

**Minutes of Meeting of Mid Ulster District Council held on Thursday 27 June 2019
in the Council Offices, Circular Road, Dungannon**

Chair Councillor Kearney (7.37pm)

Members Present Councillors Ashton, Bell, Black, Brown, Buchanan, Burton, Clarke, Colvin, Cuddy, Cuthbertson, Doris, Elattar, Forde, Gildernew, Graham, Hughes, Kerr, McAleer, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, D McPeake, S McPeake, Milne (7.37pm), Molloy, Monteith, Mullen, O'Neill, Quinn, Totten and Wilson

Officers in Attendance Mr A Tohill, Chief Executive
Ms Campbell, Director of Leisure & Outdoor Recreation
Ms Canavan, Director of Organisational Development
Mr Cassells, Director of Environment & Property
Mr Kelso, Director of Public Health & Infrastructure
Mr 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

Others in Attendance Deputation – DfI Roads Western Division

Mr David McKinley	Acting Divisional Roads Manager (Western)
Mr Neil Bratton	Section Engineer
Mr Gerry Hackett	Section Engineer

The meeting commenced at 7 pm

The Deputy Chair, Councillor Cuthbertson chaired the meeting and advised that the Chair, Councillor Kearney was representing Council at another event and would arrive in due course.

C100/19 Apologies

Councillors Corry, Glasgow, Mallaghan and Robinson

C101/19 Declarations of Interest

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

C102/19 Chair's Business

The Deputy Chair Councillor Cuthbertson advised that some matters of Chair's business would be deferred until Councillor Kearney arrived.

Councillor McAleer spoke of an email received from the Royal College of Occupational Therapist's (RCOT) and advised that they had developed a manifesto and had called on support for their profession and outlined how they could contribute to Community Planning. Councillor McAleer requested that they be invited to a future committee meeting to present.

Resolved That Council invite the Royal College of Occupational Therapist's (RCOT) to present to the Environment Committee

Councillor McLean suggested that the Chair of Council write to those within the Mid Ulster District who had been recipients on the recent Queen's Birthday honours.

The Deputy Chair, Councillor Cuthbertson advised that the matter would be brought to the Chair's attention.

Councillor Burton highlighted that she had recently been contacted by a member of the public who had tried to book a sports facility but had been unable to confirm the booking as the officer was out of the office but had not left notification on their email. She requested that staff are reminded to action 'out of office' on the email system.

The Deputy Chair, Councillor Cuthbertson stated that officers would consider the matter.

C103/19 Deputation – DFI Roads Western Division

The Deputy Chair, Councillor Cuthbertson welcomed representatives of DfI Roads, Western Division to the meeting. Mr McKinley introduced Mr Bratton and Mr Hackett. Mr McKinley presented the DFI Roads Western Division report Spring 2019.

He highlighted a number of issues in the report in particular the Cookstown bypass and advised that the Department would continue to develop the scheme with a view to publishing and consulting on the draft Statutory Orders and Environmental Impact Assessment Report in 2020 but stressed that delivery of the project following any possible public enquiry would be dependent on successful completion of statutory processes and the availability of funding for construction.

The Deputy Chair, Councillor Cuthbertson thanked DFI for the presentation and also for the recent works carried out at Bush crossroads. He also asked for some guidance on the Dungannon bypass and highlighted that he would like to see resurfacing completed on Trewmount Road and Killyman Road.

In response the Mr McKinley stated that they were doing their utmost to complete works on Trewmount Road but there was constraints. He stated that the Dungannon Bypass was being considered together with other issues on the A29 transportation study.

Regarding the resurfacing of Killyman Road, Mr Hackett stated that utilities such as gas had a maintenance period but negotiations were ongoing to buy out liability and it was hoped to have a scheme commencing in August.

He stated that Trewmount Road was included in programmed works but there was competing time scales but it was hoped to commence the beginning of July. Councillor Wilson thanked the local office for their ongoing help and stated that patching by utilities was a major issue and highlighted that Cookstown was like a patchwork quilt and asked if something could be done. He welcomed the Fairhill Scheme requesting a time frame and also requested that the traffic management at Orritor Road junction be reviewed as there was a safety issue and asked if, at the traffic lights a right hand light could be introduced.

In response Mr McKinley stated that patching by utilities was a huge issue and assured Members that inspections take place but resources were limited. He said he would report back on the time scale in relation to the Fairhill project and stated that the Orritor Road junction was being monitored.

Councillor Wilson emphasised that the Orritor Road junction was a priority and that a right hand light even for 20 seconds would help.

Councillor McNamee speaking of the Cookstown Bypass asked what budget was in place for the next 12 months and stated that he would like to see a detailed timetable of the process up to 2020. He highlighted Council's City Growth Deal and stated that the bypass was a priority mentioning that Holy Trinity would have a new school, there was new developments that the town was gridlocked and a bypass was essential.

In response Mr McKinley advised that unfortunately the current budget was £800k thus less than that of last year for the proposed Cookstown bypass and it was aimed budget permitting to publish orders by 2020. He stated DfI wanted to deliver on the project and acknowledged its need.

Councillor Molloy spoke of the A29 and expressed appreciation on engagement highlighting the bad bends on the Dungannon side and the increasing/decreasing speed limits ranging from 30 – 60 miles per hour. He highlighted also the number of accidents stating that a bypass would be welcome and the Moy would benefit as the flow of traffic was excessive.

Councillor Cuddy spoke of the difficulty in travelling through the district and stated that the Cookstown bypass would bring benefits but a Dungannon bypass was also essential. He stated that it was frustrating that year on year the matter was raised but there was no movement.

Councillor Monteith shared Councillor Cuddy's frustration stating that it was the same story every year and a genuine commitment to get things moving was required. He made mention of the area plan and the fact that a Dungannon bypass route should be included and stressed that there was no point bypassing Dungannon to bottleneck Moy. He stated that the reducing speed limit indicator display does have a positive impact and should be made permanent.

Councillor Monteith requested that a meeting be organised with DfI Roads to progress the Dungannon bypass.

Councillor McLean expressed his parties appreciation for the sterling work carried out by DFI Roads.

Councillor McFlynn highlighted speed at schools and stated she was aware of a few 'near misses' recently and stated that speed at schools should be reduced to 20mph and should be top of the agenda.

Councillor Quinn left the meeting at 7.32 pm

The Deputy Chair, Councillor Cuthbertson stated that a meeting should be held in the near future to progress the Dungannon bypass. In response Mr McKinley agreed to this stating that the frustrations expressed are province wide but emphasised that there was a reluctance to take money off other budgets to initiate schemes that there was currently no funding for as experience has demonstrated that years pass and initial works have to be repeated.

Resolved That Council arrange a meeting with DFI Roads to discuss proposals for a Dungannon bypass.

Councillor Quinn returned to the meeting at 7.37 pm

Matters for Decision

C104/19 Receive and Consider Minutes of matters transacted in "Open Business" at the Council meeting held on Monday 15 April 2019

Proposed by Councillor S McGuigan
Seconded by Councillor Wilson

Resolved That the Minutes of the Meeting of the Council held on Monday 15 April 2019 (C080/19 – C091/19 and C099/19) transacted in Open Business having been printed and circulated, were considered and adopted.

C105/19 Receive and Consider Minutes of matters transacted in "Open Business" at the Annual General Council meeting held on Monday 20 May 2019

Proposed by Councillor B McGuigan
Seconded by Councillor Molloy

Resolved That the Minutes of the Meeting of the Annual General Council held on Monday 20 May (AC1/19 – AC10/19) transacted in Open Business having been printed and circulated, were considered and adopted.

Councillors Milne and Kearney entered the meeting at 7.37 pm

The Chair, Councillor Kearney now chaired the meeting and the meeting returned to Chair's business.

C102/19a Chair's Business (resumed)

The Chair, Councillor Kearney advised he had been at an event in Portglenone and invited all to attend the European festival.

The Chair, Councillor Kearney spoke of the death of Ivan Cooper a former MP for the area and a member of the Civil Rights Movement and the SDLP, he conveyed sympathy to his family.

The Chair, Councillor Kearney sent congratulations to Donaghmore village who had been awarded Ireland's best kept village and to St Colm's School in Draperstown who had won best school award.

The Chair, Councillor Kearney also made mention of the European election count held at Meadowbank and advised that the Chief Electoral Officer, Virginia McVeigh had commended the venue and the assistance provided by the Council staff.

Councillor Wilson highlighted the news of the closure of Hilton Meats in Cookstown and the shock this had been to the workforce and the local community. He stated that apparently the workforce knew nothing until the 30 days' notice had been issued and advised that 55 out of 89 workers would not qualify for redundancy. He stated that as Chair of the Development Committee he would propose that Council make contact with the company and a cross party delegation to meet with them to endeavour to safeguard jobs, or request training for alternative employment.

Councillor D McPeake left the meeting at 7.41 pm

Councillor McNamee seconded the proposal and stated Sinn Féin had met with them and expressed major concerns for the family involved and stated that many workers were not in a union.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

Resolved That Council seek a meeting with Foyle Meats regarding closure of Cookstown site. Cross party delegation of Cookstown DEA members to attend.

C106/19 Receive and Consider Minutes of matters transacted in "Open Business" at the Planning Committee meeting held on Tuesday 4 June 2019

Councillor McLean expressed concern regarding the length of the last planning committee. He stated that the DUP team appreciate there is business to attend to but there is a duty of care to individuals particularly those travelling home so late and asked how Council would stand if something happened. He also stated that he appreciated it was possibly an exception to the rule but said that Council should be mindful.

In response the Chair, Councillor Kearney said it had been two months since the previous meeting.

Councillor McKinney stated it was a good example that Council are prepared to do the work rather than put applications back.

Proposed by Councillor S McPeake
Seconded by Councillor McKinney

Resolved That the Minutes of the Meeting of the Planning Committee held on Tuesday 4 June 2019 (P054/19 – P062/19 and P070/19) transacted in “Open Business” having been printed and circulated, were considered and adopted.

C107/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Thursday 6 June 2019

Councillor McPeake drew attention to *PR100/19 Lease and Licence of Lands situated at Glenone Wood, Portglenone from DAERA/Forest Service* and stated that the Director of Outdoor Recreation had organised a meeting for July and thus the matter should be deferred until following that.

Councillor Elattar requested a changed to the minute that it be amended to read, *“Councillor Elattar advised that the Council were responsible for the maintenance of the forest and walking trail.”*

Resolved That

- (i) Lease and Licence of Lands situated at Glenone Wood, Portglenone from DAERA/Forest Service be deferred until the meeting with Forest Service takes place in July; and
- (ii) the minute be amended to read, *“Councillor Elattar advised that the Council were responsible for the maintenance of the forest and walking trail.”*

Proposed by Councillor S McGuigan
Seconded by Councillor McKinney

Resolved That the Minutes of the Meeting of the Policy and Resources Committee held on Thursday 6 June 2019 (PR093/19 – PR108/19 and PR115/19) transacted in “Open Business” having been printed and circulated, subject to the foregoing, were considered and adopted.

C108/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee meeting held on Tuesday 11 June 2019

Councillor McFlynn drew attention to minute reference *E109/19 Chair’s Business* regarding the NIHE no longer attending the Travellers Working Group. She highlighted that sites identified were now deemed unsuitable and stated that Council had owned

the Traad site for over 20 years and proposed that Council work with the local community with a view to developing the site and bring a report to a future committee.

Councillor McGinley seconded the proposal stating that the site had great potential and all possibilities should be explored as it should be a jewel in the Mid Ulster's crown.

Proposed by Councillor McFlynn
Seconded by Councillor McGinley and

Resolved That Council engage with the local community and bring forward a paper regarding the development of Traad site

Councillor Wilson referred to the withdrawal of the NIHE from the working group and stated that accommodation was their remit and Council should be expressing its disappointment at their decision and request them to reconsider.

Councillor McGinley seconded the proposal reiterating that the NIHE should reconsider their decision.

Proposed by Councillor Wilson
Seconded by Councillor McGinley and

Resolved That Council write a letter to the NIHE expressing concern at their withdrawal from Travellers Working Group and request that they reconsider the decision.

Councillor McGinley referred to item E119/19 Street Naming and Property Numbering the site off Aghareany Road, Donaghmore which recommended that the site be known as Aghareany Court. Councillor McGinley said having spoken with the developer it had been hoped that the development would be named Ferry Park Gardens and proposed that this be so.

The Chair, Councillor Kearney suggested the matter be referred back to committee.

In response Councillor McGinley said the decision was before the Council for ratification and it was in order that it could be changed.

The Chief Executive advised that the name could be changed subject to it complying with Council policy.

Councillor Graham stated that there was a similar named development in Castlecaulfield and thus Aghareany Court had been recommended to avoid confusion.

The Chief Executive stated it would not be unusual for developments in separate towns and villages to have the same name as long as the name complied with policy.

Councillor McGinley on a point of clarification asked if the name which had been listed on the officer's report would have been subject to the criteria of the policy.

The Chief Executive clarified that it would have been checked before being included in the Officers report.

Resolved That the name of the Development off Aghareany Road, Donaghmore be known as Ferny Park Gardens

Councillor McNamee drew attention to *E118/19 Dual Language Signage* stating that he had asked for a detailed report regarding damage and costs. He stated that the report outlined there was 62 signs damaged from April 2018 to 2019 and costs incurred had been approximately £10k and that he was aware of more damages since then. He stated that this was clearly an attack on the community and called on all Members to condemn the criminal damage. He expressed concern that the PSNI at a recent PCSP meeting had not appeared to be fully aware of the extent of the problem. He proposed that Council seek a meeting with the PSNI to discuss the matter and that the perpetrators should be apprehended.

In response to question put as to whether the request should be made through the Environment Committee or the Council the Chief Executive advised it was normal practice that such requests come direct from Council.

Councillor S McPeake seconded the proposal for a meeting stating that one sign had been damaged nine times and thus he could not understand the PSNI stating there were no hotspots. He was emphatic that Council must communicate the seriousness of the issue as one sign had been re-erected three times and been damaged within 8 hours.

Proposed by Councillor McNamee
Seconded by Councillor S McPeake and

Resolved That Council write to PSNI to seek a meeting regarding to discuss criminal damage to dual language sign plates.

Councillor Burton drew attention to E109/19 Chair's business provision of public toilets at Clogher.

Councillor Burton spoke at length following meetings in the community concerning the issues faced by the playgroup and the use of the public toilets. Councillor Burton stated that to permit the playgroup to move on with its plans she would propose that Council confirm to the Clogher Valley Playgroup that public access to the toilets will close and a service level agreement be explored for alternative public convenience facilities.

Councillor McAleer supported this stating that she had asked for alternative facilities to be explored to allow the play group to move on with its plans.

The Chair, Councillor Kearney stated that the matter was to be brought back to environment.

Councillor Burton stated that the playgroup needed the confirmation as soon as possible to allow them to move on with plans.

Councillor Graham concurred.

Proposed by Councillor Burton
Seconded by Councillor McAleer and

Resolved That Council confirm to the Clogher Valley Playgroup that public access to the toilets will close and a service level agreement be explored for alternative public convenience facilities.

Proposed by Councillor Wilson
Seconded by Councillor McAleer

Resolved That the Minutes of the Meeting of the Environment Committee meeting held on Tuesday 11 June 2019 (E107/19 – E136/19 and E144/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

C109/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 13 June 2019

Declaration of Interest: Councillor McNamee declared an interest in D093/19 Community Development Report Sports Capital Grants: Na Fianna Runners

Proposed by Councillor McNamee
Seconded by Councillor Doris and

Resolved That the Minutes of the Meeting of the Development Committee meeting held on Thursday 13 June 2019 (D089/19 – D107/19 and D113/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

C110/19 Conference, Seminars & Training Report

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.

(i) Member Approvals

- **National Association of Councillors – *Regeneration of Towns & Villages***

The Royal Clifton Hotel, Southport – 28th – 30th June 2019
Cost – Delegated Fees: £350 plus VAT – Metropolitan, County, Unitary, Borough & District Councils, travel and subsistence

- **La Touche Legacy in association with Greystones Archaeological and Historical Society – 6th Festival of History – 31st La Touche Legacy Weekend “Ireland Through the Turbulent 30’s”**

Greystones Golf Club, Whitshed Road, Greystones –
Friday 13th to Saturday 14th September 2019

Cost: €100 per delegate which includes all documentation, lunch and seminar dinner on Saturday 14th September, accommodation, travel and subsistence.

- **NILGA Regional Training Programme – Leadership Programme Accredited Course**

Commencing November 2019

Location – various

Cost dependent on participant numbers approximately £350 - £500 + travel and subsistence (detailed costs listed in Appendix)

Councillor Wilson nominated Councillor Glasgow to attend.

Councillor Doris expressed a wish to attend and asked if the places were being allocated by d'hondt.

Councillor Ashton stated it was her understanding that if a Councillor wished to attend a conference they could do so.

The Chair, Councillor Kearney stated that d'hondt had been used last term regarding the Local Planning Leadership Programme as a limited number of places had been allocated. In response it was clarified that currently the spaces on the leadership programme were not limited.

- **NILGA Regional Training Programme – Local Planning Leadership Programme**

In correspondence received from NILGA states that they are seeking two core nominations from each Council

Commencing September 2019

Location: Antrim Civic Centre

Cost dependent on participant numbers £1000 - £1255 + travel and subsistence (detailed costs listed in Appendix A)

- **NILGA Regional Masterclasses, Network Events, Compliance Sessions and Workshops**

As per attached programme

Costs travel and subsistence

(ii) Officer Approvals

Conference & Seminar	Date	No. of Attendees	Location	Attendance
EcCoWell Benefits of Dark Sky Awareness Conference	13/05/19	1	Dublin	Accommodation & Travel

Proposed by Councillor McGinley
Seconded by Councillor McNamee

Resolved That the attendance of Members and Officers, the payment of attendance fees and associated costs as incurred be approved, as required for attendees.

C111/19 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, as detailed within the report.

Councillor M Quinn advised on the correct spelling of Dion Di Maio.

Councillor Oneill advised that Councillor Doris' name should be added to the nomination for Coalisland Athletic.

Proposed by Councillor Cuddy
Seconded by Councillor Oneill

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

Matters for Information

C112/19 Correspondence to Council

Members noted previously circulated report providing correspondence received for the attention of Council as outlined:

- Ards & North Down – UK First National Memorial to all Emergency Services
- Northern Ireland Office – Recruitment to NIPB members
- Education Authority – Strategic Area Plan
- Mid & East Antrim Borough Council – Holiday Hunger Motion
- BT – Notification of a request to Adopt a Kiosk
- Department for Business, Energy and Industrial Strategy
- Belfast City Council
- Seafarers UK
- Newry, Mourne & Down DC

Councillor Cuthbertson drew attention to correspondence received from BT regarding the adoption of a telephone kiosk at 87 Dergenagh Road, Dungannon, BT70 1TW. He stated that he was aware that the Planning Department had received previous notification regarding the kiosk and 'listing' status was being sought. The Councillor reminded Members that following intervention from Council the telephone kiosk at the Bush, Dungannon had been retained as an active payphone and stated he did not feel community groups adopting kiosks was the best route of travel.

Proposed by Councillor Cuthbertson
Seconded by Councillor Burton and

Resolved That Council should respond to the BT stating that an active payphone remain in place

Councillor Ashton welcomed the correspondence received from Newry Mourne and Down regarding the NI Air Ambulance and stated she was still working on bringing forward ways to support the work and expressed delight that Councillor Walker had successfully moved the motion.

C113/19 Consultations Notified to Mid Ulster District Council

Members noted the previously circulated report.

Councillor Cuthbertson drew attention to the Department of Health and Social Care, England - on behalf of UK Government and devolved administrations - Proposal to introduce mandatory fortification of flour with folic acid and stated that Council should make a response.

Resolved That Council prepare a response to Department of Health and Social Care, England - on behalf of UK Government and devolved administrations - Proposal to introduce mandatory fortification of flour with folic acid

Councillor Ashton left the meeting at 8.16 pm

Councillor McGinley requested that Council prepared a response to the undernoted consultations:

- Department for the Economy - Minerals & Petroleum Department - Petroleum Licence Application PLA1/16 EHA Exploration Ltd - *Council to request an extension to closing date and if not granted submit a robust response*
- Department for the Economy – Minerals & Petroleum Department - Petroleum Licence Application PLA2/16 Tamboran Resources (UK) Ltd - *Council to request an extension to closing date and if not granted submit a robust response*
- Department for Infrastructure Planning Group - New Draft Model Licence conditions 2019 for caravan sites
- NILGOSC - Funding Strategy Statement - Circular 05/2019
- Northern Ireland Housing Executive (NIHE) - Chronic Homelessness Action Plan

Councillor Monteith concurred and requested that an all Member meeting be organised as soon as possible to submit the consultation with regards to the NIHE Chronic Homelessness Action Plan

Councillor McGinley suggested that the Housing Forum should take a lead and that all Members should be invited to a meeting.

*Proposed by councillor McGinley
Seconded by Councillor Monteith and*

Resolved *That Council prepare responses to undernoted consultations.*

- (i) Department for the Economy - Minerals & Petroleum Department - Petroleum Licence Application PLA1/16 EHA Exploration Ltd - *Council to request an extension to closing date and if not granted submit a robust response*
- (ii) Department for the Economy – Minerals & Petroleum Department - Petroleum Licence Application PLA2/16 Tamboran Resources (UK) Ltd - *Council to request an extension to closing date and if not granted submit a robust response*
- (iii) Department for Infrastructure Planning Group - New Draft Model Licence conditions 2019 for caravan sites
- (iv) NILGOSC - Funding Strategy Statement - Circular 05/2019
- (v) Northern Ireland Housing Executive (NIHE) - Chronic Homelessness Action Plan – an all Member meeting to be organised to prepare the response.

Councillor Burton left the meeting at 8.20pm

Councillor Cuthbertson left the meeting at 8.20pm

C114/19 Notice of Motion

Councillor Quinn moving the motion stated that although many had differences of opinion it was safe to say that all unite over the love of animals and have stories of family pets.

Councillor Ashton returned to the meeting at 8.21pm

Councillor M Quinn spoke of his family cat, called 'Cat' and how pets were cherished family members. He stated like many others he had been deeply affected by the recent events of cruelty to animals mentioning the attack on a puppy in Lurgan, acid thrown at a dog in Belfast resulting in it having to be put down, the story of foxes being fed to dogs in England and then the most recent attack on a family dog in Coalisland when it had been thrown into the Canal and only for the dedication of Council dog wardens Brian Mills and Lisa Marsh who went beyond the call of duty to rescue the dog there may have been a very different outcome. He commended the officers suggesting that they should perhaps receive additional flexi hours to reflect their brave acts. He spoke of the suspended sentences effectively meaning perpetrators were getting away with a slap on the wrist and then maybe crossing the border and getting another pet. He emphasised that animal shelters had no way of checking if people had convictions concerning past offences on animals and in working with the RSPCA it was apparent that a cross border UK wide animal abuse register was needed. He stated that people should also have to declare to potential employers if they had such an offence against them and stated that people who harm animals should not be permitted to own one

again. He stated that more than lip service was required and that the collapse of Stormont had led to the collapse of legislation on this matter.

Councillor Quinn moved the motion as undernoted:

“This Council condemns animal cruelty in all forms; notes the effective framework currently in place for punishing offenders and imposing appropriate sentences which serve as a deterrent to others; recognises the work of the USPCA in challenging cruel behaviour toward animals as well as supporting rehoming initiatives for those animals that have suffered abuse or neglect; further notes with concern that there is no central register of those convicted of animal cruelty offences and; resolves to write to the Permanent Secretary of the Department of Justice, and the British and Irish Governments to raise these concerns and propose a central all-island register for animal abusers.”

Councillor Hughes seconded the motion stating it was a no brainer and shared how in liaising with an animal welfare officer in another Council she had learned of 16 dogs being seized and within a few weeks of the judgement the person had got more dogs. Councillor Hughes also commended the officers aforementioned and supported Councillor Quinn’s remarks.

Councillor Doris stated that Sinn Féin supported the motion and spoke of the vile story regarding the pet in Coalisland and stated that such people who carry out evil acts deserve to be punished and commended all who assisted in the rescue.

Councillor Kerr supported the motion advising that his cousin owned the dog attacked and spoke of her distress, the regard with which she is held in the community and how people carrying out such attacks are obviously disturbed. He commended Councillor Quinn on the motion and thanked the officers for their intervention which saved the dog’s life.

Councillor Milne stated that he fully supported the motion and spoke also of the responsibility to follow up on dog fouling. He also stated that it is well known dogs have been disappearing and mistreated and people should not allow their dogs to roam freely and said that Council needs to step up to the mark.

Councillor Wilson said that Northern Ireland is renowned for its compassion and understanding of animals with almost half of all households sharing their homes with at least one pet and that is why so many are sickened by the all-too-regular reports of animal cruelty.

Councillor Wilson stated that as far as he was concerned anyone who deliberately goes out to inflict barbaric suffering on any animal simply cannot be trusted with pets in the future and posed the question that if they can perpetrate suffering on an animal, then what could they do to their fellow human beings? He highlighted the fact that Northern Ireland has the toughest penalties for animal cruelty anywhere in the UK or Ireland, including taking the lead with introducing a new maximum sentence of five years’ imprisonment but that it is a matter of huge regret that it is not forcefully applied. He stated that far too many cases which have been labelled as horrific but for which

only lenient sentences have been handed down and this has led to sickening scenes of some of the worst offenders walking free from court laughing and jeering. He also expressed regret that despite there being thousands of animal welfare cases opened across Northern Ireland every year only a small number are pursued to prosecution, and an even smaller number see successful convictions. He said there is a strong case to improve the information currently collated and stored regarding those found guilty of inflicting suffering on animals. Given the varying levels of responsibility allocated to local enforcement bodies such as the Department of Justice, the PSNI and indeed Councils, it is essential that they are able to quickly and effectively share the conviction data amongst themselves and the wider public. In addition he said he believed the collation and accurate storage of conviction data would allow non-statutory bodies such as local animal welfare charities to more confidently make decisions such as re-homing. He stated that the Ulster Unionist Party therefore supports the creation of a central register of people convicted of animal cruelty offences.

Councillor Quinn thanked Members for their support and advised that he had started a petition for the register also. He said that the register is vital and that the SDLP were bringing the motion to all Councils seeking support.

The Chair, Councillor Kearney declared the motion carried.

Councillor McAleer left the meeting at 8.32 pm

C115/19 Notice of Motion

Councillor Wilson spoke of people using public transport to travel from Cookstown have to go to Magherafelt first then take another bus to Antrim hospital and highlighted that it sometimes takes a whole day having to use the current bus services. Councillor Wilson moved the motion as

“That this Council seek an urgent meeting with Translink to discuss their continued refusal to provide a stop to facilitate passengers wishing to visit Antrim Hospital.

Such a stop could be located at the roundabout on the M2 adjacent to the Hospital and would be used solely by the Translink 212 Service.”

Councillor McKinney seconded the motion.

Councillor McLean stated they would support the motion as a lot of people were using public transport and more would if it was available.

Councillor Milne advised that approximately six years ago former Councillor Kate McEldowney had got up a petition and intensive negotiations had taken place all to no avail as express bus passengers complained about an extra stop. Councillor Milne also stated that Council should meet with the Northern Trust as they were an obstruction in the past.

Councillor Kearney stated that the motion only requested a meeting with Translink. Councillor Milne stated that with a new run opening Council had a good argument as the motion stands.

The Chair Councillor Kearney put the motion to the meeting.

All Agreed

The Chair Councillor Kearney declared the motion carried.

C116/19 Notice of Motion

Councillor Elattar referred to the motion she wished to move as undernoted:

“That this Council commends the #FDANODELAY campaign and recognises that people living in hostels and other temporary/emergency accommodation across our society are homeless and deserve to be legally recognised as such by having Full Duty Applicant status awarded. This Council calls on the NIHE Chief Executive to respond outlining what measures the NIHE will now take to accurately audit the extent of the problem regarding homeless people who are not recognised as such and what steps will be taken to remedy these oversights.”

Councillor Elattar referred to ‘The Homeless Not Voiceless Campaign’ - launched their Full Duty Applicant - No Delay initiative - in December 2018 at which time it called on the NIHE to exercise its duty and immediately award FDA status to everyone in emergency accommodation, such as hostels and homeless shelters. The Councillor stated that through surveying in homeless hostels it was discovered that a group of homeless people, living in homeless shelters were being denied FDA status by NIHE. Councillor Elattar highlighted that as a result of this many experience avoidable harm mainly because they are invisible in NIHE statistics and spoke of the growing evidence that being homeless in itself creates vulnerability including in health and educational outcomes. She advised that the NIHE in July 2018 had stated there were only 18 people in hostels who did not have FDA status yet a survey carried in in the same period in Simon Community Hostels showed that there were 78 without FDA status.

Councillor Elattar emphasised that people should receive their assessment and their FDA points immediately they are accepted into homeless hostels as it is only then that they will be treated as a priority for housing. Councillor Elattar in closing stressed that the right to a home is a fundamental human right and that Council should ensure that vulnerable homeless people receive Councils full support on this issue.

Councillor McGinley seconded the motion and advised that he worked with homeless young people and adults and that when you scratch the surface there are big concerns. He spoke also of the hidden homeless, the homeless are not just those who have to sleep in shop doorways, there are people ‘sofa surfing’ as they have nowhere to go and it is difficult then to break the cycle as if you have no address it impacts on benefits and job applications processes.

Councillor McKinney stated that the issue of homelessness can affect anyone in society and that it was not always down to addiction problems or for a lack of trying by people as some would tend to suggest, he highlighted the proposed closure of the factory in Cookstown and asked the question, where might these people be in 60 days?

Councillor McKinney spoke of the host of reasons which leads to homelessness such as family breakdowns, financial problems, institutional experiences, disputes with previous landlords or people suffering poor mental health. He spoke also of the people placed in temporary accommodation and the large amount of monies spent on it which in fact did not tackle the actual problem. Councillor McKinney stated his party would be keen for the NIHE to reveal the full extent of the problem regarding homeless people who are not recognised as such. If the problem does come down to the scope of the current FDA, then it does need to change. Councillor McKinney commended Councillor Elattar on moving the motion but reminded her that if her party cared about the crisis of homelessness, then they'd be back into the Assembly to ensure Ministers were in place.

Councillor Monteith commended Councillor Elattar on presenting the motion and emphasised that every opportunity should be taken to raise the plight of the homeless. He referred to earlier references to Ivan Cooper who had been a civil rights activist and said it was desperate that after 56 years homelessness is still a major issue. Councillor Monteith stated that people were falling between two stools and thus left in limbo, he spoke of people living in temporary accommodation for maybe 12 – 24 months which had a desperate impact. He stressed there was no strategy to deal with this and spoke of the scourge of landlordism and the total disregard for tenants' rights highlighting that there was no come back on raising rents. Councillor Monteith spoke of legislation in Scotland and the 26 counties. He shared the story of one family who were forced to leave their home and move into temporary accommodation then six months later were offered the same house back again with the NIHE paying the rent. He spoke of those struggling and emphasised that their issues should be championed as there were solutions but Council needed to challenge decision makers. In closing he voiced that when it was operational the Stormont Executive had rejected legislation on three occasions.

Councillor Elattar thanked Councillors for their support emphasising that the plight of the homeless is very real. She thanked Councillor McKinney for his comments but stated that the suggestion that the motion was moved to score political points was distasteful.

The Chair Councillor Kearney put the motion to the meeting.

All Agreed

The Chair Councillor Kearney declared the motion carried.

C117/19 Notice of Motion

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

“We believe it is important to mark the 75th Anniversary of VE day. There was a WWII American fighter plane that crashed killing the pilot near President Grants ancestral home just a few days before the end of World War II. We propose that this Council work with the local Historical Society to mark the crash site and hold an event or events to acknowledge the contribution of troops from the USA who were billeted in the Mid Ulster area for a period of time during the build up to the D-day landings that eventually brought an end to World War II.”

Councillor Cuddy spoke of the thousands of Americans who came to the area in preparation of the D Day landings. He spoke of the great stories told of this time and the amazing part the Americans played in local history. Councillor Cuddy stated that many Americans would be visiting the area and that there was an opportunity to work with the Killeeshil Historical Society and spoke of the pilot who crashlanded not far from US President Grants Homestead. Councillor Cuddy stated that Council should have an event and mark the site of accident and have an occasion for the visiting Americans to come to the district.

Councillor Graham seconded the motion and stated that it was her understanding the pilot came from Georgia and that the Killeeshil Historical Society had been in touch with the family of the pilot who was known to have flown on raids over Germany some 35 times. The Councillor also made mention of the Slieve Gallion crash and stated that it was good for Council to mark the events.

Councillor McFlynn stated that the SDLP welcomed the motion coming as it does on the 75th anniversary of VE Day. The Councillor stated that it was proper that the momentous occasion which marked the defeat of Nazi Germany and the signing of the Act of Surrender at 2.14 on 7th May 1945 is marked. Councillor McFlynn said it was only fitting that Council should acknowledge the part played by the allies and in particular USA, remarking that in the local council area there are reminders of the arrival of American troops such as memories of the tragic death of 13 young pilots in plane crashes over Slieve Gallion. In the commemorations Councillor McFlynn stated that the great care the troops received at Springhill house Money more should be remembered appropriately.

The Chair Councillor Kearney stated that the spirit of the motion incorporated the whole district.

The Chair, Councillor Kearney put the motion to a vote

FOR	16
AGAINST	0
ABSTAINED	17

The Chair, Councillor Kearney declared the motion carried.

Motion carried

Councillor Graham left the meeting at 8.56 pm

C118/19 Notice of Motion

Councillor D McPeake referred to the motion he wished to move as undernoted:

“That this Council welcomes the range of reports recently published which highlight the serious risk of greater hardship for many within our community, if Welfare Mitigations do not continue beyond March 2020. These reports include;

- *Welfare Reform: Mitigations on a Cliff Edge*
- *Cliff Edge Coalition NI*
- *NIAO: Welfare Reforms in NI*

It calls on all parties to support the need to continue Welfare Mitigations beyond March 2020 and further; Calls on DfC to take all steps necessary to ensure the Mitigations scheme will continue to help the most vulnerable in our community.”

Councillor D McPeake moved the aforementioned motion highlighting that in November 2015 Sinn Féin had sought and secured an agreement with other political parties in the Stormont Assembly for a mitigation package from Executive funds to offset some of the worst aspects of the British Government’s imposition of welfare cuts. In addition a number of changes to the administration of Universal Credit was also secured including fortnightly payments as opposed to monthly, split household payments, the ability to have housing costs paid directly to the landlord and a reduction in the highest level of sanction.

The £585 million package did not defeat the malignant Tory agenda of welfare cuts but it did significantly reduce the punitive impact here which has been highlighted in separate reports from the Auditor General, the Cliff Edge Coalition and also from the Department for Communities which have demonstrated just how beneficial the mitigation package has been in terms of protecting the most vulnerable in society. He further advised that the reports have shown how almost 35,000 tenants here do not pay Bedroom Tax as a result of the mitigations and how families have been protected from the Benefit Cap and how many others have benefitted from a range of other supplementary payments.

Councillor D McPeake stated that there should be no doubt about the opposition that is faced from the British Treasury regarding the mitigation package and spoke of how the British Treasury are opposed and are insisting that mitigation top ups under the Cost of Work allowance should be taxable thus taking money off people on low incomes. He stressed this was unacceptable and that the stand-off over that element has led to a substantial part of the underspend identified in the Auditor General’s report. He said that the Cliff Edge Coalition are to be commended for not only their detailed report but also for the ongoing work they continue to do in highlighting the likely impact of the mitigations coming to end and the new challenges many are facing particularly in terms of Universal Credit. He advised that the financial package of mitigation measures is in place until 2020 and Sinn Féin is committed to seeking agreement with the other parties to commit to a second round of mitigations from that date and that they would continue

to oppose the welfare cuts agenda in its entirety as it was clearly not fit for purpose and should be scrapped completely. He was emphatic in that protecting the most vulnerable would remain the key objective whether that is by mitigating it where possible or opposing the entire Tory welfare cuts agenda. Councillor McPeake said that the party remains concerned that the cumulative impact of the Universal Credit roll out, the ongoing benefit rate freeze, the introduction of the Personal Independence Payment (PIP) the time limiting of contributions based ESA and the potential end of the mitigation package would drive people deeper into poverty and would have far reaching consequences, particularly for those who are sick, disabled and/or vulnerable.

It was noted that the recent report by the UN Special Rapporteur into extreme poverty supports these concerns and is a damning indictment on the impact of the Tory government's austerity and welfare cuts agenda and should serve as a wakeup call for everyone. He stated that protecting the most vulnerable in society is a crucial duty of any administration and that Sinn Féin would continue to oppose the British Government policies of welfare cuts while also providing as much help as possible for those impacted by the Tory assault on the benefits system. He said that what is needed is a unified front to challenge the Tory government's austerity agenda. He advised that inter party and departmental discussions were ongoing but given the departmental review conclusion that mitigations can be continued beyond March 2020 within the existing legislation, Sinn Féin believes the basis exists for cross party agreement on a second phase of mitigations and as part of this would call on the Department for Communities to DfC to take all steps necessary to ensure the Mitigations Scheme will continue to help the most vulnerable in the community.

Councillor S McPeake seconded the motion.

Councillor Brown stated that he had no issue with the motion but was somewhat surprised as at a recent welfare event in Belfast facts had been outlined and appropriate advice was available for an incoming Minister and it was clear that any legislation in place ends on 31 March 2020, and if there is no amendments there would be no payments as it is a devolved matter. He stated that if the Sinn Féin party was concerned they should call on the assembly to get up and running so that the matters could be addressed in the correct forum and stressed that Stormont needed to return with no conditions.

Councillor Monteith stated he welcomed motions that would help people and stressed that the system was a throwback to Victorian times and was a punitive, cold, and difficult to navigate system and what is happening was wrong. He stated that every day more and more reports from charities speaking of the impact of the system are released and he stated that it was nothing to do with reform but it was the British Government stripping the most vulnerable of society, he told of how when the bill was voted on in Westminster that they cheered, cheered on the poverty it would inflict. He stated that the whole system was wrong on so many levels, that the mitigation system is half-baked and thousands of people brought over to the new system mitigation was not there for them. Councillor Monteith advised that anyone from 6 March 2018 who lost their job, became disabled, needed to move to new home were brought across to Universal Credit with no mitigation. He stated that the system was designed by the Tories and brought to the North of Ireland by the two main parties in Stormont.

Councillor Quinn concurred that mitigation was not worth a lot and the results experienced was the price paid when the two main parties at Stormont handed Welfare Reform back to Westminster. He stated that bedroom tax was being paid by some families. He said that a return to Stormont and effective power sharing was a method of having the matter discussed in a proper setting.

Councillor Quinn proposed the undernoted amendment.

“That this Council welcomes the range of reports recently published which highlight the serious risk of greater hardship for many within our community, if Welfare Mitigations do not continue beyond March 2020. These reports include;

- Welfare Reform: Mitigations on a Cliff Edge*
- Cliff Edge Coalition NI*
- NIAO: Welfare Reforms in NI*

Acknowledges that, in spite of assurances to the contrary, vulnerable claimants are currently being forced to pay the Bedroom Tax; calls on all parties to work together to establish an inclusive power sharing Executive that can continue the welfare mitigation package beyond March 2020 and; calls on the Department for Communities to take all steps necessary to ensure the mitigation scheme will continue to support the most vulnerable in our community.

Councillor McFlynn seconded the amendment and a copy was distributed to Members.

Councillor Colvin stated that a lot of the points he would raise had been covered and stated that a lot of people are suffering and asking “why we do not have an assembly up and running?” He said he did not wish to score points the motion was fine but the parties needed to get back to Stormont as that was what was being heard on the ground.

Councillor Kerr concurred with Councillor Monteith and stated it was amazing the amount of money the Tories can spend on wars in the Middle East, the companies that escaped paying taxes and the money found for the sizable payment to DUP to gain their support in Westminster.

Councillor Black stated that the money delivered by the DUP had benefitted everyone in Northern Ireland.

Councillor Milne spoke on the deal that Stormont had negotiated and stated if it had not of been done there would have been no come back.

Councillor Kearney called for a vote on the amendment.

For 15

Against 0

Councillor D McPeake accepted the amendment and stated that Members should bear in mind there was all party talks taking place with regard to the Assembly.

The Chair Councillor Kearney put the motion to the vote and all agreed.

The Chair, Councillor Kearney declared the motion carried.

The press and public left the meeting at 9.14 pm.

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

Resolved That items C118/19 – C131/19 be taken as confidential business.

Matters for Decision

- (i) Council Meeting of Confidential Minutes of Meeting held on 15 April 2019
- (ii) Special Environment Committee Confidential Minutes of Meeting held on 16 April 2019
- (iii) Planning Committee Confidential Minutes of Meeting held on 4 June 2019
- (iv) Policy & Resources Committee Confidential Minutes of Meeting held on 6 June 2019
- (v) Environment Committee Confidential Minutes of Meeting held on 11 June 2019
- (vi) Development Committee Confidential Minutes of Meeting held on 13 June 2019
- (vii) Audit Committee Confidential Minutes of Meeting held on 18 June 2019
- (viii) Document for Sealing: Deed of Surrender between The Woodland Trust and Mid Ulster District Council in triplicate
- (ix) Document for Sealing: Deed of Dedication in respect of lands at Ballymacombs, Loughsholin, Country Londonderry between Mid Ulster District Council (1), The Woodland Trust (2) and The Big Lottery Fund (3) in triplicate
- (x) Document for Sealing: 20 Year Lease for lands situated at Glenone Wood, Portglenone between The Department of Agriculture Environment and Rural Affairs and Mid Ulster District Council in duplicate
- (xi) Document for Sealing: Coalisland Public Realm – Fox Building & Engineering Ltd
- (xii) Document for Sealing: Davagh Dark Skies Visitor Centre – Lowry Building & Civil Engineering Ltd
- (xiii) Document for Sealing: Dungannon Leisure Centre Repairs – R J McKelvey Ltd
- (xiv) Document for Sealing: Maghera Public Realm Design Team – RPS Ireland Ltd

C133/19 Duration of Meeting

The meeting was called for 7pm and ended at 9.25 pm

Chair _____

Date _____