

**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 8 October 2015 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor McGuigan, Chair

Councillors Ashton, Bateson, Buchanan, Cuddy, Elattar, Forde, Gildernew, McKinney, McLean, McPeake, Molloy, T Quinn and Totten

**Officers in Attendance**

Mrs Canavan, Lead Human Resources Officer  
Ms Campbell, Director of Culture and Leisure  
Mr Kelso, Director of Public Health and Infrastructure  
Ms McNally, Council Solicitor  
Ms Mezza, Head of Marketing Communications  
Mr Moffett, Head of Democratic Services  
Mr O'Hagan, Head of ICT  
Mr J Tohill, Lead Officer for Finance  
Mrs Forde, Member Support Officer

The meeting commenced at 7.00 pm.

**PR133/15 Apologies**

Apologies were received for Councillors Mallaghan and M Quinn.

**PR134/15 Declaration of Interest**

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

**PR135/15 Receive and confirm minutes of the Policy and Resources Committee held on Thursday 3 September 2015**

Proposed by Councillor Buchanan  
Seconded by Councillor Forde and

**Resolved:** That the minutes of the meeting of the Policy & Resources Committee held on Thursday 3 September 2015 (and PR121/15 – PR126/15 and PR132/15) were considered and signed as accurate and correct

**Matters for Decision**

**PR136/15 UN Association for Northern Ireland**

The Head of Democratic Services presented the previously circulated report in relation to UN Association for Northern Ireland's request that Council participation in the 70<sup>th</sup> Anniversary of the founding of the United Nations ON 24 October 1945.

*Councillor Cuddy entered the meeting at 7.03pm*

Councillor Molloy remarked that whilst he had no difficulty with the request it did appear to be a strange anniversary to celebrate.

Councillor McLean asked if there would be a benefit to the area and suggested that the matter be delegated to the Chair/Deputy Chair.

The Head of Democratic Services stated that as detailed in the letter received from the United Nations a school within the region has also been contacted and Council may mark the occasion with perhaps a photocall or a reception.

Proposed by Councillor McLean  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to the Council that the request from UNA Northern Ireland be delegated to the Chair/Deputy Chair of Council.

#### **PR137/15 NILGA – Member Networks Representation**

The Head of Democratic Services presented the previously circulated report seeking consideration and agreement for representation from Council to the undernoted Member networks being established by NILGA.

- Community Planning and Wellbeing Member Network; and
- Planning & Regeneration Member Network.

*Councillor Bateson entered the meeting at 7.07pm*

Members discussed options such as parties nominating Members and use of d'hondt. For clarity Councillor McPeake a representative of NILGA stated that the intention was to invite one elected Member from each Council to serve in order to ensure geographical representation on each Network. Councillor Cuddy suggested that the matter be referred to Party Representatives group.

**Resolved** That it be recommended to the Council that representation to NILGA Member Networks be discussed at Party Representative Group Meeting.

#### **PR138/15 Gifts and Hospitality Policy**

The Head of Democratic Services presented the previously circulated report regarding a gifts and hospitality policy for Council. Referring to the key issues detailed in the report Officer advised that the policy links with the 'Acceptance and registration of gifts and hospitality' contained within the NI Code of Conduct for Councillors and the maximum value for which Gifts and Hospitality may be accepted had been set at £20.

Proposed by Councillor McLean  
Seconded by Councillor Gildernew and

**Resolved** That it be recommended to the Council that the Managing Acceptance of Gifts and Hospitality Policy be adopted with the maximum value for which Gifts and Hospitality may be accepted be set at £20.

### **PR139/15 Irish Language Policy EQIA**

The Director of Culture and Leisure presented the previously circulated report regarding the Irish Language Policy EQIA drawing specific attention to the key issues which outlined details of the consultation, the Equality Impact Assessment under the guidance of the Equality Commission and subsequent report together with recommendations with regards to further action in the undernoted areas. It was also noted that a letter had been received from Ballynakelly CPLC. The Director sought approval for recommendations outlined in the report

- Implementing the policy without any deterioration in the timeliness and quality of service;
- Underpinning the outworking of the policy with best value principles;
- Clarifying the detail of the Courtesy Code and Human Resource Planning at an early stage of implementation;
- Promoting a good and harmonious environment; and
- The draft policy be referred to the Good Relations Working Group for consideration and mitigation as per the groups Term of Reference.

Councillor McLean stated that as a group the DUP did accept that the policy would go through but noted their disappointment that the comments and issues tabled by the unionist people were minimised within the report. This said, Councillor McLean stated that he did agree that the policy be managed through good relations working group.

Councillor McPeake stated that he welcomed the report, was not surprised by aforementioned comments and stated that the report should be managed through good relations on the basis of promoting awareness as it was lack of awareness which created the misapprehensions and fears. Referring to the synopsis of monitoring of responses Councillor McPeake stated that he was disappointed that most objectors were from the protestant community yet the Irish language had strong links to the protestant community. Speaking of the launch of the Irish Language policy in the legacy Council of Magherafelt, Councillor McPeake related that Linda Ervine who had links to the Progressive Unionist Party and was a fluent Irish speaker, had been a guest speaker at the launch yet members of the unionist community had not attended. In conclusion, Councillor McPeake stated there was a major piece of work to be carried out in creating awareness of the Irish language.

Councillor Cuddy stated that he was not against the Irish language but had concerns regarding costs of promoting it. Drawing attention to statistics in the report Councillor Cuddy highlighted that 64% of the community was Catholic, had attended Catholic schools had been taught Irish to GCSE level yet only 6% knew the language and had not taken the opportunity to learn it when it was freely available to them. Councillor Cuddy also stated that many people resident in his community were speakers of minority languages and were asking what Council was doing to promote their language. In conclusion, Councillor Cuddy stated that the Presbyterians for many years had kept the Irish language alive and he had no difficulty with the Irish language

being promoted but felt it was the remit of other organisations to do this and asked for caution over costs as he would much prefer to see jobs being introduced.

Councillor McLean referring to earlier comments stated that Linda Ervine had links to the Progressive Unionist Party which was not representative in the region and her invitation by the legacy Council of Magherafelt to the launch of the Irish Language Policy had merely been a token gesture. Referring to the promotion of the Irish language Councillor McLean stated that the Sinn Féin party was the largest group on Council, it was not the job of unionists to sell the Irish language policy which Sinn Féin had used as an election tool.

Councillor Buchanan stated that insufficient consideration had been given to those respondents who had opposed the policy, the effect the implementation of the policy will have on the unionist work force and the fact that only two people responded in Irish.

Councillor Molloy referring to aforementioned comment of Councillor Cuddy regarding whose remit it was to promote the Irish language asked if Council should also refrain from promoting sport as other organisations done this.

Councillor Cuddy stated that the Irish language had a role to play but said he felt that the role was being overemphasised and Council should take a sensible and mature approach.

Councillor Ellatar stated that Council had an obligation to promote the Irish language and stated that more young people were learning Irish and attending Irish speaking schools.

Councillor McPeake stated that the issues lie with people who do not want the Irish language at all and referred to comments of Councillor McLean in the legacy Council when he stated he would use every tool possible to prevent the Irish Language policy being introduced.

Councillor McLean clarified the circumstances in which the statement referred to by Councillor McPeake was made stating that the DUP took political risk and attended workshops to discuss the policy and only lip service was paid to them.

The Chair, Councillor McGuigan sought a way forward.

Proposed by Councillor McLean that the policy be referred to Good Relations

The Director of Culture and Leisure stated that approval was required for all of the recommendations within the report which would be ratified at Council prior to being referred to the Good Relations Working Group;

Councillor McLean withdrew his proposal.

Proposed by Councillor Gildernew  
Seconded by Councillor McPeake

That it be recommended to Council that the recommendations of the EQUIA Decision Report in relation to the Irish Language Policy be approved and that the policy is referred to the Good Relations Working Group.

The DUP and UUP recorded their objections

For	7
Against	6

**Resolved** That it be recommended to Council that the recommendations of the EQIA Decision Report in relation to the Irish Language Policy be approved and that the policy is referred to the Good Relations Working Group.

### **For Information**

#### **PR140/15 Email Disclaimer**

The Head of ICT presented the previously circulated report regarding the Email Disclaimer proposed for use on all Council emails. The Head of ICT advised Members that this would apply to those who used 'midulstercouncil.org' email and for those who used other email providers should consider applying similar to their outgoing emails.

**Resolved** That it be recommended to the Council that Members noted and approved the disclaimer text for emails.

#### **PR141/15 Draft Organisational Policies for Mobile Telephony, Print Management and Email and Instant Messaging**

The Head of ICT drew attention to the previously circulated report detailing organisational policies for mobile telephony, print management, email and instant messaging. The Officer referred to the convergence of the three existing mobile contracts and sought approval to tender for same.

Councillor Molloy referred to the mobile telephones issued for which Councillors obtained their own sim contracts and sought clarity as to their position if a freedom of information request was submitted. Responding the Head of ICT stated that if the contract was held by Council, yes it would be subject to freedom of information but if it was held by an individual Councillor it would not be.

In response to Councillor McLean's query regarding information held on Council server relating to 'midulstercouncil.org' email addresses used by Members the Head of ICT stated that the information was held on Council server but that within Freedom of Information legislation there was significant exemptions with regard to personal data. The Council Solicitor confirmed that information held on personal email account or Council email account was subject to Freedom of Information if it related to Council business.

The Lead Finance Officer stated that anyone can submit a Freedom of Information request but Council can only respond with information that it holds.

The Chair stated that the report should be considered in Committee Business.

**Confidential Business**

Proposed by Councillor Molloy  
Seconded by Councillor McLean and

**Resolved** That items (PR142/15– PR149/15) be taken as confidential business.

**PR150/15 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.42pm

Chair \_\_\_\_\_

Date \_\_\_\_\_