

Minutes of Meeting of Mid Ulster District Council held on Thursday 14 December 2023 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair	Councillor Molloy
Members Present	Councillors Bell*, Black, Brown, J Buchanan, W Buchanan, F Burton, J Burton, Cahoon, Carney, Clarke, Corry*, Cuthbertson*, Forde, Groogan, Johnston, Kelly, Kerr, Mallaghan, Martin, McAleer, McConnell, McElvogue, McFlynn, McGuigan, McLean*, McLernon, McNamee, D McPeake, S McPeake, Milne*, Monteith, Quinn, Varsani* and Wilson
Officers in Attendance	Mr McCreesh, Chief Executive Mr Black, Strategic Director Communities and Place (SD:CP) 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 (HoSSE) Mr Moffett, Assistant Director of Organisational Development Strategy and Performance (AD: ODSP) Mr C McKeown, ICT Support Mrs Forde, Committee and Member Services Manager
Others in Attendance	Representatives Northern Ireland Local Government Association (NILGA) Ms Alison Allen Chief Executive

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others 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.

C234/23 Notice of Recording

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

C235/23 Apologies

Councillor Gildernew, Graham, McQuade, Robinson, Totten

Mr Tohill, Strategic Director of Corporate Services and Finance (SD: CS&F)

C236/23 Declarations of Interest

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

Councillor Kerr declared an interest in the Development Minutes in relation to Coalisland Food Bank.

C237/23 Chair's Business

The Chair, Councillor Molloy said, "It has been a shorter than usual, but no less busy time since we previously met. A highlight of that time for me as Chair of the Council was getting out and about attending our Christmas Lights Switch On events. I've been really privileged to have met so many fantastic children and families, entertainers and all the staff who help put on these fantastic shows. And of course, it's been special to have been able to work alongside Santa himself.

Of course, while for most of us Christmas brings with it festive cheer and cause for celebration, for many, including those in our own district, it is the most difficult and challenging time of the year, including for those who have lost a loved one, in poor health or struggling financially. This year, rising costs and household bills are affecting us all, and this brings with it new worries and pressures for households and communities across the district. It's important then that even in our own time of celebration we remember those less fortunate than and do what we can to help them over the Christmas period, we all have gifts that are not wrapped in shiny paper but could literally be lifesaving - take time with someone who needs a chat or a bit or support, show kindness to a stranger, give a blood donation the Blood Donation vans will be across the district.

As Council Chair over the last six months, I've had the opportunity to get out and about across the district where I have been able to personally meet, engage with and learn more about our wonderful communities and businesses that make Mid Ulster. Just this week we marked the first in a series of events as we move to completion of the Connecting Pomeroy project with the opening of the Church of Ireland Parish Hall. I sincerely congratulate all those, especially MUDC staff who have worked tirelessly over the last 5 years to deliver the project.

On Wednesday I attended an event to celebrate and honor achievements by Council employees both individually and collectively and it was particularly rewarding to present so many awards in recognition of long service. Without doubt the dedication and commitment of our staff makes Mid Ulster Council truly special. Christmas is a time for peace. And this year I hope for peace in our homes, in our communities, in the district and perhaps even more significantly, across the world. In closing I wish you all and your families a happy and peaceful Christmas and a healthy and fruitful 2024. Nollaig shona daoibh go leir. Go raibh mile maith agat."

The Chair, Councillor Molloy invited Councillor Kerr to speak.

Councillor Kerr asked the Chair to send letters of congratulations to Coalisland Fianna Members Nicole Murphy and Pdraig Hampsey on winning the Team Talk Mag All Star awards. E also highlighted that Paddy Lyons would be appearing on the 'Two Johnnies' Programme representing both Coalisland and Tyrone and congratulations should be sent to him also.

The Chair, Councillor Molloy concurred.

Resolved That the Chair send a letter of congratulations to

- (i) Coalisland Fianna Members Nicole Murphy and Pdraig Hampsey in winning the Team Talk Mag All-stars; and
- (ii) Paddy Lyons on representing Coalisland and Tyrone on the Two Johnnies Programme.

Councillor McGuigan asked that the Chair send letter of congratulations to Watty Graham's GAC in their successful back-to-back Ulster Senior Championship win and wish them best wishes to forthcoming All Ireland Senior Club Championship. He concluded that the club's recent successes have brought the community together in support of the club.

Councillor Kelly concurred.

The Chair, Councillor Molloy concurred.

Resolved That the Chair send a letter of congratulations to Watty Grahams on winning the 2023 Ulster Senior Championship and extend best wishes to players and Management for the forthcoming All Ireland Club Championship.

Declaration of Interest

Councillors S McPeake and Burton declared an interest in NILGA.

C238/23 Deputation: Northern Ireland Local Government Association (NILGA)

The Chair, Councillor Molloy welcomed Ms Alison Allen to the meeting. Ms Allen extended her appreciation to both Members and officer team for their support to NILGA. Ms Allen deliver presentation detailed at appendix A.

The Chair, Councillor Molloy thanked Ms Allen for the presentation and invited Members questions.

Councillor S McPeake commended Ms Allen on the presentation and stated that the usefulness of NILGA was especially demonstrated during the amalgamation of Councils and the transfer and integration of planning from the Department to Councils. He highlighted that over the last two years NILGA had played a key lobbying role in the absence of the NI Assembly. With regard to the transfer of

further powers to Councils, Councillor S McPeake was emphatic that powers should not be accepted unless there are adequate resources to accompany them.

Councillor McConnell thanked Ms Allen for the presentation and said that as a new Councillor he had enrolled in training offered by NILGA and commended the Civil Contingencies/Emergency Planning training and stated that the Planning and Leadership programme would prove to be a useful tool in his role.

Councillor Burton said as a NILGA representative and as Chair of the Elected Member Development Working Group she would encourage all Councillors to engage in training, particularly those on planning committee. She said she had completed the Leadership course and even as a long serving member had found it be beneficial. Councillor Burton spoke of the unique relationship between SOLACE and NILGA together with the regular Executive meetings which give Councillors the opportunity to bring issues forward highlighting the success in securing funding for community transport across the province. Councillor Burton concluded stating that she hoped Council would progress to Charter Plus.

Councillor McFlynn highlighted the vital importance of NILGA especially in issues such as Lough Neagh which would be in the domain for quite a while. She wished NILGA well with its work and concluded that NILGA was very much the voice of Councillors especially in the absence of the NI Executive.

The Chief Executive extended his thanks to Ms Allen for the presentation and her work since taking on the role of Chief Executive of NILGA. He said the source of information, guidance and support was a fabulous resource and NILGA always spoke truth to power.

Ms Allen thanked the Chair, Members and Chief Executive for their comments and left the meeting at 7.31pm.

Matters for Decision

C239/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 23 November 2023

Councillor Kerr drew attention to C216/23 Deputation NI Water and stated whilst Members had received an update on issues raised the response in relation to Estate Management was not acceptable. He proposed that Council write to NI Water to request the information once again.

Resolved That Council write to NI Water and again request a contact for the Officer in Charge of Estates Management.

Councillor Kerr drew attention to C226/23 Notice of Motion and highlighted that some 18000 Palestinians had died in recent conflict and 80% of the population had been displaced. He referred to Councillor Quinn’s motion which was carried by Council in 2018 regarding the Boycott, Divestment, Sanctions (BDS) Campaign and

investigations on the most practical means of implementing same in Council and sought an update.

Resolved That Members receive an update on Council progress in relation to motion adopted by Council in 2018 in relation to Boycott, Divestment, Sanctions (BDS) Campaign and investigations on the most practical means of implementing same.

Councillor Quinn drew attention to C219/23 Request to Illuminate Council property regarding highlighting Kawasaki Disease and said his comments had been picked up by local papers including Belfast Live, following which he had received five phone calls from people in Coalisland to say their child had also suffered the disease. He said having been given the statistics he had not thought there would be anyone in his neighbourhood who had had the same experience and felt that the calls give emphasis to the importance of illuminating buildings to highlight charities and their works as it helped spread knowledge.

Councillor Burton requested that the wording in relation to her comments about Royal British Legion, Fivemiletown be amended to include that the group should be recognised when Council's award process recommenced.

Proposed by Councillor Kerr
Seconded by Councillor Quinn and

Resolved That the Minutes of the Council held on Thursday 23 November (C212/23 – C227/23 and C233/23) transacted in Open Business having been printed and circulated were considered and adopted.

C240/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 4 December 2023

Proposed by Councillor McAleer
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Environment Committee held on Monday 4 December 2023 (E266/23 – E279/23 and E285/23) transacted in Open Business having been printed and circulated were considered and adopted.

C241/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 5 December 2023

Proposed by Councillor Mallaghan
Seconded by Councillor S McPeake and

Resolved That the Minutes of the Planning Committee held on Tuesday 5 December 2023 (P128/23 – P133/23 and P140/23) transacted in Open

Business having been printed and circulated, subject to the foregoing were considered and adopted.

C242/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 6 December 2023

Proposed by Councillor McNamee
Seconded by Councillor McLernon and

Resolved That the Minutes of the Development Committee held on Wednesday 6 December 2023 (D191/23 – D200/23 and D203/23) transacted in Open Business having been printed and circulated were considered and adopted.

C243/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 7 December 2023

Proposed by Councillor McLernon
Seconded by Councillor S McPeake and

Resolved: That the Minutes of the Policy & Resources Committee held on Thursday 7 December (PR201/23 – PR210/23 and PR221/23) transacted in Open Business having been printed and circulated were considered and adopted.

Matters for Information

C244/23 Consultations

Members noted consultations received for attention of Council.

Councillor Mallaghan drew attention to correspondence received from NI Policing Board regarding appointment of Independent Members. He proposed that Council respond to the letter and spoke of the criteria for appointment of Independent Members and how it was unusual for such recruitment campaigns to stipulate the need for financial experience as essential criteria. He said the NI Policing Board should consider either an appointment of one Independent Member with financial criteria or preferably that financial experience was listed as desirable not essential criteria.

Proposed by Councillor Mallaghan
Seconded by Councillor S McPeake and

Resolved That Council respond to Northern Ireland Office correspondence regarding appointment of Independent Policing Board Members in relation to criteria.

Councillor S McPeake drew attention to consultation from the Department of Justice: Anti Social Behaviour and proposed that it be referred to Mid Ulster PCSP to formulate response. Closing Date: March 2024.

Resolved That consultation from the Department of Justice: Anti Social Behaviour and proposed that it be referred to Mid Ulster PCSP to formulate response. Closing Date: March 2024.

C245/23 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor Carney drew attention to correspondence received from Ards and North Down regarding lifelong learning. She spoke of her return to adult education to study law at South West College and value of the support from college staff, family and friends throughout her journey. She stated that those accessing education later in life most often had caring responsibilities and much support was required to succeed. She proposed that Council support the motion and take actions requested.

Proposed by Councillor Carney
Seconded by Councillor McLernon and

Resolved That Council support motion adopted by Ards and North Down Borough Council regarding Lifelong Learning Campaign and agree to:

- (i) To assist in the promotion, through the dissemination of material in support of a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities;
- (ii) Writes to Mid Ulster MPs and MLAs to prioritise funding for formal and informal part time education when the Executive is formed; and
- (iii) Encourage Mid Ulster MLA's to form an All Party Group on Lifelong Learning to support and evidence a best practice informed approach to policy making, in collaboration with adult education bodies and other stakeholders to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

Councillor Kerr expressed disappointment at the response received from Environment Protection Agency regarding water quality at Lough Neagh. He proposed that Council respond and outline why water quality at Lough Neagh should be an All-Ireland Strategy stating that County Monaghan waters were part of Lough Neagh. He said the current situation in the Lough could be linked back to partition and it was the largest freshwater lough on the island of Ireland.

The Chair, Councillor Molloy said that Lough Neagh shores were all within the North but there were links with contributor waterways such as Blackwater.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved That Council respond to Environment Protection Agency to outline that as Lough Neagh was the largest fresh water lough in the island of Ireland and contributing water ways flow to/from the Republic of Ireland the water quality in the Lough Neagh should be a priority to the agency.

Councillor Cuthbertson drew attention to the letter received from Cabinet Office outlining the offer of a free portrait of His Majesty the King to public authorities. Councillor Cuthbertson proposed that Council avail of the offer.

Councillor Wilson seconded the proposal.

That Council avail of the offer from the Cabinet Office of a free portrait of His Majesty the King

Councillor Monteith stated that as a republican he was opposed to the monarchy and the power and privilege it promotes. He emphasised that no one human being was better than any other and proposed that Council does not avail of the offer from the Cabinet Office of a free portrait.

Councillor Kerr seconded the proposal,

That Council does not avail of the offer from the Cabinet Office of a free portrait.

The Chair, Councillor Molloy stated that Council had an interim arrangement regarding such matters but as there was a proposal and counter proposal that he would take a vote on should Council avail of the offer to accept the portrait.

For	11
Against	24

The Chair, Councillor Molloy stated the proposal had fallen and Council would thus not accept the offer of a free portrait.

Councillor Cuthbertson stated he was very disappointed but unfortunately was not surprised at the outcome. He said during the previous mandate, when Councillor McLean had been Chair one of the highlights had been the royal visit to Cookstown when King Charles, who was at that time the Prince of Wales had visited. The visit had been a great boost to the area and the local economy. He said the outcome of the vote was a negative step and clearly showed there was no tolerance for the unionist community in Mid Ulster. He said the portrait was free, would not have cost council money as is often the excuse used but it was clear there was no space for unionism in council and the views of unionist were not recognised.

The live broadcast concluded at 7.45 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 Kerr
Seconded by Councillor McLernon and

Resolved That items C246/23 to C254/23 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 23 November 2023
- (ii) Audit Committee minutes of meeting held on 28 November 2023
- (iii) Environment Confidential minutes of meeting held on 4 December 2023
- (iv) Planning Confidential minutes of meeting held on 5 December 2023
- (v) Development Confidential minutes of meeting held on 6 December 2023
- (vi) Policy & Resources Confidential minutes of meeting held on 7 December 2023
- (vii) Document for Sealing: Execution and Sealing of Deed of Surrender: Cahore Playing Fields: Dungannon & STBC and Ballygawley Sports and Leisure Trust (CLC001-0101)
- (viii) Document for Sealing: Execution and Sealing of New 25 Year Lease with possibly of extension: Cahore Playing Fields – Errigal Ciaran GAC & MUDC (CLC001-0101)
- (ix) Document for Sealing: Connecting Pomeroy – Civil Trail Development (IST Contract)

C256/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.50 pm

The Chair, Councillor Molloy wished everyone a Happy Christmas.

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.