

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 feel 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 _____