

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Wednesday 13 January 2021 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means

Members Present

Councillor Quinn, Chair

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

Officers in Attendance

Mr McCreesh, Acting Chief Executive
Mrs Canavan**, Director of Organisational Development
Mr Cassells**, Director of Environment and Property
Mr Kelso**, Director of Public Health and Infrastructure
Mr Hill, Head of Parks*
Mr Lowry**, Head of Technical Services
Ms Mezza**, Head of Marketing
Mr Moffett**, Head of Democratic Services
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

*** Denotes Others present by remote means

The meeting commenced at 7.03 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.

PR001/21 Apologies

Councillor Gildernew.

The Chair passed condolences to Councillor Cuddy on the recent passing of his mother and offered his sympathy on behalf his party and this committee.

PR002/21 Declarations of Interest

None.

PR003/21 Chair's Business

None.

Matters for Decision

PR004/21 Ballyronan Wood – DAERA: Environmental Challenge Fund 2020/2021

The Head of Parks presented previously circulated report and sought approval for Match Funding for offer from the Department of Agriculture, Environmental and Rural Affairs: Environment Challenge Competition 2020/21, successful application for the redevelopment of Ballyronan Wood and approve the allocation of match funding for the proposed project.

Councillor McFlynn welcomed this news and said it was a brilliant scheme which would bring huge investment to the Ballyronan area and would be happy to propose the recommendation.

She advised that she had been contacted by someone regarding surface water which comes of the Shore Road down into the woods and was her original thinking that it was the water from the Lough which was making the ground damp, but now it has come to light that this could be drainage coming of the Shore Road and asked if Council could investigate this and drain it if need be.

Councillor Elattar said that she would be happy to second the report.

Councillor Cuddy thanked the Chair and members for their expression of sympathy.

He said if 50% funding was received for a project then it was well worth doing, but the project had already started and enquired was it brought to this committee tonight to get the other £40k from the Capital funds and felt that this was the only reason it was in front of members tonight.

The Head of Parks confirmed that this project hadn't commenced yet but was on the same site but a different project and separate application. He confirmed that work had not started yet at Ballyronan Wood.

Councillor Cuddy agreed that it was a good project especially when it was going to get 50% funding.

The Director of Finance advised that Ballyronan Wood was never part of the contract award which was currently in situ with our contractors on site, but this was a separate piece of land adjacent to that particular piece of land and a separate procurement associated with it.

Councillor McLean said that he would like to be associated with supporting it as it was a good project but sought two issues for clarity.

Firstly, with all the issues relating to COVID and budgets naturally tighter than previous years and not far away from striking the rate for another year and sought clarification from the Finance Officer or Chief Executive on how this would sit within the Capital Budget process.

Secondly, can this scheme be run in tandem with the one already started on site.

The Director of Finance in relation to the financial aspects and its relationship to the budget stated that this particular Capital project was not anticipated to have any ongoing recurrent revenue costs associated with it, so would have no great impact on this year's rate setting process. Members would be aware there's a significant Capital fund set aside for opportunities like this and also fund the larger schemes that are already scheduled. The amount of money involved £81K although quite substantial from an individual's prospective was relative material to an Officer's context.

In relation to the second part the Director of Finance advised that there was a contractor on site which was working and in regard to the current COVID arrangements, operation on site was feasible as it was an adjacent site and in an ideal world when we would go through a procurement exercise the same contractor if they were successful would already be in situ and this would make it an efficient project but cannot clarify this at present.

He advised that COVID wasn't impacting on the job at the moment and on that basis it wasn't anticipated on this particular project, but with all things COVID related this could be subject to change.

Councillor McKinney welcomed this project coming forward as previously Ballyronan and Traad had been on the news for all the wrong reasons for the last few years and was good to see this moving forward. He enquired what the future service charge would be and asked if there would be an additional maintenance charge over the years and what the estimate was likely to be.

The Director of Finance advised plans for a multi-use 1km trail which would require some ongoing maintenance in terms of inspection and whilst it would be foolish of him to say that any inspection and any maintenance works on top of costs would have a level of additionality would be perceived to be immaterial in the rate setting. He advised that he had not been issued with definitive costing figures in relation to the issue and would anticipate that this would be picked up as an additionality within our inspection and maintenance regimes.

Proposed by Councillor McFlynn
Seconded by Councillor Elattar and

Resolved That it be recommended to Council to approve the allocation of match funding £40,500 to the Ballyronan Wood redevelopment from Council's Capital Programme budget allocations as part of the Councils Outdoor Recreation Five Year Strategic Plan.

PR005/21 Response (draft) on Consultation for a Bill of Rights for NI

The Head of Democratic Services presented previously circulated report and sought input from Members on the Draft Consultation response developed in response to the Consultation on the Creation of a Bill of Rights for Northern Ireland and to seek their comment and approval.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to approve the draft response to the NI Assembly's Ad-hoc Committee consultation on a Bill of Rights for Northern Ireland.

PR006/21 Policy on Room Hire – Draft

The Head of Democratic Services presented previously circulated report to consider further the Council's current general Policy on Room Hire, with specific reference to a revised draft version following previous committee discussions.

The Chair said that this matter had now been before committee a number of times.

Councillor Ashton advised that she would have a slight concern under 5.3.3 if something was deemed by the Chief Executive to be controversial that it would be referred to the Chair of the Committee and obviously as it was regarding political events, perhaps it should go to the Party Leaders forum as Chairs of the Committees were made up of political parties and may be seen as possibly being swayed.

The Chair said this could be taken on board.

The Head of Democratic Services said that in regard to item 5.3.3, this was in the previously policy that we were currently working under and something that came out of the Council's Scheme of Delegation and advised if there were any diversions from that, then the Scheme of Delegation would need to be looked at.

Councillor Cuddy said they had looked at this from a party point of view and didn't see an awful lot wrong with the current policy. He felt that this Council was moving into a minefield and was important to keep our Council as neutral as possible. He said that irrespective of events being in the room things can be shared in social media very quickly leaving ourselves wide open to be challenged. He said that his party was not happy about the poppies being taken away but they were aware that it had to be done to show neutrality in the Council so people can come along and use the facilities and know that there would be no pressure. He felt the Council should carry on with the policy that we have currently because if a new policy was approved that it could cause major concerns.

The Chair said that outside the main political parties there were other political groupings pushing different political causes and asked if they fell under this policy or would they be treated differently.

The Head of Democratic Officer advised members that it would be his understanding that this would fall under this particular policy, however if there were any organisations deemed to be proscribed organisations then they would need to be looked at as it wouldn't be appropriate that they could hire any of the rooms or buildings to those types of organisations. He referred to 5.3.2. and brought members attention to sentence "*all political parties and independent representative irrespective if they have representation on Mid Ulster Council*" and this would be extended to Independent members. In

concluding he stated that this does extend to others, but not to those organisations which were deemed to be proscribed organisations.

Councillor Molloy thanked the Head of Democratic Services for drawing up the draft proposals but referred to an issue which perplexed him slightly on item 5.3.2 (v) that political party campaigning is accepted and asked why else would a party hire a room or an event if it was not for party political campaigning as that was what they do. He referred to Councillor Cuddy's comment regarding Council facilities being open to everyone and asked if there was an equality issue there as it could be seen if a party has a certain political point of view that the room shouldn't be used for discussing those activities or promoting a point of view. He said that it would be deemed as a private event so any other grouping can come along and hire a facility but if you were a political party or particular persuasion you couldn't.

The Head of Democratic Services confirmed that this matter was placed in the previous report which was brought to December committee and it was agreed that it be taken away and work up the wording and include them in the draft policy, so basically this was now in the hands of the committee on the final wording and inclusion with those elements included. In referring to Councillor Molloy's point about what happens within the room to mitigate on any concerns which people may have was addressed in point 5.3. of the draft *"that all banners, posters, leaflets or any other paraphernalia forming part of the event by displayed and made available within the room only under the hire within the facility"* and said that if it was for political party or election campaigning, it shouldn't be seen in any of the hallways or facilities as mitigated under point 3 of the policy.

Councillor Molloy said that after reading through the report he would propose the recommendation.

Councillor McFlynn seconded the recommendation.

Councillor McKinney said that he would not be happy at all with the circumstances and referred to Councillor Molloy's comments about being impartial to someone's point of view to use Council buildings. We all share a Chamber and could assure that Councillor Molloy's point of view and his would differ and this was acceptable, but more to do with the point of our actions that takes place within these rooms and told members that the committee had just approved the Bill of Rights which talked about fairness, equality and respect. He said that there would be some activities which now would take place, proposed and passed from some political organisations, no matter what party they belong to, whether a party inside the Council or a party outside the Council where absolutely no respect would be shown to this Council. In relation to fairness, some of the activities which would take place in these rooms and perhaps actions to take part wouldn't be very fair to individuals living in our Council area. In relation to flags, banners, emblems etc., these had to be carried into Council buildings and displayed and didn't believe that anyone here should be so naïve to believe for one minute that the decorations used for the rooms from whatever party they were from would stay within the rooms and how many times have people seen what goes on behind closed doors. He agreed with Councillor Cuddy's comment regarding social media with things being sent into the public domain before you get out of the building, whether it be chanting songs or singing things that are offensive, this is not fair and offensive to other peoples' way of life and an equality issue.

He said that it really saddened him to see this Council in 2021 taking a step back in time with members talking about the past conflicts, troubles amongst other things and now we want to bring organisations into buildings and pretend to ourselves that this would be carried out behind closed doors and asked if this was the best way forward for Mid Ulster Council in 2021. He felt it was unacceptable for this Council in 2021 to allow organisations to display their emblems or trophies all over the area which wouldn't be fair and disrespectful to our citizens and saddened him to say this was the way things were going forward and disappointing to see that there was a system in place which was working and no incidents in his term in Council and believed that this could soon change.

Councillor McLean said that he listened carefully to all the various comments made for and against the issue and stated that this proposal had come from Councillor Molloy and his party and asked what their rational and their reasons for changing the policy, it could be seen as a detrimental step back or it could be seen as a leap forward in the sense that it was going to be properly used and not abused. He stated that those within the Unionist community do not have the numbers to oppose any change but would comment and state what he had always stated in the past, the proof of the pudding was the trustworthiness and honorability of it would be the use or the abuse in the eating and said if this was rubber stamped tonight and ratified in Council the outworking's of it would have to be closely monitored and if it was abused then it would be highlighted.

The Chair stated that he could understand some of the comments made tonight but would concur with Councillor McLean's last comment that we will have to wait and see what transpires from it. He said that he does have confidence in Council staff to monitor this policy and does have belief in political parties not to abuse that trust and the proof of the pudding would be in the eating and as we go forward with this policy would like to think that all political parties regardless of who they were to not abuse the policy and cause controversy.

Councillor Molloy agreed with Councillor McLean's comment about it being a step forward as it opened it up for political parties, whether it's Sinn Féin or any other political party he would not have issue for them having access to council facilities the same as any other general member of the public or grouping within the district. This will make available a number of further venues where there is already under provision. We have seen cultural events in a number of our facilities over the years with no issues relating to flags, banners and emblems displayed and he had no issue with that as it was open to everyone.

Councillor S McPeake concurred with everything that Councillor Molloy stated. He referred to Councillor McKinney's remarks looking at very much on the negative side and very much wrong. He said what was being asked for was equality for political parties as politics had got very bad press in recent years both locally, across the water and elsewhere and for us to see we were different or not worthy to avail of Council buildings says a lot and a huge negativity. He agreed with Councillor McLean that time would tell and could assure the committee that there were no hidden agendas other than to bring a bit of equality to the table as political system across the world had been downgraded and a lot of negativity around it that the existing policy perplexes that and this was only putting right what should be within a mature society.

Councillor McLean said as a point of clarity, that this would either be seen as a step back or a step forward but didn't say it would be a positive step forward. On the basis of how it would play out it would be a step forward if it was well used and not abused, but if abused it would definitely be a step back. He said that it was all about bringing clarity and wasn't saying that it was right or wrong at the minute as the proof of the pudding would be in the eating and as Unionists they don't have the numbers to stop this proposal.

Councillor McKinney advised that he would not be supporting this recommendation and asked for a recorded vote.

He referred to remarks from two previous Sinn Féin members and wanted to clarify that he didn't make reference to any political party and felt that this was a facilitation for Sinn Féin as how he sees it as there was no other party as keen to see the changes and was aware that SDLP had voted in favour of it. He felt that these organisations are struggling to find places to meet and felt that this may be a way forward for them, but he would still stand firm and acknowledges that Councillor S McPeake's thoughts on him being wrong, but felt that bringing this type of activity into Council buildings was a no way neutral and no way respect of equality and not a way forward for our Council.

The Chair called for a recorded vote to go with the recommendation as outlined in the report:

- 9 For (Doris, Elattar, Hughes, McFlynn, S McGuigan, S McPeake, Molloy, Quinn and Totten)
- 6 Against (Ashton, Buchanan, Cuddy, Forde, McKinney, McLean)

Resolved That it be recommended to Council to approve the revised Policy on Room Hire, subject to amendments agreed at committee.

PR007/21 Member Audio Device Management for Remote Working

The Head of ICT presented previously circulated report to advise Members on the provision of Audio Device Management for Remote Working.

The Chair commended the ICT department on doing a fantastic job during these unprecedented times relating to the pandemic to get all members set up with adequate ICT facilities. He referred to announcement from Fibrus and hoped that IT facilities would get better over the coming years.

Councillor McLean said that he would like to concur with the report in front of members tonight as it was very well detailed and set out and also takes the cognizance of the evolving situation and would be happy to propose the recommendation. He agreed very firmly that Microsoft teams was a good platform as they had invested a lot of finance in better technology in the last number of months as a result of a lot of people averting to Teams as a process and seemed to be an easier process which much of the private sector had elapsed onto it and was working well. Councils were no different to any other business or manufacturing company as they all had to adopt and make the changes and

could assure members that no-one in that field was going out spending a six-figure sum to adopt their IT and was just a learning curve and continue to work at. He suggested to proceed on the basis of the proposal that those who need headsets get them and if training was required by some people, then funding be put into that and bring it forward on that basis.

Councillor McKinney wanted to thank the Head of ICT and his team for all the hard work that they carry out as the usage of laptops was now the age we were all living in. He said that he would have no problem with what was being proposed tonight but enquired who was paying for it as he would have thought that the headsets etc. should have been coming out of members supply.

The Head of ICT advised that ICT would purchase the resources for members but the cost (approx. £30 to £40) would be deducted from the digital allowance of £250 for each member if that was agreeable.

Councillor Ashton seconded the proposal and enquired if in-house training was available.

The Head of ICT advised that to his knowledge Organisational Development team and Learning & Development Manager had procured these sessions through a third party provider locally in the Dungannon area who would provide training remotely and could do it much better and more proficiently than the ICT team.

Proposed by Councillor McLean
Seconded by Councillor Ashton and

Resolved That it be recommended to Council that it note the contents of the report and authorise the expenditure where necessary (see below) to provide Members with:

- (1) Suitable headsets and mobile devices – expenditure to be funded from previously agreed Council contribution towards cost of Members' IT devices and Member contribution as necessary; and
- (2) Additional training commissioned by the Organisational Development directorate for Members to increase skills necessary for proficient use of communications technologies and equipment associated with video conferencing deployed by the Council – expenditure to be funded where necessary from reserves (estimated cost maximum £700).

PR008/21 Member Services

No issues.

Matters for Information

PR009/21 Minutes of Policy and Resources Committee held on 3 December 2020

Members noted Policy and Resources Committee Minutes of Meeting held on 3 December 2020.

PR010/21 Marketing & Communications Update

Members noted update on key areas of recent Marketing & Communications activity.

Live broadcast ended at 7.55 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor McFlynn
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 Member consider items PR011/21 to PR023/21.

Matters for Decision

- PR011/21 Staffing Matters – On Call Cemetery Cover for Weekends and Bank Holidays
- PR012/21 Staff Matters for Decision
- PR013/21 DfI Active Travel Projects – Covid-19 Recovery Revitalisation Programme
- PR014/21 Peace IV Shared Space
- PR015/21 Land Acquisitions & Disposals
- PR016/21 Full Fibre NI
- PR017/21 Tender Report – Software Licensing Agreement
- PR018/21 2021/22 Rate Estimates
- PR019/21 Consultation Response on Proposed NILGOSC Pensions Reform

Matters for Information

- PR020/21 Confidential Minutes of Policy and Resources Committee held on 3 December 2020
- PR021/21 Staff Matters for Information
- PR022/21 Contracts and DAC
- PR023/21 Financial Report for 8 months ended 30 November 2020

PR024/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 9.50 pm.

Chair _____

Date _____