillor Gildernew has not received the information then the Committee were not in a position to move forward.

The Planning Manager stated that the addendum had been emailed to all Members, however as Councillor Gildernew has stated that he did not receive this information he would not take part in any discussion/vote on the application. The Planning Manager stated that there was still more than enough of the Committee who could take a decision on the application.

Councillor Gildernew stated that he had put his hand up at the beginning of the meeting when it was asked if everyone had received the addendum however this did not appear to have been acknowledged.

Councillor Glasgow stated that he did not feel it would take that long to go through the points within the email and that this would allow Councillor Gildernew to take part in any discussion/voting on the application.

The Chair, Councillor S McPeake asked the Head of Development Management to go through the points raised in the email submitted by Councillor Elattar.

The Head of Development Management took Members through the points raised in the email from Councillor Elattar as follows –

Breach of original neighbour notification. Despite being within the designated 90m from the proposed development, some residents were not included in the process. They view this as a major concern. Does this have an impact on the process and effectively flaws the originally submission?

The Head of Development Management advised that at the outset there was an issue regarding what was neighbouring property or adjoining property and there were errors made at that time however those have since been corrected and that he was satisfied that all parties which should have been notified have now been notified.

Unsatisfactory reporting from Roads Enniskillen throughout the process with limited substantiation. The objectors are 100% sure there is a sight line issue between the main Slieve Gallion Drive route and the proposed turn off into 9A Slieve Gallion Drive. On both sides of the entrance whilst trying to look right and left. There are obvious dangers on access/egress. They wish to meet Roads to discuss this

The Head of Development Management advised that DfI Roads were specifically asked to look at these concerns. It was advised that DfI Roads have indicated there is no issue to justify refusing access to this site however there may be some vegetation growth which has exceeded the footpath which may be dealt with under a different control. The Head of Development Management stated that DfI Roads have not presented anything to state that entry/exit to any property in Slieve Gallion Drive will be made unsafe due to this proposal going ahead.

Unsatisfactory reporting from the Environmental Health. If they have properly studied the objection from number 7 Slieve Gallion Drive a more sympathetic approach may have been taken. The objectors wish to meet Environmental Health. It seems the emotional pleas with very strong and genuine human rights issues have been completely ignored and fallen on 'deafened ears'. This has to be a serious flaw.

The Head of Development Management stated that Environmental Health were asked to comment on issues raised by no.7 Slieve Gallion Drive but that they and DfI Roads were satisfied that the means of entry both in and out of no.7 is not prejudiced by this application.

Multiple issue of identical notification letters and in some cases up to 6 to any 1 objecting household. Objectors wonder does this relate to the ratio of notifications versus the number of objections? It certainly has presented misleading statistic when one simply review the quantum of notification versus objection.

The Head of Development Management advised that this point relates to multiple objections from the one address and that when the application is re-notified each of the named objectors receives a letter as opposed to one per household and explains why some households may have received 4 or 5 letters and others only 1.

Despite being a very strong link between the owners of 9A grounds and adjacent development lands there is an insistence that there is no link- meaning that they will not consider access through these lands and direct to the Magherafelt Road. If this is the position why did the council recommend the provision of an open space areas in this proposed development to safeguard the future development of the adjacent lands?

The Head of Development Management stated that this particular application site does not have any particular key site requirement and it is reasonable for access to be considered as it has been. It was advised that the adjacent zoned site does provide future connectivity and that this along with the need to ensure future open space is not a burden on the adjacent site in its entirety, open space within this application was requested.

Number 9A is now occupied once again as a dwelling. How can that continue safely if their grounds are to be eventually a building site?

The Head of Development Management stated that as the applicant is the owner of the property in question then they should in all likelihood ensure that the ground at the property will be left safe and that this should not be a deterrent to the application proceeding.

If planning approves this application, local residents would like to see both a copy of the Construction Management Plan and the Construction Environmental Management Plan which should be submitted as part of the planning process and which should form part of the approval process.

The Head of Development Management referred to the additional note on the addendum and that NIEA Water Management Unit have sought a Construction Method statement and that this should be submitted 8 weeks prior to the commencement of construction.

Removal of the Planning Portal. How are existing residents supposed to track updates? They have experienced considerable difficulty in accessing the planning portal.

The Head of Development Management stated that he was not aware of any issues regarding public access to the planning portal.

The Council Solicitor stated that there was one of the points raised in the email regarding unsafe movement of agricultural traffic which had not been dealt with. The Council Solicitor also referred to the vegetation growth mentioned and whether this requires a condition. The Council Solicitor also referred to point raised in which it was stated that genuine human rights issues have been completely ignored and asked if this has been considered as part of the report.

The Head of Development Management referred to the additional point within the email as follows -

Unsafe movement of agricultural traffic through Slievegallion Drive and the proposed new development (as recent as last week with slurry tanks and associated equipment utilising Slieve Gallion Drive and the grounds of 9A to access adjacent agricultural lands). Certainly a contradiction when we consider the minutes confirming that the Developer could access agricultural lands through alternative routes (minuted by the council) but latest reports suggest that the Developer did not make this offer. The objectors wish to know why the developers offer to provide alternative agricultural access has not been taken up.

The Head of Development Management stated this was not an ideal situation and that the current arrangement facilitates the occasional access of agricultural vehicles through Slieve Gallion Drive. It was advised that when officers met with the agent there appeared to be a willingness to get agricultural vehicles to access the land via a different means but that when the amended plans were submitted no alternative access was put forward. DfI Roads do not feel that the occasional use of the road through the development was a road safety issue given the limited/seasonal use.

The Planning Manager stated that the issue of overgrown vegetation was a common one and can relate to visibility splays in which DfI Roads could write to a property owners asking them to cut back such vegetation. Such matters are dealt with under other legislation.

In relation to human rights, the Planning Manager stated that in planning terms this is considered under the term neighbouring amenity and the right for a person to enjoy their home. The Planning Manager stated that it was not a pre requisite for planning to go through each of the points of the Human Rights Act but in this instance officers have considered the objections in relation to noise, road safety and access and have also consulted on these matters.

Councillor Clarke stated that the situation regarding agricultural vehicles was not ideal and it would be better if such vehicles did not travel through the housing development.

The Chair, Councillor S McPeake invited Mr McLaughlin to address the Committee.

Mr McLaughlin stated that the proposal was for 20 dwellings with the retention of 9a Slieve Gallion Drive. The site is accessed off Magherafelt Road via Slieve Gallion

Drive and is located within the development limits of Draperstown. Mr McLaughlin stated that it is entirely appropriate to consider the proposal to develop the lands in question for housing and this is the predominant surrounding land use. Mr McLaughlin stated that the original application was for 23 dwellings however this was reduced to 20 following consultation with the planning department following concerns from objectors. Mr McLaughlin stated that the application conforms with planning policy and that the original PAD application was submitted in January 2019 with the full application being submitted in April 2019 – Mr McLaughlin did not believe the planning recommendation has been made in haste and that all matters raised by objectors and again tonight have been considered with no issues raised by statutory consultees. Mr McLaughlin requested that the Committee endorse the recommendation of the planning officer.

The Chair, Councillor S McPeake referred to the concerns in relation to agricultural vehicles and asked Mr McLaughlin to comment on this.

Mr McLaughlin stated that concerns in relation to agricultural vehicles travelling through the development have not been raised with any other body other than through this application. Mr McLaughlin stated that this issue was discussed previously with planning officers and it was advised that the use of agricultural vehicles through Slieve Gallion Drive is very limited. DfI Roads have assessed the matter as part of the consultation process and also have no issues. Mr McLaughlin stated that whilst there is an alternative access which may be explored at a later date, the existing access needs to remain at the moment. Mr McLaughlin also explained that there is a requirement of DfI Rivers to access a watercourse for maintenance purposes and that this is included in their consultation response and conditions.

Councillor Colvin stated that one would not expect agricultural vehicles to be travelling through a residential development and felt that as there is an alternative access available that the developer should have included this in their proposal in order to avoid any further agricultural vehicles going through Slieve Gallion Drive.

The Planning Manager asked if this application prejudices the use of the alternative access.

Mr McLaughlin stated it did not.

The Planning Manager asked if Mr McLaughlin would be agreeable to a condition being applied which would not allow through access to neighbouring fields.

Mr McLaughlin stated he could not answer that question without speaking to the applicant.

The Planning Manager stated that the proposal was for a residential development and that it would be reasonable to put a condition such as the one suggested on the application.

The Planning Manager stated that access from the North can be taken from an existing road and that there is currently existing access for agricultural vehicles for

the other land. The Planning Manager suggested that the one single boundary which is causing concern be fenced off but allowing for access as shown on the plans because as it appears to be an existing agricultural access anyway.

Councillor Colvin stated that the proposal will site a number of houses around the existing access and that there needs to be change in relation to agricultural vehicles travelling through a development.

The Planning Manager stated that a right of access cannot be altered and that it was not uncommon for a housing development to allow access to lands to the rear. With regard to concerns regarding potential occupiers of the new houses the Planning Manager stated it is up to individuals if they wish to purchase a property with the knowledge of what the planning approval shows.

Councillor Robinson stated that having listened to all the discussion tonight and that all objections have been answered he would second Councillor Cuthbertson's proposal to approve the application.

Resolved That planning application LA09/2019/0562/F be approved subject to conditions as per the officer's report.

LA09/2019/0966/F **Access for goods vehicles to enter and exit onto the B34 Dungannon Road from Sandvik site, at Sandvik Mining and Rock Technology, Tullyvannon, Ballygawley for Sandvik Ltd**

Members considered previously circulated report on planning application LA09/2019/0966/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0966/F be approved subject to conditions as per the officer's report.

LA09/2019/1567/F **Retention of extension to work shop, store, mobile office, canteen and welfare facilities at 67A Farlough Road, Newmills Dungannon, for Mr Kenny Archer**

Members considered previously circulated report on planning application LA09/2019/1567/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/1567/F be approved subject to conditions as per the officer's report.

LA09/2019/1624/F **5 Self-catering tourist accommodation units at lands 250m NE of 5 Old Loughry Road, Cookstown, for Jason Currie**

Application Withdrawn.

LA09/2019/1630/F **Section 54 application regarding a proposed conversion of a redundant building to form one dwelling house approved under LA09/2016/0889/F. Application seeks to vary condition 3 of the approval - removing the need for a forward sight distance at 40m SW of 38 Lisnamuck Road Tobermore for Mr Hopper**

Members considered report on planning application LA09/2019/1630/F which had a recommendation for refusal.

Proposed by Councillor Mallaghan
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2019/1630/F be refused on grounds stated in the officer's report.

LA09/2020/0034/O **Dwelling at an existing cluster adjacent to and SW of 150a Washingbay Road, Upper Meenagh, Coalisland for Patrick Brady**

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

LA09/2020/0089/F **Conversion of existing natural stone barn to dwelling at 20m W of former Ulster Bank premises 26-27 The Square Stewartstown for Ryan Smith Properties Ltd**

Members considered previously circulated report on planning application LA09/2020/0089/F which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor Brown and

Resolved That planning application LA09/2020/0089/F be approved subject to conditions as per the officer's report.

LA09/2020/0093/O **Dwelling and garage on a farm 60m E of 43 Carnaman Road, Gulladuff, for Mr James Mc Erlean**

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

**LA09/2020/0213/F Restructuring and alterations of vehicular access, at
18 Cookstown Road, Dungannon for Mr Barry O'Neill**

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

**LA09/2020/0331/O Site for a dwelling and domestic garage approx. 15m
NE of 153 Sixtowns Road, Owenreagh, Draperstown
for Ms Lisa Murray**

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

**LA09/2020/0415/F Change of use from domestic garage to beauty salon
at 17 Lurgaboy Lane, Dungannon for Paul Lavery**

Members considered previously circulated report on planning application
LA09/2020/0415/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Robinson and

Resolved That planning application LA09/2020/0415/F be approved subject to
conditions as per the officer's report.

**LA09/2020/0433/F Single storey extension to existing suspended
ground floor of the bakery at 169 Ballagh Road
Fivemiletown for Scotts Bakery Ltd**

Members considered previously circulated report on planning application
LA09/2020/0433/F which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Brown and

Resolved That planning application LA09/2020/0433/F be approved subject to
conditions as per the officer's report.

**LA09/2020/0449/F Extension of existing residential care home facility
with 7 no. individual care units, communal building,
staff area with associated car parking and
landscaping at 19 Rocktown Lane, Knockloughrim,
Magherafelt for Inspire 2 Care Ltd**

The Chair, Councillor S McPeake declared an interest in the application and vacated
the Chair.

Councillor Glasgow took the Chair.

Members considered previously circulated report on planning application
LA09/2020/0449/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/0449/F be approved subject to conditions as per the officer's report.

Councillor S McPeake took the Chair.

LA09/2020/0461/F Extensions to existing office and factory buildings at 26b Station Road, Magherafelt for Bloc Blinds Ltd

Members considered previously circulated report on planning application LA09/2020/0461/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/0461/F be approved subject to conditions as per the officer's report.

LA09/2020/0484/O Offsite replacement dwelling garage at approx. 60m N of 18 Ballynakilly Road, Cookstown for Seamus Nugent

The Head of Development Management presented a report on planning application LA09/2020/0484/O 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 Ross to address the committee.

Mr Ross stated he was representing neighbouring residents to the site, the Costello family. Mr Ross stated that when considering a replacement the basic principle should be that the new dwelling should be within the curtilage of the existing site although there can be a small minority of cases in which exceptional circumstances can be put forward in which a dwelling can be moved to a better location. In this case the applicant wants to move the new dwelling quite a distance from the original structure with the key concern being that the new dwelling will be right beside the objector's property and it is felt that there is an alternative site within the applicant's farm where the dwelling can be located. Mr Ross stated that just because the proposal may be the most desirable site to the applicant the question should be asked as to whether this is the most integrated site and that there is a better site available to the applicant in landscape and visual terms and is also well distanced from the poultry houses. Mr Ross stated that alternative sites have not been investigated at any stage and it was his feeling that a review of alternatives is an essential component of any off site replacement proposal. Mr Ross stated that if the proposal was moved to a different location then his clients would be happy to withdraw their objections. Mr Ross asked that alternative sites be considered.

The Chair, Councillor S McPeake asked if there were amenity issues with regards to the objections raised.

Mr Ross stated that the objectors concerns are that the new house will invade their privacy and that it seems strange in that when there is a large area of land and alternative sites available that the applicants have chosen to locate their new dwelling right beside an existing dwelling.

The Planning Manager asked where in the policy it states that an off site replacement needs to assess all the other alternatives.

Mr Ross stated that this is not stated with policy CTY3 but that the thrust of policies CTY13 and CTY14 is about finding the best integrated site.

In response to the Planning Manager, Mr Ross stated that the argument was that the proposal site did not integrate and was obtrusive and would lead to build up.

The Planning Manager asked if the tests had been applied in terms of integration and build up.

The Head of Development Management referred to the case officer report which states that there are no critical views of the dwelling along both directions of the Ballynakilly Road and that there will be some views of the dwelling along the Rockdale Road but only from a distance. In terms of rural character the case officer report states that they are content that the dwelling will not be a prominent feature and will not impact on rural character of the area.

The Planning Manager stated that there needed to be consideration given to the existing residents and in terms of protecting their amenity and privacy he asked what had been considered.

The Head of Development Management referred to the quality of vegetation between the two sites and that a condition of approval is the retention of natural screenings.

Councillor McKinney asked if all planning procedures have been exhausted as whether there are alternative sites or not it is not up to Councillors to pick a site but rather to judge the site before them for what it is.

The Planning Manager stated that the map shows an indicative site for the dwelling and asked if the distance could be increased from the neighbouring dwelling.

The Head of Development Management stated that a siting condition has been applied and there is the possibility of moving the new dwelling away from the existing dwelling if it continues to be acceptable in visual terms.

Councillor Black referred to the concerns of objectors and that they feel their amenity is not being protected. Councillor Black asked if it would be worthwhile to defer this application in order to find a solution to which both parties can agree.

The Planning Manager stated he felt siting conditions should be imposed and that in imposing such a condition officers are mindful of increasing the separation distance between the two dwellings and also ensuring a condition which requires the boundaries to be retained but also augmented.

Councillor Brown asked why the access to the dwelling has to come down the middle of the field rather than to the side where the existing dwelling is located.

The Head of Development Management advised that the officer report states the new access runs across the middle of an agricultural field but follows a row of established trees and it is felt that this is a suitable route to follow.

The Planning Manager referred to the suggestion of deferring the application and if an agreement between both parties can be reached then this would benefit everyone. The Planning Manager suggested that the application be deferred for officers to look at the laneway and if there can be any increased separation between the proposal and the neighbouring property.

Councillor Black proposed that the application be deferred.

Councillor Brown seconded Councillor Black's proposal.

Resolved That planning application LA09/2020/0484/O be deferred for officers to further consider siting and access.

Councillor Bell requested that these matters be considered expediently.

The Planning Manager stated that the application should be ready to come back before the Committee next month.

Councillor Mallaghan stated that the applicant would have expected this application to be approved tonight and therefore any changes to the application should be done in consultation with the applicant.

The Planning Manager stated this will happen.

LA09/2020/0550/O Replacement Dwelling at site 100m E of 2 Halfgayne Road, Maghera, for Seamus Logue

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

LA09/2020/0561/F Unit for valeting and cleaning of cars, 15m SE of 82 Corr Road, Dungannon for Dan McNulty

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

LA09/2020/0603/F Upgrade to existing parking area and path from carpark to Forest Road. New path within Forest towards the River. Trail furniture and timber Play Equipment. Walking trail extending from Rath Dubh Community Centre towards the River at Moydamlaght Forest, Moydamlagh Road, (Approx. 5 miles NW of Draperstown). Agricultural land to the NE of Rath Dubh community Centre, Moneyneaney Road for Mid Ulster District Council

Members considered previously circulated report on planning application LA09/2020/0603/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor Kearney and

Resolved That planning application LA09/2020/0603/F be approved subject to conditions as per the officer's report.

LA09/2020/0604/F **Mountain bike trail to include: New blue and red grade mountain trails, all necessary crossings, bridge structure and boardwalk, Gravity bike trail, Jump track and Trail signage/waymarker posts at Davagh Forest, Davagh Road, Omagh, for Mid Ulster District Council**

Members considered previously circulated report on planning application LA09/2020/0604/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That planning application LA09/2020/0604/F be approved subject to conditions as per the officer's report.

LA09/2020/0630/O **Site for 2 storey dwelling and garage opposite and S of 23 Tulnacross Road, Cookstown for Mr Black & Miss Bradley**

Councillor Black withdrew to the public gallery.

Members considered previously circulated report on planning application LA09/2020/0630/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2020/0630/O be approved subject to conditions as per the officer's report.

Councillor Black rejoined the meeting.

LA09/2020/0634/F **2 storey extension to side and single storey rear extension with disabled adaptations at 98 Drumbolg Road, Maghera, for Carla Kennedy / Ciaran Bennett**

Members considered previously circulated report on planning application LA09/2020/0634/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Kearney and

Resolved That planning application LA09/2020/0634/F be approved subject to conditions as per the officer's report.

LA09/2020/0677/F **Change of house type and garage (to approval LA09/2016/1557/F) at 40m SW of 9 Ballyhagan Road, Maghera, for Mr E Kelly**

Members considered previously circulated report on planning application LA09/2020/0677/F which had a recommendation for approval.

Councillor McKinney stated that there were floods in this area recently and asked if Rivers Agency had any issues with the application.

Councillor Mallaghan stated that this was a change of house type therefore approval had already been given for a dwelling.

The Chair, Councillor S McPeake stated that the officer was currently looking for the file for this application to establish if Rivers Agency had made any comment in relation to flooding and in the meantime the Committee would continue with the next item on the agenda and come back to this item later.

LA09/2020/0692/O **Dwelling in an infill site at land adjoining 57 Kinturk Road, Moortown, for Adrian McNally**

The Head of Development Management presented a report on planning application LA09/2020/0692/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 Coney to address the committee.

Mr Coney stated that the application was submitted as infill and that the map submitted is typical of the type of development in the area. Mr Coney stated that he believed that the site is suitable as infill from the lane access and long frontage which is indicated on the map. Mr Coney stated that the site is accessed from the Kinturk Road and there is no intention to alter this access and should remain as an existing access. Mr Coney advised that the owner of no.57 does not drive and never will drive therefore there will be no increased vehicular use. Mr Coney stated there is the potential to screen the new dwelling which will protect from the appearance of backed on development with emphasis put on the dwelling from the laneway as the gap site as opposed to from the Kinturk Road.

Councillor Mallaghan stated that the proposal demonstrates how development has occurred in the surrounding area for a long period of time and that he did not feel the proposal would look out of place given what is already there.

Councillor Bell stated he agreed with Councillor Mallaghan's comments as he lived in the area and this is how development had transpired over the years. Councillor Bell

also referred to a recent application considered by the Committee which he felt was a similar scenario to this in which a house was set back from the road.

The Planning Manager asked if there were any road safety concerns in relation to the application.

The Head of Development Management stated more information has been requested to demonstrate that a safe access can be achieved.

The Planning Manager suggested that the application be deferred for an office meeting to further consider access issues.

The Council Solicitor stated that there were three reasons for refusal the third being CTY1 and that all reasons needed to be considered.

Proposed by Councillor Bell
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2020/0692/O be deferred for an office meeting.

**Continuation of
LA09/2020/0677/F**

**Change of house type and garage (to approval
LA09/2016/1557/F) at 40m SW of 9 Ballyhagan Road,
Maghera, for Mr E Kelly**

Ms McCullagh (SPO) stated that the rivers maps do show that the southern corner of the site is within the flood plain but that there will be no dwelling or development within this area.

Proposed by Councillor Mallaghan
Seconded by Councillor Robinson and

Resolved That planning application LA09/2020/0677/F be approved subject to conditions as per the officer's report.

Councillor McKinney questioned that if part of the site is within the flood plain whether it is still passable.

The Chair, Councillor S McPeake stated that the application is for a change of house type and that permission has already been granted on that site.

The Planning Manager stated that the issue of flood plains is intensifying as a result of global warming and that Rivers Agency are currently conducting a review of flood plains. The Planning Manager stated that when assessing applications in relation to flood plains this consideration is proportionate ie. A dwelling may not be in a flood plain but the access to it is and in such cases officers will liaise with the relevant agencies to tease out issues.

Councillor Cuthbertson left the meeting at 8.45 pm.

LA09/2020/0979/F **Installation of play park with play equipment, picnic bench, bins, seating bench, accompanying wet pour 1.2m high bow top fence to be installed around the perimeter of park and an asphalt concrete path at lands off Barrack Road, and adjacent to O'Neill Park, Ballymaguigan, for Mid Ulster District Council**

Members considered previously circulated report on planning application LA09/2020/0979/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/0979/F be approved subject to conditions as per the officer's report.

LA09/2018/1153/F **General purpose farm/storage shed and animal welfare unit associated with existing established farm business, 55m N of 3 Killycolpy Road, Carnan, Stewartstown for Mr Francis Gallagher**

Members considered previously circulated report on planning application LA09/2018/1153/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Colvin and

Resolved That planning application LA09/2018/1153/F be approved subject to conditions as per the officer's report.

LA09/2019/1376/O **Site for dwelling and garage within a gap site 50m South of 39 Baladoogh Lane, Cookstown for Patrick McAleer**

Application Withdrawn.

LA09/2019/1394/O **Dwelling and detached garage 40m East of 12 Newline Road, Cookstown for Laura Rafferty**

Members considered previously circulated report on planning application LA09/2019/1394/O which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/1394/O be approved subject to conditions as per the officer's report.

Ms McCullagh (SPO) presented a report on planning application LA09/2019/1540/O advising that it was recommended for refusal.

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

Councillor B McGuigan stated he had attended the site meeting for this application and that the issue at that meeting related to frontage at no.29. Councillor B McGuigan stated he did not believe this was a laneway but rather a driveway to the dwelling at no.29. Councillor B McGuigan stated that the driveway has a well kept frontage and will have gates in the future and be tarmacked. Councillor B McGuigan stated he did not believe a dwelling on this site would impact the rural character of the area.

Councillor D McPeake that he had also attended the site meeting and it was his belief on leaving the meeting that day that the application could be approved. Councillor D McPeake referred to the well kept frontage onto the road and that there were wires in place for electric gates.

The Planning Manager stated that a road or access is not treated that same as a building and in this case the building is set a distance up a laneway and is not reading as a book end and therefore does not meet policy. The Planning Manager stated he was advising the Committee to prevent it from getting into difficulties because if an interpretation is made on something which no reasonable person would then the Committee can be found liable. The Planning Manager stated that exceptions to policy can be considered but that valid reasoning has to be provided.

The Chair, Councillor S McPeake stated that the first discussion relating to this application related to the frontage and ambiguity regarding same. During previous discussion the frontage was being interpreted as a field and the Chair stated that that is not what it is.

The Planning Manager stated that policy refers to buildings not frontages with access. The Planning Manager stated that just because there is an access with a piece of kept ground with a dwelling set back the Committee would be on dodgy ground if they were tested on this due to the fact there is no policy provision. The Planning Manager stated that the Committee as decision makers are not bound by what policy says but if policy is not being followed then clear reasoning has to be provided as to what the exception is. The Planning Manager advised the Committee not to try to make a policy fit if it doesn't fit.

The Chair, Councillor S McPeake stated that during the first discussion on the application there was some discussion regarding a temporary building and that building was then discounted. Further discussion during the site meeting related to frontage and the building at the rear and whether that constituted a building or not.

The Chair stated that following the site meeting he was a lot more informed on the application and he still felt that the application meets the test for infill.

The Planning Manager advised the Committee that there are a number of refusals where there is an agricultural field in between a site and the road and if the Committee came to a similar conclusion in this instance then he believed the Committee would be putting itself at risk. The Planning Manager stated that an exception can be made but that reasoning for doing so needs to be set out.

The Chair, Councillor S McPeake stated that the grounds at the frontage and along the laneway are well taken care of and maintained and this was not an agricultural field.

The Planning Manager repeated that if the Committee want to make an exception then reasoning needs to be provided. The Planning Manager stated that to say the application meets policy would be difficult to defend.

Councillor Bell asked where in the policy it states that the building that is one of the bookends has to be at the roadside.

The Planning Manager stated the policy refers to a gap between buildings therefore manicured grass and a laneway cannot be considered.

Councillor McKinney stated that the farm building as indicated on the map is not a farm building but rather a portable feeder which can be moved about from field to field.

The Planning Manager stated that the Councillor was correct and that such a structure would not constitute a building. The Planning Manager stated that exceptions have been made on numerous other applications previously and clear reasoning had been provided as to why an exception was being made.

The Chair, Councillor S McPeake invited Mr Cassidy to address the Committee.

Mr Cassidy stated that point 5.3.3 of infill policy is clear and does not require buildings to be visually linked. In this case the building under dispute is no.29 which has a garden area of some 400sqm of which 41m abuts the road, at the entrance to the house there are pillars under construction with wiring for electric gates already in situ. Mr Cassidy stated that in a review to infill dwellings a greater need for flexibility in how sites are defined was identified. Mr Cassidy stated that most entrances into dwellings are 5 to 6 metres, in this case there is an entrance of over 40 metres which he felt would be difficult to replicate elsewhere and that the Committee would therefore not be setting a precedent.

The Council Solicitor stated she felt it would be worthwhile for Members to hear the policy relating to frontage and also to get confirmation of what frontages are to be included as part of the consideration of this application.

The Planning Manager stated that the map showed 3 blue houses in a row which would ordinarily be taken as a building with a frontage to the road and that the

proposal is not a building with a frontage but rather an access with a dwelling set back from the road. The Planning Manager stated that the building to the other side of the access was not a permanent building and did not have a certificate of lawfulness. The Planning Manager stated that the application is hard to justify if policy is not being applied and that there are numerous examples within policy which outline what an infill is. The Planning Manager asked the Head of Development Management to read the policy to Members.

The Head of Development Management read from policy CTY8 which states that planning will be permitted for the development of a small gap sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting, plot size and meets other planning and environmental requirements. The definition of a substantial and built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

Councillor Colvin stated he had also visited the site and felt it was a stretch to call this an infill site. Councillor Colvin stated he had listened to the discussion on both sides tonight and felt that the arguments put forward by officers were much more robust and that on this basis he would propose that the application be refused.

Councillor Robinson seconded Councillor Colvin's proposal.

Councillor Clarke stated he had not heard all of the Planning Manager's last comments.

The Planning Manager reiterated his last comments and referred to guidance document on sustainable rural development which clearly gives different examples of infill development. The Planning Manager stated that this application would go against a lot of practice and has not been accepted before and that there are previous PAC decisions to support this. The Planning Manager stated that if there is a reason why the application should be treated as an exception then the reasoning should be set out but that he was uncomfortable with an attempt to twist policy to make it fit.

Resolved That planning application LA09/2019/1540/O be refused on grounds stated in the officer's report.

Councillor Bell left the meeting at 9.14 pm

LA09/2019/1553/F	Retention of a two storey seminar/ training room, office and store associated with the expansion of an established emergency medical supplies (EMS) business (amended plan) at 12 Ballynahone Road, Maghera 12 Ballynahone Road, Maghera for Emergency Medical Services (N.I) Ltd
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Members considered previously circulated report on planning application LA09/2019/1553/F which had a recommendation for approval.

Councillor Glasgow referred to the officer report which stated that Dfl had been reconsulted on the application but had not come back.

Ms McCullagh (SPO) stated that a response from Dfl Roads was within the addendum.

Proposed by Councillor Brown
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2019/1553/F be approved subject to conditions as per the officer's report.

Matters for Information

P093/20 Minutes of Planning Committee held on 1 September 2020

Members noted minutes of Planning Committee held on 1 September 2020.

Councillor Robinson left the meeting at 9.15 pm.

Live broadcast ended at 9.15 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Mallaghan
Seconded by Councillor Colvin 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 P094/20 to P097/20.

Matters for Decision

P094/20 Receive Enforcement Report

Matters for Information

P095/20 Confidential Minutes of Planning Committee held on
1 September 2020

P096/20 Enforcement Cases Opened

P097/20 Enforcement Cases Closed

P098/20 Duration of Meeting

The meeting was called for 7 pm and concluded at 9.36 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 please raise your hand in the normal way and keep raised until advised to lower
- 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.



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 6th October 2020

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

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.6	<p>Late Objection Received.</p> <p>NIEA- Water M'ment Unit recommend the following condition-</p> <p>A Construction Method statement must be submitted to Water Management Unit, at least 8 weeks prior to the commencement of construction.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p>	Members to note.
4.9	Application withdrawn	Members to note.
4.20	Late Objection Received	Members to note the objection. Some issues raised are matters to be considered at Reserved Matters Stage. Others have been addressed in the report. Objector has requested speaking rights.
4.23	NIEA had asked for additional info, however Council Biodiversity	Members to note.

	<p>Officer is content all issues have been covered and recommends two conditions –</p> <p>1 .A Construction Environmental Management Plan (CEMP) must be submitted to Water Management Unit, at least 8 weeks prior to the commencement of construction.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p> <p>2. A Protected Species Management Plan must be submitted to Council at least 8 weeks prior to the commencement of construction.</p> <p>Reason: To ensure to protection of the natural environment.</p>	
4.25	<p>Typing error, report should have referred to David, rather than James Black.</p> <p>Condition 4 to be amended to 8m ridge height from FFL.</p>	Members to note and agent advised of same.
4.28	Sketch to illustrate the agents interpretation of infill	The site does not have a frontage to the lane and as such it does not meet the criteria for consideration of an infill.
5.2	Application withdrawn	Members to note
5.5	DFI response received with no objection.	Members to note

Melvin Bowman

(17EM 4.6 LA09/2019/0562/F)


From: Catherine Elattar [REDACTED]
Sent: 05 October 2020 16:22
To: Melvin Bowman
Subject: Slievegallion Drive

- Breach of original neighbour notification. Despite being within the designated 90m from the proposed development, some residents were not included in the process. They view this as a major concern. Does this have an impact on the process and effectively flaws the originally submission?
- Unsatisfactory reporting from Roads Enniskillen throughout the process with limited substantiation. The objectors are 100% sure there is a site line issue between the main Slievegallion Drive route and the proposed turn off into 9A Slievegallion Drive. On both sides of the entrance whilst trying to look right and left. There are obvious dangers on access/egress. They wish to meet Roads to discuss this
- Unsatisfactory reporting from the Environmental Health. If they have properly studied the objection from number 7 Slievegallion Drive a more sympathetic approach may have been taken. The objectors wish to meet Environmental Health. It seems the emotional pleas with very strong and genuine human rights issues have been completely ignored and fallen on 'deafened ears'. This has to be a serious flaw.
- Unsafe movement of agricultural traffic through Slievegallion Drive and the proposed new development (as recent as last week with slurry tanks and associated equipment utilising Slievegallion Drive and the grounds of 9A to access adjacent agricultural lands). Certainly a contradiction when we consider the minutes confirming that the Developer could access agricultural lands through alternative routes (minuted by the council) but latest reports suggest that the Developer did not make this offer. The objectors wish to know why the developers offer to provide alternative agricultural access has not been taken up.
- Multiple issue of identical notification letters and in some cases up to 6 to any 1 objecting household. Objectors wonder does this relate to the ratio of notifications versus the number of objections?? It certainly has presented misleading statistic when one simply review the quantum of notification versus objection.
- Despite being a very strong link between the owners of 9A grounds and adjacent development lands there is an insistence that there is no link- meaning that they will not consider access through these lands and direct to the Magherafelt Road. If this is the position why did the council recommend the

provision of an open space areas in this proposed development to safeguard the future development of the adjacent lands?

- Number 9A is now occupied once again as a dwelling. How can that continue safely if their grounds are to be eventually a building site?
- If planning approves this application, local residents would like to see both a copy of the Construction Management Plan and the Construction Environmental Management Plan which should be submitted as part of the planning process and which should form part of the approval process.
- Removal of the Planning Portal. How are existing residents supposed to track updates? They have experienced considerable difficulty in accessing the planning portal

Cllr Catherine Elattar
Sinn Féin



Gillian Beattie
Mid Ulster District Council
Planning Office
Ballyronan Road
Magherafelt
BT45 6EN

23 September 2020

Our ref: BMC001

Your ref: LA09/2020/0480/O

by email



Dear Gillian

LA09/2020/0480/O

Proposed off site replacement dwelling & garage, approximately 60m NE of No. 18 Ballynakilly Road

Following our letter dated 02 July, a meeting was arranged on site between our client and the applicant to discuss concerns. Unfortunately, the applicant is unwilling to make any adjustments to the proposal and therefore this letter sets out objections to the proposal on the following grounds:

- the proposal is contrary to the relevant planning policies as set out by SPPS and PPS21, specifically policies CTY3 & CTY13;
- off-site replacements are only allowed in exceptional circumstances, but the applicant has not provided any substantive justification or evidence to support the proposal;
- the proposal includes significant cutting and filling which is unacceptable in terms of policy and contrary to the Department's design guidance;
- proposed dwelling & laneway would have a significant visual impact; and
- the scheme includes a significant increase of the original curtilage which is contrary to policy and guidance.

Context

The Ballynakilly Road is largely characterised by single storey, traditionally designed rural dwellings, located close to the road edge. Access to the majority of the properties on the Ballynakilly Road are via short laneways, with private amenity to the front, side and rear.

The existing building fronted onto Ballynakilly Road and is positioned within the southern part of a small rectangular plot. The building is in a poor state and we saw no evidence of a roof, windows or doors on our visit to the site. There is a very distinguishable site curtilage as the building is surrounded by mature trees and hedging and as a result it is almost imperceptible in public views, including those from the adjacent Ballynakilly Road and the nearby Rockdale Road. In policy terms, therefore, the starting point is an almost invisible building with a well-defined curtilage. The policy states the new building should integrate successfully *'would not have a visual impact significantly*

greater than the existing building. In other words, at most the new building should have a very low level of visual impact when viewed from surrounding public vantage points.

The proposal, however, is for dwelling and a new laneway which will represent a significant visual imposition when viewed from Ballynakilly Road and the wider surroundings. The drawings with the application appear to show the new dwelling on a steep slope, which will inevitably mean a degree of cutting or filling to achieve acceptable indoor and outdoor spaces. The building and laneway will be visible from Rockdale Road and the overall visual impacts would be significantly greater than the existing.

Consideration - Lack of evidence

The application proposes to replace an existing dwelling off-site, approximately 135m from the original location. The supporting statement with the application says the applicant has chosen to relocate the proposed dwelling away from existing poultry houses, but the statement does not include any scientific assessment or other information to support the relocation. Instead, the 135m off-site replacement refers to a purported rule of thumb:

'Planning have been previously open to the pragmatic approach of a 100-150m buffer for health and safety reasons'

We are unaware that this is type of blanket approach is taken by the Council, indeed we suggest this statement is incorrect. Under the applicable policies the Council is obliged to assess each site on its own individual merits in terms of any 'demonstrable benefits' that might justify an off-site replacement.

The scant applicant justification offered by the applicant includes no assessment of the characteristics of the impacts experienced at the site itself. The report does not provide any reasonable evidence or justification as to why the proposed dwelling could not be positioned within the curtilage of the existing property, highlighting the off-site location is based on a desire to relocate away from agricultural sheds rather than any exceptional, substantiated circumstances.

If an applicant is seeking a significant departure from the policy, as a minimum the applicant should provide a substantive case. The information provided with the application lacks any reasonable assessment or a persuasive case. As the applicant has not provided actual evidence of the potential impact that the farm holding may have on a dwelling at this location, the proposal should be refused.

Site selection

The overarching context of PPS21 is the general presumption against development in the countryside, with the policy documents setting out a wide range of circumstances where development will be allowed, including:

- a dwelling sited within an existing cluster of buildings in accordance with Policy CTY 2a;
- a replacement dwelling in accordance with Policy CTY3;
- a dwelling on a farm in accordance with Policy CTY10; and
- the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8.

Specifically, regarding replacement dwellings CTY 3 of PPS 21 states that:

'planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact.'

We are assuming that the Council have assessed the building and have accepted that it displays the essential characteristics of a dwelling. If they are content with the form of the existing building, then the following criteria must also be met:

- Policy requirement: The proposed replacement dwelling should be sited within the established curtilage of the existing building, unless either (a) the curtilage is so restricted that it could not reasonably accommodate a modest sized dwelling, or (b) it can be shown that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits.

The existing site curtilage is easily distinguishable from the surrounding lands and is clearly identifiable from the aerial photographs and on the ground. The site is defined by large trees and mature hedgerows. The site is 0.4 acres in size and could easily accommodate a modest sized dwelling and the associated amenity space.

As discussed above, the applicant's justification for an offsite replacement is inadequate. There has been evidence to substantiate the applicants desire to relocate the dwelling at the proposed site. There is no evidence as to why the dwelling needs to be located in the proposed offsite location. The proposed position of the dwelling to the SE of the existing site is over 135m away. A dwelling on this site would not have any proven demonstrable benefits in terms of landscape, heritage, access or amenity. The proposal therefore fails this element of the policy.

- Policy requirement: The overall size of the new dwelling should allow it to integrate into the surrounding landscape and would not have a visual impact significantly greater than the existing building.

Whilst the proposal does not contain any detailed drawings, the indicative site plan provided shows a dwelling laid out over two separate buildings joined by a curved section. An outbuilding has also been shown. Access to the site will be obtained via a new 105m long laneway which represents a significant new feature in the local landscape.

Paragraph 5.57 of PPS21 provides a summary of the overarching aim of countryside planning policy in terms of design:

'Traditional buildings in the countryside blend sympathetically with their surroundings and do not appear incongruous in the landscape. It is essential that similar care is exercised in the siting and design of new buildings to ensure they too can integrate harmoniously with their surroundings and thereby protect the amenity and character of our countryside.'

The levels on the site plan indicate that the dwelling is to be positioned in amongst the highest point of the host field, with a 1.6m under-build. It is obvious that the dwelling, garage and associated laneway and will have a greater visual impact than the existing building and its access, which was single storey, 19m by 6.8m and accessed directly from the roadside. The impacts of the new building will be especially stark from the nearby Rockdale Road, from which the existing building is invisible.

- Policy requirement: The design of the replacement dwelling should be high quality appropriate to its rural setting and have regard to local distinctiveness

Whilst this is an outline proposal and no detailed drawings have been provided, it is clear that the new dwelling will be cut into the natural landform in a manner that is non-traditional in character. Vernacular development form sought out flat areas and places that were sheltered from the prevailing winds. The proposal takes no account of these traditions and represents a modern and invasive style of development completely out of keeping with the characteristics of the locality. The siting is poorly conceived in these terms and is seeking to impose a building on the landscape rather than integrate into it. The scheme is demonstrably unacceptable in these terms and should be refused for this reason.

- Policy requirement: All necessary services are available or can be provided without significant adverse impact on the environment or character of the locality; and

Services will have to be taken from the Ballynakilly Road, a distance of 115m from the proposed site. A significant new laneway will be required and it is likely that new overhead lines that will be needed to serve the dwelling. The siting the proposed dwellings exacerbates these features, contrary to policy and the general objective of achieving more sustainable forms of development.

Alternative siting

On behalf of our client, we suggest that if the applicant can justify an off-site replacement, a much better solution is available within the lands under the control of the applicant. Drawing 01 indicates the applicant owns the lands to the immediate north west and east of the replacement site. The lands to the north west of the existing building offer a much more appropriately integrated site, within close proximity to the existing property.



We suggest the proposed dwelling could be located in one of the field indicated by the blue circle on the image above. It is unsustainable for the applicant to propose the more prominent and intrusive site (purple) which will have a significant visual impact on the character of the area while better integrated options are available.

Conclusion

The proposed off-site replacement dwelling is located approximately 135m from the original property, in a much more visually prominent setting and requiring a significant new laneway. Whilst planning policy allows off-site replacements in exceptional circumstances, strong justification is required. The applicant has not presented such a case. Not only will the dwelling be a significant distance away from the building it is replacing, it will be much greater in size, more visible and it will also be accessed via a new laneway, which is 105m long. As it stands, the proposal is contrary to several aspects of the relevant policies and it should be refused.

We suggest there are better alternative settings available within the applicant's landownership than the one presented within this application. If an alternative proposal came forward for a site in the land marked blue above, our client would not object.

We trust that the Council will consider the points raised within this letter and refuse the proposal as it is contrary to CTY1, CTY3, CTY13 & CTY14 of PPS21.

Kind regards.

Yours sincerely



Hayley Dallas
hdallas@rossplanning.co.uk

Enc

Item 5.5.

DfI Roads



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Consultation Response

Application Reference	LA09/2019/1553/F
Proposal	Retention of a two storey seminar/ training room, office and store associated with the expansion of an established emergency medical supplies (EMS) business
Location	12 Ballynahone Road, Maghera
Date of Consultation	07/09/2020
Date of Response	28/09/2020

RE Dwg 02/01

Taking into consideration the information submitted in the P1 Application Form the provision of 8 parking spaces would be considered adequate. Council Planning should also refer to previous DfI Roads comments dated 28/02/2020

*Issued on behalf of DfI Roads – Western Division
Development Control Section,*

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 8 October 2020 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor Quinn, Chair

Councillors Ashton, Buchanan, Cuddy, Doris, Elattar, Gildernew*, Hughes, McFlynn, S McGuigan, McKinney, McLean*, S McPeake, Molloy, Totten*

Officers in Attendance

Mrs Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr A McCreesh, Director of Business and Communities
Mr Hill, Head of Parks
Ms Mezza, Head of Marketing and Communications
Mr Moffett, Head of Democratic Services
Ms McNally**, Council Solicitor
Mr O'Hagan, Head of ICT
Mr JJ Tohill, Director of Finance
Mrs Grogan, Democratic Services Officer

* Denotes members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm.

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

PR0149/20 Apologies

Councillor Forde.

Councillor Ashton advised that Councillor McLean was trying to get linked in remotely and may be running a little late to attend the meeting.

PR150/20 Declarations of Interest

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

Councillor McFlynn declared an interest in Agenda Item 19 as Chair of PCSP.

PR151/20 Chair's Business

Councillor McKinney referred to the opening of the Dark Skies Project and raised concern about Councillors being asked to attend the event during the day. He said that the objective of the Dark Skies Project was to see the Dark Skies and felt that it was unfair that Councillors be asked to attend at a different time compared to everyone else. He said that he was aware that social distancing could be an issue but felt there were other nights where they could see the full benefits of the project and felt that this was a little inappropriate.

Councillor Doris concurred with member comments and stated if it was a proposal that she would have no issue in seconding it. She said that great work has been done and that she was looking forward to seeing the project, but felt that members won't see the full benefits and be able to sell it to the people of the community as well if members don't see first-hand the effects when it is darker.

Councillor Buchanan agreed with previous comments and stated that 3pm during the day was not a good time for members which were working and felt that they should be given an opportunity to witness the Dark Skies also and asked that a different time be considered.

The Director of Business and Communities apologised for the oversight and advised that he would liaise with the Director of Leisure and Outdoor Recreation to reschedule members visit to an evening so that they could experience the Dark Skies for themselves.

Councillor Cuddy enquired if 3 or 4 events would have to be arranged due to social distancing for members and asked why only 15 people were allowed to attend. He said that he had never been to the Dark Skies location and wasn't aware of how big it was but felt that there could have been an opportunity to get a few more people in. He enquired who the 15 people were which were attending the event.

The Head of Marketing and Communications advised that the 15 people was in line with restrictions for gatherings of that nature and was the upper limit. She said that the invitation list included the Chair, Deputy Chair, Chair of the Development Committee, First and Deputy First Ministers, DAERA Minister as it was a DAERA funded project, representatives from key stakeholders group like Tourism Northern Ireland and Tourism Ireland, also businesses within that area and community representatives. She stated that this approximately takes the total to 15 and that was where the number came from.

Councillor Cuddy said that it was unfortunate as this was an opportunity to invite people to the area and also for Councillors who do not get a chance to get the full experience. He said that he understood the current situation but felt that this could have been put back a few months until there were better times and an opportunity for Councillors to network with these representatives to try and build bridges and ideas for the future. He stated that in his opinion it was an opportunity missed as all Councillors from all parties have their own pet projects and as a member of the Tourism Forum, he had watched the enthusiasm of staff within the Tourism team and was a pity that Members wouldn't be there on the night of the official opening.

Councillor Molloy referred to the Council's hire of facilities and asked for a review in relation to political parties and political representatives and asked that this be brought to a future meeting.

The Chair agreed to Councillor Molloy's request.

Matters for Decision

PR152/20 Request(s) to Illuminate Council Property – October 2020

The Head of Democratic Services presented previously circulated report which sought permission to illuminate/light up the Council's three designated properties to raise awareness and mark:

- The United Nations 75th Anniversary
- International Day of Disabled People
- World Mental Health Day
- World Pancreatic Cancer Day
- World Stroke Day

The Head of Democratic Services advised that he had received a request during the week which wasn't circulated to members, but he wanted to bring to members attention tonight on the illumination of Council buildings for Baby Loss Week which runs from the 9th to 16th October. However, it had been previously agreed to illuminate properties for Dyslexia that weekend commencing the 9th October 2020.

Councillor Doris said that she would be happy to propose and asked if the weekend could be divided up to recognise both Baby Loss Awareness and Dyslexia as they were both very worthy causes.

The Head of Democratic Services said it was previously agreed that buildings be lit up for Dyslexia Awareness on weekend commencing the 9th, 10th and 11 October and it was proposed to light up the properties for Baby Loss Awareness from the 12th to 16th October.

Councillor Cuddy advised that he would be happy to second the proposal but said that emphasis needed to be on what the Illuminating of Council Buildings represented and asked if the list agreed tonight be advertised on the website advising what each charity's colour represented.

The Head of Marketing and Communications advised that this was usually promoted in advance with posts being advertised on Council's social media channels, but due to the volume that was being received at the moment, a page could be dedicated on the website with a banner on the homepage when appropriate.

Councillor McKinney concurred with all comments which have been made and thanked the Officers for accommodating Baby Loss Week as many families have been in that position and would mean quite a lot to them.

He wanted to express his thanks after request last month for Children's Cancer Awareness and stated that some of the families within his own area appreciated it very

much as it may seem like something very little to some people but does mean a lot to those who have suffered loss under these conditions and wanted to thank the Council on behalf of those people. He welcomed the suggestion of a website page being dedicated to highlight the charities.

The Chair agreed that it was a good effort on the social media part last month highlighting which building was being highlighted and what the colour represented.

Councillor Ashton advised that Councillor McLean was having issues trying to access the online link and asked if a member of staff could help this out after this item.

The Head of Democratic Services advised that there had been a test meeting sent out earlier today and Councillor McLean could be accessing the earlier link.

Proposed by Councillor Doris

Seconded by Councillor Cuddy and

Resolved That it be recommended to Council that approval be given to illuminate/light up the Council's three designated properties to raise awareness as follows:

- i) World Mental Health Day 2020 – Green – Saturday 10 October 2020
- ii) Baby Loss Week – Monday 12th – Friday 16th October 2020
- iii) The United Nations 75th Anniversary – Blue – Saturday 24 October 2020
- iv) World Stroke Day – Purple – Thursday 29 October 2020
- v) World Pancreatic Cancer Day – Purple – Thursday 19 November 2020
- vi) International Day of Disabled People – Purple – Thursday 3 December 2020

PR153/20 Mid Ulster District Council Draft Equality Scheme (2021-2026)

The Head of Democratic Services presented previously circulated report and sought approval for the draft Equality Scheme of Mid Ulster Council, reviewed in line with guidance from the Equality Commission. Subject to member consideration and comment, the Scheme will be made available for a 12 week public consultation in line with Equality Commission guidance.

Councillor Cuddy stated that we are now in 2020/21 and equality is all about balance and Section 75 is very clear about trust, respect and inclusiveness. In the past members have watched and listened to so many signs being damaged and this would tell him that we have a main language which 100% of us use all day every day and we have another language which is a cultural language which is very important to a lot of people also, but to have a language which we all support with hundreds and thousands of pounds being allocated each year which he has nothing against as the Council has agreed it. He raised concern about a scheme that has signage that the minority language is first and the main language which everyone uses in second, there has to be something wrong as this is not equality. He said that he wished that this was sorted so it could be right and no damage to signage, but after 5 years everyone can see this is not working, we are all ratepayers and pay into this organisation and want signage for all the residents of Mid Ulster which demonstrates trust, respect and inclusive for all. He felt that it would be beneficial to look back at the last 5 years and see where this can be progressed to a main language that everyone speaks and have a secondary language which is very important to a lot of

people, but was a minority language and the Council should stick to the main default language.

He advised that his party would be putting a response in, but was still open for discussion as no one wants to see damage done to signage, but could understand why the damage was being carried out as sections of our community are not happy with what members has agreed as equality is about bringing everyone forward and felt that this needed to be addressed.

The Chair thanked the member for his respective view but said to describe Irish as just a cultural language was not true in any shape or form as people he grew up with used Irish as their first language and English as their second language.

Councillor Gildernew concurred with the Chair and said that he was very aggrieved with Councillor Cuddy's comments as Irish was the native language, our townlands, roads, hills and valleys are all taken from the Irish language and the native language of Ireland. He said that he would be proud to propose to accept the officer's recommendation.

Councillor S McPeake said that it was the same vein and in relation to Councillor Cuddy's comments, there was always an issue with the Irish language discussion with some members of the Unionist Community. To hear that Irish language was being classed as a minority and the reason that Irish language was given prominence was in line with European Regional Minority Languages Best Practice and if anyone wants to promote an indigenous language that was under threat then that language gains prominence and that was in line with European Regional Minority Languages Best Practices and that for him was right and he would be resisting any change that may be coming from Unionist to dilute that Best Practice.

Councillor Cuddy advised that we have a language that we all speak and out of the 40 Councillors there wouldn't be 20 who would be fluent Irish speakers. He said that he wasn't saying take the Irish language of the signage but put English as the default language as it was the language that 100% of the region speak. He said that it would be useful to get a conversation going with other parties to see if an accommodation can be found to move forward as this was done in the former South Tyrone Council as the 3 languages were on the signage and no damage was ever carried out to them. He said all people want equality and not talking about one community dominating over another and there was a need to find a balance so as to proceed forward. He stated that he never said about taking the Irish language of signage, but as there was a default language which everyone speaks including foreign nationals that this should be given prominence on all signage.

Councillor Doris said that she was disappointed by Councillor Cuddy's remarks and the reason that people are speaking English all over the world is because the English invaded every country in the world except for 22 of them and that was the reason we don't speak Irish here. She said when funding was allocated to Gaelic Schools, you could certainly see the revival of the Irish language. She said that within Coalisland area there was approximately 30% or possibly more Irish language speakers but the proof was in the pudding in the fact that we constantly see requests being received for Irish language signs and if that doesn't show the constituents in the area looking the signs she doesn't know what else does.

Councillor Elattar said that she was dismayed at Councillor Cuddy's remarks about the reasons why bilingual signs were being attacked, just because they don't agree with the Policy. She said that there were lots of things she didn't agree with in all aspects of life but she didn't go around destroying them and felt that the remark was a bit foolhardy as this give people a legitimate reason to say if you don't agree with the Irish Language Policy, then just go out and destroy bilingual signs and felt that this was wrong.

Councillor Ashton referred to appendix 3 list of consultees and stated that there was a very active Orange Order community within Mid Ulster and appears that there doesn't seem to be too many of the organisations on the list and asked that the Council reach out to these communities and make them aware first of all that there was an opportunity there to feed into these types of policies and try and engage with them.

The Head of Democratic Services said that in regards to the consultee list, this had started out as a fairly long list of consultees though as part of a cleansing exercise carried out in previous years around Data Protection, some people did opt to have themselves removed from it. He said that Officers would look at respective organisations throughout the District as she referred to and the possibility of having the consultation directly circulated.

Proposed by Councillor S McPeake
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve the reviewed Equality Scheme and move towards public consultation.

PR154/20 Council Draft Disability and Equality Action Plans (2021-2026)

The Head of Democratic Services presented previously circulated report and sought approval for the Council Draft Disability and Equality Action Plan (2021-2026). Subject to comment, the plans go to formal consultation for a period of 12 weeks in line with Equality Scheme commitments.

Proposed by Councillor Hughes
Seconded by Councillor Elattar and

Resolved That it be recommended to Council to approve the Draft Equality and Disability Action Plans and to move to public consultation on same in line with Equality Commission commitments.

PR155/20 Response to Consultation on Department for Communities

The Head of Democratic Services presented previously circulated report to inform members of a draft response developed on behalf of Council to the Department for Communities Disability Action Plan 2020-2024.

Proposed by Councillor McFlynn
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve the Draft Response for submission to the Department for Communities.

PR156/20 Working Group Meeting Reports – Illumination of Buildings, Civic Recognition and Member Development

The Head of Democratic Services presented previously circulated report and sought approval for Working Group meetings held in August and September 2020:

- Meeting Report of Group on Illumination of Council Properties – 16th September
- Meeting Reports of Group on Civic Recognition – 25th August & 17th September
- Meeting Report of Elected Member Development Steering Group – 29th September

Proposed by Councillor Buchanan
Seconded by Councillor Elattar and

Resolved That it be recommended to Council to approve the meeting reports of the Working Group on:

- i) Illumination of Council Properties held on 16th September 2020
- ii) Working Group on Provision of Civic Recognition held on 25th August and 17th September 2020
- iii) Elected Member Development Steering Group held on 29th September

PR157/20 Transfer of Council's Interest in Castle Buildings, Market Square, Dungannon to STEP Training and Learning Limited

The Council Solicitor presented previously circulated report on intention to revert to the original Council resolution to transfer the Council's freehold and leasehold interests in the property at 12, 14 & 15 Market Square, Dungannon (also known as Castle Buildings) to STEP Training and Learning Limited.

Councillor Cuddy advised that this was a step forward simply because the buildings were becoming dilapidated and this was dragging on for 4 years. He said that STEP bought these buildings at a pretty high value of a developer in the town 4 or 5 years ago and everyone hoped that we would get 2 or 3 new shop units but because of the external staircase there were issues. He said that this was the building the Council before South Tyrone Borough Council met and that there was an internal staircase which was difficult to get up and down, so hence the reason for building the staircase outside which didn't move on when it was sold as it wasn't in the deeds. He said concerns began to emerge when STEP decided to develop it and realised that they didn't own the external stairwell and that was why there was a link up with the Council and they began to take an interest in it. If this means that STEP can develop their buildings and progress on, then this would be good to see as the units are becoming very dilapidated and in dire state of repair.

Proposed by Councillor Cuddy
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to agree the transfer of the Council's freehold and leasehold interests in the entire property at Castle Buildings and the external stairwell on Castle Lane to STEP Training and Learning Limited.

Councillor Cuddy enquired if there was any update on the lease at Killymaddy Tourist Centre.

The Council Solicitor advised that there was a revised lease going to the Killymaddy & Clonaneese Historical Society shortly as there has been an agreement on the terms of the lease and just getting to the final stages of the agreement.

PR158/20 Cemetery Management Policy

The Director of Environment and Property presented previously circulated report and sought approval on the updated Council's administration of burials in relation to Cemetery Management Policy including Rules, Regulations and Memorial Safety following trade union consultation and recent amendments made.

Councillor S McGuigan enquired about the issue of pallbearers from the same household, and with a trolley or other types of situations but hoped there was some opportunity for flexibility around grieving families being dealing with properly. He said that there could be a situation where family members could be coming from different areas and meeting up that day or day before and then maybe being told there was a difficulty.

The Director of Environment and Property advised that the addendum allows up to 30 people to attend the immediate burial, but this doesn't prevent people socially distancing in the graveyard or churchyard and this has been witnessed on a lot of occasions. He said that the rules have been subject to change as Covid has developed and the Council is trying to keep up with the changes but Officers appreciate that it's a very sensitive time for families and are doing everything possible to accommodate them and hopefully make it as painless as possible. He said that Council were somewhat caught with the Covid-19 guidance but would try to be as flexible as possible.

Proposed by Councillor S McGuigan
Seconded by Councillor McKinney and

Resolved That it be recommended to Council to approve the final version of the Mid Ulster Cemetery Policy.

PR159/20 Digital Strategy for Mid Ulster District Council

The Head of ICT presented previously circulated report and sought approval for the procurement of specialist support to develop a Digital Strategy for the Council.

Councillor Ashton said she was conscious that this proposal was not currently in the existing budgets on what discussions which are taking place at the moment in light of the current Covid situation. She said that bearing in mind at item 3.6 we were really doing this to align a Strategy which has been on the table from 2017 and assumed that this Strategy wouldn't be created in the 4 – 6 week period. She felt that it would be more prudent to look at this as part of the budget setting and part of the workflow of our teams for the next financial year and also issues around staffing pressures and would assume any recommendation coming back from specialists would have to be reviewed by our internal

teams and if workloads were too heavy at the moment, then we should maybe wait to see if this can be pushed into the new financial year workloads.

The Director of Finance stated that Councillor Ashton's was making very good helpful comments on behalf of the ICT department and staffing pressures generally. He said that the amount required was a very small bit relative to the reserves to fund this matter and as officers feels that it's critical in the long term sustainability in the current environment where we are all living in. He said that it was critical that the Council invest in the new Digital age going forward as in reality officers have endeavored for several years to implement a straight forward recommendation which has been made by internal audit, but just cannot get the resources to carry it out. He stated that as time has passed, the realisation is that the world of technology was moving faster than Officers can keep up with it and external support was required to do that. He agreed with the members comments on financial and staffing pressures but the amount of money was very small, and auditors would assume trivial. He felt that it would be really progressive for the Council to consider allocating the requested budget out of reserves as it wouldn't be a rates pressure going forward and would be in fact an investment.

Councillor Ashton asked if this had been on for a few years then why has it only been made a priority now and rushed through.

The Director of Finance advised that that the matter hasn't been pushed through and would be quite happy to wait for the rates estimates process as it won't change the need to move along this roadway, but would accelerate the Council's ability to address the comment which has been made on a number of occasions in which he has been involved in formulating a response for Auditors about why there was a delay. He said that it was no more an urgency today as it was 2 to 3 years ago but would continue to be a pressing matter and said that if Council wish to defer until the rates process to consider adding it the rates pressure he would be happy to continue down that route also.

Councillor Ashton asked if it was a priority then why it was not in the work-plan for this financial year and felt that this be more of a question for other Departments rather than Finance end and asked why this was only coming to light now when we are half way through the year and in no work-plans.

The Director of Finance said that at this stage he would advise members and Councillor Ashton it was a priority in the sense that the officer's recommendation was measured as a priority. He said that in terms of Internal Audit recommendations it was never a priority, wasn't a priority 1 or never recall it being a priority 2 but cannot confirm, but was an issue that Officers brought attention to but didn't need immediate attention. He said that it was an issue that the Head of ICT, Head of Marketing and Communications and himself had discussed on an ongoing basis as a matter that needed attention but wasn't an issue that was considered appropriate to record in the rates discussions as a recurring rates pressure because it is a one off expenditure and not something that wants building in. He said as officers it was impossible to get to it and this was where we are currently.

The Head of ICT agreed with the Director of Finance and especially the last sentence as hit the nail on the head as officers were doing exceptionally well in respect of delivering essential services for Mid Ulster and this has been pushed down the lane long enough in respect of it. He said that there were exceptional pressures to address a Strategic Digital

direction and the thought is that it's the right time to adopt a more consistent digital approach for the Council giving the issue of Covid and there was a huge amount of digital projects on the table for a lot of services and this will help bring things together. He stated that he had been asked for an IT Strategy and this had morphed into a more realistic digital strategy in the attempt to get it over the line. He concluded by saying that Mid Ulster needed an appropriate Digital Strategy going forward.

Councillor Cuddy said that it was interesting to hear what everyone has been saying and felt that the committee should be taking on board the thoughts of the experts and what they were saying. He suggested that each of the 5 departments allocate funding towards the Digital Strategy and reserves could still be protected as it was a benefit to all departments.

Councillor McPeake advised that the Council were now in a new era and Covid had changed everything. He said that through NILGA he had seen things advancing with other Councils and things were now evolving very quickly and totally agreed with officers and could see where they were coming from. He referred to issues relating to live streaming at the last Council meeting and agreed that work needed to be done with online meetings and would like to see this incorporated.

Proposed by Councillor Cuddy
Seconded by Councillor S McPeake and

Councillor Gildernew said that he would be happy to agree to the recommendation as anything that could improve the service he would be fully supportive of.

Councillor McKinney stated that he would also be happy to support it and although £25k was a lot of money, there was a need to digitally promote Mid Ulster businesses going forward and felt that this Council needed to lead by example.

Resolved That it be recommended to Council to approve the procurement of specialist services to develop a Digital Strategy for Mid Ulster District Council and also the allocation of reserves from the current year.

PR160/20 Member Services

No Issues.

Matters for Information

PR161/20 Minutes of Policy and Resources Committee held on Thursday 3 September 2020

Members noted Minutes of Policy and Resources Committee held on Thursday 3 September 2020.

Councillor S McPeake advised that he had sought information on the issue of General Power of Competence which was raised at the last Policy & Resources Committee but said that he would be happy if this was brought to the next meeting.

PR162/20 Corporate Plan 2020-2024

Members noted previously circulated report in relation to Corporate Plan 2020-2024.

Live Broadcast ended at 7.52 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor McKinney and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR163/20 to PR175/20.

Matters for Decision

- PR163/20 The Process for Appointment to Chief Executive
- PR164/20 Acting Chief Executive Arrangements
- PR165/20 Staffing Matters for Decision
- PR166/20 Staffing Matters for Decision – Planning Department
- PR167/20 Staffing Matters – Allocation Staff Resources –
Community Development
- PR168/20 Greenvale Leisure Centre; Pool Under-croft Emergency
Pipework Repairs
- PR169/20 Lease Agreement for Davagh Solar Walkway
- PR170/20 NILGOSC Superannuation Scheme – Additional Voluntary
Contributions Update

Matters for Information

- PR171/20 Confidential Minutes of Policy & Resources Committee held on
3 September 2020
- PR172/20 Staffing Matters for Information
- PR173/20 Staffing Matters for Information – Deferral of Director of
Environment & Property's Departure and Redundancy
Settlement
- PR174/20 Contracts and DAC
- PR175/20 Financial Report for 5 months ended 31 August 2020

PR176/20 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 please raise your hand in the normal way and keep raised until advised to lower it
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

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

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 13 October 2020 in Council Offices, Circular Road,
Dungannon and by virtual means**

Members Present	Councillor S McGuigan, Chair Councillors Brown*, Buchanan, Burton, Cuthbertson, Glasgow, Graham, S McAleer*, McFlynn, B McGuigan, McNamee, Milne*, O'Neill, Totten*, Wilson
Officers in Attendance	Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr Lowry, Head of Technical Services** Mr McAdoo, Head of Environmental Services** Mrs McClements, Head of Environmental Health** Mr Scullion, Head of Property Services** Mr Wilkinson, Head of Building Control** Miss Thompson, Democratic Services Officer
Others in Attendance	Councillor Gildernew*

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

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm

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

E192/20 Apologies

Councillor N McAleer.

E193/20 Declarations of Interest

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

E194/20 Chair's Business

In response to a query the Head of Property Services advised that a decision was previously taken to adopt a Council aligned policy in relation to access to cemeteries. The officer advised that Cottagequinn currently remains open 24/7 which is the same as all other Council cemeteries and that if there was a desire to have the cemetery locked to vehicular access between dusk and 8am this can be done but highlighted

that it would be a variation to Council policy. The officer also stated that there would be cost associated to locking the cemetery on a daily basis.

Councillor Cuthbertson stated he had raised the issue of anti social behaviour taking place at Cottagequinn cemetery at the September Council meeting. The Councillor stated that relatives were concerned with what was happening within the grounds of Cottagequinn and that the current activity could develop into vandalism. Councillor Cuthbertson stated that whilst it is practice to keep cemeteries open he felt that Cottagequinn is different as it is in a rural area. Councillor Cuthbertson proposed that Cottagequinn be closed at dusk and reopened at 8am for a temporary period with a review, the Councillor also stated he did not feel there would be any great cost associated with doing this and there may be potential to tie in with staff closing Dungannon Park.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Resolved That it be recommended to Council to close Cottagequinn Cemetery at dusk and reopen again at 8am for a temporary period, with review.

Matters for Decision

E195/20 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report regarding the naming of new residential housing developments within Mid Ulster.

Site off Coolreaghs Road, Cookstown

Proposed by Councillor Buchanan
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to name development off Coolreaghs Road, Cookstown as Coolreaghs Manor.

Site off Desertmartin Road, Magherafelt

Proposed by Councillor Brown
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to name development off Desertmartin Road, Magherafelt as Eden Park.

Site off Gortgonis Road, Coalisland

Proposed by Councillor O'Neill
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to name development off Gortgonis Road, Coalisland as Gortmanor Drive.

E196/20 Loneliness Network

The Head of Environmental Health presented previously circulated report which advised of the development of a Mid Ulster Loneliness Network, the launch of the Network and a request for funding towards community projects.

Councillor Burton asked if this initiative is only targeted towards the Northern Trust area as she was aware of many within her electoral area who were struggling with mental health issues and isolation.

The Head of Environmental Health advised that the initiative is led by the Northern Trust but the Network seeks to encompass all areas within Mid Ulster.

Councillor Burton asked if there would be a conflict between the Agewell project and this initiative. Councillor Burton also commended the Northern Trust as she felt they are more involved with these type of projects which are needed at this time of pandemic and asked if Council could engage with the Southern Trust for them to become involved as well.

The Head of Environmental Health stated that Council would follow up with the Southern Trust and added that the Loneliness Network is not only for older people but all age groups and does not impact negatively on the Agewell initiative but rather builds on bringing everything together.

Councillor O'Neill added to Councillor Burton's comments and stated that he felt a number of people in the Southern Trust area would be left vulnerable if the Southern Trust were not involved in the Loneliness Network.

The Head of Environmental Health advised that the first meeting of the Network took place prior to lockdown and since then lockdown and COVID19 has brought challenges. The officer advised that the Southern Trust has been involved and will be involved in the Network but that the lead in this particular project is the Northern Trust.

Councillor Burton asked if the Southern Trust would also be giving funding to the Network like the Northern Trust.

The Head of Environmental Health stated she would have to check how the sources of funding for the Network have come together and would come back to the Councillor on this issue.

Councillor Burton asked that this information be made available prior to the October Council meeting.

Councillor McNamee stated that the Loneliness Network was an excellent programme which does not exclude people from the Southern Trust area applying.

The Head of Environmental Health stated that the network seeks to raise awareness of loneliness and its impacts and how best to address issues and support individuals.

Proposed by Councillor McNamee
Seconded by Councillor McFlynn and

- Resolved** That it be recommended to Council –
- That Mid Ulster Council staff continue to assist partners in the development of the Loneliness Network and be Members of the Network.
 - To make a match funding contribution of £1,500 towards a pilot small grants programme.

E197/20 Response to the Food Standards Agency's consultation on Building on the success of the front-of-pack nutrition labelling in the UK

The Head of Environmental Health presented previously circulated report which advised of the Food Standards Agency's consultation on the success of the front of pack nutrition labelling in the UK.

Proposed by Councillor Cuthbertson
Seconded by Councillor B McGuigan and

- Resolved** That it be recommended to Council to respond to the Food Standards Agency's consultation on the success of the front of pack nutrition labelling in the UK as outlined at appendix 1 of the report. Draft response to be submitted in advance of the deadline of 21 October 2020 and confirmed after October Council meeting.

E198/20 Bus Shelter Update

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

The Head of Technical Services referred to request for bus shelter in Moygashel and that the application fails to reach the required numbers. The officer advised that there are no bus shelters in Moygashel but that there are other bus stops in the village in which the required numbers for a bus shelter would be exceeded. The Head of Technical Services pointed out that if a bus shelter was located at the site requested then users may then go to this location as opposed to some of the other bus stops.

Councillor Cuthbertson advised that Moygashel has four bus stops but that only one of these locations is suitable for a bus shelter. The Councillor felt that some further consideration was needed in respect of this location as he believed if a bus shelter was sited that particular bus stop would be used more.

Councillor B McGuigan referred to appendix 1 – table 4 and the request for a bus shelter at Tirkane Road, Maghera and that he felt this request will have to be withdrawn as there were objections to the site identified. The Councillor advised that the only other site along that stretch of road was opposite the GAA club however DfI Roads had some road safety concerns regarding this location. Councillor B McGuigan stated that as there appeared to be alternative arrangements in place at this requested location a bus shelter may not be justified at this time.

Councillor B McGuigan also referred to the bus shelter for Culnady village and that this seems to be progressing and residents will be glad to see this getting over the line.

The Head of Technical Services advised that he would bring back a report regarding the request at Tirkane Road, Maghera next month.

In relation to request for Moygashel the Head of Technical Services stated it was up to Members to decide how they wanted to move forward. The officer advised that as it stands the request does not meet policy but because it is the only location suitable in Moygashel it could be considered further to community consultation.

Councillor Wilson stated that he felt that the bus shelter policy needed to be reviewed and referred to one of the requests in which 24 survey letters were sent out and only 4 responded and therefore the bus shelter can go ahead and another situation in which 1 letter was sent out subsequently returned and the bus shelter can go ahead. Councillor Wilson stated that the situation in Moygashel also needed further consideration. Councillor Wilson proposed that the Bus Shelter policy be reviewed.

Councillor Cuthbertson proposed that community consultation be carried out in respect of Moygashel site which he felt would show the desire for it in the village with a decision to be taken at a later date pending the outcome of a review of the Bus Shelter policy.

The Head of Technical Services stated that the community consultation can go ahead in respect of Moygashel and that a review of the policy can also be undertaken. The officer advised that those within 50m of a proposed site for a bus shelter be written to hence the variance in numbers depending on how built up the area is.

The Director of Public Health and Infrastructure stated that officers would facilitate a workshop to review the Bus Shelter policy.

- Resolved** That it be recommended to Council –
- To install bus shelters at the following locations as they have met all the criteria in the Bus Shelter Policy (Section 1.2, Point 4) –
 - Millview, Dunnamore
 - The Square, Stewartstown
 - Omagh Road, Ballygawley
 - Glebe Court, Castlecaulfield
 - Kildrum Estate, Galbally
 - To remove the following from the Bus Shelter Register as they have not met the criteria in the Bus Shelter Policy (Section 1.2, Point 4) –
 - Derrychrin PS, Ballinderry
 - Meenagh Park, Coalisland
 - To conduct a review of the Bus Shelter policy
 - To carry out community consultation in respect of request for bus shelter in Moygashel

E199/20 Provision of Defibrillators (AEDs) in Mid Ulster

The Director of Public Health and Infrastructure presented previously circulated report which advised on the Mid Ulster District Council – Automated External Defibrillator (AED) Procedure and the rollout of devices across the Mid Ulster area.

The Director of Public Health and Infrastructure highlighted that there was some work required in getting all defibrillators registered as it has become evident that not all defibrillators in the community are registered at the moment.

Councillor Cuthbertson referred to table 1 within the report which states there are no settlement gaps in Dungannon and that he had previously requested that a defibrillator be sited at Gardner's Hall in Dungannon. Since making the request the Councillor stated that the boxing club, who use a property next to Gardner's Hall, have advised that they have a defibrillator and that they would be content if it was sited outside, if Council would facilitate this, and that the device could then service both buildings. Councillor Cuthbertson asked how many sites within table 1 of the report belong to the Council and proposed that Council move ahead with installing defibrillators at Council Civic Amenity Sites, at Council sites within table 1 of the report and that potential funding under the General Power of Competence be identified for other sites within the table.

The Director of Public Health and Infrastructure stated he did not believe it would be an issue for Council to facilitate siting a defibrillator outside Gardner's Hall and that officers would liaise with the boxing club in this regard. In relation to Council facilities within table 1 of the report the Director advised that Council have direct involvement with Portglenone Walkway, playpark in Upperlands, Grant Ancestral Home, Drum Manor Forest Park and Lough Fea Walkway, but that he would need to check as regards to sites at Caledon, Tullyhogue and Curran. The Director advised that since the report has been issued officers have become aware that other sites identified within table 1 are reasonably well serviced but that this would be formalised.

Councillor B McGuigan referred to the map which identified where defibrillators are located across the District and stated that whilst the area seems to be well serviced there are gaps. The Councillor also spoke in relation to the defibrillators already in place and that there would have been volunteers trained on how to use these devices at the time and asked if these volunteers are still in place or who manages this.

The Director of Public Health and Infrastructure advised that when the scheme was set up in 2014 it was primarily the health trusts who took the lead, since then the lead has moved to Northern Ireland Ambulance Service and Council has been working with the Ambulance Service and partners. The Director advised that the Ambulance Service have a co-ordinator in place but unfortunately this person has been on long term sick leave for a number of months so there is a gap there at the moment. The Director of Public Health and Infrastructure advised that the provision of training rests with Northern Ireland Ambulance Service and the Council have worked in the past with the Ambulance Service and partners to support the delivery of the Restart a Heart campaign.

Councillor Graham thanked officers for their report and commended them for the work put into it. The Councillor felt that the approach outlined within the report is fair

to everyone and that she hoped the matter can now be progressed. Councillor Graham felt that to have no defibrillators in rural areas was shocking.

Councillor McNamee stated he also welcomed the report which showed there is a good spread of defibrillators across Mid Ulster but that there are still some gaps which need to be filled. The Councillor stated that there were a number of places within table 1 of the report with links to the Council as already identified and a number in which it has since been found have provision. Councillor McNamee stated that it would be good to see everywhere covered and that there are other groups who can come on board in providing devices.

Councillor Glasgow stated that the report was detailed and had been worth waiting the month for. The Councillor stated that there do appear to be gaps but as previously stated there may be a number of defibrillators which have not yet been registered and that there was some communication needed to get groups to register their devices as they do serve a lifesaving purpose. Councillor Glasgow seconded Councillor Cuthbertson's proposal.

Councillor Wilson commended officers on the report and also referred to the defibrillators not registered and that this is a big task in order to get them registered. The Councillor stated that what is being proposed is a good news story but that within this good news story it also needs to be publicised that defibrillators are there to save lives and should not be vandalised as there have been instances of wall mounted defibrillators outside properties being smashed.

Councillor Burton agreed with Councillor Wilson's comments and that a defibrillator is a life saving device which should not be vandalised. The Councillor thanked officers for the detailed report and also referred to the previous presentation by the Ambulance Service which also informed Members. Councillor Burton advised that there is a defibrillator sited in Caledon and it would important to have this added to the list as it is a rural area.

Councillor S McAleer also thanked officers for the important piece of work and stated that it is good to know there are defibrillators in place if they are needed. The Councillor advised that there are a number of people in the community trained to use a defibrillator.

The Director of Public Health and Infrastructure stated he would convey the Member's comments to the officer team. Moving forward, the Director stated that officers will link in with sporting clubs who may have a defibrillator but have not got it registered and also link with the Ambulance Service to provide additional support to local groups going forward subject to NIAS current work pressures at present.

Councillor B McGuigan referred to his previous comments with regard to training and if there is a way of getting in contact with those who have defibrillators already in place to ensure systems are up to date and there are people trained in their use.

The Director of Public Health and Infrastructure advised the officer team will work closely with Mid Ulster Community Resuscitation group and partners to link with sports clubs and community groups who already have facilities and assist with support for any new groups.

- Resolved** That it be recommended to Council –
- To install AED units at all Council Civic Amenity Sites unless suitable provision is already available at or in close proximity to the site.
 - To prioritise the rollout of the additional AEDs as identified at remaining Council managed sites as identified at Table 1 within report.
 - To identify potential for eligible funding under the General Power of Competence Programme to support the above arrangements if support funding is not available.

E200/20 Fly Tipping Protocol

The Head of Environmental Services presented previously circulated report which sought approval to agree a new Fly Tipping Protocol with NI Environment Agency.

Councillor Burton stated that Council has had issues in the past regarding the removal of waste and felt that it is also important that landowners are not left in a situation in which they become an easy target for the NIEA in getting material removed. The Councillor asked if the protocol comes with any more teeth than the one before as she would have some concern. Councillor Burton also stated that NILGA have pushed on this matter and that Councils needed a collective voice as this is an issue which affects all Council areas.

The Director of Environment and Property advised that there was a joint working group between representatives from Council and NIEA and that this protocol helps to define who is responsible for what. The Director stated that Articles 4 and 5 have been an ongoing issue and that Councils are of one voice that they are strongly resistant to the changes being proposed by the Department in relation to Article 5 re. enforcement powers. The Director of Environment and Property stated that the protocol deals with the clean up of waste and who deals with what and relates more to Article 4. The Director advised that the legislation that the Department are trying to enact has been there for some time and could be enacted tomorrow if it was the Department desire to do so. The Director of Environment and Property advised that the Department have been proactive in talking to Council as there are significant implications in terms of resources as certain powers will be passed to Council and Councils are not keen to agree to this until resource implications are mapped out. The Director continued that there are examples in which Council has worked proactively with NIEA in getting waste removed and that there is a good working relationship with the Agency at the moment. The Director of Environment and Property advised that the protocol clarifies Council's position in relation to what it collects, what volume it collects and where Council will collect it from, the protocol also sets out what NIEA will do. The Director stated that the majority of the former 26 Councils signed up to the previous protocol and this protocol is not significantly different.

Councillor Glasgow stated that this matter has been discussed at numerous NILGA meetings and that other Councils are experiencing similar issues. The Councillor asked for clarification on whether the protocol outlines the responsibilities between Council and NIEA.

The Director of Environment and Property advised that the protocol outlines responsibilities in terms of volumes of waste that will be collected, the types of waste that will be collected and who it will be collected by. The Director stated that the protocol sets out that Councils will collect up to 20m² of ordinary fly tipped waste (non hazardous) and advised that this is what has been happening up to now. The Director advised that when hazardous waste has been encountered then NIEA have dealt with this.

Councillor Glasgow stated that he was content that the protocol sets out where everyone stands as he felt that NIEA have shied away from the clearing of waste previously. The Councillor stated that he did not want Council to be left with something that will cost money and put a strain on resources in the future.

The Director of Environment and Property advised that the protocol will be brought before a number of Councils in the coming months and that officers were aware of the sensitivities and issues regarding fly tipping. The Director advised that Council was clear in its position and that it was not content that the NIEA try to foist more powers onto Council in relation to enforcement.

Councillor B McGuigan referred to Councils participation in the piloting of an app and asked if the app will include a map of fly tipping hot spot areas.

The Head of Environmental Services advised that the app will include a map as it is believed to be an essential component of the app.

Councillor McFlynn stated that fly tipping seems to have been on the increase in recent months and commended staff who have gone out to clear up the waste. The Councillor felt that NIEA often offload a lot of responsibility to Councils and that NIEA should be more proactive in trying to bring offenders to Court as enforcement is important.

Proposed by Councillor McFlynn
Seconded by Councillor Glasgow and

Resolved That it be recommended to Council to approve the amended Fly Tipping Protocol for agreement with the NI Environment Agency as set out at Appendix 1 to report with further discussion on legal controls around Article 5.

E201/20 DfI Roads Proposal to Mid Ulster District Council - The A6 Castledawson By-Pass (Abandonment and Stopping-Up) Order (Northern Ireland) 2020

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to the A6 Castledawson By-Pass (Abandonment and Stopping Up) Order (Northern Ireland) 2020.

Councillor Cuthbertson stated that whilst a part time 20mph speed limit at schools is welcome it is not widespread across the Council area. The Councillor also referred to a recent meeting with DfI at which it was reported that unless the Department bring in a third party contractor the likelihood of this work going ahead is slim as staff

are not allowed to erect signage at the moment due to social distancing requirements. Councillor Cuthbertson referred to lack of gateway signage at Moygashel and Aughnacloy and that Police are debating whether speed limits are enforceable in these areas due to the gateway signs being in such poor condition. The Councillor stated that while he welcomed the proposal from DfI he would be fearful of when the work will actually be done unless a third party contractor is brought in.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to the A6 Castledawson By-Pass (Abandonment and Stopping Up) Order (Northern Ireland) 2020.

E202/20 DfI Roads Proposal to Mid Ulster District Council – The Private Accesses on the A6 Castledawson By-Pass (Stopping-Up) Order (NI) 2020

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to the Private Accesses on the A6 Castledawson By-Pass (Stopping Up) Order (NI) 2020.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to the Private Accesses on the A6 Castledawson By-Pass (Stopping Up) Order (NI) 2020.

E203/20 DfI Roads Proposals to Mid Ulster District Council - Proposed No Waiting at Any Time, Loading and Unloading Not Permitted – Back Lane, Draperstown

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to Proposed No Waiting as Any Time, Loading and Unloading Not Permitted – Back Lane, Draperstown.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed No Waiting as Any Time, Loading and Unloading Not Permitted – Back Lane, Draperstown.

E204/20 DfI Roads Proposals to Mid Ulster District Council - Proposed Introduction of No Waiting at Any Time, Loading and Unloading Not Permitted – Bank Square, Maghera

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to Proposed Introduction of No Waiting at Any Time, Loading and Unloading Not Permitted – Bank Square, Maghera.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed Introduction of No Waiting at Any Time, Loading and Unloading Not Permitted – Bank Square, Maghera.

E205/20 DfI Roads Proposal to Mid Ulster District Council - Proposed 30mph and 40mph Speed Limit – Moyola Road, Castledawson

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to Proposed 30mph and 40mph Speed Limit – Moyola Road, Castledawson.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed 30mph and 40mph Speed Limit – Moyola Road, Castledawson.

E206/20 DfI Roads Proposal to Mid Ulster District Council - Proposed Part Time 20mph Speed Limit at Schools

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to Proposed Part Time 20mph Speed Limit at Schools.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed Part Time 20mph Speed Limit at Schools.

E207/20 DfI Roads Proposal to Mid Ulster District Council - Proposed Provision of a Disabled Persons' Parking Bay at Sullenboy Park, Cookstown

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to Proposed Provision of a Disabled Persons' Parking Bay at Sullenboy Park, Cookstown.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed Provision of a Disabled Persons' Parking Bay at Sullenboy Park, Cookstown.

Matters for Information

E208/20 Minutes of Environment Committee held on 8 September 2020

Members noted minutes of Environment Committee held on 8 September 2020.

E209/20 Building Control Workload

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

E210/20 Entertainment Licensing Applications

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

E211/20 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 Graham referred to point 2.1 within the report which states that... *“Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English”*. The Councillor asked why this is not done and stated that she felt if it was done there would be less vandalism of signage. Councillor Graham stated that there was no vandalism to signage whenever there was three languages on signage erected by the former Dungannon and South Tyrone Borough Council.

Councillor McNamee stated that the reason why signage is erected the way it is is because it is Council policy.

Councillor Cuthbertson stated he had raised issues in the past and felt that the policy needed to be looked at again. The Councillor stated that there were numerous elected members on social media advertising to communities that help can be given to get free signage and that this was disappointing as there is nothing free about the signage as the ratepayer is paying for it.

Councillor Wilson stated he had raised earlier in the meeting about bus shelters in relation to the surveys being sent out and the responses coming back and that he felt there was a similar issue here. Councillor Wilson proposed that the dual language policy be reviewed in relation to how the surveys are sent out/responded to.

Councillor Cuthbertson seconded Councillor Wilson's proposal.

Councillor McNamee stated that the working group spent a lot of time to arrive at the policy, that the policy has not been in place that long and that he would propose that the policy remains as is.

Councillor B McGuigan seconded Councillor McNamee's proposal.

Members voted on Councillor Wilson's proposal –

For – 6

Against – 7

Resolved That it be recommended to Council that the policy in relation to Dual Language Signage remains as is.

E212/20 Dual Language Signage Surveys

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

Councillor Graham referred to point 3.22 of the report in which a survey was requested and undertaken of Derry Road, Coalisland. The Councillor stated that 19 survey letters were issued and none were returned meaning that the person who requested the survey did not even respond. Councillor Graham asked how much this exercise cost Council as it seemed to have been a complete waste of time and money. The Councillor also asked who checks the requests coming in as she felt there are so many costs that needed to be investigated and reported back on and that Council needed to be careful in how it was spending its money as Councillors were answerable to the electorate.

The Head of Building Control advised that the requests were being dealt with within the current staff resource and there is one member of staff who primarily deals with the requests as they come in and this is not being exceeded. The officer advised that each request is verified with the electoral register that the person requesting the signage is a resident on the street/road before being reported to the Environment Committee.

Councillor Glasgow stated it is disappointing that a person puts in a request and then does not respond to the survey and that he felt questions are going to be asked on this by the public. Councillor Glasgow also felt that costings should be brought back in relation to this particular request.

Councillor O'Neill advised that there was already an Irish sign in the area and that the request may have been put forward in error.

Councillor Glasgow asked how the request had got through the system if what Councillor O'Neill said was correct and there was already signage in place and that Members are being told the requests are checked.

The Head of Building Control advised that no signage has been erected at this location during Mid Ulster time and under this policy. The officer advised that there was no record kept of dual language signage erected under the former Dungannon and South Tyrone Borough Council.

E213/20 Health Protection (Coronavirus Restrictions) (Northern Ireland) Regulations 2020

Members noted previously circulated report which advised on current enforcement arrangements for the Health Protection (Coronavirus Restrictions) (Northern Ireland) Regulations 2020.

Councillor Cuthbertson referred to letter recently sent by Council to businesses and asked for an update in relation to Council's role and would officers be going out to inspect premises on the back of the letter sent out and is the Council now an enforcement body.

The Director of Public Health and Infrastructure advised that COVID regulations have undergone a number of revisions to date and that when the enforcement process was brought through the NI Executive a report was brought to Council in May at which enforcement staff were designated for specific regulations. The Director advised that Council were still waiting for clarity of the enforcement process to be defined in these recent amendments and until the regulations are released this is unclear. The Director advised that Council have been working with PSNI who are the lead enforcement agency for all COVID regulations. The Director advised that officers have been very proactive in providing support and guidance to businesses in relation to the regulations and that a number of visits to businesses have been undertaken, he advised that over 300 inspections have been carried out as part of the support and guidance to premises to date.

The Director advised that at the end of last week the NI Executive requested that Councils correspond directly with businesses to emphasise the importance of social distancing measures and this is why the letter had been circulated. The Director advised that unfortunately the rate of infection is increasing in Northern Ireland with a current rate of approximately 400 live infections per 100,000 of population and that Mid Ulster has the third highest rate in Northern Ireland, however this can change daily. The Director stated that it was important to re-emphasise the message to businesses and everyone in the community to follow the advice and guidance. In relation to the enforcement regulations, the Director advised that officers will wait to see the detail of the regulations and enforcement controls and if this is received in the coming days then a further report will be brought to the October Council meeting.

E214/20 Covid 19 Heating installation – Chamber and Chair's Office, Magherafelt Office

Members noted previously circulated report which advised on the installation of new radiators and pipework in Magherafelt Chamber and Chair's office in lieu of air conditioned heating amid COVID 19 advice.

E215/20 Together We Recycle (Recycle Week 2020)

Members noted previously circulated report which advised on the recent Together We Recycle campaign.

E216/20 DfI Roads Proposal to Mid Ulster District Council - Coolshinney Park, Magherafelt (Abandonment) Order (NI) 2020 – S.R.2020 No. 206

Members noted previously circulated report which advised of the commencement of an Abandonment Order issued by DfI Roads in relation to Coolshinney Park, Magherafelt.

Live broadcast ended at 20.26 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor O'Neill 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 E217/20 to E230/20.

Matters for Decision

E217/20	Dog Kennelling Contract
E218/20	Re-tendering for the Ageing Well project for MUDC
E219/20	Tender report for the appointment of a Vehicle Supplier
E220/20	Tender report for the appointment of Contractors to a framework for Construction works (M&E)
E221/20	Grave Digging & Associated Works Tender
E222/20	Procurement Framework for Washroom Services
E223/20	Tender report for the appointment of a Ride on Lawnmower Supplier
E224/20	Leasing of former (closed) landfill site at Drumshambo
E225/20	Coalisland Recycling Centre Improvement Works

Matters for Information

E226/20	Confidential Minutes of Environment Committee held on 8 September 2020
E227/20	Capital Projects – Scoping Contracts Update
E228/20	Capital Framework – IST Contracts Update
E229/20	Capital Framework – ICT Contracts Update
E230/20	Burnavon Arts and Cultural Centre Reception Area Refurbishment

E231/20 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.50 pm.

CHAIR _____

DATE _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Thursday 15 October 2020 in the Council Offices, Circular Road,
Dungannon and by Virtual Means**

Members Present

Councillor McNamee

Councillors Ashton, Black*, Burton, Clarke*, Corry*, Cuddy*,
Doris, Elattar*, Kerr*, Hughes*, Kearney*, Molloy*,
Monteith*, Wilson*

**Officers in
Attendance**

Mrs Campbell, Director of Leisure and Outdoor Recreation
Mr McCreesh, Director of Business and Communities
Mr M 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 and Arts**
Ms McKeown, Head of Economic Development **
Mr Brown, ICT Support
Ms Grogan, Democratic Services Officer

**Others in
Attendance**

Councillors Bell and McFlynn

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm.

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

D147/20 Apologies

None.

D148/20 Declarations of Interest

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

Councillor Kerr declared an interest in Coalisland Food Bank.

D149/20 Chair's Business

Councillor Kerr advised that he had been approached by representatives from the Ladies Gaelic Governing body seeking assistance from Council and he proposed that they be invited to a future meeting to make a presentation and to see what support Council Officers can provide them.

The Chair agreed that an invite be issued to Tyrone Ladies GAA to make a presentation to a future meeting.

Councillor Doris requested an urgent meeting with Council representatives, Roads Service, Planners, Clonoe Community Centre and all the elected representatives in the area in relation to a much needed footpath just outside Community Centre as DfI are expecting the football club to pay for it which is completely unacceptable. She stated that she was aware of the Director of Business & Communities having an onsite meeting with Francie Molloy MP, Councillor Joe O'Neill and the community group where everyone could see for themselves the danger and the necessity for a much needed footpath and felt that things would get worse as there was a proposal to implement a playpark in Clonoe. As well as a meeting with all the stakeholders she requested that a letter be sent to Nichola Mallon, Minister for Infrastructure on the urgent need for a footpath at this site.

Proposed by Councillor Doris

Seconded by Councillor Clarke and

Resolved That it be recommended to Council that an urgent meeting be organised with Council representatives, Roads Service, Planners, Clonoe Community Centre and all the elected representatives on much needed footpath outside Clonoe Community Centre. Also a letter be issued to Nichola Mallon, Minister for Infrastructure on concerns regarding the footpath and the urgency for it.

Councillor Cuddy referred to recent events and said that his party had raised concerns about remote meetings back in June regarding the lack of good broadband and the Council's ICT not be adequate to deliver and the risk for members and staff being in the meeting room with meetings going on a lot longer than normal. He said that things had reverted back to the beginning of the pandemic with the 15 people max rule now in place, with most members having to access into meetings remotely. He stated that the UUP fully support the 4 week restrictions to act as a circuit breaker to control this terrible virus with ever increasing new infections, but however his party wanted the opportunity to revert back to attending actual meetings as soon as it's safe to do so and felt that staff shouldn't be expected to attend meetings when members were not expected to attend, with Councillors being in a position to provide leadership during this difficult period. He said if Council were going to provide virtual meetings under these new restrictions during this new 4 week circuit breaker that meetings should only be called to deal with matters which are deemed critically important and time sensitive. He concluded by saying that his party were happy with the system for the next 4 weeks and hoped that it would work.

Councillor Doris said that there were a lot of problems with IT at the beginning but felt that this had got a lot better this last few weeks and advised that during this pandemic

members must show leadership and if anyone can virtually remote in that this should be supported.

The Chair agreed with Councillor Doris and said that it had improved.

Councillor Monteith concurred with some of the issues raised by Councillor Cuddy regarding inadequate IT and said that he was late linking in remotely tonight due to these issues. He said that although IT had become better there was still a lot of issues which needed addressing and would be off the opinion if a person can't appear at a meeting in person, then consideration should be given to going back to the situation we had in March and April where the Acting Chief Executive had the authority to make operational decisions as this committee system was not fit for purpose as Covid-19 had exposed this time and time again. He said that the IT was not fast enough and does not give this organisation the speed and flexibility which to act and would be really exposed within the coming days as Officers needed to move fast and would reiterate his opinion that if a member cannot appear in person, then the committee should be suspended as during the lock down and full Council meeting facilitated if there was Corporate Governance needed. He said that Planning would still need to go ahead but other than that, he did not foresee how these committees could function under the current IT systems and would accept the emergency situation tonight but would be in favor of people being unable to appear in person at meetings. He said that he had raised the issue of Dungannon Leisure Centre being utilised as an alternate venue for meetings as people could be spaced out 4 to 5 metres apart if need be as the facilities are there and if other elected chambers can operate with 30 to 40 people present, he could see no reason why we can't have the proper environment also.

Councillor Bell entered the meeting at 7.07 pm.

Matters for Decision

D150/20 UNESCO World Heritage Site – Davagh & Beaghmore Stone Circles

The Head of Tourism presented previously circulated report to inform Council about the progress of the Notice of Motion at the Development Committee meeting on the 23rd July 2020 – “That Mid Ulster District Council resolves to explore the necessary steps to have Davagh Dark Sky Park officially designated a UNESCO World Heritage Site”.

Councillor Clarke advised that he fully supported what was taking place and could see that there was a lot of good work being carried out and wasn't surprised at this as Officers always deliver. He said as a point of clarification, Davagh Dark Skies Park was a definitive area which can be identified over a large area and said that he had the same idea over the years, but while development was ongoing he held back as he didn't want to get into the mix with the designation of the Dark Skies Park. He said that he was fully supportive of what was being done but enquired who the Council anticipated becoming members of the stakeholders group. He said that a person had identified themselves to possibly being of use to the Council in working on the World Heritage Project and was confident that this person would have an intimate knowledge of what's involved. He said that he would be happy to propose to progress as suggested.

Councillor Corry concurred with Councillor Clarke and passed her thanks to Drs Campbell and Burke and the Council team on all the work they have done on the spoken paper. She stated that Councillor Clarke and herself had spoken to a person who previously worked for UNESCO and they suggested that the Council go down the route of Biodiversity and look at the possibility of a Global Geopark under UNESCO. She said that it was also suggested that an attentive list under the Department of Education or a joint bid be looked at, which was previously done under the Marble Arch Caves and asked if this could be taken into consideration and would be happy to second the proposal for the working group.

The Head of Tourism in reply to query about stakeholder group, he said that it was envisaged that the local community would play an important role in the project. He said that another group he would be recommending would be Sperrins Future Search group and was pleased to say that a new manager had been appointed this week and would welcome both suggestions from both Councillor Clarke and Corry in terms of experts or other people who would help out. He stated that both Dr Burke and Dr Campbell would be also very interested in taking the initiative forward.

Councillor Ashton enquired about costs being brought forward for the project and referred to page 12 of the report where it clearly states by UNESCO that Dark Skies cannot be nominated for the World Heritage list within the existing framework and wondered where we were at and how this can be progressed.

The Head of Tourism advised that costs were not known yet and really depended on what way it was to be approached on whether to go for a biosphere or accreditation and this would have to be brought back as a future report.

In response to query regarding the Dark Skies accreditation, he said it wasn't enough to bring this forward but would be a cocktail of many things like natural heritage and the built heritage which would be rich enough to take this forward and would be a combination of 3 items in which he would be proposing.

Councillor Cuddy stated that it was a very interesting exercise and commended Councillor Clarke. He said that Dungannon people were very proud of the Castlehill and the Hill of The O'Neill due to what happened there during the early 1600's and at the time it was European news as it brought both the Gael and Planter together. He agreed with Councillor Ashton's comments about being careful regarding money and felt that the same principles should be applied in line with Castlehill and where it fitted into the scheme. He said that it was a great facility which wasn't being used as well as it could be.

Councillor Wilson advised that his concern had previously been raised by Councillor Ashton but said that another issue he had was that these UNESCO sites take up a lot of ground as was the case with the Giant's Causeway and the golf course which was going to be built there and would err on the side of caution as it was alright going for these kind of things but the ramifications might outstrip that. In referring to Councillor Cuddy's comments about the Hill of The O'Neill, he advised that there were a lot of these sites like Tullyhoge Fort and felt that there was a need to come together to start a programme or some idea of what can be achieved. He referred to previous comments in the past about Councillor Monteith's suggestion of a linkup between the three sites

and rather than rush ahead there was a need to sit down and have a look at what we have and what better chance we have of getting them.

The Chair said that it would be useful if costings could be brought to a future meeting and when the group is developed and put together then emphasis should be on how this can be progressed and brought forward.

The Head of Tourism agreed and stated that the first piece of work would be generic in terms of costs and what it would take to do it which could also be applied to other sites. He said that a report would be brought back to a future meeting.

Proposed by Councillor Clarke
Seconded by Councillor Corry and

Resolved That it be recommended to Council to:

- i) Proceed and work towards seeking UNESCO World Heritage accreditation.
- ii) Establish a working group including all stakeholders.

D151/20 Autumn Corporate Events Update

The Head of Tourism presented previously circulated report to provide Members with an update on Autumn Corporate Events and identify savings to be reallocated to the COVID-19 Response Fund. He added that whilst £110,000 savings had been identified from Halloween and Christmas events this year, that £24,000 had already been transferred to assist with Covid19 Business Support Grants, which left an underspend balance of £86,000.

Councillor Doris said that she was happy to propose the recommendations but stated that she was sad to see no Halloween festivities this year in Coalisland as everyone always worked so hard to make it special.

She stated that there had been very advantageous thinking in terms of Neighbourhood Renewal who were looking at innovative ways of interacting with teenagers and young adults without bringing them together over the Halloween period and wanted this noted. She said that the Ogras Youth Club and the Fianna were anticipating running an online FIFA tournament over the 2 weeks before Halloween to keep youth entertained over this crucial time.

In referring to update from the Head of Tourism she stated that some good points were made in terms of tourism and hospitality as it was going to suffer dramatically over this difficult time.

Councillor Ashton said that she would be happy to second the recommendation and in referring to the £110,000 for the Covid Response asked if there were any indications from the businesses which had to close over the 4 weeks and was there any way of targeting these into our Covid fund.

Councillor Doris left the meeting at 7.22 pm.

The Head of Tourism advised that no information had been received at present but anticipated that this would be made known over the next few days. Councillor Wilson stated that there were a number of businesses falling through the cracks i.e. hairdressers, barbers and rent-a-chair and said that these type of businesses would need to be also taken into consideration.

Councillor Cuddy advised that he had been approached by some people with a view to Christmas and concerns around the current circuit breaker. He said that if the number of covid cases can be reduced then there may be some sort of Christmas festivities. He said that these individuals had indicated that they would like to work with the Council on "Save Christmas in Dungannon" campaign with the possibility of having moving advertising displays around areas like Dungannon Park, Castlehill and other places, where people would move around in their cars. These individuals have asked that this be brought forward and now at this current time it's very important compared to last week. He said that it would be beneficial if a meeting could be arranged with the Head of Tourism to explore some ideas as it would be something for the people to look forward to after all the doom and gloom and hopefully if this works there would be something at Christmas which would have a low value and high impact around the town.

Councillor Doris returned to the meeting at 7.25 pm.

Councillor Burton said she totally agreed with comments and as Chair of the Tourism Forum she could see a lot of concern in today's latest announcements with a lot of businesses welcoming the clarity that came this evening. She referred to the Nolan Show where it showed that some people were falling through the cracks in terms of furlough as well and premises that may have taken on new staff and not within the boundary of getting any financial support. She would like this money which was being ringfenced for the community's benefit and events to go towards something people would look forward to.

She said that there was an onus on Council to consider widely the whole Covid fund as there was a lot of stress out in the community as there are numerous venues the council support and a lot of business council is linked into getting it very tough at the minute to stay afloat and would be really helpful to have something in place to try and provide support at this difficult time.

The Chair agreed and stated that we were in difficult times with events being cancelled causing a huge disappointment as they brought a lot of smiles and cheer to our communities. He said that the Christmas Lights would still go ahead and was sure that the Head of Tourism would take on board comments raised and Officers take on board concerns around issues relating to community groups etc.

Proposed by Councillor Doris
Seconded by Councillor Ashton and

Resolved That it be recommended to Council:

- i) That Council do not organise any formal or planned events that will bring people together in numbers and may potentially encourage none

adherence to the current Government guidance and measures across all towns for both Halloween and Christmas.

- ii) To reallocate the remaining savings of £86,000 from town centre and events budgets to the Council's COVID-19 Response Fund.

Councillor Monteith stated that he would fully support the comments made by Councillor Cuddy regarding Dungannon and if it was a proposal he would have no difficulty seconding it as it was important that the views of the community were taken into account.

D152/20 Decade of Anniversaries – Commemorations 2021/22

The Head of Culture and Arts presented previously circulated report and sought approval for the Decade of Anniversaries Commemoration activities for 2021-2022 financial year, subject to budget approvals and subject to COVID-19 restrictions that may apply.

Councillor Corry asked that events be balanced and considerate of sensitivities when something is being celebrated as to others this could be seen as something immediate and terrible events like the signing of the Anglo Irish Treaty and to many it could be seen as blatant sectarianism and discrimination as of which was used to maintain power.

She proposed that a workshop be set up to discuss any events before any decisions are made on what the events are.

Councillor Monteith in referring to Councillor Corry's concerns enquired if there were any events this year as there were significant centenaries this year, with major centenaries coming up in the coming weeks, the 100th anniversary of the death of Terence McSweeney, the death of Kevin Barry, the 100th Anniversary of Bloody Sunday which is to be remembered at Croke Park in November. He said these were all significant events, especially Kevin Barry who had significant links to the Dungannon area and enquired if there was anything arranged for this year and if not why was this not the case and whether consideration was being given to organising something next year.

Councillor Ashton said that she was disappointed in the tone of where the discussion was going and felt that the paper was very balanced and inclusive but did understand that some people within the community may not want to take part, but they were certainly open and some of the events allowed for discussions and a party colleague had raised that it may allow for other people to engage with. She said that this was about showing respect to each other and actually being able to mark different anniversaries in a mature manner and to demonstrate that this district can be a community for everybody. She felt that in the past members have engaged with the Decade of Anniversaries scheme and were being continuously told by colleagues across the way to bring forward proposals to allow people from her community to mark different events and to mark them in a way which were inclusive for everybody and felt that the paper was fair and balanced on proposals being brought forward and not a big ask and would be happy to propose the paper as it's presented. She asked that people with concerns over the events to read the paper as it was very detailed and to engage

as she had a very much open door policy as things in the paper in front of members were not about rubbing other peoples noses in it and felt the paper presented was for the whole community and if people want to be involved in it, they can, and if they don't, they don't, as there were things passed in years gone by that her community didn't want to be engaged with but these were passed in the Council and this had to be acknowledged. She said that this was an event that her community would want to be a part of and an opportunity for this Council to actually show that they were going to be inclusive for the whole community and not send out a message that we are not going to allow proposals and different events under the Decades of Anniversaries because it was not being likened by certain quarters of the Council and would be happy to propose the paper as it is.

Councillor Doris stated that discussions taken place with the previous speakers had shown the need for a workshop, but didn't agree with Councillor Ashton's comments as the details within the paper were extremely vague and seconded Councillor Corry's proposal.

Councillor Black seconded Councillor Ashton's proposal and would agree wholeheartedly what she had said and felt that there were some people from political parties around the table that talk about inclusivity, respect and tolerance and all of those buzz words sounds fantastic but felt that this was the perfect opportunity to show that they actually mean what they say and whilst they may not agree with the substance of the report and what was being commemorated. If they are true to the words they say, they must create a space for other sections of the community to celebrate part of their culture and their heritage.

Councillor Wilson concurred with comments by his DUP colleagues and was not surprised that Sinn Fein had adopted this attitude as they talk about equality and respect but don't show any at all when it doesn't reflect on their community and felt that this was an opportunity to promote with everybody as there was nothing threatening within the programme that he could see and would support Councillors Ashton and Black's proposal.

Councillor Elattar stated that she would agree with Councillor Corry and Councillor Doris as some of the detail was a bit vague and in order to answer Councillors Ashton, Black and Wilson's question if it was a truly inclusive process, then a workshop would be a good idea as it would make it inclusive for everyone.

Councillor Corry agreed with Councillor Elattar's comments about everyone trying to come together and getting some sort of a programme to suit everyone. She said there were sensitivities around partitions and some people may not see this and members should be mindful of that.

Councillor Monteith suggested rather than voting that both should be done as he had no difficulty with people having discussions and stated that within the 2016 period there were a series of issues resolved maturely by Council and not as he would like to have seen, but felt that it was balanced and only raised the issue of this year because he felt there may have been a miss, but would have no issues with people coming forward with analysis for next year. He suggested adopting the paper and then arrange a workshop for working through on what we may and may not do going forward.

He referred to Councillor Cuddy's comments earlier regarding what the former Dungannon Council achieved in and around 2007, the 400th Anniversary of the Flight of the Earls and the events which took place during and after the event including drama and other things which was included in the paper presented tonight with a lot of people attending events which they may not have thought would be of interest to them. He felt that the Council had got it right and would have confidence in the Officers of this organisation that this can be achieved here. He said that rather than a vote tonight, adopt the paper as it doesn't tie into any specific events at this stage but going forward organise a workshop to allow Councillors to put forward ideas and suggestions on how to proceed.

Councillor Ashton advised that she would have no problem talking to anyone within the Chamber and felt that a workshop should not be organised just for the sake of having one for members just to vote this proposal down. She reiterated her support for the proposal in front of the committee tonight as she felt that it could be inclusive for all sections of the committee who wish to take part in it but felt if it was being put down the line for a vote of a workshop just for the sake of trying to delay her community from marking events which they deem important to them in the district, she stated that her party wouldn't be up for that and didn't think it was a huge ask.

Councillor Molloy agreed with Councillor Monteith's comments about setting up a workshop for oncoming events and especially around events due to take place this year. He said that there were events in terms of discussions with Professors deliberating three or four different issues, but unfortunately these seemed to fall on a Thursday night when there was a Council meeting which excluded Councillors from attending.

In referring to the Decade of Anniversaries, Councillor Molloy said that it was his knowledge that these events run from 1912 to 1922 and felt that discussions were needed around how and what kind of events were going to be run to close out the Decade of Anniversaries. He stated that there was an onus on members to sit down and have discussions on a way forward and he was not denying anybody the right to celebrate their heritage and what was dear to them.

Councillor Kearney advised that he had experience of attending these workshops and found them very useful over the years. He said that he had attended workshops in Benburb, Dungannon and elsewhere and would have no difficulty in celebrating the Decade of Anniversaries and agreed that a workshop would be useful and would ask Councillor Ashton to reconsider her proposal and that his party would be happy to agree the paper but if there was a need to have a workshop that this should be encouraged and would support Councillor Monteith's suggestion.

Councillor Cuddy felt that a good debate had ensued tonight and supported Councillor Monteith's proposal of agreeing to the proposal presented with a workshop being arranged for members in the not too distant future. In referring to the Return of the Earls event in 2007, he said that this showed great maturity amongst the former Dungannon Council members as each community had been shown respect. He said that he wouldn't want to see a vote taking place tonight but rather agree the paper and agree to have a workshop going forward as he wanted this to be seen as a good news story of £72,000 being allocated to celebrate events.

Councillor Doris felt that tonight's debate had been encouraging and stated that on a point of clarification Councillor Corry wasn't against the funding going ahead but asked that a workshop be arranged going forward to have discussions.

The Director of Business and Communities advised that he was providing an Officer view on the paper, content and discussion. He said that the paper was presented as requested in relation to the Decade of Anniversaries and as an Officer team he felt it was fair and accruable and agreed with members that it could be seen as broad based, inoffensive and open to interpretation but nothing fundamentally wrong with it. He stated that there was a proposal not to defer the paper and to convene a workshop, there was an alternative proposal to approve the paper with no workshop and then there was a proposal somewhere in between which was to approve the paper and do a workshop and felt that in terms of a corporate prospective the latter proposal was by far the most appropriate. He said if members were minded in the interests of relations, to adopt what was presented subject to a workshop or anything else or additional issues for other commemorations which can be addressed and developed thereafter.

Councillor Corry said that she just wanted to clarify that she was happy for the funding to go ahead but felt that a workshop would be useful going forward.

The Chair said that there were a few proposals brought forward but there was clearly a demand for a workshop as well as adopting the paper and if members agree then this can be progressed.

Councillor Ashton said that she has an open door policy and would be quite happy to go to a workshop going forward, but would be more than happy for the paper to be adopted here tonight. She stated that she would be happy to engage with any member afterwards but advised that her proposal stands to adopt the paper and if there was a need for a workshop going forward she would be happy to participate in that as long as people were willing to come to the table and have an open discussion. Just to clarify she said that she would like to propose adopting the paper in front of members tonight and have a workshop added on.

The Chair said that it was his understanding to add on the workshop to the recommendation tonight as part of the Decade of Anniversaries.

The Chair advised that there were two proposals being put before the committee tonight.

Councillor Ashton's proposal to proceed with the recommendation.

Councillor Corry's proposal to proceed with the recommendation with a workshop attached to it.

Councillor Ashton said that she wanted to clarify that she would be happy for a workshop to be added on to her proposal if this was being adopted tonight.

All members agreed with that they would be happy with Councillor Ashton's proposal.

Proposed by Councillor Ashton
Seconded by Councillor Doris and

Resolved That it be recommended to Council to approve the Decade of Anniversary Commemoration 2021-2022 programme as outlined under section 3 of this report and the funding commitment required, across the services detailed, totaling £72,000 from 2021/22 service budget allocations. Also recommended that a workshop be organised for members to discuss options going forward.

D153/20 Community Development

The Head of Community Development presented previously circulated report to update members on the following:

- Grants – approval sought for rolling good relations grants & small community, arts and heritage grant appeal
- Emergency Support Funding: DFC funding
- Peace IV – to note the Peace IV update
- Community Development – to note the recommendation regarding Good Relations Leadership group and Community Development update

Councillor Elattar referred to information within the report on funding towards community debt management support and mental health support as it really was needed at the minute. She said that there were different amounts set down for the main towns and different organisations listed and sought clarification on whether this referred to STEPS in Draperstown and whether Magherafelt took into Draperstown as STEPS do a lot for mental health within those areas.

The Head of Community Development confirmed that it was STEPS in Draperstown and that Officers had identified social enterprises which was carrying out mental health support and was conscious that not all these organisations may have been identified at the moment but looking into this. She said that no funding had been agreed yet with any community group as no engagement has taken place until it was brought to the attention of members first to get approval but it was anticipated to have conversations on what areas can be provided for and on outcomes and targets on those areas and an indicative has been set for town based on the areas of coverage and population at the moment and then allocation can be made accordingly on who can cover what areas and outcomes achieved across the district.

Councillor Elattar said that she was very encouraged by this and would be happy to support the recommendation. She said that she had been speaking to a board member of STEPS last night who advised that there was a huge demand for counselling in both rural and urban areas and was good to see funding going towards that.

Councillor Molloy referred to the Food Partnership Fund and said it was good to see funding coming into the various food banks as this was very welcome. He enquired if there was any intention to provide any kind of funding for the other community groups who would have distributed parcels on an ad hoc basis as the one he was involved in

are seeing a rise in requests for ad hoc support from a range of people like the young, single parents, elderly and others across the board and enquired if there was any intention to set a fund in place to help community groups to avail of it as Christmas was around the corner and there was going to be a huge demand.

The Head of Community Development advised that £25,000 had been set aside to look at funding for community groups and see how it was best targeted and to try and get an indication of the pressures and engagement with community and best target that. In relation to the food and fuel element this was trying to be done through the food bank and linked into the FareShare and the Trust to maximise the resources and a process to refer people on so it becomes a wider integrated service within emergency support. She said that the community was being investigated at the moment for £25,000 and hoped that something can be brought very quickly.

Councillor Kerr referred to item 3.21 of the report and said that he welcomed the funding for the counselling services as there was going to be an increase in mental health issues relating to the pandemic and was good to see Council Officers being very proactive and supporting the various organisations as he was aware of them carrying out great work in the Coalisland and Mid Ulster area.

Councillor Burton referred to the Food Partnership Fund and said that she was aware of the amount of funding being calculated but enquired if a group could apply or had the group to be part of a partnership to reap the benefits of getting funding. She said that she was aware of a group in the Clogher Valley area, based in Clogher called Hope for You which provides counselling and they have really been proactive in provided mental health support, distribution of food parcels and helping the community during this very difficult time.

She also wanted to raise an issue relating to the community aspect and apologised as she had only received the email after Chair's business had taken place. The matter involved an educational provider within the Clogher Valley area being confused in relation to staff and the furlough scheme which has left the provider in dire straits as this was a fantastic resource for the Clogher Valley area and asked that following this meeting that Council Officers write to the Education Authority around clarity on issues relating to the furlough scheme as the facility cannot proceed without the adequate staff.

The Chair advised that Officers would follow up Councillor Burton's request.

Councillor Monteith declared and interest in St. Vincent De Paul and the Vineyard Church in Dungannon in relation to doing voluntary work for these groups in the past.

Proposed by Councillor Burton
Seconded by Councillor Doris and

Resolved That it be recommended to Council to approve:

- i) Grant award recommendations for Good Relations & Grant Appeal Award for the small community, arts & heritage grant totaling £1,100.
- ii) Emergency Support Funding – proposed delivery and allocation.

- iii) Peace IV – Peace IV Partnership and Peace IV update.
- iv) Community Development – Discuss the recommendations for a Good Relations Leadership Group and to note the update report.

D154/20 Railway Park Action Plan

The Head of Parks presented previously circulated report to update and seek approval on planned actions associated to addressing issues in relation to anti-social behavior in Railway Park, Dungannon.

Councillor Molloy said that he was aware of a business on the Ballygawley Road carrying out extensive work in clearing up the debris in their own business and felt there was a need to reinstall the connecting fence between the two to protect the businesses from the constant access between the bushes and shrubbery which needs urgently looked at. He said that although money had been spent on it, this should be part & parcel of the project as an ongoing thing regardless. He referred to the issue of SEUPB funding and was he right in saying that within that project Wardens were to be put on that circuitous route that would be based in the building at Railway Park and enquired why this hasn't happened.

The Head of Community Development advised that this was to be part of the Earl's Project which was under Peace 3 Programme and was identified as part of the maintenance programme as part of a number of revenue conditions for the Park and for the Hill of the O'Neill. She said at that stage we were transitioning into the new Council and two resources were identified and put forward to Policy & Resources Committee, but at the time in a more generic role because of pressures along other routes in terms of the Parks development. There was to be one Warden for the Earls Pathway which included Railway Park element and one more generic at that stage during the time of the legacy Councils coming together.

The Head of Parks said as a result of the investment in Railway Park, under the Earl's Trails there were two new posts developed which were Town Parks staff. These are 2 x 20hr posts which were still operational in providing an inspection service for Railway Park on a daily basis, seven days a week, it's not a full time service and they cover other areas also. He said what Officers would be suggesting complementing what staff was already there as it wasn't enough, as sometimes their whole day was based at Railway Park because of its size and demands. They also had other duties around the Earl's Trails. He stated that these members of staff would be greatly missed if they weren't in post and the Council needed to look at complementing these staff due to the increased work load.

Councillor Monteith concurred with Councillor Molloy and said that he was 100% right, in the meetings running up the Earls Project, it was made clear to the community that there would be wardens in place as the community were giving up a formidable asset and a significant amount of open space. He said that when the building was built and the commitment given, there was a reassurance given to the Community that on the back of that there would be a permanent Council staffing presence on the park and this was made perfectly clear that staff would be based in the new building when Councillors went into the community asking people to back the proposal. He said that there was a need to get back to this point where staff are based at the building at

Railway Park where they go to first thing in the morning and operate from there and if they have other duties they can carry these out from their base and also be given more than an inspection role and more of an authority role to come up with proposals rather than looking after the place. He agreed what Councillor Molloy had previously said about waiting for a fence to collapse, instead look at ways at how this can be fixed or replaced as this was always the attitude shown towards Railway Park, let it fall or break before something is done.

He referred to a number of things within the Action Plan like lighting, where continuous requests for extra lighting at the Lisnahull side had been made and asked that a column be included to have this looked at as Wardens were key to the development of relationships with the community.

Councillor Monteith stressed that Railway Park never recovered after works were carried out in relation to the Gas to the West scheme as the local community went elsewhere that summer and to be fair to the Head of Parks and his team they tried to make it more welcoming by planting wild flower beds etc. He stated that there was a need to get the community to use the park again but felt that ongoing anti-social behaviour was the biggest deterrent and said that what was needed included in the Action Plan was the community back using the park again as this would be the biggest deterrent to anti-social behaviour. He advised that there was a need for encouraging people to utilise the park again through positive activities like walking and running from one park to another.

He said that to get the Earls project over the line there had been DEA meetings with Officers every month/six week basis to get this progressed and felt that this should revert back to this to iron out any issues to deliver the one million pounds project. He suggested having one DEA meeting per month to get into the habit and moving things forward.

He also referred to community concern regarding the open water proposal and felt that this would be a dangerous proposal for Council to be making unless there was a fully resourced presence at the Park with staff being there all of the time and this whole side of the park being looked at to facilitate it into a positive thing in a more structured way. He said that he was aware of a proposal from some of the local community to the Council and felt that a second 4g should be investigated for the town from that area which would encourage people not from that part of the town to come in and use it in a positive manner and agreed that this was an issue for the DEA meetings going forward. He asked that DEA meeting be held once a month and not just crisis meetings but to try and get a quality project over the line so it be something that the Council and the community can be proud of as it had a massive potential for the area.

Councillor Ashton thanked officers for presenting the paper tonight as she had asked that this be progressed at a previous Council meeting and would be happy to second Councillor Molloy's proposal. She asked that a completion column be included to show if targets are being met or not.

Councillor Cuddy concurred with all members comments and said that the Earls Project amounted to £7m, funded 100% for the town and was a terrific project and now the Council's vision was to have a circular park so people can walk around the town in a

circular fashion. He also agreed with Councillors Molloy and Monteith regarding being approached by some business owners raising concerns about anti-social behaviour at Railway Park in the evening and causing a deterrent for community usage and didn't want to see the park turning into a no-go area as it has a lot of potential. He stated that it was important that this be investigated as one whole project as there was a need to address community concerns in relation to walking from one park to another.

The Chair stated that he was glad to see the plan on paper and going forward it would be beneficial if DEA meetings be arranged to progress the matter.

The Head of Parks said that engagement had taken place with local businesses which Councillors had referred to with some costings being drawn up for fencing and was aware of the acute issue at the moment regarding people getting into business properties which they shouldn't be getting into. He was working on that at the moment and getting some costs with regards to incorporating them into the Action Plan.

Proposed by Councillor Molloy
Seconded by Councillor Ashton and

Resolved That it be recommended to Council to approve:

- i) Proposed actions associated to combating anti-social behavior in Railway Park.
- ii) Report be presented to Policy and Resources Committee to request the additional budget required.
- iii) Organise a series of DEA meetings to further discuss the additional actions that have yet to be fully determined.

D155/20 Relocation of a Changing Cabin

The Head of Leisure presented previously circulated report and sought approval for the relocation of a changing cabin at Knockloughrim Playing Fields to Pomeroy and establishment of a license agreement with Pomeroy District Sports and Cultural Association.

Proposed by Councillor Black
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to approve in principle the relocation of the changing cabin currently situated at Knockloughrim Playing Fields to Pomeroy in addition to the approval to proceed with entering into a license agreement with Pomeroy District Sports and Cultural Association.

Councillor Burton thanked officers and contractors on the Aughnacloy relocation which was being very well received by all within the community. She said that she had visited the site and wanted to commend the Contractors on how they have finished off the project with fantastic walkways and railings and a job very much appreciated by all backgrounds within the community.

D156/20 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 Bell left the meeting at 8.24 pm.

Councillor Doris said that she would be happy to propose the report but wanted to raise a separate issue relating to Stewartstown which has a similar set up to Tamnamore. She said that there was a proposal brought for a playpark at Henderson's Park in Stewartstown but originally the community thought it was on a certain piece of land. She wanted to apologise in advance if she was wrong but she was of the opinion that the Council had messed this up as the community believed that this piece of land was owned by the Council. When the plans and money came through it became apparent that the land was owned by the Housing Executive and not the Council. She asked for a letter to be written and sent to the Housing Executive asking them if the land could be transferred to Council to put the park at the proposed site instead of the second location as it wasn't really suitable. She said that it would be useful to write to the Housing Executive and Contractor to explain the situation, even to exhaust the option to find out for definite if the park cannot go where the community originally believed it was going to go and wished to make that proposal.

Councillor Bell returned to the meeting at 8.27 pm.

The Chair enquired if this was part of a legacy Council issue as it was something that could have been discussed with Stewartstown and would ask Officers to follow the issue up.

The Head of Parks advised that to his knowledge there would have been negotiations taken place regarding development at Henderson's Park. As far as he was aware in discussions with colleagues in Communities in relation to funding there was full consultation with the community with regards to the current location at Henderson's Park. He stated that the project at Henderson's Park was at an advanced stage with regard to the funding window and with award of contract and any deviation with the award would mean the project would have to be pulled completely from the funding package that it's part of at the moment. He said that he was unaware of the other piece of land that Councillor Doris had referred to but Henderson's Park does offer a reasonably central location in Ard Stewart and Henderson's Park. Within Stewartstown access to play is quite central which isn't always the case in some areas.

The Chair said that the Stewartstown scheme seemed to be at an advanced stage and any deviation away from that would result in delays or the possibility of not having any play facilities.

Councillor Doris advised that this was the last thing that she would want for the park to not proceed but was only looking to see if there was a possibility to see if the project could go elsewhere after speaking to the community they were of the opinion the playpark was going to be elsewhere and during consultations they had expressed their

desire to have it at the alternative location. She felt if Officers were indicating that this cannot be done then it was fair enough but just wanted to exhaust that option. The Chair said that he was sure that the Head of Parks would follow it up and what the potential threat and delay would be if the scheme was to be pulled at this stage.

The Head of Parks advised that there would be no problem providing more information if Councillor Doris requires it.

Councillor Monteith said that he would be happy to second the recommendation.

Councillor Ashton said that it would be good to get the project of the ground as this issue was going on for quite some time.

Councillor Cuddy agreed with the Head of Parks and said that this was an ideal location as there were a number of new houses developed and central for all and great to see a bit of ground being utilised for good use.

Proposed by Councillor Doris
Seconded by Councillor Monteith and

Resolved That it be recommended to Council to approve:

- i) The establishment of Lease Agreement from Northern Ireland Housing Executive in relation to the proposed 25 year lease for the designated land at Tamnamore Close, Dungannon for the provision of public play facilities.
- ii) Upon receipt, all associated LPS valuations and Lease Agreement Documentation to P&R Committee and Council Meeting for approval and Seal.

D157/20 Economic Development Report

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

i) Covid-19 Revitalisation Project (Tranche 2)

- *Department for Communities (DfC) and Department of Agriculture, Environment and Rural Affairs (DAERA) Funding – Covid-19 Business Grant Scheme (Tranche 2) -*

Previously under the Covid-19 Revitalisation Project funding in Tranche 1, Council delivered a Covid-19 Business Grant Scheme to assist urban and rural businesses make adaptations and implement social distancing measures to protect staff and customers in line with government guidance. In Tranche 1, Council received £281,000 funding from DfC and £148,000 from DAERA and Council also redirected £133,000 from its Economic Development budget towards

the scheme. This provided a maximum budget of £562,000 to be split equally between urban and rural areas with £281,000 for each.

A new Tranche 2 application to deliver a further Covid-19 Business Grants Scheme was submitted to DfC on 24 September 2020.

- *Department for Infrastructure (DFI) / Department for Communities (DfC) Funding - Covid-19 Town Centre Works Scheme (Tranche 2)*

Members were briefed at the September 2020 Committee Meeting that DfC advised Council on 2 September 2020, that DfI would provide £464,659 capital funding to Mid Ulster Council in Tranche 2. The focus of their funding must be concentrated on pavement widening to allow for social distancing, active travel, promoting connectivity, access to services, enhancing green/blue spaces, etc. Furthermore, on 30 September 2020, DfC advised they will also provide a further £34,000 revenue funding to Mid Ulster Council.

Councillor Kerr referred to Coalisland Canal Towpath and said he welcomed the excitement for funding which may be available and was aware of previous Councillors before him raising issues relating to recreation and lighting and would welcome the report and would be happy to propose.

Councillor Doris said that she would be happy to second the proposal as it was very welcome funding which demonstrated very exciting projects. She advised that today Councillors O'Neill, M Quinn and herself had an on site meeting at the entrance to the Canal walkway where it was extremely dangerous at the crossings due to it being a very well used site and hoped that this would improve as the project progresses.

She proposed that the Council write another letter to the DfI Minister about making it a priority for access routes and having the matter resolved as quickly as possible as this was an accident waiting to happen.

The Chair advised that Officers would take request on board.

Councillor Kearney said that he wished to acknowledge the good work carried out by Council officials on the Maghera project as it provided safety for people using the Park & Ride facility at night as sometimes people were afraid of going out to the main bus stop on the Glenshane Pass because of the lack of lights and a very special treat for the people of Maghera to get that.

Councillor Monteith referred to significant projects within Dungannon, Cookstown and Magherafelt which were not over the line and asked if there were any specific reasons being given by DfI and asked if it was too late to have a "plan b" as we have separate parties in Dungannon and whether these priorities are able to be moved up and would be interested to know what DfI problem was with them.

The Head of Economic Development advised that DfI/DFC originally outlined a number of criteria that Council's application should focus on. These included supporting active travel, promoting connectivity, access to services, and creating/enhancing green/blue

spaces. DfI provided examples of projects such as development of cycle tracks, cycle parking/charging points, pavement or footway widening to account for social distancing, tree planting, sustainable drainage schemes etc. Further to Council submitting a detailed application to DfI/DfC, further correspondence was issued to all Councils by the Department, asking them to make a second application as additional criteria had been added. She said that whilst the thrust of the scheme remained the same there were new criteria to meet. The Head of Economic Development said Council's application focused on improving connectivity in town centres and by so doing would encourage people to actively travel back into towns to use them during and post Covid19, thus supporting trade in local businesses. She added that the proposals, previously agreed by Council and the Town Centre Forums for the 3 larger towns of Dungannon, Cookstown and Magherafelt as detailed in Appendix 1 include provision of outdoor covered seating/rest areas for the public to use whilst in town shopping, where they could meet with family and friends in a safe environment whilst adhering to social distancing protocols. She said that DfI/DfC have communicated they will have difficulty funding the projects in these 3 towns as in their opinion, they do not adequately meet the 'active travel' agenda.

The Chair enquired if there was any indication when DfI would issue a response.

The Head of Economic Development felt that it would be fairly imminent.

The Director of Business and Communities said to answer Councillor Monteith's query and build upon what the Head of Economic Development had stated, he had a meeting tomorrow at 3.30 pm with a Director from DfC/DfI on concerns regarding not meeting criteria of DfI and he wanted members to know that he agreed entirely with the Head of Economic Development as the Council had considered this in great detail and went to great expense in devising, developing and designing these schemes for civic spaces across our main towns. He added Council was told that this was part of the Covid-19 Recovery Programme and we didn't differ from that for one moment. He said DfI had amended their criteria, and it would seem apparent to Officers that DfI was looking the Council to spend the money on DfI projects which were their responsibility and noted they are likely to fund the Coalisland Canal Scheme and the lighting scheme in Maghera but for some reason the three civic spaces which this Council along with DfC have spent millions of pounds creating cannot be funded to put awnings/tables/chairs etc on to allow people to sit down in our town centres like they do all over the world. He advised members this was how he sees it and that he was being open and honest and this would be his line back to DfC/DfI tomorrow as the Council was very clear in its direction and he didn't see an economic reason to change this. He said that this was the Council's view on the matter and when Council open a grant scheme, we don't change our criteria after the documentation is sent out. He referred to funding being spent on implementing cycle lanes going through towns like Dungannon, Cookstown and Magherafelt and reducing parking spaces to widen footpaths which aren't feasible as the Council doesn't want to engage with traders on these issues.

The Chair asked that the Director of Business and Communities keep members informed on the outcome of tomorrow's meeting with DfC/DfI.

Councillor Burton said that her question was previously answered but advised that through NILGA she found out the Mid Ulster was in the top 10 out of 382 regions in the

UK to do with Covid, we were the 3rd highest in terms of numbers in Northern Ireland and was confident that the Director of Business and Communities would do his best tomorrow but felt that if they have changed the goalposts, surely this would need to be addressed as we as a Council could not get away with that so as a Department you would think they wouldn't be allowed to get away with it either.

The Director of Business and Communities said that it would be his view that he would meet DFC/DfI and listen to concerns and if need be he would invite them back to meet the members and as he had pointed out to one of the officials yesterday, he didn't make these decisions and that the Council follow a democratic mandate and when a decision is made, it was followed through and not overturned. He said if need be he would invite DfI to meet members remotely at the next Development Committee as it was an important issue and genuinely didn't want to lose this funding.

Councillor Black said he wanted to support what Councillor Kearney had said earlier regarding the Maghera project and said that he also welcomed it as it was a worthwhile project especially for people using the Park & Ride facility in the evening which would elevate safety concerns.

Councillor Wilson said that he wanted to add to what the Director of Business and Communities had stated and say that a lot of time and effort had been invested by Officers bringing these projects to fruition and it was concerning that the goalposts have been moved half way through, but these awnings which were to be put up were there to try and encourage people to use town centres and sit outside and that's exactly what that money was supposed to be used for. In referring to proposed cycle lanes, he said that he could not envisage a cycle lane being erected through Cookstown main street with all those traffic islands and just didn't make sense.

Councillor Wilson proposed to invite DfI representatives to the next meeting of the Development Committee remotely, so members can address concerns around these significant projects being put on hold.

Councillor Corry said that she was happy to second the proposal and concurred with Councillor Kearney and Councillor Black's comments on successful scheme at Maghera and wished to thank the Council as she was aware of how busy staff are.

Proposed by Councillor Kerr
Seconded by Councillor Doris and

Resolved That it be recommended to Council to approve that:

1) Covid-19 Revitalisation Project (Tranche 2)

- i) Delegated authority be granted to the Chief Executive and/or Director of Business & Communities to sign and accept any letters of offer/contracts received by Council offering funding for the Covid-19 Revitalisation Project.
- ii) Delegated authority be granted to the Chief Executive/Director of Business & Communities to develop and roll out a business grants scheme to urban and rural businesses, as soon as funding is

confirmed to Council by the Department for Communities (for urban businesses) and Department for Agriculture and Rural Affairs (for rural businesses), along with Council funding of £133,000 (previously approved).

- iii) Authority be given to the Chief Executive/Director of Business & Communities to sign off on letters of offer to successful participants on a business grants scheme, with the list of approved projects to be brought to Committee for noting.
- iv) Additional revenue funding from DfC of £34,000 be used to cover key revenue expenditure costs within the Covid-19 Towns Centre Works Scheme, to match fund the DfI capital budget assigned to Mid Ulster Council of £464,659.

Proposed by Councillor Wilson
Seconded by Councillor Corry and

Resolved That it be recommended to Council that an invite be issued to DfI to attend the next Development Committee remotely to address concerns regarding significant projects being put on hold in Dungannon, Cookstown and Magherafelt

2) Magherafelt Chamber of Commerce Funding Request

- Funding request from Magherafelt Chamber of Commerce seeking £5,000 support to assist them in the following activities:
 - Promoting the growth of Magherafelt Chamber of Commerce
 - Networking events
 - Promotional content for website and social media channels
 - Training/Workshops for businesses
 - Administration
 - Celebrating achievements of businesses
 - Campaign to promote shopping in Magherafelt

Councillor Burton said that she would like Fivemiletown Chamber of Commerce to be included in the Magherafelt Chamber of Commerce meeting and would like to see all the business forums coming together to work on projects and on information on what businesses may be entitled to and ask if this could be a possibility.

The Chair said as Magherafelt Chamber of Commerce request was brought forward tonight that this would have to be dealt with separately but going forward Councillor Burton's request would be considered.

Councillor Black said that he would be happy to propose that Officers meet with Magherafelt Chamber of Commerce as it sounded a sensible way forward as it could be picked up under the Council's programmes.

Proposed by Councillor Black
Seconded by Councillor Kearney and

Resolved That it be recommended to Council that Council Officers meet with Magherafelt Chamber of Commerce to deliver a presentation on the range of business programmes and marketing activities currently provided by Council and Magherafelt Town Centre Forum that businesses in Magherafelt can avail of to assist their growth and development.

3) Social Enterprise NI: Council Membership

Consideration for Councils to sign up to SENI: Council Membership at a cost of £500 per annum. Benefits for Council for joining the scheme include:

- SENI will promote any Council events for social SENI will promote any Council events for social enterprises in their e-zine and social media
- SENI offer free members to any new social enterprise in the area for the first year if they are not already members of SENI.
- Host joint events with the Council including Pitching Events, Buy Social Events, Entrepreneurship Week support etc
- Free training on topics such as “What is Social Value” with any Council staff or members at any time should you feel that appropriate, or any other relevant training required, in order to better understand the business model.
- Listing as a Corporate Member on SENI’s new website (coming soon)
- Access to discounted events for members including Awards and Conferences
- Access to free bursaries that SENI offers to members

Proposed by Councillor Doris
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to approve that Mid Ulster District Council subscribe to become a member of Social Enterprise NI at an annual cost of £500.

4) Committee for the Executive Office – Brexit Stakeholder Event

Invitation received by Council from the Committee for the Executive Office to attend a Brexit Stakeholder Event on Wednesday 4 November 2020. Two attendees from each Council are invited to attend; one political representative and one senior official. Each Council to have a 30 minute time slot to meet and brief Committee Members and this will be followed by 20 minutes for questions and answers

Proposed by Councillor Doris

That Councillor Mallaghan, Chair of the Council, attend or another representative if he is unable to attend the event.

Seconded by Councillor Ashton

Resolved That it be recommend to the Council that Councillor Mallaghan, Chair of the Council attend and in the event he can't attend another representative to take his place.

Matters for Information

D158/20 Minutes of Development Committee held on 10 September 2020

Members noted Minutes of Development Committee held on 10 September 2020.

Councillor Monteith referred to item D118/20 – Social Housing and asked if there was any update on the pilot scheme for social housing and asked if there was any date set yet for the first meeting. He also referred to proposed funding which was agreed at last month's meeting to take forward the action plan which was co-funded by the Housing Executive and asked if there was going to be discussion or a meeting around the scope of the document and how it was going to be brought forward before it's all put together. He said that by speaking to local management within the Housing Executive they were unaware and not on the radar at all, except this relates to area management that would be doing a lot of this, but felt it wasn't a great start when the local Housing Executive management weren't even aware and feels that the blame may lay with an internal issue within the Housing Executive. He said that all he was looking to know was there a date for a first meeting of DEA's and whether the Council were going to be involved in setting the perimeter for the scoping study.

The Head of Community Development advised that the Director of Business and Communities and Officers were due to have a meeting with the Area Planning team on planning out the structure on how it was going to work. She said that one of the things that the Area Planning team were going to bring to the table was in terms of what was the putting together of an average cost to put a spec together, to get the right people and specialists in to support this and as soon as this was received, it's hoped that this would be in place next week or the following week, with the meeting being set up with DEA members, Housing Executive, Officers of Council and the linking in of Planning. She stated that officers were working on spec at the moment to prepare a paper. She concluded by saying that local managers would be involved through the Housing Executive, but they will have to link in, but would be the Area Plan team in Craigavon which would take the lead.

Councillor Doris referred to item D114/20 Outdoor Recreation Master Plan Programme – Cappagh/Altmore Forest and Drumcairn Forest and enquired where they were within the process. She said that she had requested this information months ago and also asked at the last Council meeting that a tidy be done to Drumcairn carpark and to her knowledge this was never done. She stated that she had also made contact with Council regarding signage to the entrance which was disgraceful and felt that these priorities were being overlooked and asked what the situation was regarding this and whether this was going to be addressed.

The Head of Parks said that in regards to the development of Altmore Forest it was agreed by Council to develop a masterplan for three locations and one of those locations was Altmore Forest. He said that currently the Terms of Reference was being

put together. He had been consulting with Forest Service today, and like anything a process has to be followed. He said that a plan was being developed with the intention to present the plan to Forest Service. Consultation would be organised as a result once the Terms of Reference was drafted with the Altmore Community Group for their input. He said that a process had to be followed and this was a process in which the Council had embarked on and would keep members updated as things progress as Forest Service had to approve the masterplan before they consider issuing a recreational license for any of their properties. He stated that he could follow up any works being carried out at Altmore, but because Council don't have a remit, any work has to be carried out by Forest Service but would endeavor to get more information for Councillor Doris to see if this can be brought forward.

Councillor Doris enquired if there was any proposal or consultation with the Cappagh Group or Stewartstown Community Group in relation to the putting together of the masterplan. She also referred to the cleaning up of Drumcairn Forest carpark and said that it was previously carried out at the request of another Councillor but hadn't been done since last month and asked could this be done this month.

The Head of Parks in response to clean up of Drumcairn Forest advised that he would refer the matter on to Forest Service as Council do not have a remit for Drumcairn but would liaise with Forestry Service colleagues to see if something can be done. In relation to consultation with Cappagh Group, he stated that with regard to the Terms of Reference this had not happened yet as it was still in draft form and once it was a drafted consultation and discussions would take place and that would be the process.

Councillor Kerr referred to D128/20 – Youth Engagement and said that unfortunately there were a few cases of anti-social behavior around the Lineside area and pit area of Meenagh Park and referred to the wording from proposal from the previous month and said he would like Council to investigate opportunities along with the Education Authority to co-ordinate and enhance activity and have conversations with youth structure in the area and try to engage with any youths who may be feeling frustrated with the lockdown and the lack of activities and to vent their frustrations into positive progressive actions.

Councillor Burton enquired if there were any other meetings with the Forestry and their input into Lumford's Glen.

The Head of Parks stated that to date there hadn't been any meetings regarding Lumfords Glen. He did meet with Forest Service earlier but it wasn't on the agenda today unfortunately. He said that there stance remains that a clear filling had to take place but would bring Councillor Burton's concerns forward again.

D159/20 Mid Ulster District Tourism Development Group

Members noted minutes of Tourism Development Group meeting held on 28th April 2020 that were approved at Tourism Development meeting held on 22nd September 2020.

D160/20 Mid Ulster District Tourism Update

Members noted update on the Mid Ulster Tourism Group and ongoing webinars.

D161/20 Economic Development Report

Members noted updates on the following matters:

- Cookstown Town Centre Forum Minutes – 7 July 2020
- Coalisland Town Centre Forum Minutes – 10 August 2020
- Town Centre Business Videos

D161/20 Mid South West (MSW) Region Update

Members noted progress on the ongoing work in relation to the Mid South West (MSW) region.

Councillor Molloy said that the topic he wished to raise was not in relation to this item but would try and link it in. He said that a good meeting had taken place the other day on bypass issues with Dungannon being incorporated into the discussion and where things should go from here and to get to B you have to start with A. He proposed that Council start looking at a scoping exercise in relation to funding and under the infrastructure as a project within the Growth Deal and that Council investigate whether there was funding available, what kind of costs it may take to get this off the ground to start looking at a preferred route for the Dungannon bypass.

Councillor Monteith said that he would be happy to second Councillor Molloy's proposal.

Councillor Monteith referred to the Growth Deal and issues in proposals in Armagh for the Eastern route through Armagh City and felt that Moy was the glaring gap in all of this and there was a need to keep it on the radar. He said that he was aware of Cookstown being close to getting over the line and Dungannon also but there was no point in continuing with this scheme if Moy wasn't taken into consideration as it was the main route to Dublin from this part of the world and especially if Armagh City was going to get a bypass, then it would be important that Moy be included in the works as it was going to be stuck in the middle between Dungannon and Armagh.

The Chair agreed and said that he understood and also referred to Moneymore which was another area of concern.

Councillor Molloy stated that he would be happy to include Moy within his original proposal.

Proposed by Councillor Molloy
Seconded by Councillor Monteith and

Resolved That it be recommended to Council to start looking at a scoping exercise in relation to funding under the infrastructure as a project within the Growth Deal if available and amount it would take to get the project off the

ground to start looking at a preferred route for the Dungannon bypass.
Moy to be also investigated under the proposal.

The Director of Business and Communities advised that the Growth Deal was launched a few weeks ago and there were obviously strategic projects but it was made clear to Department officials that these schemes cannot be treated in isolation and was important to get things moving.

Live broadcast ended at 9.03 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Burton
Seconded by Councillor Doris 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 D162/20 to D166/20.

Matters for Decision

D162/20 Southern Health Trust Transfer of Assets
D163/20 Brookmount to Spring Road Alleged PRow

Matters for Information

D164/20 Confidential Minutes of Development Committee held on 10 September 2020
D165/20 Economic Development Report
D166/20 Miscellaneous Matters

D167/20 Duration of Meeting

The meeting commenced at 7 pm and concluded at 9.25 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Report on	Conferences, Seminars & Training
Date of Meeting	22 October 2020
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 2020-21 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. There are currently no requests.</p>
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: Costs to be set against Members 2019/20 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 A

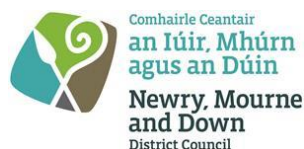
Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests

Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
Agenda NI: Northern Ireland Economic Conference	<i>Thursday 3 December 2020</i>	On line	£95 + VAT	

IN ASSOCIATION WITH



MEDIA PARTNER



OVERVIEW

The Northern Ireland Economic Conference, now in its 25th year, is Northern Ireland's premier economic analysis event and is unique in being the only forum that takes a high level look at the performance of, and prospects for the local economy. It is firmly established as the annual autumn summit for Northern Ireland's economic community, including policy makers and business leaders. This year's conference will take place at a time of unprecedented change and is a not-to-be-missed event for all the latest information and perspectives on the local economy.

Key issues to be examined by an expert panel of speakers include:

- Economic impact of **Covid-19** on Northern Ireland
- Economic **policy priorities** for Northern Ireland
- Northern Ireland **medium term** economic outlook
- Options for devolving **fiscal powers**
- Importance of **skills** in the local economy
- Impact of **Brexit** on Northern Ireland economy
- Promoting **innovation and boosting** productivity

Conference format

agendaNi will be using an online platform that will allow speakers and delegates to follow the normal structure of a conference. This will include:

- Chair and speakers on screen during the session
- Speakers will be able to use PowerPoint slides
- A Q&A session with delegates being able to post questions, moderated by the chair
- A chat facility for delegates to make comments, moderated by agendaNi
- A twitter feed to be visible to all participants
- A 'handout' facility that will allow delegates to receive relevant documentation

Delegates will get a 'conference experience' that goes beyond the normal video conferencing meeting formats. Click undernoted link for further details.

<https://bmfbusinessservices.cmail19.com/t/ViewEmail/r/92B56E991B44F2F02540EF23F30FEDED/F011B5BF7E868EDC7C7E43DA369301C4>

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 22 October 2020
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			
2.0	Background			
2.1	All requests for recognition are to be submitted with Democratic Services using the pro-forma, <i>Request for Civic Recognition: Civic Honour & Civic Reception</i> . Requests for recognition are reviewed against the categories and associated criteria contained within the policy as detailed at 2.2.			
2.2	<p><u>Recognition</u></p> <ul style="list-style-type: none">Civic Honour: recognition will be permissible when the following has been achieved at an All-Ireland, European, International, or National level:<table><tr><td>Have won first place at a competition in their relevant field at the highest level of competition</td></tr><tr><td>Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition</td></tr></table>Civic Reception: will be permissible for individual, groups or organisations when:<table><tr><td>Representing their country at International, European, All-Ireland or National level at the highest level</td></tr></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
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	<p><u>Processing the Request</u></p> <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 since the meeting of Council in February 2020 have been categorised, details of which are set out within appendix A to this report.
3.2	Due to the outbreak of COVID-19, Council has been transacting essential business only and reports/requests for same have not been brought to Council since the outbreak. It is proposed that requests as detailed in Appendix A, where agreed, should be dealt with as previously resolved by April Council that is, recipients will receive a letter together with award as appropriate.
3.3	Members will be aware it has been agreed to review the existing Policy and associated arrangements. Meetings of the working group have taken place and a report will be brought to Committee in due course.
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 Members give consideration to approving civic recognition requests as presented and be dealt with as previously resolved by April Council in that recipients receive a letter together with an award, where appropriate.
6.0	Documents Attached & References
	Appendix A: Civic Recognitions Recommended for Approval

Appendix A: October2020 Requests for Civic Recognition Submitted: For Approval

Category: Civic Honour

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

Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Bardic Theatre	Association Irish Musical Societies Sullivan Section Eileen Cronin Trophy Best Choreography	Cllr Quinn	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Kim Gildernew (Craic Theatre, Coalisland)	Association Irish Musical Societies Sullivan Section Kitty Drohan Trophy	Cllr Quinn	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Ashley Robinson	Table Tennis: Irish National Championship	Cllr Robinson	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	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
Derrylaughan GAA (Kevin Barry's) Under 14s	<ul style="list-style-type: none">Winners of Grade 4 Knockout League;Grade 4 County Tyrone Championship	Cllr D Kerr
Coalisland Fianna	<ul style="list-style-type: none">Senior Ladies Team - Winner Junior League Final;Division One Reserve League	Cllr D Kerr
Ardboe GAA Under 14s	Won Grade 1 Under 14 League Title	Cllr D Kerr
Sean O'Neill (Craic Theatre)	Association Irish Musical Societies Nominated as Best Director in Sullivan 2020 – only 3 nominated across Ireland	Cllr Quinn
Jamie Lee Meneely (Bardic Theatre)	Association Irish Musical Societies	Cllr Quinn

	Nominated as Best Comedienne in Sullivan 2020 – only 3 nominated across Ireland	
Roisin Corr	Association Irish Musical Societies Nominated as Best Comedienne in Sullivan 2020 – only 3 nominated across Ireland	Cllr Quinn
Craic Theatre	Association Irish Musical Societies Nominated as Best Overall Show & Best Technical in Sullivan 2020 – only 3 nominated across Ireland	Cllr Quinn
Naomh Treasa, Dungannon	Tyrone Intermediate Camogie County Champions	Cllr Monteith
Clonoe GAA	Under 14 Boys Tyrone Championship Shield	Cllr Kerr
Mace Shop Newmills	Mace Store of the Year Competition Runner Up (Under 1800 Square feet)	Cllr Kerr
Galbally GAA	Under 12 Boys Cormac Shield	Cllr Kerr

Edendork GAA Seniors	County Tyrone Division Two League Title	Cllr Kerr (Resolved at September Council meeting that team be acknowledge for recent Championship win)
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Report on	Correspondence to Council - October 2020
Date of Meeting	Thurs 22 nd October 2020
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 Adult Safeguarding Unit, Department of Health</p> <p>The Council has received email correspondence from the Adult Safeguarding Unit from within the Department of Health regarding its arrangements in the implementation and the promotion of the department's 'Stopping Domestic and Sexual Violence and Abuse Strategy'. Refer to appendix A.</p>
3.2	<p>Correspondence from Newry, Mourne & Down District Council</p> <p>The Director of Neighbourhood Services, Newry, Mourne & Down DC has corresponded with the Council to update it on a position it has taken with regards the need for updating Dog Fouling legislation. Refer to appendix B.</p>
3.3	<p>Correspondence from the Somme Association</p> <p>The Director of the Somme Association has corresponded with the Council with an update on the work of the Association. Refer to appendix C.</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: Adult Safeguarding Unit, Department for Health Appendix B: Newry, Mourne & Down District Council Appendix C: Somme Association

**Adult Safeguarding Unit
Department of Health**

From:

Sent: 30 September 2020 12:11

Subject: Stopping Domestic and Sexual Violence and Abuse Strategy

Local Council,

I am involved in the implementation of the 'Stopping Domestic and Sexual Violence and Abuse Strategy' which is a joint Strategy led by the Department of Health and Department of Justice on behalf of the Northern Ireland Executive. We are conscious of the impact Covid-19 may have on victims of domestic abuse (including domestic violence) and their greater vulnerability, given restrictions on staying at home and self-isolation. It is important that those suffering from abuse, violence or a threat of violence in their home reach out and seek help.

Earlier this year, the Department of Justice and Department of Health published guidance for those who are affected by domestic abuse, setting out the services that are available for help and support. This guidance can be found at <https://www.health-ni.gov.uk/publications/coronavirus-covid-19-support-victims-domestic-abuse> and may also be helpful to those who are concerned about someone else (such as a friend, family member or a neighbour) that may be suffering from domestic abuse. Those affected by domestic abuse are not alone, support is available.

We would like to promote the support that is available to victims of Domestic and Sexual Violence and Abuse and we are wondering if it would be possible for your Council to promote this guidance on your website or social media platforms? Or if you have any other suggestions on how to promote this area in your council.

Kind regards

 | **Adult Safeguarding Unit
Department of Health**

Marie Ward
Chief Executive



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

22nd September 2020
Our Ref: NS/182/2020
By email & post

Mr Anthony Tohill CEO
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

Email: chief.executive@midulstercouncil.org

Dear Mr Tohill,

I have been asked to write to you on behalf of Newry, Mourne and Down District Council.

At the Council's Neighbourhood Services (NS) Committee in August, Elected Members requested for Dog Fouling Legislation to be updated. The main focus is to request the maximum amount payable under a Fixed Penalty Notice in respect of littering and dog fouling offences be increased from the current limit of £80 to £250. The Council also asked that consideration is given to the possibility of devolving powers for setting Fixed Penalty rates to Councils.

As part of this, I was requested to write to the DAERA Minister requesting the above proposals. See Letter attached, for your information.

In addition, I was also asked to write to the other ten Local Councils seeking support on this proposal and request they write to the Minister. I am sure you are experiencing the same problems and complaints caused by dog fouling and littering within your Council area. The proposed increase in fines would help promote the 'polluter pay' principle.

It would be helpful, if you could indicate your Council's support to the above proposals and if your Council intends to write to the DAREA Minister, as requested.

Thank you in anticipation.

Your sincerely,

Roland Moore

Director of Neighbourhood Services

cc Copy of Letter sent to Minister Poots MLA (DAERA)

Marie Ward
Chief Executive



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

19th September 2020
Our Ref: NS/182/2020
By email & post

Edwin Poots MLA
Minister for Agriculture, Environment and Rural Affairs
Department of Agriculture, Environment and Rural Affairs
Parliament Buildings Room 309
Ballymiscaw
Stormont
Belfast
BT4 3XX

Email: Edwin.poots@mla.niassembly.gov.uk

Dear Minister Poots MLA,

I have been asked to write to you on behalf of Newry, Mourne and Down District Council.

At the Council's Neighbourhood Services (NS) Committee in August, Elected Members requested for Dog Fouling Legislation to be reviewed. This is in relation to the maximum amount payable under a Fixed Penalty Notice in respect of littering and dog fouling offences, where fines should be increased from the current limit of £80 to £250. As part of this review, consideration could also be given to the possibility of devolving powers for setting Fixed Penalty rates to Councils for these offences.

The Council would appreciate if you could give this matter consideration, due to littering and dog fouling being a major issue within our District and Northern Ireland as a whole. Increasing the Fixed Penalty may also assist in achieving a 'polluter pays' principle.

It would be helpful as part of the reply for the Department (DAERA) to indicate likely/proposed timescales for any changes.

Thank you in anticipation.

Your sincerely,

Roland Moore

Director of Neighbourhood Services

- 9 OCT 2020

CHIEF EXECUTIVE



Hello Members, sadly we find ourselves in a similar position to the last time you received the Newsletter. It has been a most difficult time for all charities, museums and visitor attractions. So, we are not alone. I would like to take this opportunity to thank all our members who have continued to support our work and have paid their annual membership. It has been vital to our survival. In May, we received the good news that a grant application to the Office of the First Minister & Deputy First Minister (TBUC) had been successful. This meant Claire was able to be brought of furlough to start work on the new project. We are now in the development stage as the original project has to be adapted to reflect COVID restrictions. I would like to reassure you that we are still working hard on our plans for the future of the Somme Association. Stay safe – **Carol Walker MBE, Director.**

On the 1st July it was with much relief, that our annual Service of Remembrance was held at the Ulster Tower and Guillemont. The British Ambassador, the Defence Attaché and senior French officials along with a few members of the public attended a shorter than usual service while maintaining social distancing. It also gave me the opportunity to officially welcome Anne & Nigel Davies, who had arrived at the Tower in early June, a few months later than expected. The Tower has been open from June but visitors to the area are few.



As we look forward to next year, I would like to remind Members that the Ulster Tower will celebrate its 100th anniversary. A commemorative event will take place on **19th November 2021** in the grounds of the Ulster Memorial Tower (time to be confirmed). To assist with logistics and safety we would ask anyone interested in attending to complete an Expression of Interest Form by **27th November 2020.**

To receive a form please email
sommeassociation@btconnect.com

During Lockdown members of the public have continued to donate relevant artefacts to our collection and Austin has kindly volunteered to accept and accession them, while ensuring social distancing and COVID restrictions are adhered too.

Claire continues to complete monthly checks on the environmental conditions of the Museum's collection, to ensure that standards are maintained while we remain closed.



The use of social media has significantly increased over this period and we have doubled our efforts to reach the public in their own homes through various platforms. We have maintained our Facebook and Twitter accounts as well as establishing a YouTube & Instagram page. Please take the time to visit them if you haven't already done so.

Follow us on Social Media:

Face Book – The Somme Association and Somme Museum

Twitter - @SommeAssoc

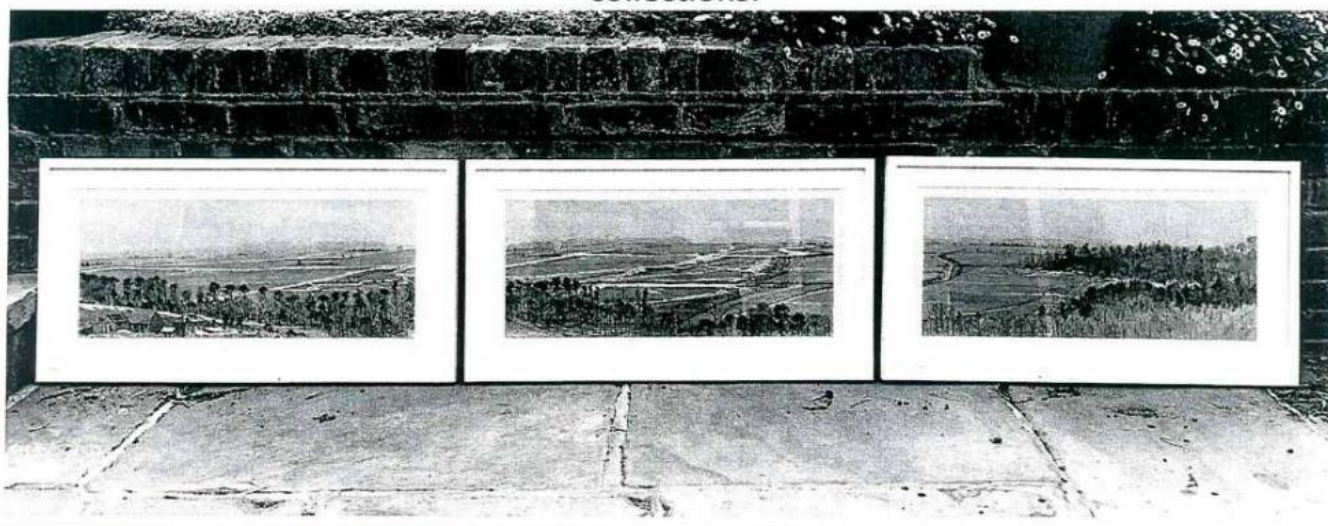
YouTube – The Somme Association & Somme Museum

Instagram – sommeassociation

With the help of a GEM course provided by the Northern Ireland Museum Council we have been able to rethink and adapt our very popular WW1 & WW2 Loan Boxes for schools and made 'COVID Friendly Loan Boxes.'



In July we were successful with a £1000 funding application to the 'Collecting for the Future' grant fund. This fund is administered through The Northern Ireland Museum Council and supported by the Esme Mitchell Trust. It enabled us to purchase a triptych painting entitled "Across the Ancre to Thiepval, five weeks before the 1st July 1916" by artist Paul Banning RI RSMA, father of historian Jeremy. The triptych was originally painted for and exhibited in the Armed Forces Art Society Exhibition of 2014 at The Mall Galleries, London and will make an excellent addition to our First World War Collection. In September we received more good news. We had been successful in securing a small grant from the NI Museums Council "Recovery Fund." This grant will enable us to purchase the software and training required to produce further in house videos of our collections.



Contacting us:

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Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	Thursday 22 nd October 2020
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 District Council for comment.
2.0	Background
2.1	Council is a consultee for many government departments, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues that may be pertinent to council services and/or the District.
3.0	Main Report
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members review and note consultations notified to Mid Ulster District Council.
6.0	Documents Attached & References
	Appendix A: Details of Current Consultations

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Health	Consultation on Cross-Departmental Covid-19 Vulnerable Children and Young People's Plan	<p>It is intended that the young people's plan will:</p> <ul style="list-style-type: none"> • promote the safety and well-being of children and young people during the Covid-19 pandemic period; • strengthen system capacity to respond to current challenges and risks; and support the rebuilding of services 	13 th November 2020	
	Link to Consultation	https://www.health-ni.gov.uk/consultations/consultation-cross-departmental-covid-19-vulnerable-children-and-young-peoples-plan		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		N/A	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for the Economy	Draft Gas (Internal Markets) Regulations (NI)2020 and Associated Gas (EU Exit) Amending Regulations	Department for the Economy has proposed legislative measures to make amendments to the Gas (Northern Ireland) Order 1996.	23 rd October 2020	
	Link to Consultation	https://www.economy-ni.gov.uk/consultations/legislative-measures-transpose-gas-directive-200973ec-amended-by-directive-2019692		
	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

Fermanagh and Omagh District Council	The Fermanagh and Omagh Local Development Plan (LDP) Draft Plan Strategy - Consultation on Proposed Changes	<p>Fermanagh and Omagh DC is re-running its consultation on the proposed changes to the Local Development Plan draft Plan Strategy. The original Schedule of Proposed Changes did not accurately reflect the agreed position of the Council, particularly in relation to policies MIN04:</p> <ul style="list-style-type: none"> • Unconventional Hydrocarbon Extraction, FLD03 • Sustainable Drainage Systems, RE01 • Renewable and Low Carbon Energy Generation • HOU17 Affordable Housing in the Countryside 	3rd December 2020	
	Link to Consultation	www.fermanaghomagh.com		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed

Department for Communities	The Five C's Public Realm Consultation	DfC have published designs for a new public realm project in Belfast city centre. The project, entitled The Five Cs, shall see Public Realm enhancements delivered in the following areas; Chichester Street, Callender Street, College Avenue, College Court, College Street.	22 nd December 2020	
	Link to Consultation	http://www.communities-ni.gov.uk/Five-Cs-Public-Consultation		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Education Authority	Consultation on Special Educational Needs (SEN) Code of Practice	The draft SEN Code is one part of a new improved and more responsive SEN Framework the first element being the Special Educational Needs and Disability Act (Northern Ireland) 2016 (the SEND Act). The SEND Act introduces new duties for Boards of Governors of grant-aided schools and the Education Authority, provides for greater co-operation with health and social care authorities and brings in new rights for parents and children. Many of these new duties and rights have not yet been introduced as they need to be supported by new SEN Regulations and the new SEN Code. (Relates to the next	22 December 2020	

		consultation set out below).		
	Link to Consultation	https://www.education-ni.gov.uk/consultations/consultation-draft-sen-code-practice		
	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
Education Authority	Consultation on Special Educational Needs (SEN) Regulations	The draft SEN Regulations are one part of a new SEN Framework the first element being the Special Educational Needs and Disability Act (Northern Ireland) 2016 (the SEND Act). The SEND Act introduces new duties for Boards of Governors of grant-aided schools and the Education Authority, provides for greater cooperation with health and social care authorities and brings in new rights for parents and children. (Relates to consultation above).	22 December 2020	
	Link to Consultation	https://www.education-ni.gov.uk/consultations/consultation-draft-sen-regulations		
	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 Agriculture, Environment and Rural Affairs	Review of the Schedule of the Rural Needs Act (NI) 2016	This consultation is to inform the review of the list of bodies and persons in the Schedule to the Rural Needs Act (Northern Ireland) 2016	16 November 2020	

		which is being undertaken by DAERA and is a requirement under section 1(3) of the Rural Needs Act (Northern Ireland) 2016. The consultation is an online survey.		
	Link to the consultation	https://consultations.nidirect.gov.uk/daera-sustainable-rural-communities-branch/review-of-the-schedule-of-the-rural-needs-act-ni-2/		
	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		

Report on	Service Delivery Update
Date of Meeting	Thursday 22 nd October 2020
Reporting Officer	A McCreesh, Acting Chief Executive
Contact Officer	A McCreesh, Acting Chief Executive

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	The purpose of this paper is to update members on the current delivery status and accessibility of council services following the introduction of further restrictions by the NI Executive as of Friday 16 th October at 6pm.
2.0	Background
2.1	Members will be aware that many council facilities and services were significantly impacted by the introduction of initial restrictions by the Northern Ireland Executive as a response to curb the spread of COVID-19 within the district. While essential services continued throughout, others were suspended and some facilities closed. The Health Protection (Coronavirus Restrictions) Regulations were introduced to help control the spread of the virus.
2.2	Following the lifting of restrictions earlier this year, those services which had been suspended and facilities which were closed had resumed business. Services were being delivered and facilities opened in line with NI Executive guidance on same.
2.3	The Executive has however announced a series of significant time-bound interventions to curb the spread of COVID-19 in Northern Ireland. These came into effect on Friday 16 th October and are to be in place for 4 weeks.
3.0	Main Report
3.1	The Council had been delivering its services in line with government guidance with the majority recovered and facilities opened. The restrictions announced for a period of four weeks commencing 16 th October has necessitated that some services be curtailed, with some facilities closed. Appendix A provides you with an overview of the current availability and status of services across all departments.
3.2	The time-bound period of heightened restrictions is to run for a period of 4 weeks to Friday 14 th November after which the NI Executive will review the arrangements

	in place. The council's service delivery arrangements will likewise reflect the outcome of the Executive's review.
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 Members note the status of Council services as appended to this report.
6.0	Documents Attached & References
	Appendix A: Mid Ulster District Council, Service Delivery Status

Appendix A

Service Delivery Status, Mid Ulster District Council (19 October 2020)

Leisure Services	Current Status	Expected Reopening & Comment
Bowling Greens	Open (Currently close for the season)	
Castlecaulfield Sports Hall Indoor	Closed	14 th November 2020 (TBC based on restrictions)
Cookstown Leisure Centre	Open <ul style="list-style-type: none"> Individual gym and swim use only Group exercise classes suspended Family swimming suspended Indoor Group activities suspended Soft Play Suspended Sauna/Steam room closed 	14 th November 2020 (TBC based on restrictions)
Dungannon Leisure Centre	Open <ul style="list-style-type: none"> Individual gym and swim use only Group exercise classes suspended Family swimming suspended Indoor Group activities suspended Soft Play Suspended Sauna/Steam room closed 	14 th November 2020 (TBC based on restrictions)
EBA 2020/Move More	Group Activity Indoors suspended Outdoor activity (non-contact) and less than 15 still operational	14 th November 2020 (TBC based on restrictions)
Gortgonis Citizen Centre	Open <ul style="list-style-type: none"> Individual gym use only 	14 th November 2020 (TBC based on restrictions)

Greenvale Leisure Centre	Open <ul style="list-style-type: none"> • Individual gym and swim use only • Group exercise classes suspended • Family swimming suspended • Indoor Group activities suspended • Soft Play Suspended • Sauna/Steam room closed 	14 th November 2020 (TBC based on restrictions)
Maghera Leisure Centre	Open <ul style="list-style-type: none"> • Individual gym use only • Group exercise classes suspended • Indoor Group activities suspended • Soft Play Suspended 	14 th November 2020 (TBC based on restrictions)
Meadowbank Sports Arena	Open <ul style="list-style-type: none"> • Individual gym use only • Tennis courts, outdoor gym and track open • Pitches, 3G activity suspended 	14 th November 2020 (TBC based on restrictions)
Mid Ulster Sports Arena	Open <ul style="list-style-type: none"> • Individual gym use only • Tennis courts, outdoor gym and track open • Pitches, 3G activity suspended 	14 th November 2020 (TBC based on restrictions)
Moneymore Recreation Centre	Closed <ul style="list-style-type: none"> • Group exercise classes suspended Indoor Group activities suspended	14 th November 2020 (TBC based on restrictions)
Tobermore Golf Driving Range	Open	

Playing Fields (Grass and 3G)	Pitches, 3G activity suspended	14 th November 2020 – TBC based on restrictions
<u>Tennis Courts</u> Dungannon Park Mid Ulster Sports Arena Meadowbank Sports Arena Ballygawley Fairhill (Cookstown) Tobermore Moneymore Recreation Centre	Open Open Open Open	
Parks	Current Status	Expected Reopening
Public Play Parks (102)	Open	
<u>Public Park Car Parks</u> Dungannon Park Ballyronan Marina Round Lake New Ferry	Open	
<u>Forest Car Parks</u> Pomeroy Knockmany Iniscarn Moydamlaght Derrynoid Bantry	Open	
<u>Public Amenity Buildings</u> Dungannon Park Ballyronan Marina Round Lake	Open Open Closed	Closed for refurbishment
<u>Caravan and Tent Sites</u>		

Dungannon Park Ballyronan Marina Round Lake	Open Open Closed	Closed for refurbishment
Public Parks, Forest Trails, public paths and Open spaces	Open	
Arts & Cultural Facilities	Current Status	Expected Reopening
Burnavon Arts Centre	Closed	14 th November 2020, subject to review of current restrictions by NI Executive
Seamus Heaney HomePlace	Closed	14 th November 2020, subject to review of current restrictions by NI Executive
Ranfurly and Hill of the O'Neill	Closed (public access is available to the Hill of the O'Neill outdoor area and grounds) Public toilets available on ground floor of Ranfurly building (restricted hours))	14 th November 2020, subject to review of current restrictions by NI Executive
Tourism Facilities	Current Status	Expected Reopening
Bridewell & Library	Open	
US Grants Homestead	Closed	
OM Dark Sky Observatory	Closed	14 th November 2020, subject to review of current restrictions by NI Executive
Community Centres	Current Status	Expected Reopening

Clogher School	Open to tenant -play group only – oversee their own risk plan – closed for 2 weeks in line with EA	2 nd November tenant only
Gardners Hall	Open to tenant - SHSCT Day opportunities – oversee own risk plan – continuing under Trust and PHA guidance	
Property Services	Current Status	Expected Reopening
Cemetery Services	Open	
Transport Management including fleet maintenance	Open	
Grounds Maintenance	Open	
Building Maintenance	Open	
Off Street Car Parks	Open	
<u>Public Toilets</u> Tier 1 Tier 2 Tier 3	Open Open Open	
Maghera Walled Garden	Closed (seasonal)	1 April 2021
Environmental Services	Current Status	Expected Reopening
Refuse Collection Street Cleansing	Normal Service Normal Service	
<u>Household Waste Recycling Centres</u> Magherafelt Cookstown	Open Open	Sites on Winter Hours

Dungannon	Open	
Maghera	Open	
Coalisland	Open	
Draperstown	Open	
Castledawson	Open	
Ballymacombs	Open	
Moneymore	Open	
Tullyvar	Open	
Fivemiletown	Open	
Bulky Uplifts	Normal Service	
Planning Services	Current Status	Expected Reopening
Development Management	Open	
Development Plan	Open	
Enforcement	Open	
Building Control Services	Current Status	Expected Reopening
Plan Assessments	Open	
Site Inspections	Open, inspections inside occupied dwellings subject to Covid risk assessment	Reviewed at end of 4 week restriction period.
Dangerous Structures	Open	
Property Certificates	Open	
Entertainment Licensing	Open	
Petroleum Licensing	Open	

Street Naming	Open	
Environmental Health Services	Current Status	Expected Reopening
Public Health & Housing	Operating as normal. Inspections in occupied dwellings subject to Covid risk assessment	Reviewed at end of 4 week restriction period
Health & Well Being	Operating as normal with home visits restricted to essential only.	Reviewed at end of 4 week restriction period.
Food Control	Operating as normal. Inspections and advice and guidance	
Health and Safety	Operating as normal. Inspections and advice and guidance	
Environmental Protection	Operating as normal. Visits inside dwellings subject to Covid Risk assessment.	Reviewed at end of 4 week restriction period
Dog control	Operating as normal. Visits inside dwellings subject to Covid risk assessment	Reviewed at end of 4 week restriction period
Technical Services	Current Status	Expected Reopening
Capital Projects	Operating as normal	
Signage	Operating as normal.	
Bus Shelters	Operating as normal	
Organisational Development	Current Status	Expected Reopening
Civic Offices	Open	
Registration	Business as usual with wedding number restrictions	

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