

Minutes of Meeting of Mid Ulster District Council held on Thursday 22 June 2023 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair Councillor Molloy

Members Present Councillors Black, Bell*, Brown, J Buchanan, W Buchanan, F Burton, J Burton, Carney, Clarke, Corry*, Cuthbertson, Forde, Gildernew, Graham, Groogan*, Johnston, Kelly, Kerr, Mallaghan, Martin, McAleer, McElvogue, McFlynn, McGuigan, McLean, McLernon, McNamee, D McPeake, S McPeake, McQuade, Milne*, Monteith, Quinn, Robinson, Varsani and Wilson

Officers in Attendance Mr McCreesh, Chief Executive
Mr Black, Strategic Director of Communities and Place (SD: C&P)
Ms Campbell, Strategic Director of Environment (SD: Env)
Ms Canavan, Strategic Director of Organisational Development Strategy and Performance (SD: ODSP)
Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E)
Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD: ODSP)
Mr Tohill, Strategic Director of Corporate Service and Finance (SD: CS&F)
Ms Keys, Marketing and Communications Manager*
Mr McKeown ICT
Mrs Forde, Committee and Member Services Manager

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

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

C109/23 Notice of Recording

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

C110/23 Apologies

Councillors Cahoon and Totten

C111/23 Declarations of Interest

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

Councillor Kerr declared an interest in Project Stratum as his employer was a Contractor.

Councillor Kerr declared an interest in Coalisland Food Bank.

The Chair, Councillor Molloy declared an interest in Dungannon Enterprise Centre

Councillor J Burton declared an interest in Dungannon Enterprise Centre

C112/23 Chair's Business

The Chair, Councillor Molloy opened the meeting by saying

"Members, the time has gone by so fast since our AGM that it is hard to believe that I have already completed my first few weeks as Chair, and they have been a busy few weeks indeed and I thank all those who welcomed me at various events.

One of my very first engagements was to open our first Mid Ulster Housing Conference as we lead the way in tackling the need for housing in our district. The multi-agency conference held in Burnavon Arts Centre, Cookstown was a major success.

It is an important first step as we look to provide the affordable and comfortable homes that all our residents deserve. It is very clear that it's not just about building more houses; it's about delivering the right type of homes in the right areas. By bringing people together like this and working in partnership, we are starting the journey to make homes available for those who need them.

Given that grassroots sport is one of my priorities this year, I was pleased to see the recent announcement of 415 projects awarded a total of £625K in grant aid by Council. This huge amount awarded will help to support a range of activities in not only sports, but also arts and culture, community and strategic events, as well as community development and good relations projects.

Speaking of sports, it was an honour this week to be invited to meet with organisers and participants from Ethnic Minority Sports Organisation NI at Mid Ulster Sports Arena for another heat of the Confederations Cup and to hear more about their passion not just for football but to celebrate our cultural diversity. Mid Ulster is one of the most diverse council areas here and sport can bring everyone together in a positive way. Staying on sport I wish to extend sincere congratulations to Sammy Jo Sweeney on winning double gold at the Special Olympics World Games in Berlin and to cyclist Darren Rafferty who put in a huge week to finish a close 2nd at the u23 Giro d'Italia. I was privileged to meet some of the younger residents of our district last week at the Eco-Schools Northern Ireland Official Green Flag Awards at Hill of The O'Neill & Ranfurly House. These awards are a celebration and a formal recognition of the

incredible environmental work that schools have taken on and undertaken over the last two years. An astonishing 22 schools in Mid Ulster received their Green Flag this year. It reassures me to know that so many of our young people are this passionate about protecting our environment and the world we live in. But by far and away the most rewarding engagement was a visit this week to Oakridge Senior Education Centre for Disability Learning Week. It was humbling to see the unbelievable work by staff in buildings not fit for purpose. Some of our most vulnerable people are being poorly served on a daily basis, we must continue to apply pressure from all directions to ensure a new build is delivered as soon as possible.

Lastly, on behalf of the entire Council, following the sudden death of a long-term allotment holder at Dungannon Park allotments on Sunday, I would like to extend my deepest sympathies to those bereaved and all who are grieving such an unexpected loss at this difficult time. I would also like to thank and pay tribute to the other allotment holders and Council staff who gave immediate assistance at the scene, as well as members of the emergency services and air ambulance who were in attendance. I also extend sympathies to all those within the Council who have lost loved ones recently.

That concludes my remarks for this evening. Thank you.”

The Chair, Councillor Molloy called on Councillor D McPeake to speak.

Councillor D McPeake thanked the Chair, for the opportunity to pay tribute to former Magherafelt Cllr John Hurl who passed away on 23rd of April. He said that ‘Big John’ had served two terms on Magherafelt Council between 1989 and 1997 and had covered much of the area of the current Ballymaguigan ward containing Ballymaguigan and Newbridge. He shared that John had been the first Sinn Féin chairman of Magherafelt Council in 1995/96. Councillor D McPeake concluded by extending condolences to John’s wife, son and daughter on his passing.

The Chair, Councillor Molloy called on Councillor McLean to speak.

Councillor McLean paid tribute to those named on the King’s honours list making particular mention of Councillor Anne Forde who received a BEM on services to the community, Mary McGee who had received an MBE for her work in tourism commenting on her effort and enthusiasm she had for her work and Ian Henry of Henry Brothers. He concluded by offering his congratulations to all and proposed that the Chair of the Council forward letters of congratulations to all recipients of King’s honours who resided in the district.

The Chair, Councillor Molloy acknowledged many in the district considered it to be a great honour and agreed to send letters.

Resolved That the Chair, on behalf of Council write letters of congratulation to district residents highlighted on the King’s Birthday Honours List

The Chair Councillor Molloy called on Councillor McLernon to speak.

Councillor McLernon said, "Thank you Chair, I would like to raise here in the Council tonight the issue relating to many families who have children with special educational needs who are entering nursery or P1 this September, and who are still waiting for their child to be offered a school placement, when we are just a few days away from the end of the academic year.

As I am sure everyone here tonight would agree, this is an outrageous situation, and is adding to the stress and anxiety of vulnerable children and their families.

Children with special educational needs require the highest level of support in our schools to ensure they have the best start in life. There are 1151 schools here in the north, 39 of which, are special educational schools. The majority of pupils with special educational needs are taught in mainstream schools, including those pupils who attend specialist units attached to mainstream settings.

I fully appreciate that developing adequate services in response takes time, funding and resources, and its more than just finding a place for a child, but rather finding the child the right place, suitable to their individual needs. However, as demand has risen, any advances in provision here has failed to keep up. This is happening in a context where spending per pupil here is much lower than in England. There should be proper investment in our education system to ensure positive outcomes for children with SEN and their families. Cuts to education funding, as a result of a Tory budget, has targeted the most vulnerable children in our society. The Education Authority has a statutory duty to secure provision for pupils with special educational needs. They are responsible under SEN legislation for identifying, assessing and making provision for children with special educational needs.

I therefore would like to make the proposal here tonight with agreement with members that the Mid-Ulster Council write to the Education Authority on behalf of its citizens to request that children with special educational needs are offered a school place urgently, and without delay.

Proposed by Councillor McLernon
Seconded by Councillor Carney and

Resolved That Council write to the Education Authority on behalf of its citizens to request that children with special educational needs are offered a school place urgently, and without delay.

The Chair, Councillor Molloy, called on Councillor Cuthbertson to speak.

Councillor Cuthbertson spoke of the massive work carried out in Coolhill Cemetery in the past year and how the second contract for grounds work which was more sensitive had commenced on 6 April but has seemed to have ceased. He said there was a lack of progress and he had been advised that the contractor had moved off site and sought clarity on the status of the contract and what assurances could be given to families concerned about loved ones graves.

The chair, Councillor Molloy said the issue was sensitive.

The SD: Environment said it was a contractual issue and the legal team was currently working on the situation and thus she could not comment. She advised that some interim work had been completed and council was working towards a resolution as soon as possible.

The Chair, Councillor Molloy said an update would be given at the Environment Committee.

Resolved That an update be provided to Environment Committee in relation to contractual issues at Coolhill Cemetery Works

The Chair, Councillor Mallaghan spoke of residents making contact with him regarding complaints about Fibrus highspeed broadband. He said people were experiencing difficulties to get through to stakeholders, that the turn around speed in returning calls was in some cases one, two or up to six weeks. He proposed that Council write to request a dedicated Elected Member Hotline and also an improvement on call response times.

*Proposed by Councillor Mallaghan
Seconded by Councillor Wilson and*

Resolved That Council write to Fibrus requesting an Elected Member Hotline be provided; and that turnaround response times to customer calls in relation to broadband speeds be improved.

The Chair, Councillor Molloy in drawing Chair's business to a close said that, "those of you who have previously worked with me as a committee chair will know I try to chair meetings in a fair and positive manner, giving members the opportunity to speak on issues but at the same time keeping the meeting efficient. We have a full list of Standing Orders, I would respectfully ask that all Members familiarise themselves with these, particularly Standing Orders 13, 14 and 15 which are designed to aid the flow of meetings. For requests to raise issues under Chairs Business, it would be greatly appreciated if members give at least 3 days' notice with the very odd exception in emergencies. If a matter is deemed to be an issue for a relevant committee then that is where it will be directed to."

Matters for Decision

C113/23 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on 20 April 2023

*Proposed by Councillor Quinn
Seconded by Councillor McNamee and*

Resolved That the Minutes of the Council held on Thursday 20 April 2023 (C088/23 - C100/23 and C108/23) transacted in Open Business having been printed and circulated were considered and adopted.

C114/23 Receive and Consider Minutes of matters transacted in "Open Business" at the Annual Council Meeting held on 5 June 2023

Proposed by Councillor Kerr
Seconded by Councillor McLean and

Resolved That the Minutes of the Annual Meeting of Council held on Monday 5 June 2023 (AC1/23 - AC11/23) transacted in Open Business having been printed and circulated were considered and adopted.

C115/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 12 June 2023

Proposed by Councillor S McPeake
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Planning Committee held on Monday 12 June 2023 (P047/23 – P055/23 and P064/23) transacted in Open Business having been printed and circulated were considered and adopted.

C116/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 13 June 2023

Proposed by Councillor McAleer
Seconded by Councillor McLernon and

Resolved That the Minutes of the Policy & Resources Committee held on Tuesday 13 June 2023 (PR089/23 – PR100/23 and PR110/23) transacted in Open Business having been printed and circulated were considered and adopted.

C117/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on Wednesday 14 June 2023

Councillor Mallaghan brought to the attention of the meeting an extreme set of circumstances which took place at the Environment Committee. He advised that when the roll call was taking place most members responded by saying in Irish ‘anseo’ which translated means here/present. Councillor Mallaghan said that there was a difficulty in understanding that this meant the Member speaking was present even though in many cases the people were in the room. He said he was unsure whether the Chair was experiencing a difficulty or whether it was a displeasure for the Irish language. Councillor Mallaghan said if it was the latter all must be mindful that the Irish language had an equal footing and must be treated with respect. He said Council had one of the most progressive Irish language policies across the North and Councils branding which was dual language demonstrated this. He also stated that the British Government was a signatory of the European Charter for Minority Languages and had a duty and care to protect them. He said that Sinn Féin would be taking advice from the Northern Ireland Local Government Commissioner

for Standards (the Commissioner) and would be keeping a watching brief that the NIPSO Code of Conduct for Members was adhered to all times.

Councillor Kerr drew attention to E128/23 Dual Language Surveys: and requested that the appendix to report that the letter detailed as Mill Race, Dungannon be amended to Mill Race Coalisland.

Councillor Kerr acknowledged Coalisland Fianna G.F.C who helped organise a recent cleanup. He also requested an update on the public consultation on recycling centres that was agreed at the February Council meeting.

The Chair, Councillor Molloy advised that the item was not on the agenda thus would be referred back to the Environment Committee for update.

Proposed by Councillor Quinn
Seconded by Councillor McAleer and

Resolved That the Minutes of the Environment Committee held on Monday 14 June (E115/23 – E131/23 and E139/23) transacted in Open Business having been printed and circulated were considered and adopted.

C118/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 15 June 2023

Proposed by Councillor McNamee
Seconded by Councillor Clarke and

Resolved That the Minutes of the Development Committee held on Thursday 15 June 2023 (D076/23 – D080/23) transacted in Open Business having been printed and circulated were considered and adopted.

C119/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 19 June 2023

Councillor Ann Forde drew attention to discussion D091/23 Affordable Warmth Scheme and suggested that Council should also have a meeting with Department for Communities as it was they that have redirected the funding to the Northern Ireland Housing Executive.

The Chief Executive indicated the request could be progressed.

Resolved That Council request a meeting with Department for Communities to discuss issue with reallocating of funding to Northern Ireland Housing Executive to deliver Affordable Warmth Scheme.

Councillor Kerr drew attention to D079/23 Chair’s Business with regard to the blue/green algae in the Lough. He advised that he had been contacted by residents from Brocagh in relation to a foul odour and asked if this could be investigated and if

NI Water could be invited to the meeting with NIEA as the Lough was a source of drinking water.

The Chair of the Development Committee Councillor McNamee agreed.

Resolved That NI Water be invited to the proposed meeting with NIEA to discuss present water quality in Lough Neagh.

Councillor Kerr drew attention to D086/23 and spoke of the huge financial burden the purchase of school uniforms and 'pe' kits in particular have on families. He asked if Council could co-ordinate the role of charities working to alleviate these pressures.

The Chair, Councillor Molloy advised that this had been the crux of his proposal at the development committee that council would coordinate the charities and public in a uniform exchange.

Councillor Kerr also asked that a report detailing statistics of foodbank usage be brought to a future meeting.

Councillor McNamee in relation to earlier discussion on affordable warmth scheme advised that the purpose of the meeting with the NIHE was to see how they would deliver the scheme but said he had no objection to meeting with Department for Communities also.

Proposed by Councillor McNamee
Seconded by Councillor Quinn and

Resolved That the Minutes of the Development Committee held on Monday 19 June 2023 (D081/23 – D095/23 and D100/23) transacted in Open Business having been printed and circulated were considered and adopted.

C120/23 Conferences, Seminars and Training

The HoSS&E sought approval for the previously circulated report on conferences, seminars and training as outlined in Appendix A of the report.

Proposed by Councillor Quinn
Seconded by Councillor McLernon and

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

C121/23 Civic Recognition Requests

The HoSS&E sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated Council Policy, and as detailed within the report at Appendix A.

Councillor McLernon advised that Sammy Jo Sweeney had won two gold medals at the Special Olympics and requested that they be added to her achievements and also that both her name and Councillor Carney's be added to nominations for for Brocagh GAA, Celebrating 100 years; Clonoe O'Rahillys, Under 15s, Intermediate League; Eamon Quinn, Sammy Jo Sweeney, and Raymond Singleton, Representing Ireland in the Special Olympic World Games.

Councillor Kerr concurred with the update of Sammy Jo Sweeney's achievements.

Councillor S McPeake said he had nominated a number of people for civic recognition prior to the election and requested that Councillor Kelly's name be added to them.

The Chair, Councillor Molloy stated that this was acceptable and should others wish to add names to nominating Councillors they should do so.

Councillor Mallaghan said that the civic recognition working group had met and a report had been brought to the Policy & Resources Committee in November 2022 to look at a way forward in making awards more meaningful. He said the aspiration of the group had been to have the work completed prior to the new council term and it was disappointing that it had not happened. He requested that a meeting of the civic recognition working group be progressed with immediate effect.

Councillor McLean said he would propose that Policy & Resources committee review all working groups to see if they are beneficial or if the work could go to the main committee.

Members concurred.

Resolved That a review of Working Groups be progressed through Policy & Resources Committee.

Councillor McFlynn requested that Councillor Johnston's name be added to nominations she had submitted.

Councillor McFlynn drew attention to her nomination for derry Under 14s Ladies football team and said although they had received recognition in the previous year the team had changed and proposed that recognition be approved. She drew on a similar circumstance with Under 14 Derry Camogs.

Members agreed to upgrade the team to civic recognition.

Councillor Kerr said he had been advised that Tyrone Minors and Tyrone Minor Camogs had also received civic recognition in the past three years and requested that they be upgraded also.

Members concurred.

Councillor McLean stated that Members should be mindful that they were moving away from the process.

The Chief Executive stated that the process needed to be reviewed and whilst he understood Members desire to have their nominees recognised consideration must be given to consistency. He referred to previous meetings of the working group and said it was difficult to get consensus of everyone and that a new approach would be advantageous to the corporate body but any changes would be at the discretion of Council. He suggested that Council draw a line at the process and work towards a new policy.

Proposed by Councillor McLean
Seconded by Councillor Mallaghan and

Resolved That the current civic recognition be suspended with immediate effect and the Working Group reconvene with expediency with an aim to introducing a new methodology for civic recognition.

Resolved That approval be given to submitted requests for civic recognition detailed at Appendix A as outlined in the report and that

- That Cllr Kelly's name be added to nominations put forward by Cllr S McPeake;
- That Derry Under 14s Ladies Football Team receive recognition
- That Tyrone Minors receive recognition;
- That Tyrone Minor Camogs receive recognition;
- That Cllr Johnston name is added to nominations submitted by Cllr McFlynn;
- That SammyJo Sweeney's 2 Gold Medals are added to nomination;
- That Cllrs Carney and McLernon are added to nominations for Brocagh GAA, Celebrating 100 years; Clonoe O'Rahillys, Under 15s, Intermediate League; Eamon Quinn, Sammy Jo Sweeney, and Raymond Singleton, Representing Ireland in the Special Olympic World Games.

Matters for Information

C122/23 Consultations

Members noted consultations received for attention of Council.

C123/23 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor Cuthbertson drew attention to correspondence received from Department for the Economy in relation to Tourism white on brown signs. He reminded the meeting that on two previous occasions he had raised the issue of signs for Hill of The O'Neill and Ranfurly House and said that Ranfurly House had been removed. He advised that the signs were situated at Anne Street and also the access road to town from M1.

The Chair, Councillor Molloy concurred.

Councillor Wilson stated that one of the largest tourism attractions at Moneymore still does not have a brown on white sign to provide direction and he would like this raised.

It was proposed that Council write to Department for the Economy regarding provision of tourism white on brown signs.

The Chief Executive said that the best approach would be for tourism manager to compile a report to bring forward.

Members concurred.

Resolved That issues with regard to Tourism Brown Signage be referred to Development Committee with a view to preparing a report.

The live broadcast concluded at 7.35 pm.

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

Proposed by Councillor McNamee
Seconded by Councillor Kerr and

Resolved That items C124/23 to C132/23 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 20 April 2023
- (ii) Planning Confidential minutes of meeting held on 12 June 2023
- (iii) Policy & Resources Confidential minutes of meeting held on 13 June 2023
- (iv) Environment Confidential minutes of meeting held on 14 June 2023
- (v) Development Confidential minutes of meeting held on 19 June 2023
- (vi) Document for Sealing: Lease to Draperstown Celtic Football Club CLC001-0093 and two counterparts
- (vii) Document for Sealing: Burnavon Refurbishment Works – Ref MUDC/TS/C/2022/007
- (viii) Document for Sealing: Digital Transformation Strategy Agreement with Tailwind Digital Limited
- (ix) Document for Sealing: MUDC and Dungannon Enterprise Centre for land at Feeneys Lane, Dungannon

C133/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.40 pm.

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

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

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

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

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

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