

Minutes of Meeting of Mid Ulster District Council held on Thursday 13 December 2018 in the Council Offices, Circular Road, Dungannon

Chair: Councillor S McPeake

Members Present: Councillors Ashton, Bell, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Doris, Elattar, Forde, Gillespie, Glasgow, Kearney, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, McLean, McNamee, D McPeake, Milne, Monteith, Mullen, Mulligan, O'Neill (7.04pm), Reid, Robinson, G Shiels, Totten and Wilson

Officers in Attendance: Mr A Tohill, Chief Executive
Ms Campbell, Director of Leisure & Outdoor Recreation
Mr Cassells, Director of Environment & Property
Mr Kelso, Director of Public Health & Infrastructure
Mr A McCreesh, Director of Business & Communities
Ms Mezza, Head of Marketing & Communications
Mr Moffett, Head of Democratic Services
Mr JJ Tohill, Director of Finance
Mrs Forde, Member Support Officer

The meeting commenced at 7 pm

C284/18 Apologies

Councillor Gildernew, Mallaghan, S McGuigan, McKinney, Molloy, M Quinn, T Quinn, and J Shiels

C285/18 Declarations of Interest

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

C286/18 Chair's Business

The Chair Councillor McPeake welcomed the two co-opted Councillors Donal McPeake and Ian Milne to the meeting. The Chair extended best wishes to the two outgoing Members Peter Bateson and Niamh Milne and thanked them for their service to the Council.

C287/18 Receive and Consider Minutes of matters transacted on "Open Business" at the Council meeting held on Thursday 22 November 2018

Proposed by Councillor McNamee
Seconded by Councillor McGinley and

Resolved That the Minutes of the Meeting of the Council held on Thursday 22 November 2018 (C258/18 – C271/18 and (C283/18) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

C288/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee meeting held on Monday 3 December 2018

Proposed by Councillor B McGuigan
Seconded by Councillor Reid and

Resolved That the Minutes of the Meeting of the Environment Committee held on Monday 3 December 2018 (E342 – E354/18 and E362/18-E363/18) transacted in “Open Business” having been printed and circulated, were considered and adopted.

Councillor J O'Neill entered the meeting at 7.04pm

C289/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee meeting held on Tuesday 4 December 2018

Proposed by Councillor Bell
Seconded by Councillor Clarke and

Resolved Amendment to the minute at PL151/18, application LA09/2018/0518/O Residential development of approx. 48 dwellings, access, amenity space, landscaping and ancillary site works at lands W of Forthglen and adjacent to 130 & 130A Orritor Road and including access on to Tullagh Road, Cookstown for JAMDAC Developments. The minute to read '*Councillor Bell stated that phase 2 lands in this instance were being hamstrung due to lack of development in phase one lands.*'

Proposed by Councillor Clarke
Seconded by Councillor Kearney and

Resolved That the Minutes of the Meeting of the Planning Committee held on Tuesday 4 December 2018 (P148/18-P152/18 and P162/18-P163/18) transacted in “Open Business” having been printed and circulated were considered and adopted.

C290/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee meeting held on Wednesday 5 December 2018

Proposed by Councillor McNamee
Seconded by Councillor McFlynn and

Resolved That the Minutes of the Meeting of the Development Committee held on Wednesday 5 December 2018 (D226/18-D234/18 and D239/18) transacted in “Open Business” having been printed and circulated were considered and adopted.

C291/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Thursday 6 December 2018

Proposed by Councillor Totten
Seconded by Councillor McLean and

Resolved That the Minutes of the Meeting of the Policy and Resources Committee held on Thursday 6 December 2018 (PR243/18 – PR251/18 and PR265/18-PR266/18) transacted in “Open Business” having been printed and circulated were considered and adopted.

C292/18 Conferences, Seminars and Training – Attendance by Members

The Head of Democratic Services sought approval for the undernoted for attendance of Councillors and Council Officers as outlined in the report, the payment of attendance fees and associated costs as incurred.

(i) Conference & Seminars – Attendance by Members

NILGA Performance Improvement for Transforming Councils: Cllrs

- Antrim Civic Centre
- Monday 28 January 2019 10.30am - 1pm
- Conference fee: nil, travel & subsistence only

(ii) Officer Approvals

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee
VAT Conference for Local Authorities	27/02/19	1	London	Yes
Retrospective				
Regeneration NI Conference	29/11/18	1	Belfast	No
NI Leadership and Governance Conference	27/11/18	1	Lisburn	Yes

Proposed by Councillor McGinley
Seconded by Councillor J O'Neill and

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

C293/18 Civic Recognition Requests

The Head of Democratic Services sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated council policy.

Proposed by Councillor McGinley
Seconded by Councillor Burton and

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

C294/18 Response to Northern Ireland Ambulance Service Health and Social Care Trust's Consultation and EQIA on the Introduction of a Proposed New Clinical Response Model

The Director of Public Health and Infrastructure presented previously circulated report which considered Council's response to the Northern Ireland Ambulance Service (NIAS) consultation and EQIA on Introduction of the Proposed New Clinical Response Model.

Councillor Wilson stated that the proposed model would not improve arrival/response times for the district. He also expressed concern that the NIAS appeared to be 'putting all the eggs in one basket' with the centre at Desertcreat and was emphatic that whilst he would be supportive of the proposed centre if it was not happening refurbishment of the existing estate was required.

In response, the Director of Public Health and Infrastructure stated that the proposal was for a maintenance and service depot.

Councillor Monteith stated that whilst the proposal to enhance provision to keep the NIAS fleet on the road is to be welcomed his concern would be that everything would be moved to the Desertcreat site and that it needed to be written into the response that Council would not tolerate services such as the South Tyrone Ambulance base being moved. He was emphatic that whilst provision at Desertcreat for maintenance was to be welcomed it must not take the place of service in the communities.

Councillor McLean concurred and stated that in previous consultations it was stated that the site at South Tyrone and Mid Ulster Hospitals (Magherafelt) were best placed to serve communities and whilst he would not be against the proposal for Desertcreat, other services must remain.

In summary the proposed response to include the undernoted comments:

- Whilst Members welcome the site at Desertcreat it must not be detrimental to the existing NIAS estate and services operating from South Tyrone Hospital site and Mid Ulster site at Magherafelt;

- Whilst there are changes to the service Mid Ulster area response times are not improving;
- NIAS and NIFRS need to develop closer working relationships resulting from the number of callouts to both services.

Resolved That the draft response to the Northern Ireland Ambulance Service consultation and EQIA on Introduction of the Proposed New Clinical Response Model as circulated at appendix to report, including aforementioned comments, be approved

Matters for Information

C295/18 Consultations Notified to Mid Ulster District Council

Members noted previously circulated report on consultations notified to Mid Ulster District Council since the last meeting of the Council.

Councillor Monteith declared an interest in Curriculum Sports Programme as a Board of Governor at local primary school.

Councillors Burton and Reid declared an interest in Cookstown, Dungannon and Magherafelt Community Transport

C296/18 Correspondence to Council – December 2018

Members noted previously circulated report which provided update on correspondence received for the attention of Council.

The Chair, Councillor McPeake drew attention to the letter received from Ards and North Down Borough Council in relation to a motion passed relating to the impact of financial cuts introduced since 2015 on the provision of community transport. He stated that he would support the request as at recent events he had attended in the community people were expressing concern about the reduction to the service which was impacting areas such as Hospice day care because there was such difficulty in getting a regularised service due to cuts. The Chair proposed that community transport organisations be invited to present to a committee in order that Council may endeavour to address the issue.

Councillor Monteith seconded the proposal highlighting that Councillor G Shiels had raised this through Council and a number of groups had contacted him regarding lack of services. He stressed that community transport was a vital facility and Council needed to do all in its power to address the issues.

Councillor Monteith drew attention to the letter received from Newry, Mourne and Down District Council regarding the withdrawal of the Curriculum Sports Programme. He stated that the Department of Education was relying on the goodwill of sports clubs to take up the slack and that the funding had just been withdrawn there was no scaling back or efforts to seek alternatives and that it was reprobate step by the Department.

Councillor Burton advised that when attending community transport meetings it was repeatedly reported that the demand for the service was growing and the only time people ceased using it was when they passed away. The Councillor advised that the community transport staff were at the 'cold face' repeatedly dealing with people who are utterly frustrated that they have no access to the service on which they solely rely. Councillor Burton stressed that as well as meeting with local providers Council needed to also meet with the Department as Mid Ulster was a vast rural area with a large elderly population and without the service many of the districts vulnerable people were left sitting alone.

Councillor Kearney concurred with Councillor Monteith in relation to the cuts to the Curriculum Sports Programme advising that 20 GAA coaches were losing their jobs on the mouth of Christmas and that similar numbers of IFA coaches had the same fate. He stated that rural schools in particular were badly affected by the decision and supported the call for Council to write to the Permanent Secretary regarding the matter.

Councillor Reid concurred with previous speakers and suggested that as well as an individual Council response the 11 Chief Executives needed to raise the matter as the impact of the cuts were felt across all areas.

Councillor G Shiels said that there was little or none departmental organisation stating that whilst the Department of Infrastructure was responsible for rural transport there needed to be 'cross departmental pollination and co-operation' for a way forward to be determined.

Councillor McLean stated that funding was not the only issue facing community transport providers as there was also the issue brought about by changes to driving licencing legislation requirements, which also impacted on the ability to produce income by private hire to churches etc. He stated that it may be beneficial for Council to meet with providers then meet with funders.

Councillor Reid reiterated that there should be a collective approach on Community Transport issues.

Councillor Wilson stated that in relation to rural transport and the curriculum sports programme Councils should act collectively through NILGA, as to meet with relevant departments as individuals it is easier to be 'palmed off.'

The Chair Councillor McPeake stated that the matters should be brought to the attention of NILGA for a collective approach but Council should still write to Permanent Secretaries.

Resolved That the undernoted actions be taken

- Providers of Community Transport be invited to present to relevant committee regarding the impact of funding cuts and driving licence changes on services;
- Council write to the Permanent Secretary of the Department of Infrastructure regarding the impacts of driving license changes and funding cuts on community transport;

- Council writes to the Permanent Secretary of the Department for Education expressing outrage at the cuts to the Curriculum Sports Programme; and
- That NILGA be requested to seek an 11 Council approach to both the cuts to the Curriculum Sports Programme and the aforementioned impacts on Community Transport.

C297/18 Notice of Motion

Councillor G Shiels referred to the motion he wished to move as undernoted:

“That Mid Ulster District Council develops an intensive lobbying campaign to convince the Department for Infrastructure of the urgent necessity to construct high capacity bypasses at Dungannon and Cookstown and of course Moneymore. In its entirety this scheme would be tiny compared to works done and scheduled for the A5 & A6. If implemented this proposal would allow a linkage between the M1 & M2 creating a 100 mile ring road taking in Belfast and bringing Mid Ulster in from the cold. The great danger is that with the ultimate and imminent completion of the A6 renovations, Mid Ulster sandwiched between two super roads, faces being bypassed by investment, industry, tourism etc., etc., unless steps are taken to provide this Sperrins super highway. Further that Council requests Officers to undertake research, majoring on economic, social and environmental hazards and benefits, expanding on work already done arguing for the Cookstown bypass.”

Councillor G Shiels moved the motion stating that;

“All the talk in the world of special trade areas or economic initiatives means nothing without good roads infrastructure. The Economic Fulcrum of any administrative area, especially one the size of Mid Ulster, is the roads infrastructure. The massively successful engineering story of Mid Ulster is intoxicating, but unfortunately the hangover is about to kick in. For hangover read, ‘the inertia and listlessness’ brought about by year on year stagnation of traffic, the slow but inexorable strangulation of the business and economic prosperity of Mid Ulster and untold damage caused to the health and wellbeing of subsequent generations of vulnerable young people and the elderly, being forced to inhale toxic fumes from vehicles stuck in traffic gridlock.

Isn’t it a contradiction that laws exist to protect individuals from being exposed to the effects of cigarette smoke in all of our public places, whilst the ultimate public space, the open air of our streets and towns, is subject to contamination akin to the ‘Smog Soup’ I remember seeing on old black and white TV’s during the 60’s. We are all culpable, as motorists, to some extent of corporate guilt. There is no point looking for the cure for there isn’t one, if a cure did exist we’d have already found it. There might though be a remedy. The remedy is to provide a Sperrins Super highway, a route 66, via proper bypasses at Cookstown, Dungannon and Moneymore and through that create a 100 Mile ring road in the centre of Northern Ireland channelling and equalising traffic.

It is imperative that the engineering, manufacturing industry in Mid Ulster can speedily source raw materials and equally important that the finished article, with added value can find an easy route to market. Movement of goods isn’t easy, industry is being strangled yet Magherafelt with its bypass is about to take off and conceivably leave Cookstown, Dungannon and Moneymore high and dry. When the A6 is complete from Londonderry

to the M2, we in Mid Ulster will be trying to attract tourists and coax them to come into the South West through Mid Ulster but motorists won't relish the thought of leaving a modern highway to sit in a traffic jam in Cookstown, Dungannon or Moneymore. My language attempts to paint a picture of a linkage between the M1 & M2 creating a 100 mile ring road taking in Belfast and bringing Mid Ulster in from the cold. This Sperrins super highway, Route 66 if you like. The A29 is the longest 'A' road in Northern Ireland, other than the meandering coastal A2. The journey from Portrush to Armagh after which the A29 ceases to be trunk is a distance of some 66 miles. So it's not slogans, but packaging. It is important that individuals can easily identify with the main thrust of the argument, so that collectively they too can become persuaders. This is where small short easily remembered key phrases are important. I suppose the verbal shorthand is – Soundbites. There really is an ongoing piece of work which the officers are best suited and qualified to undertake. That is to consult manufacturers, business leaders, tourism and communities to outline a campaign. Officers should not be starved of resources if there is a need to hire in experts to construct a document following a community plan type structure or maybe we could use the model of the community plan. This cannot be a political hot potato but each and every council member should have full access to progress update and to make representations on behalf of the community.

Defeatists, not in this Chamber I'm sure, will say, 'It will never happen.' However never is a long time, and yes, some might say we are like Don Quixote tilting at windmills. I say if the windmill is there, let's tilt away. The latest news on a Cookstown bypass and the initiative at the former Tyrone Brick site are grist to the wheel and fill me with optimism. I remember a Stormont Minister telling me when I bemoaned the fact that traffic was at a standstill in Magherafelt, 'Yes George I realise that Magherafelt could benefit from a bypass, but you must keep asking and making the arguments.'

So that's what we must do, keep asking ad nauseam. I have a soft spot for old Quizote I think he was no soft man and like Robert the Bruce's spider he kept trying and trying again. That's what we must do, try and try again, but meanwhile shout it from the rooftops."

Councillor Wilson seconded the motion emphasising that Councillor G Shiels was right in the fact that if the A5 and A 6 proceed Mid Ulster is stuck in the middle. He stated that Cookstown was starved of Invest NI land and part of the old area plan is that the East Distributor route be opened up to development land.

Councillor McNamee concurred with the sentiments stating that Council should lobby through MPs and MLAs and reflected that Chris Hazzard former Minister had provided £600k prior to the collapse of the NI Assembly, then the money was being sent to other schemes until Council had pressurised the Department and won the case. He further advised that the latest update on the Cookstown bypass scheme was that the Permanent Secretary had updated Michelle O'Neill MLA in that he had completed the termination to appoint Consultants which would lead to the publication of the environmental statement and draft vesting orders in 2020. He then emphasised that Council needed to hold responsible persons to the timetable and continue to lobby for Dungannon and Moneymore.

Councillor McFlynn stated that the SDLP welcomed the motion and concurred with previous speakers saying that the district had a major food engineering sector and the proposed bypass would enhance the economy of the major towns bringing improved safety for pedestrians highlighting the Magherafelt Bypass as an example. Councillor McFlynn stated that currently Moneymore and Dungannon were gridlocked both in the mornings and evenings and stated that Council had the opportunity to work towards a City Deal with partner Councils and asked if the suggested bypasses could be developed as part of this.

Councillor McGinley concurred stating that the project was aspirational as Department of Infrastructure roads was dealing with for example potholes significant investment is needed for such a scheme. He emphasised that Mid Ulster needed to link in with all routes and suggested that the route be named Route 32 as opposed to Route 66!

Councillor Cuthbertson welcomed the motion but referred to a motion moved in June regarding a bypass for Dungannon and sought an update.

The Chief Executive referred to Standing Order 19.14 and advised that permission of Council was required for any person who is not a member of the Council to address the meeting whilst a motion was under discussion.

Proposed by Councillor Cuthbertson
Seconded by Councillor Monteith

That the Chief Executive be permitted to provide an update regarding motion moved in June 2018 regarding a Dungannon Bypass.

The Chief Executive advised that the Planning Manager had initiated discussions on route options for a Dungannon Bypass and had drafted sketches accordingly. He further referred to the Transport Plans Project Board and advised that he sat on the board and advocated strongly in regard to the motion carried in June as the A29 corridor was crucial to the economy. The Chief Executive also referred to the Health Trusts remarks at the November meeting of Council stating how important it was to advocate for roads as good roads networks.

The Chief Executive advised that Council and its partners although in early stages would continue to lobby in relation to this. He also stated that in relation to securing the advancement of the Cookstown Bypass a cross party delegation to the Department had proven to be most effective and assured Members they would receive regular updates as and when information became available.

Councillor Monteith referred to discussion regarding the A29 and stated when the motion was moved at Council both himself and Councillor Gildernew had expressed concern about traffic congestion being pushed back to the Moy. He said he welcomed the motion moved by Councillor G Shiels and suggested a one-off workshop to look at all 'A' roads in the District and further suggested that Officers furnish Members with a report updating on progress since June. He reiterated the call for a workshop stating that Council and its Members put the 'shoulder to the wheel'.

The Chief Executive stated that the Planning Manager should be included in the aforementioned workshop as it would be useful to have his expertise. He further stated that they were roads issues and there was statutory procedures to follow but that a report could be brought to a workshop then Council could charter an action plan on the way forward.

Councillor Cuddy stated that the Planning Manager had a lot of knowledge on the scheme for a bypass in Dungannon over the years and stated that in a city deal strategic projects were identified then brought to Westminster and emphasised that a good strategic project was required that areas were not lobbying against each other. He emphasised that Mid Ulster had to be seen to mean business and send the message out that they were not prepared to take the scrapings. He stressed that all parties needed to buy in.

The Chair, Councillor McPeake concluded that there was agreement for a workshop.

Resolved That a workshop be organised to discuss A Class roads and routes for bypasses in the district.

The Chief Executive advised that reports on the City Deal would be brought through the Development Committee but emphasised that activity was still at a foundational high level economic analysis of the area and highlighted that the district had 25% of the population and one third of businesses from Northern Ireland were based in the district. He advised that efforts to engage key stakeholders were ongoing and emphasised that it was new territory for Council but to date all parties were very encouraging.

The Chair Councillor McPeake called upon Councillor G Shiels to reply to comment to close debate on the motion.

Councillor G Shiels stated that his late mother had used the saying, “*if you look after the heel and toe, the rest of the shoe will shine itself*” and stressed that Council must be correct in its terminology and lobby for bypasses not through passes.

The Chair Councillor McPeake stated as all parties had concurred the motion was carried.

The press and public left the meeting at 7.52 pm

Items restricted in accordance with Section 42, Part 1 of Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor McGinley
Seconded by Councillor Kearney and

Resolved: That items C298/18 – C304/18 be taken as confidential business.

Matters for Decision

- (i) Council Meeting Confidential Minutes of Meeting held on 22 November 2018
- (ii) Audit Committee Confidential Minutes of Meeting held on 27 November 2018
- (iii) Environment Committee Confidential Minutes of Meeting held on 3 December 2018
- (iv) Planning Committee Confidential Minutes of Meeting held on 4 December 2018
- (v) Development Committee Confidential Minutes of Meeting held on 5 December 2018
- (vi) Policy & Resources Committee Confidential Minutes of Meeting held on 6 December 2018

Documents for Sealing

- (i) Document for Sealing: Lease of lands at Knockmany Forest between the Department of Agriculture, Environment and Rural Affairs and Mid Ulster District Council

C305/18 Duration of Meeting

The Chair, Councillor McPeake wished everyone a happy and peaceful Christmas.

The meeting was called for 7 pm and ended at 7.57 pm

Chair _____

Date _____