

Minutes of Meeting of Mid Ulster District Council held on Thursday 15 December 2016 in the Council Offices, Circular Road, Dungannon

Chair: Councillor Wilson, Chair

Members Present: Councillors Ashton, Bateson, Bell, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Doris, Elattar, Gildernew, Gillespie, Glasgow, Kearney, Mallaghan, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McLean, McNamee, McPeake, Monteith, Mullen, C O'Neill, J O'Neill, M Quinn, T Quinn, Reid, Robinson, G Shiels and Totten

Officers in Attendance: Mr Tohill, Chief Executive
Ms Campbell, Director of Culture and Leisure
Ms Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Mrs Forde, Member Support Officer
Mr Kelso, Director of Public Health and Infrastructure
Mr McCreesh, Director of Business and Communities
Ms Mezza, Head of Marketing and Communications
Mr JJ Tohill, Director of Finance

The meeting commenced at 7pm

C259/16 Apologies

Councillors Forde, McKinney, Molloy, Mulligan and J Shiels

C260/16 Declarations of Interest

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

C261/16 Chair's Business

The Chair Councillor Wilson highlighted the undernoted achievements in the District and requested that the achievements be recognised as appropriate:

- Cookstown-based construction material manufacturers Keystone Group scooped the prize for Company of the Year;
- Brendan McGurgan of CDE Global awarded Young Director of the Year and Overall Director of the year;
- Mr J McGuckin, Chartered Institute of Personnel & Development Success at the DMS Awards 2016;
- Mid Ulster Bowling Team won the British Isles Top Team competition; and
- Councillor G Shiels Volunteer of the Year Award;

Councillor Ashton requested that the Chair forward an email to staff at Dungannon Leisure Centre to commend them for raising in excess of £1900 for Niamh Louise Foundation.

Councillor Reid declared an interest in the Niamh Louise Foundation

The Vice Chair, Councillor McAleer highlighted that Molly Curran from Ballygawley was Champion in both the Ulster and N Ireland under 13's Pentathlon and requested civic recognition.

Councillor McEldowney requested civic recognition for Slaughtneil Football, Hurling and Camogie in winning the senior Ulster championship.

Councillor Cuthbertson requested that congratulations be extended to the Planning Department for 'Movember' campaign which raised over £3k for Marie Curie

The Chair, Councillor Wilson clarified that following the adoption of the Policy and Resources committee minutes civic recognition requests would be submitted one week in advance of the meeting.

C262/16 Receive and consider minutes of matters transacted in "Open Business" at the Special Council meeting held on Thursday 17 November 2016

Proposed by Councillor Bell
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Meeting of the Special Council held on Thursday 17 November 2016 (SC29/16 – SC32/16), transacted in "Open Business" having been printed and circulated, subject to the foregoing, were considered and signed as accurate and correct.

C263/16 Receive and consider minutes of matters transacted in "Open Business" at the Council meeting held on Wednesday 23 November 2016

Proposed by Councillor Reid
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Meeting of the Council held on Wednesday 23 November 2016 (C238/16 – C251/16 and C258/16), transacted in "Open Business" having been printed and circulated, subject to the foregoing, were considered and signed as accurate and correct.

C264/16 Receive and consider minutes of matters transacted in "Open Business" at the Special Council meeting held on Thursday 1 December 2016

Proposed by Councillor S McGuigan
Seconded by Councillor McAleer and

Resolved That the Minutes of the Meeting of the Special Council held on Thursday 1 December 2016 (SC33/16 – SC38/16), transacted in “Open Business” having been printed and circulated, subject to the foregoing, were considered and signed as accurate and correct.

C265/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee held on Monday 5 November 2016

Councillor McNamee drew attention to E301/16 Provision of Road Signage and stated that he wished to propose option one which was detailed at the meeting that is the Road Name with upper and lower case to both Road name and townland in transport medium.

Councillor B McGuigan seconded the proposal.

Councillor Cuthbertson stated that the matter had been debated and agreed at the committee and thus he did not understand why it had to be raised again. He also made mention that the cream background to aid visually impaired was to be investigated to provide clarification.

Councillor Reid stated that he had done his own investigations and that those with impaired sight were not permitted to drive and by changing the background colour of the signs would be against the highway-code.

Councillor Kearney stated that within the minute he had not proposed option two, his understanding was that it was proposed by Councillor Buchanan and seconded by Councillor Glasgow but that there appeared to be confusion but his party preferred option one.

Councillor Glasgow concurred with Councillor Kearney stated that the committee had discussed at length that heavy black lettering would be more prominent as there was little broadband coverage in rural areas and thus satellite navigation was not always possible. He also clarified that there had been discussions in relation to road users with impaired sight but officers were to investigate.

Councillor Bell stated that although people with impaired sight were not permitted to drive they would walk and cycle along routes discussed.

Councillor McNamee reiterated his proposal.

Councillor Cuthbertson stated it was petty and if members could not turn up at committee then decisions should not be overturned. He further stated that it appeared that democracy suits at times.

The Chair, Councillor Wilson called for a vote on the proposal

FOR	24
AGAINST	10

Amendment carried

Proposed by Councillor Kearney
Seconded by Councillor McFlynn and

Resolved That the Minutes of the Meeting of the Environment Committee held on Monday 5 November 2016 (E296/16 – E312//16 and E323/16), transacted in “Open Business” having been printed and circulated, subject to the foregoing, were considered and signed as accurate and correct.

C266/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee held on Tuesday 6 December 2016

Councillor Mallaghan requested that item P190/16 ‘Report on wind turbine at Broughderg’ be referred back to committee pending further information.

Councillor Cuthbertson stated that the matter had been ‘thrashed out’ at committee and officers had stated there was nothing could be done. The Councillor also requested that it be put on record that the manner in which LA09/2016/1437/F Electricity sub-station at Ballygawley had been presented to the committee at the meeting on Tuesday 6 December was unacceptable and he felt the committee had been misled. He stated that he had written to the Planning Manager and in his absence had received a response from the Head of Development Management.

Councillor McLean requested that his objection to planning application LA09/2016/1474/F Public Art piece as part of Magherafelt Public Realm and town improvement scheme at 3 Spires Roundabout, Magherafelt be recorded. The Chair, Councillor Wilson recorded his objection also.

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Tuesday 6 November 2016 (P186/16 and P191//16 and P196/16) transacted in “Open Business”, having been printed and circulated, subject to the foregoing, were considered and adopted.

C267/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Wednesday 7 December 2016

Proposed by Councillor T Quinn
Seconded by Councillor McAleer and

Resolved That the Minutes and recommendations of the Development Committee meeting held on Wednesday 7 December 2016, (D262/16 – D279/16 and D284/16) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C268/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Thursday 8 December 2016

Councillor Ashton requested that the minute be amended at PR223/16 to include her name to the objectors.

Councillor Monteith in relation to PR225/16 acknowledged that the response was generic and proposed that it include that people should be able to register to vote and make application for identity cards at their local Council offices. The Councillor stated that not everyone was on line and he felt the service especially in rural areas should be made available. In response the Chief Executive stated that the provision of training for Council staff in relation to checking documents for proof of identification should be included.

Proposed by Councillor Gildernew
Seconded by Councillor Monteith and

Resolved That the Minutes and recommendations of the Policy and Resources Committee meeting held on Thursday 8 December 2016, (PR219/16 – PR229/16 and PR242/16), transacted in “Open Business”, having been printed and circulated, subject to the foregoing were considered and adopted.

C269/16 Conferences and Seminars

The Chief Executive referred to details of the undernoted conferences and sought approval for the attendance of Members and Council officers outlined in the report, the payment of attendance fees and associated costs as incurred.

- (i) Policy Forum for NI: Planning Reform in Northern Ireland
 - Thursday 23 March 2017, Belfast
- (ii) Officer Approvals

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Planning for Places	23 rd Nov	2	Belfast	Yes
Annual Local Authority VAT Conference	1 st Mar 17	1	London	Yes

Retrospective Approval Sought

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee
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				(Yes/ No)
Building Community Flood Resilience	6 Dec 16	1	Belfast	No
Environmental Crime Seminar	18 Nov 16	3	Belfast	No

In response to Councillor Reid's query it was confirmed that the recent conference organised by NILGA at Antrim Civic Centre at which some Members had been unable to attend had no conference fee.

Proposed by Councillor Mallaghan
Seconded by Councillor McAleer and

Resolved That the attendance of Members and officers, the payment of attendance fees and associated costs as incurred be approved, as required for attending Members or officers

Matters for Information

C270/16 Consultations notified to Mid Ulster District Council

The previously circulated paper on consultations notified to Mid Ulster District Council was noted.

Resolved That the consultations contained within the previously circulated report be noted

C271/16 Correspondence to Council

The previously circulated paper on correspondence to Council was noted. Councillor Cuthbertson stated that the response received from The Department of Infrastructure in relation to the cause of flooding at the Linen Green was pathetic.

Resolved That the correspondence contained within the previously circulated report be noted

C272/16 Consideration of Motions

C272.1/16 Councillor Glasgow to move

Councillor Glasgow requested that Council unite to oppose the decision made by the Minister for Communities not to transfer regeneration and community development powers to local Councils. He reminded the meeting that when Local Government reform was undertaken Council were given the powers of planning, which has been a huge success and has provided positive steps towards building the council area and assisting and enriching the lives of the people of the district. The Councillor posed the question as to why powers should be held back when it is clear that

council is achieving and asked if the Minister was afraid that Council may deliver more effective projects.

Councillor Glasgow stated that in April 2015 it was expected that regeneration and community development powers too would be transferred when the super councils went live and stated that three Ministers and a year later, the Council and the people of the district had been pushed to the side once again. The Councillor referred to Lord Morrow who was the Social Development Minister in January 2016 when he had advocated the importance of developing strong local government and the need to maintain the "very good relations developed between local government & DSD officials", reaffirming that regeneration powers transferring "will happen". The Councillor posed the question as to "what had changed?"

The recent Public Realm Schemes are a prime of example of Council understanding the work that is required to regenerate towns and villages stated Councillor Glasgow and made reference to the officer and Councillor teams who had engaged with people locally. The Councillor also made reference to the ongoing village plans and stated if regeneration powers were passed over Council could forge ahead with its community plan and stated that the longer the Executive held the powers the longer communities throughout Mid Ulster would be disadvantaged.

In conclusion, Councillor Glasgow stated that the whole purpose of local government reform had been for such powers as regeneration to be transferred to Councils. He quoted Minister Givan when he stated that, "There were numerous attempts to bring forward legislation and there wasn't consensus to do that and I'm clear now in this new mandate that I don't want to be involved in tinkering around who gets what, where the budget should be divided, it's about getting things done." Councillor Glasgow read the undernoted motion and sought support of Members.

"This council deeply regrets the decision of the Minister for Communities to refuse to devolve regeneration powers to local government. With planning responsibility, community planning and the power of competence, regeneration powers are the final element of a truly joined up and effective suite of powers designed to enhance and drive forward social, economic, environmental and community development to the benefit of all our citizens. Failure to devolve this power will severely limit the potential rewards arising from the reform of local government. This council calls upon the Minister to reconsider his position in the best interests of our citizens."

Councillor Cuddy seconded the motion.

Councillor McLean stated that firstly the motion needed put into context as at face value it was plausible as people would want additional powers. He stated that his issue as DUP group leader was that the motion was sent out by the UUP Executive as a 'one shoe fits all' approach. The Councillor also referred to a lack of maturity with power which unionists were witnessing in seeing their culture being eroded and declared that he was miffed that the UUP wanted to give Sinn Féin more powers and as such this was against the unionist people.

Councillor Kearney stated the powers should have already been transferred to Councils over 20 years ago and the decision to delay further undermines local government reform. He also added that Council had launched an excellent Economic Development Plan, had recently published the Community Plan for consultation and stated that regeneration powers would go hand in hand. The Councillor also made reference to the potential loss of European Funding and emphasised there was a pressing need for powers to be transferred. Councillor Kearney stated that his party supported the motion.

Councillor McPeake stated that Sinn Féin supported the motion and that powers should have been transferred prior to this as it would greatly assist Council in developing rural and urban areas. He referred to recent happenings at the Northern Ireland Assembly and stated that it was foolish of Councils not to seek more power and emphasised that Sinn Féin supported the motion.

Councillor Ashton stated that the motion did not focus on the lack of funding which accompanies the transfer of powers and stated that Council would be left strained endeavouring to deliver under pressurised budgets. The Councillor also emphasised that the Community Plan was a work in progress and Council had a 'lot on its plate'. Councillor Ashton concluded that the Minister wanted to work in partnership, that Council had plenty of powers and that the motion focused on party politics as opposed to delivery.

Councillor Monteith stated that the reality is that for the last 5 years when boundaries were being agreed the regeneration strategy approach and neighbourhood renewal was in total limbo and people were still waiting on a poverty strategy. With the promise of increased local powers in relation to regeneration people had been excited feeling that change would happen and now 2016 it had been announced this wasn't to be and rents continued to rise and people were living in deprivation.

Councillor Monteith was emphatic that he did not care about party politics if the powers transferred the budgets were to come as well and community expectation had been built up. He stated that Council would have done a better job than the DSD 'one size fits all' approach but deprivation continues and thus he would support the motion.

The Chair, Councillor Wilson called for a vote

FOR 29

AGAINST 6

The Chair, Councillor Wilson declared the motion carried.

C272.2/16 Councillor Mallaghan to move

Councillor Mallaghan read the undernoted motion and stated that it was a sensational achievement for clubs in the area and no slight on Councils investment into sports. He requested that Council staff contact the clubs to offer assistance

That this council sends its warmest congratulations to Slaughtneil Robert Emmet's GAC Ulster Senior Football Champions (3 in a row), Pomeroy Plunkett's GAC Ulster Intermediate Football Champions and Rock St Patricks GAC Ulster Junior Football Champions and seeks to recognise their significant achievement in the most appropriate way.

That this council looks to its rolling Sports Team Representative grant and assist these teams with their All Ireland Campaign.

Councillor Doris seconded the motion

Councillor M Quinn extended congratulations to the clubs and stated that hurling and camogie should also be included.

The Chair, Councillor Wilson said he would like hockey included and suggested Council inform all teams. In response Councillor Mallaghan stated he would amend the last sentence to read

“That this council engages with clubs to make them aware of the funding programmes”

Councillor Cuthbertson stated that all funding programmes were widely advertised. In response to Councillor Ashton's query with regard to maintenance grants the Chair stated they should have been issued first week of December.

Councillor McLean stated that the DUP did not agree with the motion.

The Chair, Councillor Wilson sought agreement for the motion and declared it carried.

Motion carried

Confidential Business

Proposed by Councillor McGinley
Seconded by Councillor Clarke and

Resolved That items C273/16- C282/16 be taken as confidential business.

The Chair, Councillor Wilson extended Seasons Greetings to the press following which they withdrew from the meeting at 7.27pm

C283/16 Duration of Meeting

The meeting was called for 7pm and ended at 8.25pm.

CHAIR _____

DATE _____