

**Minutes of Meeting of Mid Ulster District Council held on Thursday 27 November 2014 in the Council Offices, Circular Road, Dungannon**

**Members Present:** Councillor Mallaghan, Chair (Presiding Councillor)

Councillors Ashton, Bateson, Bell, Burton, Clarke, Cuddy, Cuthbertson, Dillon, Elattar, Forde, Gildernew, Gillespie, Glasgow, Kearney, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, McPeake, Molloy, Monteith, Mullen, Mulligan, C O'Neill, J O'Neill, T Quinn, M Quinn, Reid, Robinson, G Shiels, Totten and Wilson (8.15 pm)

**Officers in Attendance:** Mr A Tohill, Chief Executive  
Ms Campbell, Director of Policy and Development (MDC)  
Mrs Canavan, Lead HR Officer  
Mrs Mezza, Marketing Communications Manager  
Mr Moffett, Change Management Officer  
Mr McLaughlin, Chief Executive (MDC)  
Mr O'Hagan, ICT Manager  
Mrs Kerr, Director of Finance (D&STBC)  
Mr JJ Tohill, Lead Finance Officer  
Mrs Smith, Council Business Manager (D&STBC)

**In Attendance:** Mr Tom Frawley, CBE, NI Ombudsman  
Ms Marie Anderson, Deputy NI Ombudsman  
Ms Jacqueline O'Brien, Director, NI Ombudsman's Office

The meeting commenced at 7 pm.

**C91/14 Apologies**

Councillors Buchanan and J Shiels

**C92/14 Declarations of Interest**

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

**C93/14 Chair's Remarks**

The Chair, Councillor Mallaghan, advised that at very short notice the Council was asked to give evidence to the DRD Stormont Committee which met in Enniskillen. Along with himself, the Vice Chair, Chief Executive and Adrian McCreesh, Chief Executive of Cookstown District Council attended the meeting. Omagh and Fermanagh Council was also invited to give evidence.

The assumption from the committee was that in relation to off street parking the Council would have an opportunity to increase revenue and it was news to the Committee that the Department of the Environment proposed to top slice from

central grants to local authorities an amount equal to the income received from off street car parking.

## **Matters for Decision**

### **C94/14      Receive and consider minutes of matters transacted in “Open Business” at Council meeting held on Thursday 23 October 2014**

Item C77/14 – Notice of Motion

Councillor Dillon asked if the DUP wanted to change their stance in relation to living wage given the recent comments made by party colleague S Wilson MP.

Councillor Ashton advised that as previously stated the Party’s issue was with regard to the actual process within the motion rather than the living wage itself.

Proposed by Councillor S McGuigan  
Seconded by Councillor Mulligan and

**Resolved**      That the Minutes of the Meeting of the Council held on Thursday 23 October 2014 (C74/14 – C85/14 and C90/14), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

### **C95/14      Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee meeting held on Monday 3 November 2014**

Proposed by Councillor Clarke  
Seconded by Councillor T Quinn and

**Resolved**      That the Minutes and recommendations of the Planning Committee meeting held on Monday 3 November 2014 (P19/14 – P25/14) transacted in “Open Business”, having been printed and circulated were considered and adopted.

### **C96/14      Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Tuesday 4 November 2014**

Item PR61/14 - Charters and Borough Status Consultation

Councillor Glasgow stated that his comments related to those who have received the Freedom of the Borough being insulted if that status was taken away from them and asked for the minutes to be amended to reflect this

Remove the words ‘party colleagues’ and insert ‘those who have received the award’

Proposed by Councillor McLean  
Seconded by Councillor McPeake and

**Resolved** That the Minutes and recommendations of the Policy and Resources Committee meeting held on Tuesday 4 November 2014 (PR50/14 – PR61/14 and PR63/14), transacted in “Open Business”, having been printed and circulated, and subject to the foregoing amendment, were considered and adopted.

**C97/14 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee meeting held on Wednesday 5 November 2014**

Proposed by Councillor B McGuigan  
Seconded by Councillor Cuddy and

**Resolved** That the Minutes and recommendations of the Environment Committee meeting held on Wednesday 5 November 2014, (E28/14 – E38/14 and E40/14) transacted in “Open Business”, having been printed and circulated were considered and adopted.

Councillor S McGuigan in referring to the presentations provided by the Amenity Council and Lough Neagh Partnership asked when the Council would be considering and making a decision on the requests contained within these presentations.

The Chief Executive stated that these matters will be considered and form part of the rates estimate process for 2015-16.

**C98/14 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 6 November 2014**

Item D38/14 - Mid Ulster Good Relations Strategy and Plan

Councillor T Quinn asked for the undernoted amendments to the minutes:  
Date should read 1998 and quote ‘racism and sectarianism hinders growth and destroys the human spirit’.

Proposed by Councillor McNamee  
Seconded by Councillor C O’Neill and

**Resolved** That the Minutes and recommendation of the Development Committee meeting held on Thursday 6 November 2014, (D33/14 – D43/14 and D51/14) transacted in “Open Business”, having been printed and circulated and subject to the foregoing amendments, were considered and adopted.

**C99/14 Rural Development Programme**

The Chief Executive presented a report seeking members' approval on the temporary appointment of councillors to the Mid Ulster Rural Development Programme Local Action Group.

The Chief Executive stated that Members would be aware of the recent announcement by the Minister for Agriculture and Rural Development on the NI Rural Development Programme 2014-2020, in which Mid Ulster would be allocated £10.6m. A timetable for Local Action Group (LAG) animation, application and appointment was prepared by DARD suggesting agreement of the LAG membership by 19 December with the LAG Board formed in early January. Under the Local Government Act 2011, the appointment of Elected Members to the LAG Board would be considered as positions of responsibility and nominated at the AGM in March 2015.

To deal with the interim period from January until 31 March 2015, Councils are requested to form a sub group of councillors to fill the positions on the LAG temporarily. DARD initially advised that the total numbers on the LAG Board should total between 12 and 18. At a previous meeting of the Development Committee Members suggested that the LAG Board for Mid Ulster should comprise of 25 giving councillors 12 positions on the LAG Board. DARD has advised that this is allowed. DARD has also asked that as far as is possible, the councillor positions on LAG Boards are filled in recognition that this is a rural group addressing local rural issues and that in as far as possible the overall composition of the group should be representative of the section 75 groupings in the rural area. Temporary appointments to a sub group would not be positions of responsibility and it is therefore recommended that Council agrees to form a sub group of 12 councillors by d'Hondt as follows:-

Sinn Féin 6; DUP 2; UUP 2; SDLP 2

Councillors appointed to these temporary positions would then be replaced on the 1 April 2015 by those appointed at the AGM through the normal council nomination process.

Proposed by Councillor Gillespie  
Seconded by Councillor McGinley and

**Resolved** That the Council accept the recommendation of the formation of a temporary sub group of 12 Councillors, selected by d'Hondt to fill positions on the LAG until 31 March 2015.

The Chair, Councillor Mallaghan, in turn sought nominations from party nominating officers to fill the required number of positions, following which the undernoted were nominated:

Sinn Féin 6;  
Councillors Clarke, Gildernew, McEldowney, S McGuigan, McPeake and J O'Neill

DUP 2;  
Councillors Burton and Forde  
UUP 2  
Councillors G Shiels and Reid

SDLP 2

To be advised by nominating officer following the meeting

#### **C100/14      Seminars and Conferences**

The Change Management Officer presented details of the undernoted conferences and sought approval for the attendance of members and officers, the payment of attendance fees and associated costs as incurred.

Equality & Diversity in Councils Conference on Tuesday 11 November 2014 in La Mon Hotel & Country Club, Belfast, 9am - 3pm, fee £40

Proposed by Councillor Clarke  
Seconded by Councillor B McGuigan and

**Resolved**      That retrospective approval be granted for attendance of one member and that the payment of attendance fees and associated costs as incurred be approved.

Agriculture & Food Conference: Implementing Going for Growth, Thursday 4 December 2014, Dunadry Hotel, Templepatrick, Antrim, 9am - 1pm, fee £125

Proposed by Councillor McLean  
Seconded by Councillor McEldowney and

**Resolved**      That the attendance of members and officers, the payment of attendance fees and associated costs as incurred be approved and that anyone wishing to attend to contact officers.

Spatial Planning Capacity Building Visit to Leitrim County Council: All Island Local Authority Forum, Friday 12 December 2014, Leitrim County Council, Carrick-on-Shannon, 10am - 3pm, according to numbers transport will be arranged

The Change Management Officer advised that event was organised for Fermanagh & Omagh and Mid Ulster District Councils only, with 10 places available per council. This will be delivered by Planners and Elected Members from Leitrim County Council.

Proposed by Councillor Glasgow  
Seconded by Councillor McGinley and

**Resolved**      That this issue be delegated to the Planning Committee.

#### **Notices of Motion**

#### **C101/14      Councillor McAleer – Funding FE Colleges**

Councillor McAleer in proposing the undernoted notice of motion expressed concern at major cuts to the Department of Employment and Learning's budget which may

threaten funding to South West College. The Councillor stated that the Council should be speaking with one voice to ensure the funding cuts do not impact on the services provided to students, to industry and to those most at risk of social exclusion. The College along with its campus in Cookstown and the service it has provided over the years to the district was something that we should all be proud of.

Councillor M Quinn in seconding the motion stated that the South West College provides a valuable service to many in the Dungannon and Coalisland areas. It has had a massive impact for those young people failed by the education system and is a way back in and provides an opportunity to get training and a job. Local businesses, particularly engineering, depend on the skill of those coming out of the college. We need to protect this asset.

*“That the Mid Ulster Council, given the vital contribution that Further Education Colleges make to the local and regional economy, liaise with the DEL minister and the Executive in a bid to ensure that proposed funding cuts do not impact on the services provided to students, to industry and to those most at risk of social exclusion.”*

Councillor McPeake spoke in support of the motion and the change in the downturn in the economy which was traditionally focused on construction. Now more effort needs to be put into manufacturing and should support anything that can lend itself to up-skilling to enhance the workforce.

Councillor Ashton agreed with the comments and said the college provides a great service for all of our young people and should be supported. The Councillor further stated that it was important to be realistic on all matters pointing to what was currently happening in the Executive, central government Departments being under extreme pressure and the announcement on the proposed closure of Loane House, which is now to go ahead. She added it was important the education section does not face the same cuts.

Councillor Reid supported the motion and stated that the college was important to all communities in the area and also to companies working with the college so that there is a wide variety of skills.

Councillor G Shiels stated that in Magherafelt there has been discussion around an engineering centre of excellence linked to universities and this avenue needs to be developed further.

Councillor Monteith commended the motion coming forward and stated that one aspect of the importance of the college to Dungannon and Cookstown is that it is a vital contributor to the local economy as it brings hundreds of young people into the towns and anything that the Council can do to support the retention of the capacity, students and staff should be done.

The Chair, Councillor Mallaghan, asked for clarification if ‘liaise’ meant write to or for a delegation to meet with the Minister.

Councillor McAleer stated that she would like a cross party delegation to meet with the Minister for Employment and Learning.

The proposal was put to the meeting and unanimously adopted.

**IN COMMITTEE**

Proposed by Councillor Clarke  
Seconded by Councillor Bell and

**Resolved** That items C102/14 to C108/14 be taken in committee.

The press left the meeting at 7.30 pm.

**C109/14 Duration of Meeting**

The meeting was called for 7 pm and ended at 9.15 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_