

**Minutes of Meeting of Mid Ulster District Council held on Thursday 24 January 2019 in the Council Offices, Circular Road, Dungannon**

**Chair** Councillor S McPeake

**Members Present** Councillors Ashton, Bell, Buchanan, Burton, Clarke, Colvin, Cuddy, Cuthbertson, Doris, Elattar, Forde, Gillespie, Glasgow, Kearney, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, D McPeake, Mallaghan, Milne, Molloy, Monteith, Mulligan, O'Neill, M Quinn, T Quinn, Robinson, G Shiels, J Shiels, Totten and Wilson

**Officers in Attendance** Mr A Tohill, Chief Executive  
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

**In Attendance:** **Representatives of South West Regional College**  
Mr McAlister Chief Executive  
Dr Cush, Innovation and Development Manager  
Mr Moss, Curriculum Manager

**Representatives of Northern Regional College**  
Mr Taggart, Vice Principal of Teaching and Learning  
Ms Kerr, Head of Performance and Planning

**Representative of Education Authority**  
Mr J Unsworth, Assistant Director of Education

The meeting commenced at 7 pm

**C001/19 Apologies**

None

**C002/19 Declarations of Interest**

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

**C003/19 Chair's Business**

Councillor Wilson advised that Mr Kenneth Reid had stepped down due to ill health and wished him a happy retirement as a councillor and introduced his replacement Councillor Robert Colvin.

The Chair, Councillor McPeake referred to an email received from Breakthru advising that they were in 'dire-straits' regarding funding and sustainability and suggested that Council meet with them to discuss. Councillor McPeake stated that it would be unhelpful if such an invaluable organisation was lost to the area. Members concurred.

**Resolved** That a meeting to be organised with Breakthru to discuss current funding crisis and future sustainability.

Councillor Clarke advised that he has been experiencing difficulties accessing the MyCmis app and was aware other Members had experienced similar issues.

He also stated that he had difficulty contacting the council offices on the 03000 132 132 number stating that he experienced it ringing a few times before ringing off. He expressed concern that if ratepayers were experiencing the same difficulties it was not good for the professional image of Council.

Councillor Burton concurred, stating she had similar experiences and when she did get through and re-directed, again you could be not get an answer.

The Chair, Councillor McPeake stated that Officers would review the situation.

The Chair, Councillor McPeake acknowledged the confirmation of the Peace IV project in Pomeroy valued at €6million and thanked officers for their diligence.

In response to Councillor Cuddy's question the Chair, Councillor McPeake advised that a letter is sent offering condolences to the family of employees of Council who pass away whilst in service.

## **C004/19      Deputation**

### **South West College, Northern Regional College and the Education Authority**

The Chair, Councillor S McPeake welcomed representatives of South West College to the meeting. Mr McAlister advised that the College was changing its structure to that of a faculty and highlighted that the further education sector was going through a major review with consultants from the Department for the Economy. He advised that some factors may impact on the overall funding and stated South West College was the largest training provider in Northern Ireland and were severely underfunded, thus unable to work as effective as they could with proper funding measures. Mr McAlister was emphatic that funding for apprenticeships should not be touched. He then together with Dr Cush and Mr Moss delivered a presentation (appendix 1) outlining the strategic priorities, innovations, economic development, delivery, skills focus, international partnerships and curriculum development.

*During the presentation Councillor Wilson and Head of Democratic Services left the meeting at 7.18pm returning at 7.25pm and 7.26pm respectively.*

In response to Councillor McGinley's question on specialised services, gamifying and the centre of excellence and if Council could help Dr Cush advised that the business case for

the 'Centre of Excellence for Engineering' was with the Department of the Economy. It was at an advanced stage but the lack of the Assembly was having an impact upon the project.

### **Northern Regional College**

The Chair, Councillor S McPeake welcomed representatives of Northern Regional College to the meeting. Mr Taggart and Ms Kerr delivered a presentation (appendix 2) highlighting key performance indicators for Magherafelt campus, new provision of courses, development plan and invited Members to forthcoming open days.

*Councillors Gillespie and M Quinn left the meeting during the presentation 7.29pm and 7.31 pm respectively*

*Councillor Gillespie returned to the meeting at 7.33pm*

### **Education authority**

The Chair, Councillor S McPeake welcomed representative of the Education Authority to the meeting. Mr Unsworth delivered a presentation (appendix 3) detailing Education Authority Services operating in Mid Ulster, key issues emerging from analysis of the current local provision report 2017-2020 and Annual Action Plans 2018/19 and 2019/20.

*Councillor M Quinn returned to the meeting at 7.35pm during the presentation*

*Councillor Cuthbertson left the meeting at 7.45pm during the presentation*

*Councillor Monteith declared an interest as a School Governor in a local primary school and had been involved in the Gaelscoil Aodha Rua, Dungannon*

Councillor Monteith expressed concern in relation to Education Authority planning for school places, highlighting that previously Council had carried out extensive lobbying for nursery and primary school places due to a severe shortage and that common sense would dictate that a few years down the line the children would be moving to post primary. He stated that last summer parents were distraught when trying to secure post primary places and some children were travelling a twenty mile round trip to attend post primary education. He stated that the presentation did not allude to this fact, which should have been predictable. Councillor Monteith proposed that Council seek a meeting with the Education Authority to discuss post primary school places.

Councillor Monteith also asked that it be recorded that he together with the local community had been dismayed with the Irish language had been removed from the Education Authority logo.

In response, Mr Unsworth stated he would take the comments back to the Education Authority.

Councillor Molloy concurred with Councillor Monteith's comments and spoke of the shared campus in Moy. He stated that Council were currently working with the Education Authority on leisure provision in Moy. He asked for an update on the campus. In

response, Mr Unsworth stated he did not have the information to hand and in the absence of the Northern Ireland Assembly made progress difficult but stated he would pass on the concerns to colleagues.

*Councillor D McPeake Left the meeting at 7.50pm*

Councillor Burton expressed dismay that Lisferty Primary School, a small rural school was on the 'hit list' and stated that if it closed it would take the heart out of the community. She also sought details on the enrolment plans for Aughnacloy Primary School highlighting that it was almost at full capacity and if it had to take students from Lisferty what would happen. Councillor Burton also highlighted that Richmond Primary School in Ballygawley site suffered with a lack of space for a sufficient play area and recreational facilities with children currently playing on a bank with trees on it. Councillor Burton was emphatic that children and parents deserve a good facilities for their children.

In response, Mr Unsworth stated he was not in a position to give detail regarding the aforementioned primary schools and that he would pass the questions to colleagues to address. He stated that the decision in relation to Lisferty Primary School was taken after a period of consultation and that colleagues were aware of the outdoor play restrictions at Richmond Primary School.

*Councillor D McPeake returned to the meeting at 7.53pm.*

Councillor Burton requested that if Councillor Monteith's proposal was resolved, rural proofing should also be added to the discussion.

Mr Unsworth stated that within the development of the three-year plan the Education Authority were actively seeking engagement with Councils to ensure Members have the opportunity to contribute and that the political parties were represented on the Board.

*Councillor McGinley declared an interest as a member of a board of governors*

*Councillor Wilson left the meeting at 7.57 pm*

Councillor McGinley sought clarity as to why Stewartstown Primary School was identified in a sustainable planning report and asked if this was an early warning alert for closure. He also asked what the Education Authority plans were for youth participation in Mid Ulster highlighting that areas had a youth council but it was not mainstreamed.

In response, Mr Unsworth stated matters concerning Stewartstown had been in the public domain as there were three schools with minimum numbers and advised there was currently no plan but there would be engagement. In relation to youth participation Mr Unsworth advised he would take the comments back to colleagues.

*Councillor Robinson left the meeting at 7.59 pm*

Councillor Glasgow sought clarity as to whether the Education Authority reports on potential closures had been rural proofed highlighting that two schools listed last year were appearing again, and using Churchtown Primary School as an example, stated its closure would take the heart out of the community. He asked where pupils would be

placed and stated as one school closes if they go to the next school it could be on the next list. He also highlighted school transport and stated that when he recently had telephoned the Education Authority regarding a transport matter they seemed to be experiencing similar telephone problems as aforementioned with calls not being answered and when answered no one there was able to answer the query. Councillor Glasgow expressed concern regarding online application process for school places as many rural communities do not have broadband, they cannot go to the school or use local library facilities as they have been closed.

*Councillor Wilson returned to the meeting at 8.00pm*

In response Mr Unsworth with regard to Churchtown Primary School stated that people would have the opportunity to express views but indicated that registration is low. He apologised about problems experienced with telephone calls and advised that the Education Authority were endeavouring to improve communications. He stated that rural proofing was taken very seriously by the Authority and that with regard to online services admission clinics was being run to endeavour to overcome difficulties but that he would take concerns back to colleagues.

*Councillor Robinson returned to the meeting at 8.03 pm*

Councillor McLean stated that it was clear coming from comments on the floor that there needed to be further discussions in relation to school closures. In relation to the Colleges presentation Councillor McLean commended the representatives on the ongoing work and said it was clear that both had continued to build on what had been reported last year. He stated that he was heartened by the enthusiasm of the leadership and that he looked forward to further development.

Councillor McAleer raised concerns about issues in the Clogher Valley area and asked if the Education Authority when making plans and looking at school closures took into consideration housing developments in the area. She mentioned St Brigid's and St Matthew's closing and pupils had been moved onto Ballygawley and now the schools were trying to cope yet in the area closest to school closures there were now 70 new houses and 29 more passed for planning. She added in a few short years a high probability of children requiring school places had materialised.

Councillor McAleer voiced concern that school closures then led to transport difficulties and stated that a lot of the planning just did not 'add up'. She called for a more holistic approach to school planning during which all factors would be considered and stated that Councillors were inundated with the problems people were experiencing in relation to school places and that the schools were not fit for purpose.

In response, Mr Unsworth referred to the earlier proposal for a meeting with the Education Authority and stated that the planning team, the colleges and Council for Catholic Maintained Schools should also be involved. He stated that the Education Authority strive to bring as much information to the table as possible when school planning and stated if there was areas where the information flow could improve they would look into it.

*The Chair Councillor McPeake read out registration numbers of cars to be moved*

*Councillor M Quinn left the meeting at 8.11pm*

Councillor McFlynn thanked the colleges for their presentations and commended them on progress made. The Councillor expressed concern regarding provision for children with special needs and stated that often they had to travel out of their area to attend school and sought an update on Kilronan, Magherafelt.

In response, Mr Unsworth stated that it had been announced earlier in the week that Kilronan, Magherafelt would be getting an upgrade. With regard to special needs provision he stated that the Education Authority was seeking to develop this area but provision could not be made at every school as the service had to be worthwhile and sustainable, thus it ends up in centres of higher population. He further advised that it was a matter for discussion at the Area Planning level.

Councillor McKinney thanked the organisations for their presentations and commended the South West College technology van, which Councillors had had the opportunity to view earlier in the evening. He then asked if plans for Desertmartin Primary School had been shelved in response to which Mr Unsworth advised he did not have a definitive answer but would report back on the matter.

*Councillor McLean left the meeting at 8.15pm and Councillor M Quinn returned*

In response to Councillor Wilson's question on places at two non-denominational schools in Magherafelt Mr Unsworth advised that one was a voluntary grammar school and could bring forward numbers in response to parental demand.

The Chair, Councillor S McPeake thanked representatives for attending and they withdrew from the meeting at 8.16pm

Proposed by Councillor Monteith  
Seconded by Councillor McKinney and

**Resolved** That a meeting be convened between Members and the Education Authority (EA) and Council for Catholic Maintained Schools (CCMS) to discuss post primary places and provision of primary schools (schools sustainability strategy)

*Councillor McLean returned to the meeting at 8.16pm*

## **Matters for Decision**

**C005/19 Receive and Consider Minutes of matters transacted on "Open Business" at the Council meeting held on Thursday 13 December 2018**

Proposed by Councillor B McGuigan  
Seconded by Councillor S McGuigan and

**Resolved** That the Minutes of the Meeting of the Council held on Thursday 13 December 2018 (C284/18 – C271/18 and (C297/18) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

**C006/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee meeting held on Monday 7 January 2019**

Proposed by Councillor Bell  
Seconded by Councillor J Shiels and

**Resolved** That the Minutes of the Meeting of the Planning Committee held on Monday 7 January 2019 (P001/19-P006/19 and P009/19-P012/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

**C007/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee meeting held on Tuesday 8 January 2019**

Proposed by Councillor Wilson  
Seconded by Councillor McNamee and

**Resolved** That the Minutes of the Meeting of the Environment Committee held on Tuesday 8 January 2019 (E001/19–E019/19 and E31/19) transacted in “Open Business” having been printed and circulated, were considered and adopted.

**C008/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Wednesday 9 January 2019**

Proposed by Councillor Kearney  
Seconded by Councillor McLean and

**Resolved** That the Minutes of the Meeting of the Policy and Resources Committee held on Wednesday 9 January 2019 (PR001/19–PR007/19 and PR008/19-PR021/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

**C009/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 10 January 2019**

Proposed by Councillor McAleer  
Seconded by Councillor Doris and

**Resolved** That the Minutes of the Meeting of the Development Committee held on Thursday 10 January 2019 (D001/19-D018/19 and D019/19) transacted in

“Open Business” having been printed and circulated were considered and adopted.

## **C010/19 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.

### **Northern Ireland Agri-Business – Beyond Brexit**

- Civic Centre, Craigavon
- Friday 8 March 2019
- Cost: £250+Vat, travel and subsistence

Proposed by Councillor Wilson  
Seconded by councillor Cuddy and

**Resolved** That Councillor Mulligan attend Northern Ireland Agri Business – Beyond Brexit Conference

### **NILGA Elected Member Workshops on Data and Evidence in Community Planning**

- Antrim Civic Centre
- Friday 15 February 2019
- Cost: Nil

#### **(i) Officer Approvals**

<b>Conference &amp; Seminar</b>	<b>Date</b>	<b>No. of Attendees</b>	<b>Location</b>	<b>Attendance Fee</b>
Hay Festival, Wales – Best Practice Visit (SHHP Growth Cluster)	5 <sup>th</sup> -6 <sup>th</sup> February 2019	1 Business Engagement Officer	Wales	Yes
NI Solace Conference	21 <sup>st</sup> February 2019	2 x Directors	Templepatrick	Yes
BCNI Fire Safety Conference	7 <sup>th</sup> & 8 <sup>th</sup> February 2019	2 x Building Control Officers	Armagh	Yes (1 free)
Sports Safety Conference	29 March 2019	2 x Principal EHO's	Garvaghey, Ballygawley	No

Proposed by Councillor McKinney  
Seconded by Councillor McLean 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.

### **C011/19 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.

*Councillor McFlynn left the meeting at 8.20pm*

Proposed by Councillor Milne  
Seconded by Councillor Gillespie and

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

### **Matters for Information**

#### **C012/19 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.

#### **C013/19 Correspondence to Council – December 2018**

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

Councillor McLean drew attention to correspondence from BT in relation to removal of payphone at Churchtown and proposed that the matter be referred to the Planning Committee who previously made recommendations in relation to landmarks in rural communities of which red telephone boxes were one.

Proposed by Councillor McLean  
Seconded by Councillor Mallaghan and

**Resolved** That correspondence from BT in relation to removal of pay phone at Churchtown be referred to the Planning Committee for consideration

Councillor Glasgow advised that the telephone kiosk in question had been set on fire and condemned such actions stating that they were shameful and highlighted that Council was endeavouring to preserve the phone kiosks and that the telephones could be used for emergency 999 calls. Members concurred.

*Councillor McFlynn returned to the meeting at 8.23pm*

*Councillor McAleer left the meeting at 8.23pm*

**C014/19      Notification of Changes to Committee Membership and Position of Responsibility**

Members noted previously circulated report to inform of changes made by the Nominating Officer of the Ulster Unionist Party, Councillor Wilson.

**C015/19      Notice of Motion**

Councillor Wilson referred to the motion he wished to move as undernoted:

*“That this Council acknowledges the importance of and contribution to the economy made by our town centres; reaffirms our commitment to develop and support town centre businesses, both with direct engagement and with general town centre activities to aid footfall; and recognises the need for rate reform and, in doing so, backs the call from Retail NI for “radical change” in relation to town centres”*

Councillor Wilson stated that he would commend Mid Ulster Council in all its efforts to promote town centres but stated that Council could not do it alone.

*Councillor McAleer returned to the meeting at 8.26 pm*

Councillor Wilson moved the motion stating that

“2018 was a difficult year for the United Kingdom’s high street as the months went on, it appeared more and more household name retailers were struggling. The problems for local retailers here however are exacerbated even further by the fact that households across Northern Ireland have less than half the discretionary spend of our neighbours in Great Britain. A major problem for our town centres and one somewhat out of our control is the wider shift in shopping trends, caused especially by the rapid growth in online retail. But it’s not just online that our high street businesses are coming up against, they are also at a major disadvantage to out of town developments, with consumers undoubtedly attracted by the hassle free car parking and the convenience of major retailers in one location. That is why it is important that I believe on street parking should remain free, especially in Cookstown! It is well known that Northern Ireland overall has a worrying shop vacancy rate with nearly one in seven units lying empty. It is far higher than the UK average and whilst some local towns such as Cookstown and Magherafelt are performing slightly better, unfortunately others such as Dungannon are higher than even the Northern Ireland average. Cookstown had a very successful ‘LOTS’ scheme and maybe that is something we could lobby for across our district town centres. This would encourage more people into town centres. But there is one thing in our control, which more often than anything else local businesses mention to me as a factor as to their long term viability on the high street – business rates. According to the strategic report from September 2018 entitled ‘Retail accommodation in Mid Ulster Town centres’, business rates here rose considerably from 36% of rent in 2002 to 46% of rent in 2012. Those figures are now seven years out of date, and as rents have continued to fall, I suspect there are now a number of businesses locally paying more in rates than on rent. That was never the intention and it just goes to show the level of rates burden being placed on some of our local businesses.

2019 is looking like it may be quite a difficult year for Northern Ireland and its economy. With the ongoing massive uncertainty in regards to Brexit and the ongoing challenges being presented by the Province entering into its third year of no Executive or functioning Assembly, businesses here are anxiously looking ahead. But the ongoing absence of Stormont now has the potential to do much more than just inflict major reputational damage to Northern Ireland.

For years the Department of Finance have been trying to scrap the small business rates relief and they nearly got their way last year. Whilst it was given a further extension I now fear that it is only a matter of time, given the fact we have no Executive before they eventually get their way. That would be yet another hammer blow to businesses with 23,000 across Northern Ireland benefitting from it. As far as my party and I are concerned instead of trying to scrap the relief, the local Department here should be trying to make it more effective by targeting varying levels of rate relief to the businesses that need it the most. Already new businesses here can no longer avail of 50% rates relief if they reoccupy premises which have been long term vacant. So instead of attracting new entrepreneurs and up and coming businesses, the units are being left empty with no rates at all being collected on them, It is a class example of why sometimes looking only at the cost of something, instead of the benefits that it delivers, is a really foolish way to make a decision. Local industry bodies such as RetailNI have also highlighted that the need for major businesses rates reform after it was announced in last year's Budget that independent retailers in England would be getting a third off their rates, while their Northern Ireland counterparts received no reduction. So whilst other parts of the UK are consciously supporting their town centres and small businesses here it looks like we are about to make things even more difficult for them. Whilst regeneration schemes in town centres, as well as the development of Business Investment Districts are providing some assistance in increasing footfall, the reality remains that for many businesses the single biggest support they could be given would be if we were to review the current business rating system, keeping what works and amending those areas which are now long out of date in this day and age of retailing."

Councillor Glasgow seconded the motion.

Councillor Molloy concurred with Councillor Wilson in support of town centres and stressed that it was no surprise that the high street was shrinking due to online shopping and out of town centres with shops under one roof. He stated that Council needed to be smarter in the future as time and again it receives bad press for extortionate rates on businesses yet the largest percentage of the rate goes to Central Government. He emphasised the importance of an alternative mechanism for rate relief or an incentive for businesses.

Councillor Monteith supported the motion and welcomed the discussion stating that Councillor Wilson had alluded to many comparisons between local shops here or in England. Councillor Monteith highlighted that a hairdresser in England would pay £4500 in rates the highest, yet here in the north they were paying £6000 in the Council areas with lower rated areas and maybe over £7000 in higher rated areas. He further emphasised that the figure quoted for England did not take into account the reductions in cities such as London. He highlighted that many of our local traders pay more in rates than rent and much more than their counterparts in England, Scotland or Wales, he stated that the justification for high rates was higher footfall but this was not the case. He

stressed that the rating system was not fit for purpose and had to change emphasising that unless radical action was taken towns would disappear thus it was vital to do something quickly as even established businesses were going to edge of town retail units. He stated that Council was quick to shout at other statutory agencies but must be mindful that they had themselves the responsibility to deal with some of the issues, for example, planning, as edge of town retail units were being granted planning permission through Council. Councillor Monteith highlighted the report of a recent consultant who had said carpark costs had no impact on town centres, yet people time and again say different and this was an issue Council could deal with. Councillor Monteith concluded saying that Council needed to look at its own responsibilities as well as that of others.

Councillor M Quinn concurred with Councillor Monteith stating that in the main towns and smaller towns had many empty retail units which is the focus point of much discussion yet as Councillor Monteith had highlighted Council seemed to dance around them. He stated that the SDLP would support the motion.

Councillor Buchanan commended the work of the Director of Business and Communities and town centre managers on their efforts and stated that people needed to shop locally.

Councillor G Shiels stated that he supported the motion. He spoke of retailers in Magherafelt in particular some of whom were investing in their properties to attract higher value tenants and the other end of the scale the small family businesses who were trying to keep the business going and maybe not even getting a living wage.

Councillor Cuddy stated that he fully supported the motion stressing that in what was the historic town centre in Dungannon there were so many empty units. He shared that the landlord of the CAB building paid £8000 in rates as well as insurance and thus there was little left to improve the building. He stated that landlords were sitting with empty units, family businesses trading for decades were hoping things will change but that overall moral amongst traders is low and that there was many issues but few answers. He stated that taxi companies had asked for a taxi rank and that although it would take time to establish at least if it was tried. He stressed that the issues had been well discussed with little by way of results and morale getting worse. Councillor Cuddy stated it was time for Members to get together and tackle the serious issues especially low footfall on the streets. He supported the motion.

Councillor Mallaghan concurred with many of the points highlighted but expressed concern about comments in relation to the planning committee and reminded Members that any one of them could call out a planning application and stated he was unclear as to what application Councillor Monteith was referring to.

Councillor Wilson in summary thanked Members for their support and suggested an amendment to the motion to write to the Department of Business and Communities as well as to Retail NI.

The Chair, Councillor McPeake put the amendment to the meeting and all concurred.

The Chair, Councillor McPeake put the amended motion to the meeting.

*“That this Council acknowledges the importance of and contribution to the economy made by our town centres; reaffirms our commitment to develop and support town centre businesses, both with direct engagement and with general town centre activities to aid footfall; and recognises the need for rate reform and, in doing so, backs the call from Retail NI for “radical change” in relation to town centres. That Council write to Department of Finance and Retail NI to seek meeting regarding in the support of rate reform in relation to town centres”*

All agreed.

The Chair Councillor McPeake declared the motion carried.

### **C016/19      Notice of Motion**

Councillor B McGuigan moved the motion as undernoted:

*“This Council opposes plans to develop a goldmine and processing (LA10/2017/1249/F) in the Sperrin’s and wider region. Given the serious health and environmental risks involved, this Council is opposed to the use of cyanide for mining purposes, which also contravenes the European Parliament resolution of 27 April 2017 on the implementation of the Mining Waste Directive (2006/21/EC)”.*

Councillor B McGuigan stating that

“The island of Ireland attracts visitors from all over the world who want to sample its culture, hospitality and an unspoilt natural environment which very few countries can rival. Mid-Ulster Council and its predecessor councils have sought to tackle years of under-investment west of the Bann by developing the obvious tourism potential of the area with a particular focus on sustainable tourism and sporting activities such as cycling. The new Dark Sky Observatory and Visitor Centre opening at Davagh is reflective of that approach where the natural environment can clearly complement and enhance the potential of the area to attract much needed income from visitors to the area. Since its inception, Mid-Ulster Council has worked closely with stakeholders such as Invest NI to create an environment which can attract international investment into the area to broaden the local economic base and to complement the extensive growth in recent years in small indigenous companies. It is clear that this approach is paying dividends as Mid-Ulster has had the highest economic activity rate and the highest employment rate across all eleven councils. That “open for business” approach is why we examine carefully every proposal which could help to sustain economic growth, particularly in light of the difficulties which Brexit can be expected to present for local companies seeking to grow their export business. But we need to be clear, Sinn Féin want to see the development of an economy which will serve our people, one which is consistent with the preservation of our local rural communities and one which enhances and supports the natural environment. We do not support, and we will not support any proposal which trades short-term economic benefit for a few people to the overall detriment of our area and which leaves a poisonous legacy for our children. This area is blessed with natural resources, resources which should be used sustainably for the good of all the people in the area and for the benefit of future generations. The planning proposal which

Dalradian have submitted for the extraction and processing of Gold and other precious metals at a Treatment Plant in the Greencastle area seeks to exploit those resources, not for the good of the people in the area but for the benefit of foreign investors and large shareholders. Furthermore there is clear and in our view irrefutable evidence of the long-term and lasting damage that this type of extraction process can have on a wide area. The excellent research which has been developed by the various campaign groups which have sprung up to oppose the development has identified many international examples where communities and their local authorities have been left to manage the devastation that has been done to local areas.

Sinn Féin has a clear and consistent policy on this type of development. At the party Ard Fheis in 2017, the conference passed a motion which made clear its opposition to the type of proposal which is currently being considered. The motion read, *“This Ard Fheis, recognises the environmental damage caused by precious metals mining and the extraction of Ireland’s non-renewable natural resources by large corporate entities with little or no benefit to local communities; Is opposed to the use of cyanide in mining due to its detrimental environmental and health implications;...”*

Our Party Leader in the six counties, Michelle O’Neill met with Dalradian last week to reiterate that opposition. It is clear that the short term economic benefits from the project, in terms of employment and revenue taken into the local economy, are far outweighed by the costs for this and for future generations of managing its poisonous legacy. The long term health problems of a project of the scale and nature proposed are a legacy we cannot leave to future generations. The toxic impact already on community relations within the area are but a foretaste of what is to come if this application is successful. As a Council, our first responsibility is to the people of Mid-Ulster – to this generation and to future generations. The health risks from the proposed use of cyanide and other poisonous substances are well documented. The leaching of toxic chemicals into the water supply and the devastation of our prized natural environment is too high a price to pay for a small number of short-term jobs. That is why in this Council and in three other Councils across the North, Sinn Fein is bringing forward the motion proposed. I am asking this Council to put the people of Mid-Ulster first and support this motion.”

Councillor Milne seconded the motion and stated that as a republican his first allegiance was to the people. He referred to the proclamation and advised that it did not just refer to the right of the people of Ireland but also referred to the ownership of Ireland thus its natural resources such as minerals, soil and resources.

*Councillor Glasgow left the meeting at 8.50pm*

Councillor Milne, stressed that Dalradian was reaping profits for its management board and shareholders regardless of the impact on the local area. He further stated that Britain has the potential to reduce standards following Brexit. He asked Members to remember that the Chief Executive of Dalradian would not have a processing plant on his door neither would his children suffer.

*Councillor Glasgow returned to the meeting at 8.51 pm*

Councillor Milne was emphatic that Council needed to take action or the children of the area would be left with a poisonous legacy beyond their control.

Councillor Monteith stated whilst he supported the motion as it stood he wished to propose an amendment

The Chair, Councillor S McPeake stated he had considered the amendment but ruled it out of order as it seeks to cover all of the region, not just Mid Ulster, and would place a greater burden on the meeting and Council. He said that the Local Development Plan would be considered at a special meeting of Council on 31 January 2019 and such issues would be considered there. The Chair concluded that to take such a course of action could leave the Council open to legal challenge.

Councillor Monteith stated that this was a ludicrous route and demonstrated that it was one rule for one and a different rule for others. He stated that he had brought the motion forward on behalf of some of those fighting the campaign and that he felt it was his duty to afford the people a democratic voice. He highlighted that SOS (Save Our Sperrins) was fighting the campaign day and daily and if their views could not be heard by the Council, then where? Councillor Monteith stated that the people campaigning had exposed the issue at grass roots level and it was a disgrace that the amendment would not be taken. He highlighted the personal cost to the campaigners and emphasised that the state and PSNI were rallying around the rich and arresting protestors. He further sent a message of support to the protestors. Councillor Monteith objected strongly to the ruling of the Chair, Councillor S McPeake but stated he would support the motion.

The Chair, Councillor S McPeake in response reiterated that there was a meeting regarding the Local Development Plan scheduled and Council could leave itself open for challenge, if the amendment was accepted.

Councillor McFlynn stressed that the impact of the situation if the processing plant was permitted could not be underestimated and shared that there was a deep sadness in the area at what is taking place. Councillor McFlynn stated that the SDLP would support the motion and stand by their neighbours in Greencastle.

Councillor Mallaghan urged Councillor Monteith to get behind the Local Development Plan and stated that Council would 'tie its hands' in making decisions going forward and reiterated that the Local Development Plan was the correct route through which to consider such options and that it would go through a consultation period.

Councillor Mallaghan stated that he came from a quarrying background spanning three generations and whilst he no longer worked in the industry highlighted that there was some great companies operating in the district. He emphasised that there was a distinct difference in mining for precious metals and the use of cyanide would result in accidents. He stressed his support for the reputable quarrying companies in the District and stated that prospecting was bringing a great divide to the community and urged quarrying companies to dissociate themselves from it. Councillor Mallaghan supported the motion.

Councillor McLean stated that his Party would not be supporting the motion. He said that the motion was the commencement of the Sinn Féin election campaign and an election stunt to coax people to support them. Councillor McLean said that Sinn Féin were now speaking about environmental issues having bombed the landscape, people and property for years.

The Chair, Councillor S McPeake called on Councillor McLean to withdraw his statement or cease speaking having made an accusation against Sinn Féin.

Councillor McLean was emphatic that he would not withdraw the statement and stated that the Chair, Councillor S McPeake was silencing him as he did Councillor Monteith.

The Chair, Councillor S McPeake said that Councillor McLean was stating untruths.

Councillor Clarke stated he lived approximately three miles from the site near the Broughderg River, which flows, to the Owenkillev River and if cyanide leaked into a river, the whole Foyle system would be destroyed. He spoke of the River being a breeding area for salmon, sea trout and mussels and the environmental impact of a leak. The Councillor advised that 1.5 meters of rain fell in the area annually and the site was on top of a hill, he stated that the scheme was hare brained built on the nonsense of great jobs and financial gain for the area. He drew attention that government had supported this yet there would not be a penny of tax paid. Councillor Clarke declared his support for the motion and stressed the importance of the Local development plan scheduled to the discussed in the following week.

Councillor Wilson stated that the issue was an emotive one both outside and inside the Chamber but stated that in his opinion the Chair had been wrong in silencing previous speakers but it was the prerogative of the Chair to do so.

He advised he had attended meetings regarding the matter but still had not grasped all of the facts and at first had not realised that cyanide was to be used. He shared that he had googled its use to discover that it was being used in County Meath for the last 30 years, he acknowledged the numbers of people employed by the mining industry, the fact that the application in question was outside of Mid Ulster and stated there had to be a happy medium. Councillor Wilson suggested that Council invite County Meath Council to a meeting to discuss how they had come to terms with the use of cyanide and its impact on the local community.

Councillor B McGuigan referred to Councillor Wilson's comments with regard to the use of cyanide by Tara mines in County Meath. He stated, like other Members he had attended meetings which had provided very detailed information from examples throughout the world and that it had been reported cyanide was the cheapest way to blast but there was other processes. Councillor B McGuigan had stated he had attained sufficient information to know that Council did not need or should want it used in the area. Councillor B McGuigan stated that every proposal should be looked at in its own right at which time the needs of the people and the strategy for the area could be considered. He concurred with Councillor Mallaghan in separation of aggregate mining and that of precious metals which should not be under the same umbrella.

Councillor Wilson on a point of clarification stated he did not mention Tara mines but had asked if County Meath Council should be invited to come.

The Chair, Councillor S McPeake stated that he would take that.

The Chair called for a vote on the motion.



For	23
Against	9
Abstained	5

The Chair, Councillor S McPeake declared the motion carried.

*Councillor M Quinn left the meeting at 9.12pm*

## **C017/19      Notice of Motion**

Councillor Ashton moved the motion stating that

“The NI Air Ambulance needs no introduction. This life saving service works in partnership with the NI Ambulance Service. Can I at this point commend the great work of the men and women that operate this service and the great partnership that saves so many lives. The costs surrounding the helicopter relies solely on the good will of the general public. Mr Chairman this service needs a sustainable income to ensure the helicopter keeps flying. In 2018, the Air Ambulance Service has been deployed 46 times into Mid Ulster. Indeed Members this Council has even benefited directly from this service when one of our refuge collectors was involved in a serious road traffic collision and had to be cut out of one of our lorry’s and was air lifted to hospital. If it wasn’t for the Air Ambulance this employee would not have received the lifesaving treatment he required so quickly. Members questions I’m sure you are asking is about the precedent this motion sets. We support on a monthly basis a range of community, not for profit and charitable organisations. I however would argue that the NI Air Ambulance should be supported by the Government and not have to rely solely on charitable donations. This Service should be the same as our Police cars, Ambulances and fire engines. Some may say this is a Stormont Responsibility. For members information the current arrangement is that the NI ambulance service, provide the medical crew, medicines and equipment which is funded by Stormont. Unfortunately members we now find ourselves in a political vacuum now that Stormont has been off the scene for over two years. However if the Executive reform in the morning then yes lets go to Stormont and tell them we want to see Central Government fully support this service.

The Air Ambulance service costs approximately £2 Million annually just to keep it in the air. This is a huge amount of money to rely on public donations and I have no doubt members if this service was to be lost in the morning due to funding we would be up in arms. This is our opportunity to provide some level of assurance to the NI Air Ambulance. A Service that serves our whole community regardless of what background you are from. Members will ask where I intend to get this funding from. Mr Chairman having spoken with a number of members across the parties I am happy for the financial part of this motion to have further discussion at policy and resource if Members are of the mind to consider supporting this service. Mr Chairman I believe that this Council can be the leader on this issue and send a message out to the other Councils that they all benefit from this service and should be financially supporting it and I would welcome if this Council would write to the other Councils to seek financial support. Mr Chairman I believe this service speaks for itself and therefore propose the motion as presented with the financial element referred to the Policy and Resources Committee for discussion and decision.”

Councillor Ashton moved the motion as undernoted

*“That this Council acknowledges the great work of the NI Air Ambulance. This life saving service has had to be deployed 33 times to the Mid Ulster area during the first 10 months in 2018; And that this Council recognises the significant public fundraising efforts to keep the NI Air Ambulance operational and contribute 1/11 (£181,818) of the running costs of the NI Air Ambulance which currently is 2 Million pounds annually; And furthermore this Council writes to the other 10 Councils urging them to match Mid Ulster District Councils Commitment.”*

*Councillor B McGuigan left the meeting at 9.15 pm returning at 9.17pm*

Councillor Burton seconded the motion and highlighted the invaluable service provided by the Air Ambulance NI. She spoke of a visit to their premises at the Maze when she had the opportunity to tour the base, hear of the remit of the work and pass on her gratitude to them for same. Councillor Burton advised that there was huge support and need for this service right across Northern Ireland but no more so than in Clogher Valley when as recently as New Year's Eve the NI Air Ambulance had to be deployed to Aughnacloy to a serious accident.

Councillor Burton advised that prior to the NI Ambulance being launched the province was the only area in the UK without a helicopter emergency medical service. She spoke of the rural district of Mid Ulster and the lives already saved by the service provided highlighting that the statistics demonstrate the dire need for the service given that 60% of incidents are road traffic collisions, industrial and farming accidents the district really needed it as it had poor road infrastructure, was the largest industrial base outside Belfast and was rural. Councillor Burton highlighted that the service had been deployed 762 times since its formation and commended the public for the huge fundraising efforts made in the absence of Government support and spoke of services challenge in securing £2m annually for helicopter operations. Councillor Burton spoke of the part played by NILGA in advocating the work of Air Ambulance NI, show-casing them at their annual conference at which people had the opportunity to give donations.

Councillor Burton stressed the need for sustainability for the organisations and the funding required helicopters, pilots, fuel, insurance, hangars, medical crew control room, charity governance and staff infrastructure. Concluding Councillor Burton stated that in the absence of an Assembly what is key is that Air Ambulance NI is providing a national emergency service and is totally dependent on the good will of the community to keep going. Councillor Burton stated she had no hesitation in seconding the motion and urged others to support it stating that together with NILGA and the other 10 Councils the policy should be challenged that a national emergency service is delivered by a charity.

Councillor McGinley stated he supported the motion. He referred to the comment of Councillor McLean in previous discussion regarding election mode he stated that this point had been made to him regarding the Air Ambulance motion but he had responded saying that they were all colleagues and he would support the motion. He highlighted the statistics in the number of callouts at 672 with 36 times in the district and recalled how the then Minister for Health Michelle O'Neill had launched the Air Ambulance. Councillor McGinley supported the financial impact of the motion being referred to Policy and

Resources and stated that the motion should stop at the word operational with the remaining elements being referred back to committee.

Councillor Kearney pledged his support to the motion stating that it had been called out regularly to farming, road and sporting accidents and given the poor ambulance response times in the district it was much needed. Councillor Kearney spoke of his late sister who 18 years ago went to hospital by air ambulance to England, although her life wasn't saved in the aftermath of her death the local community raised money to support such services.

Councillor Wilson stated that there wasn't one in the Chamber who would disagree that the air ambulance provides a valuable service and spoke of the years the province was without the service and how the then Minister Michael McGimpsey signed off on the project. He reflected on the valuable service provided, the call outs to the area and the much needed financial resources commending the public on their generosity which has kept it going. Councillor Wilson emphasised that the services needed to be sustainable and not reliant on charity. He supported the motion with the financial element of it to be discussed at Policy and Resources committee.

Councillor Monteith supported the motion but stated that it was interesting that this motion is allowed to set Council policy but when it does not suit Sinn Féin, no one is allowed to set it. He stated that he was content that the financial element of the motion be referred to Policy and Resources Committee. Councillor Monteith commended Councillor Ashton on the motion.

Councillor Ashton in conclusion stated that she was pleased to have full party support for the motion and that the motions debate was finishing in a more positive place. Councillor Ashton moved the motion as undernoted.

- (i) *"That this Council acknowledges the great work of the NI Air Ambulance. This life saving service has had to be deployed 33 times to the Mid Ulster area during the first 10 months in 2018. And that this Council recognises the significant public fundraising efforts to keep the NI Air Ambulance operational*

*To be referred to Policy & Resources Committee*

- (ii) *contribute 1/11 (£181,818) of the running costs of the NI Air Ambulance which currently is 2 Million pounds annually;*
- (iii) *furthermore this Council writes to the other 10 Councils urging them to match Mid Ulster District Councils Commitment".*

As all were in favour of the motion the Chair, Councillor S McPeake declared the motion carried.

*The press and public left the meeting at 9.26 pm*

*Councillor Mulligan, Robinson and M Quinn left the meeting at 9.26pm*

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

Proposed by Councillor Clarke  
Seconded by Councillor Molloy and

**Resolved:** That items C018/19 – C028/19 be taken as confidential business.

**Matters for Decision**

- (i) Council Meeting Confidential Minutes of Meeting held on 13 December 2018
- (ii) Planning Committee Confidential Minutes of Meeting held on 7 January 2019
- (iii) Environment Committee Confidential Minutes of Meeting held on 8 January 2019
- (iv) Policy & Resources Committee Confidential Minutes of Meeting held on 9 January 2019
- (v) Development Committee Confidential Minutes of Meeting held on 10 January 2019
- (vi) Somme Park, Killyman Play Park Lease Agreement
- (vii) Coalisland Public Realm – Contract Award
- (viii) Heaney Trails Interpretation
- (ix) Davagh Forest Outdoor Experience (Phase 2) – Capital Project
- (x) Village Programme, Group 3 – Capital Project

**Matters for Information**

- (i) Document for Sealing: Conveyance between Mid Ulster District Council and Robert Thomas Ferguson in relation to lands situated at Coagh Road, Stewartstown

**C029/19      Duration of Meeting**

The meeting was called for 7pm and ended at 9.47pm

Chair \_\_\_\_\_

Date \_\_\_\_\_