

Minutes of Meeting of Mid Ulster District Council held on Thursday 28 September 2017 in the Council Offices, Circular Road, Dungannon

Chair: Councillor Ashton

Members Present: Councillors Bateson, Bell, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Doris, Elattar, Forde, Gildernew, Gillespie, Glasgow, Kearney, Mallaghan, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, McPeake, Milne, Molloy, Monteith, Mullen, Mulligan, J O'Neill (7.05pm), M Quinn, Reid, Robinson, J Shiels, G Shiels, Totten and Wilson

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

The meeting commenced at 7pm

C183/17 Apologies

None

C184/17 Declarations of Interest

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

C185/17 Chair's Business

The Chair, Councillor Ashton drew attention to the Member Learning & development schedule, which had been compiled following a recent Training Needs Analysis through the Elected Member Development Working Group. The Chair encouraged Members to avail of training opportunities on offer.

C186/17 Receive and consider minutes of matters transacted in "Open Business" at the Special Environment Committee meeting held on Thursday 17 August 2017

Councillor McGinley requested amendments to the minute as undernoted:

- (i) The last paragraph on page 10, Councillor McNamee changed to Councillor McGinley
- (ii) Resolve amended to read:
 - (i) Members continuing on their work with the Bonfire Working Group and wait until the findings of the Flags and Emblems Committee being made known before inviting other agencies ie. PSNI, Fire Service and NIEA to becoming involved.
 - (ii) Engagement with local communities who wish to host bonfires and those who don't wish to host bonfires on Council land to ensure adherence to Good Practice with Council and other Statutory Agencies to promote public safety at bonfires.
 - (iii) Officers to prepare an Options Paper for the introduction of an application and licencing process, which should meet certain criteria for building bonfires, with this being done through the Bonfire Working Group and then brought back to committee for consideration.
 - (iv) Illegal bonfires being put on the Risk Register and being brought back to committee.

Councillor Cuthbertson also remarked that his understanding was that reports were to be brought back to the Environment Committee in relation to the PSNI and the NIFRS.

Proposed by Councillor McGinley
Seconded by Councillor McPeake and

Resolved That the Minutes of the Meeting of the Special Environment Committee meeting held on Thursday 17 August 2017(SE001/17 – SE007/17), transacted in “Open Business” having been printed and circulated, subject to the foregoing were considered and adopted.

C187/17 Receive and consider minutes of matters transacted in “Open Business” at the Council meeting held on Thursday 24 August 2017

Councillor Cuthbertson drew attention to C176.1/17 notice of motion discussed at the August meeting and stated that unfortunately the issue has not gone away as there had been two or three further cases where emergency services had to be called out to deal with unconscious teenagers. He advised that it had been reported by local residents that they feared walking along Railway Park pathway to their homes and spoke of an incident where teenagers were sited sniffing something and others under the influence of drink had shouted at pedestrians. Councillor Cuthbertson advised that one lady had called the PSNI on the matter and people were hiding in hedges. He continued, stating that Council should not ignore the matter as they had a duty of care particularly under child safeguarding policies and emphasised the need to do something.

Councillor Reid advised that the matter had been discussed at the PCSP and a special meeting had been set up with statutory agencies. He advised that the legacy Council had opened up connecting walkways between parks in the town which were unfortunately being used for antisocial behaviour. He stated that the PSNI had increased patrols, were purchasing a quad bike to assist with policing the area and had keys to access gates in the area to allow them vehicular access. He advised that those involved were inflicting stress not only upon themselves but others also.

The Chief Executive advised that the PCSP would report through Development Committee on the matter.

Proposed by Councillor Bateson
Seconded by Councillor McGinley and

Resolved That the Minutes of the Meeting of the Council held on Thursday 24 August 2017(C164/17 – C177/17 and C182/17), transacted in “Open Business” having been printed and circulated, subject to the foregoing were considered and adopted.

C188/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee meeting held on Tuesday 5 September 2017

In response to query by Councillor Mallaghan regarding bookmarks of committee meeting papers through the new CMIS system the Head of Democratic Services stated he would issue an advice note on how to access them.

Proposed by Councillor Mallaghan
Seconded by Councillor McKinney and

Resolved That the Minutes of the Planning Committee meeting held on Tuesday 5 September 2017 (P117/17 – P122/17 and P128/17) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C189/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Thursday 7 September 2017

Proposed by Councillor Molloy
Seconded by Councillor Gildernew and

Resolved That the Minutes and recommendations of the Policy and Resources Committee meeting held on Thursday 7 September 2017 (PR154/17 – PR163/17 and PR173/17) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C190/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee held on Tuesday 12 September 2017

Proposed by Councillor M Quinn
Seconded by Councillor B McGuigan and

Resolved That the Minutes and recommendations of the Environment Committee meeting held on Tuesday 12 September 2017 (E199/17 – E229/17 and E234/17) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

Councillor J O'Neill entered the meeting at 7.04pm

C191/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee held on Thursday 14 September 2017

Proposed by Councillor Wilson
Seconded by Councillor McAleer and

Resolved: That the Minutes and recommendations of the Development Committee meeting held on Thursday 14 September 2017 (D163/17–D184/17 and D186/17) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C192/17 Conferences and Seminars

Approval was sought for the undernoted conferences for the attendance of Members and council officers outlined in the report, the payment of attendance fees and associated costs as incurred.

(i) Member Approvals

- **NILGA Community Planning & Wellbeing Event**
Wednesday 13 September 2017 10am-12.30pm at Corick House, Clogher
(Retrospective approval for Members in attendance)
Cost no fee, travel and subsistence
Retrospective approval for Councillor S McGuigan
- **NI Energy Forum 2017**
Tuesday 17 October 2017 9.00am – 4.30pm at Stormont Hotel, Belfast
Cost £235 + VAT, travel and subsistence
- **Adult Learning Conference 2017**
Thursday 26th October (9.30am – 4pm) at NICVA, Duncairn Gardens, Belfast
Cost no fee, travel and subsistence

Proposed by Councillor McNamee

Seconded by Councillor J O'Neill and

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

C193/17 Consideration of Requests for Civic Recognition

The Head of Democratic services drew Members attention to the previously circulated report and sought approval for civic recognition requests for those groups and individuals listed in line with Council Receptions Policy.

Councillor Wilson stated that he was aware the policy was being reviewed but highlighted two submissions that of Danielle Hamilton who was a drummer with a Scottish based pipe band who had won the World Pipe Band Championships and Benjamin Neville who represented Northern Ireland at the recent Moto-Cross championships and requested that they be put forward for a civic award and not a letter as detailed within the report. He also made mention that Councillor Mullen may wish to reconsider her submission which had been recommended for a letter.

The Chair, Councillor Ashton stated that she had supported Benjamin prior to the competition and suggested that both requests be reviewed by Democratic Services.

Councillor Wilson stated that all the information had been submitted. In response the Head of Democratic Services stated that the report was prepared for consideration by Members and changes could be taken. He advised, in relation to the submission of Ms Hamilton the position had been taken that the band had won the award rather than the individual, this being the rationale for the recommendation in the report.

Councillor Gillespie left the meeting at 7.11pm

Proposed by Councillor Wilson
Seconded by Councillor Glasgow and

Resolved That Danielle Hamilton and Benjamin Neville receive civic awards.

Councillor McLean sought an update on the review of the civic recognition policy. In response the Director of Business and Communities advised it was a work in progress. The Head of Democratic Services advised that a meeting of the working group had been scheduled for Wednesday 4 October.

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

C194/17 Social Enterprise NI Awards 2017

The Director of Business and Communities drew Members attention to the previously circulated report advising that Council had been shortlisted in the Social Enterprise NI Awards 2017 and sought approval for the Chair and/or Deputy Chair, one officer and two representatives from the Workspace Group (Council's programme delivery

partners) to attend the Gala Awards Evening on 27 October 2017 at the Stormont Hotel, Belfast. It was noted that the event would be funded by Council's economic development budget, costs £90 per head for individuals and £850 for a table of 10 people.

Councillor Gillespie returned to the meeting at 7.15pm

The Chair, Councillor Ashton advised she would be unavailable to attend.

Councillor Cuddy proposed that Councillor Wilson attend the event as Chair of the Development Committee.

Councillor McGinley sought clarification regarding protocol in relation to Chairs attendance at events.

The Chief Executive confirmed that the protocol was Chair, Deputy Chair, then Chair of Committees.

Councillor McGinley proposed that the protocol should be followed.

Proposed by Councillor McGinley
Seconded by Councillor Mallaghan and

Resolved That approval be granted for Chair and/or Deputy Chair (or other Chair of Committee by protocol), one officer and two representatives from the Workspace Group (Council's programme delivery partners) to attend the Gala Awards Evening on 27 October 2017 at the Stormont Hotel, Belfast. Costs £90 per head for individuals and £850 for a table of 10 people.

C195/17 Border Corridor Local Authorities Report on Brexit

The Chief Executive drew attention to previously circulated report seeking approval for Councillor and Officer to attend the launch of the Border Corridor Local Authorities report on Brexit in Brussels on 11 October.

The Chief Executive reminded Members that the consensus at a recent conference had been that the report be launched in Brussels during open week but advised Members that the Chair was not available to travel thus it would be the Deputy Chair.

Councillor Mallaghan proposed that the Chief Executive and Members attend.

Councillor Cuthbertson asked if the Chief Executive could not attend without Councillors accompanying him.

In response the Chief Executive stated it was a matter for Members who attended.

Councillor McPeake stated that he disagreed with the Chief Executive not being accompanied by Members and stated it was an annual event which Members attended.

Councillor McPeake seconded the proposal.

Proposed by Councillor Mallaghan
Seconded by Councillor McPeake and

Resolved That approval be granted for Deputy Chair, Chair of Committee (by protocol), Chief Executive or Director to attend the launch of the Border Corridor Local Authorities report on Brexit in Brussels on 11 October 2017.

C196/17 Council responses to Southern and Northern Health & Social Services Trust 2017/18 Savings Proposals

The Director of Public Health and Infrastructure drew attention to the previously circulated report with regard to Council responses to Southern and Northern Health & Social Services Trust 2017/18 Savings proposals. He stated it had been a busy week with public events together with the meeting on 27 September when Members had engaged directly with both the Northern and Southern Trusts. The Director advised that a paper would be issued to Members for consideration with the final paper submitted to the Trusts by 5 October 2017.

Councillor Wilson stated that it was apparent that neither of the Trusts had taken into consideration that people bordering both of their areas may be doubly effected by proposed cuts and this should be emphasised in Council's response.

The Chair, Councillor Ashton stated that the Director would take the comments on-board and advised that it had been emphasised to both Trusts that the results of the consultations be taken on board.

Resolved That

- (i) Paper to be issued to Members Friday 30 September 2017 for consideration;
- (ii) Paper to include that people bordering both Southern and Northern HSCT areas are affected by cuts from both areas;
- (iii) Comments on paper to be received as soon as possible with final response submitted by 5 October 2017.

Matters for Information

C197/17 Consultations notified to Mid Ulster District Council

Councillor Monteith requested that Council respond to the undernoted consultations:

- (i) the Boundary Commission for NI 2018 Review of Parliamentary Constituencies Secondary Consultation restating the Council's position as per previous consultation especially relation into the proposed split of Dungannon area; and

- (ii) Department for Communities: Abolition of Class 2 National Insurance Contributions highlighting the impact this would have on the self-employed and in relation to issues surrounding maternity allowances. Councillor Monteith suggested that Council engage with local advice and enterprise centres to assist with compiling a response.

The Head of Democratic Services stated that officers would be tasked with compiling responses. The Chair, Councillor Ashton stated that the Director of Business and Communities would look at the impact on businesses on the abolition of class 2 national insurance, consultation.

Resolved The previously circulated paper on consultations notified to Mid Ulster District Council was noted with consultations to be prepared on the undernoted:

- (i) Boundary Commission for NI 2018 Review of Parliamentary Constituencies Secondary Consultation; and
- (ii) Department for Communities: Abolition of Class 2 National Insurance Contributions

C198/17 Correspondence

Councillor Cuthbertson referred to the Correspondence from BT in relation to notification of the consultation to remove a payphone at the Cavan Road Junction, Bush Road, Dungannon. He proposed that in light of the responses received to date, the phone box be retained and the Council write to BT and use its 'local veto' under the process.

Councillor Cuddy seconded the proposal stating that the junction is very dangerous junction and had been the scene of accidents and it was always good to have a means of contact.

Proposed by Councillor Cuthbertson
Seconded by Councillor Cuddy and

Resolved That Council write to BT to invoke a 'local veto' in relation to the phone box on the Cavan Road junction, Bush Road, Dungannon.

Councillor Forde drew attention to the correspondence received from St James House (Media Group) in relation to the 100th celebrations of the Royal Air Force. The Councillor stated that she believed they should be recognised and suggested that Council look into the history of the RAF in Mid Ulster, engage with families and organise relevant area celebrations.

Councillor McPeake stated that he felt it would be appropriate for research to be carried out by local interest groups and that they make an application for festival funding and emphasised that Council should not 'cherry pick' events as there could be something else next month.

The Chair, Councillor Ashton stated that the Member intended for it to be explored.

Proposed by Councillor Forde
Seconded by Councillor Burton

That Council explore the history of the RAF in the Mid Ulster area with a view to relevant celebratory event for the 100th anniversary.

Councillor Mallaghan stated his opposition highlighting that there were processes in place for festival funding and this process should be utilised.

Proposed by Councillor McNamee
Seconded by Councillor Bell

That the 100th Anniversary of the RAF be progressed using the normal procedures

The Chair Councillor Ashton called for a vote on Councillor Forde's proposal.

FOR	15
AGAINST	24

The Chair called for a vote on Councillor McNamee's proposal

FOR	24
AGAINST	15

The Chair, Councillor Ashton stated that the proposal of Councillor McNamee would be carried.

Resolved That the 100th Anniversary of the RAF be progressed using the normal procedures

Resolved The previously circulated paper on correspondence to Council was noted.

C199/17 Consideration of Motion

C199.1/17 Councillor Wilson to move

Prior to speaking on the motion Councillor Wilson wished Councillor T Quinn a speedy recovery.

Councillor Wilson highlighted that following recent proposals Translink had been closing the bus depot in Cookstown at weekends which resulted in people waiting in bus shelters with suitcases. He stated that the matter was apparently going to consultation which he would encourage responses to but as an interim measure moved the undernoted motion.

"That this council seek an urgent meeting with Translink to discuss their plans for Cookstown Depot in light of their recent closure of the depot at weekends"

Councillor Glasgow seconded the motion stating that Cookstown was a large town and needed the bus depot hub.

Councillor McNamee stated that together with the local Member of Parliament, Francie Molloy MP he had met with Translink officials and it had been confirmed that the service provided in Cookstown was to be reduced to a 'bus shelter status' without any representation nor consultation with the public. He advised that agreement had been reached to open the Cookstown depot at weekends prior to the consultation period. Councillor McNamee stated that he supported the motion and that Council should ask for an increase in opening hours of the office as the service provided was not good enough. Councillor McNamee stated he would like to be part of the delegation meeting with Translink.

Councillor Buchanan concurred with Councillor Wilson and welcomed the re-opening emphasising that Council should be encouraging the use of the bus depot.

Councillor McFlynn concurred with the motion emphasising that the proposed closure highlighted an increase in service reduction in the Mid Ulster area.

Councillor Wilson stated he was pleased with the cross party support the motion had received and emphasised that he too wished to be part of the delegation.

The Chair Councillor Ashton called for a vote on the motion

FOR	39
AGAINST	0

The Chair, Councillor Ashton stated that the motion be Carried.

Councillor Reid left the meeting at 7.34 pm

Confidential Business

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

Resolved: That items C200/17 – C205/17 be taken as confidential business.

- (i) Minutes taken as confidential business at Council Meeting held on Thursday 24 August 2017
- (ii) Minutes taken as confidential business at the Planning Committee held on Tuesday 5 September 2017
- (iii) Minutes taken as confidential business at the Policy and Resources Committee held on Thursday 7 September 2017
- (iv) Minutes taken as confidential business Environment Committee held on Tuesday 12 September 2017

- (v) Minutes taken as confidential business Development Committee held on Thursday 14 September 2017

Documents for Sealing

- (vi) Licence, Market Square, Dungannon
(vii) Provision of Services for the Treatment of Bio-waste between Mid Ulster District Council and Natural World Products Limited.

The press left the meeting at 7.34pm

C206/17 Duration of Meeting

The meeting was called for 7pm and ended at 7.40pm

CHAIR _____

DATE _____