

Minutes of Meeting of Mid Ulster District Council held on Thursday 26 May 2022 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair Councillor McLean

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

Officers in Attendance Mr McCreesh, Chief Executive
Mr Black, Strategic Director of Communities & Place
Ms Campbell, Deputy Chief Executive & Strategic Director of Environment (SDE)**
Ms Canavan, Strategic Director of Organisational Development Strategy & Performance (SD:ODSP)**
Mr Kelso, Director of Public Health & Infrastructure (DPHI)
Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD:ODSP)
Mr Tohill, Strategic Director of Corporate Service & Finance (SD:CSF)
Mrs Forde, Member Support Officer

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

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

C095/22 Notice of Recording

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

C096/22 Apologies

Councillors S McPeake, Graham, McNamee and Totten

C097/22 Declarations of Interest

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

Councillors Wilson, Glasgow, Brown and Quinn declared interest in organisations who had received community grants *D079/22 Development Report Community Grants*.

Councillor Mallaghan as a point of order stated that should Members have already declared an interest on the annual return they did not need to declare it again

C098/22 Chair's Business

The Chair, Councillor McLean extended sympathy to Councillor S McPeake on the death of his mother.

The Chair, Councillor McLean said it had been his pleasure to welcome guests to the Hill of The O'Neill and Ranfurly House Arts and Visitors Centre and to a wedding banquet with a difference through the new tourism product which gives tour operators a unique re-creation of a wedding banquet celebrating the marriage between Hugh O'Neill and Mabel Bagenal in an evening to bring the past to life. He said the guests had experienced the living history for themselves, they were inspired to think about how they can bring their next tour group here so that they can in turn experience it for themselves. Commenting on the success of the event the Chair stated the venue had received a number of bookings following the event.

The Chair, Councillor McLean advised that Council had awarded over £670K in grant aid to a wide range of groups across the local community and voluntary sector within the district. He said the grants would support a range of activities including sports, arts and culture, community and strategic events to community development and good relations projects.

The Chair, Councillor McLean reported that Ballyronan Marina had once again achieved the Blue Flag Award recognition at the annual Keep Northern Ireland Beautiful Beach and Marina Awards for the Council's work in meeting stringent international standards around water quality, education, safety and accessibility. He stated that as well as recognising the quality of the natural resource on the shores of Lough Neagh, the award also acknowledged the continuing care of Council employees, community groups based on site, boat owners and residents of Ballyronan who together strive to keep our Marina clean, tidy and welcoming for visitors.

The Chair, Councillor McLean referred to the recent deep clean in the main towns which had given streets a much needed reinvigoration in time for summer. He also reminded Members of the forthcoming Cookstown Continental Market scheduled for Saturday and Sunday. He said the market pre covid attracted huge crowds to Cookstown and encouraged everyone to attend and sample the many culinary delights and enjoy the free entertainment on offer.

The Chair, Councillor McLean thanked the Chief Executive and staff for the assistance given to the Electoral Office during the recent NI Assembly election count. He commended them on the smooth operation of the venue and intervention with regard to food provision on the day of the Count.

In conclusion the Chair, spoke of the successful hymn singing event at the Heaney HomePlace and encouraged as many as possible to attend the event in the Burnavon on Friday 27 May 2022. He also encouraged Members and staff to attend the event co-hosted with the Deputy Chair to recognise Volunteers in the district. Speaking of the vast numbers he advised that the focus was on two particular sectors.

Councillor Mallaghan drew attention to the difficulty people were facing with new applications and renewal of passports and proposed that Council write to Simon Coveney TD, The Minister for Foreign Affairs and Minister for Defence; to request an elected Member hotline contact to obtain updates on applications for constituents.

Councillor McFlynn seconded the proposal.

Councillor Wilson concurred stating that the situation is somewhat similar with British passport applications and requested that the Home Office also be included in the proposal. All concurred.

Proposed by Councillor Mallaghan
Seconded by Councillor McFlynn and

Resolved That Council write to (i) Simon Coveney TD, The Minister for Foreign Affairs and Minister for Defence; and (ii) Priti Patel MP, Home Secretary requesting that Elected Member Hotline Contact is set up in to obtain updates on passport applications.

Councillor Wilson drew attention to the recent announcement that Danske bank was to close its branch in Cookstown and that Ulster Bank branches were also under threat of closure. He said that banks are the heart of communities and when you lose a bank especially in a major town along with the ATM facility it has a major impact. He expressed concern regarding users and bank staff stating that those who did not use internet banking would be particularly impacted. He proposed that Council seek a meeting with the bank to discuss the closure and its impact.

The Chair, Councillor McLean asked if Councillor Wilson envisioned this as a full Council meeting or a delegation.

In response, Councillor Wilson said in relation to Cookstown closures it would be best for a Cookstown DEA meeting.

Councillor Buchanan said he opposed the Danske Bank closure stating it would be a blow to the town centre and spoke of concerns of customers and businesses in the area. He said whilst some used internet banking some preferred the personal approach and he was scheduled to attend a meeting regarding the matter with Keith Buchanan MLA but that he was happy to be included in meetings organised by Council.

Councillor Burton said she had met with Deborah Erskine MLA and Danske Bank officials and Fivemiletown Chamber of Commerce. She advised that Danske Bank branch in Fivemiletown had been going since 1874 and it was a sad day which was deepened by the threat of closure by the Ulster Bank. Councillor Burton said if closures went ahead there would be no bank between Enniskillen and Dungannon. She said discussions with the bank officials had been frank and upright during which

a strong case had been made to retain ATM services to include deposits. Councillor Burton concurred with Councillor Wilson that the bank was the heart of the community and whilst she acknowledged the banks statistics regarding a decline in footfall she highlighted that the community was only coming out of Covid. She said that the banks response was more or less post office services was available and at best there would be an ATM. Councillor Burton highlighted that the bank officials had talked about telephoning customers and stated her worry would be scammers were always one step ahead and she would fear that people would be targeted. She concluded that Council must lend its support any way possible.

Councillor Cuddy concurred and said that a meeting should be sought with high level management as these closures would continue to be rolled out. He stated that Councillor Burton's point that statistics had been used when society was only recovering from covid and this had of course lowered footfall. He spoke of rural areas in Scotland who now have mobile banking services and said if banks closed they would be gone forever.

Councillor Black said the news had been similar for residents and businesses in Maghera and the threat of Ulster Bank closures was a further blow.

Councillor Kearney concurred and said that the bank closure inflicted on the community in Maghera was particularly bad as it was the last bank in the town. He said it was a huge blow to the community and further clarity was required. He highlighted that post offices were not the best places to transact banking businesses and further advised that in the Republic of Ireland bank buildings had been given back to the community and such action should be investigated for local areas.

Councillor McKinney spoke of the tragedy of the bank closure in Maghera as aforementioned and said it was the last bank in the town. He spoke of the impact on the senior users as in speaking to staff in the bank they had highlighted it was they who made up the most of the footfall. He said that there was a post office but the closest bank would be Magherafelt then Londonderry.

Councillor B McGuigan said he would like to be included in any meetings concerning bank closure in Maghera. He said he had been involved in discussions when banks had closed in Draperstown and decisions had been based on footfall and even the ATM had gone.

Councillor Robinson spoke of the closure of the Ulster Bank in Clogher and the impact it would have on the small shops in the village. He said that the Ulster Bank had indicated a footfall of 31 people per week and apparently the ATM would be lost also. He concluded that Council must do all it can as there was now no bank in the Clogher Valley.

The Chair, Councillor McLean concluded that Council should seek a meeting with both Danske and Ulster Bank officials.

Resolved That Council seek meetings with the Danske Bank and Ulster Bank to discuss closures and loss of services in towns across the district. (DEA Members to be invited to attend)

The Chair, Councillor McLean referred to a reception he had hosted for MEGA and spoke of how it had grown from a few companies to over 60 companies working together to share resources to attract people into the industry offering over 250 apprenticeships to upskill people. He said he was intrigued, as being in the construction agency there were always skills gaps and the model had initiated ten companies coming together to endeavour to follow suite and deliver similar programmes. He said his term in office was coming to a close but encouraged his successor to take up the reigns and encourage the construction industry to get involved to deliver similar apprenticeship programmes.

Matters for Decision

C099/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on Thursday 28 April 2022

Councillor Cuthbertson drew attention to C081/22 Development Committee with regard to the meeting requested with the Royal British Legion. He said that the meeting had taken place, was positive and Officers are in the process of taking decisions forward however it was disappointing that the War Memorial at Moy was vandalised once again but it would be his hope things will change going forward.

The Chair, Councillor McLean drew attention to the floral arrangement at Stewartstown which Council had worked on with the Royal British Legion and highlighted that it too had been damaged.

Councillor Monteith drew attention to C077/22 Chair's Business in relation to the industrial action and expressed solidarity with the workers. He stated that he could understand what officers were saying but was emphatic that Council needed to investigate what opportunities it had to assist and assess the financial implications of same as it was in charge of its own finances. Councillor Monteith referred to the comments regarding NILGA but said that there needs to be either a discussion workshop or an item on Policy and Resources Committee regarding the matter. He said Members were happy to applaud essential workers during lockdown but now they need help. He said that the joint negotiating process did not appear to be serving its purpose that the world had changed and Council often called on other public bodies to do their bit and it was not time for Council to do its 'bit'. He asked if the discussions with NILGA had looked at the issues impacting the lowest paid and said that raises needed to be tapered as one size does not fit all.

The Chief Executive advised he had been formally asked to meet with Unions and an agenda had been agreed scheduled for Tuesday 31 May. He said he would engage with Unions in good faith.

Councillor Mallaghan said he would like to see negotiations across 11 councils for a way forward to be found as for example a refuse collector working in any council should be paid the same rate. He stated he was not opposed for Mid Ulster

beginning discussion but the same rates of pay and quality of work life balance should be equal across all local authorities.

Councillor Kerr concurred with Councillor Monteith and said he would welcome a meeting and agreement on way forward. He reiterated that workers had kept services going during the lockdowns and Council needed to show appreciation to staff.

Councillor McKinney said instead of standing outside a meeting people should be inside where their voices can be heard.

Proposed by Councillor Brown
Seconded by Councillor Wilson and

Resolved That the Minutes of the Council held on Thursday 28 April 2022 (C074 – C087/22 and C094/22) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

C100/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on Tuesday 3 May 2022

Proposed by Councillor Black
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Planning Committee held on Tuesday 3 May 2022 (P057/22 – P063/22 and P068/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C101/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee Meeting held on Wednesday 4 May 2022

Proposed by Councillor S McGuigan
Seconded by Councillor Cuddy and

Resolved That the Minutes of the Policy & Resources Committee held on Wednesday 4 May 2022 (PR091/22 – PR101/22 and PR111/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C102/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on Tuesday 10 2022

Councillor Kerr drew attention to E133/22 Biodiversity – All Ireland Pollinator Plan and reminded Officers that he had requested a report regarding maintenance of roundabouts highlighting in particular the roundabout at Clonoe. He said his request appeared to be ‘falling on deaf ears’.

Councillor Glasgow drew attention to E124/22 Council Estate Capital Property Repairs/Maintenance 2022/23 and reiterated his comments in relation to estimated prices in raw materials given the dramatic increase in costs. He again referred to the price of tar changing every 30 days and emphasised that estimated prices should be as near as possible as Members did not want to approve projects to find costs had increased 50%.

Proposed by Councillor Brown
Seconded by Councillor B McGuigan and

Resolved That the Minutes of the Environment Committee held on Tuesday 10 May 2022 (E115/22 – E133/22 and E144/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C103/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on Thursday 12 May 2022

Councillor Wilson stated he had taken his grandchildren to Fairhill Play Park, Cookstown and said that some of the interactive equipment was not working. He requested that the equipment be checked and suggested if it could not be repaired that it be replaced.

Councillor Kerr drew attention to the amended Service Level Agreement in relation to MEGA which now made reference to trade union representation. He said that given the shortage of staff it would be a good platform to attract people to the industry.

Proposed by Councillor Wilson
Seconded by Councillor Kerr and

Resolved That the Minutes of the Development Committee held on Thursday 12 May 2022 (D073/22 – D086/22 and D088/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C104/22 Standing Orders Amendment – May 2022

The Chief Executive presented previously circulated report which considered an amendment to the Standing Orders of Council following the Coronavirus Act 2020 (Extension of Provisions Relating to Local Authority Meetings) Order (NI) 2022 being approved by the Assembly on 21 March 2022 and that discussion on same stand adjourned until the next ordinary meeting of the Council, in line with Standing Order 30.2 (Amendment).

Proposed by Councillor Wilson
Seconded by Councillor Mallaghan and

Resolved That discussion can now take place on the proposed amendment, discussion having stood adjourned from the April meeting of Council. Approve the amendment to the Standing Orders regarding Remote Meetings Protocol and Procedure Rules as attached and highlighted in Appendix 6.1.

C105/22 Civic Recognition Nominations

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

Councillor Cuthbertson drew attention to Coalisland Athletics winning the Irish Junior Cup Final and their achievement in beating Bangor Young Men 4-1 in Windsor Park but said the success on the field had been overshadowed by behaviour on the team bus when team members had chanted pro IRA slogans glorifying terrorism. He said the Irish Football Association had investigated this and fined the club but he would stand to be corrected but no apology had been issued.

Proposed by Councillor Cuthbertson

That the proposed reception for Coalisland Athletics be put on hold until an apology is extended.

Councillor Cuddy concurred with Councillor Cuthbertson and said that many look up to sporting teams and a certain standard of behaviour was expected. He said that Council funds many teams across the board and to date there had been no acknowledgment from the club regarding their wrong doing. He said the evidence was clear, the IFA had fined the club and until the management issued an apology this award should be withheld.

Councillor Mallaghan said that the proposal falls outside the scope of the policy and Council did not have a policy on behaviour. He said that the policy was to recognise achievement. Councillor Mallaghan proposed the report as presented.

Councillor Kerr seconded the report as presented and stated the issue was outside Council remit.

Councillor Quinn said that the win had been a great achievement by Coalisland Athletics, the team had been punished by the IFA and what was taking place in the chamber was political point scoring.

Councillor Glasgow said he had listened to the comments and said he had queries regarding the policy there was to be a review and in relation to this particular award it looked like Council was awarding the behaviour. He said it should be reviewed and Councillor Cuthbertson's proposal was modest and stable.

The Chair, Councillor McLean said he would like to find a way forward, he concurred with Councillor Cuthbertson that the achievement had been overshadowed and

suggested that the awarding of civic recognition be put on hold until contact had been made with the organisation.

Councillor Mallaghan disagreed with the suggestion.

The Chair, Councillor McLean put Councillor Cuthbertson's proposal to the vote.

For	14
Against	22

The Chair, Councillor McLean said that the proposal had fallen

Proposed by Councillor Mallaghan
Seconded by Councillor Kerr and

Resolved That approval be given to submitted requests for civic recognition detailed at appendix A as outlined in the report.

C106/22 Conferences, Seminars & Training

The AD: ODSP sought approval for the previously circulated report on conferences, training and seminars.

Proposed by Councillor Brown
Seconded by Councillor N McAleer and

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

Matters for Information

C107/22 Correspondence to Council

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

Councillor Mallaghan drew attention to correspondence from Monaghan County Council and proposed that Council support them in their quest regarding the progression of the N2 Clontibret to Border Road Scheme.

Proposed by Councillor Mallaghan
Seconded by Councillor S McGuigan

Resolved That Council support Monaghan County Council with regard to the progression of the N2 Clontibret To Border Road Scheme.

Councillor Cuthbertson drew attention to correspondence from Department for Infrastructure and asked if they were presenting to June Council as had been the custom.

In response the Chair, Councillor McLean stated they were invited to attend.

C108/22 Consultations Notified to Mid Ulster District Council

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

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

The live broadcast concluded at 8pm.

Proposed by Councillor Mallaghan

Seconded by Councillor Burton

Resolved: That items C109/22 to C113/22 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 28 April 2022
- (ii) Planning Committee Confidential minutes of meeting held on 3 May 2022
- (iii) Policy & Resources Confidential Committee minutes of meeting held on 4 May 2022
- (iv) Environment Committee Confidential minutes of meeting held on 10 May 2022
- (v) Development Committee Confidential minutes of meeting held on 12 May 2022

C114/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.05pm.

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

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

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

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

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

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