

Minutes of Meeting of Mid Ulster District Council held on Thursday 28 September 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, Gildernew, Graham, Groogan, Johnston, Kelly, Kerr, Mallaghan, McAleer, McElvogue, McFlynn, McGuigan, McLean, McLernon, McNamee*, D McPeake, S McPeake, McQuade, Milne*, Monteith, Quinn, Robinson, Totten* and Varsani
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 Tohill, Strategic Director of Corporate Service and Finance (SD: CS&F) Mr McGuckin, Head of Strategic Services and Engagement (HoSSE) Mr McKeown, ICT Mrs Forde, Committee and Member Services Manager
Others in Attendance	Representatives from DfI Colin Woods - Transport and Road Asset Management Deputy Secretary Daniel Healy – Western Divisional Roads Manager Lesley Maxwell – Section Engineer Mid Ulster South Conall McKee – (Acting) Section Engineer Mid Ulster North

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

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

C158/23 Notice of Recording

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

C159/23 Apologies

Councillor Wilson, Martin

The Chair, Councillor Molloy advised there would be a change in agenda order and that the Department for Infrastructure Annual Report 2023 would be taken prior to Chair's Business.

C160/23 Declarations of Interest

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

C161/23 Deputation: Department for Infrastructure Annual Report 2023

The Chair welcomed Mr Woods and Mr Healey, representatives of Department for Infrastructure who were in attendance to present the Department's Annual Report 2023.

Mr Woods gave an overview of the strategic context of the budgets the department had to work with in and advised that it was down 14% to £523m, but what was needed was £690m and it was more than challenging to meet the difference. He referred to the consultation that had taken place in previous months regarding what the Department could do to save money for example switching off street lights. Mr Woods stated that the significant lack of budget meant that what could be delivered was limited and repairing was now the highest priority. He stated that usually the capital budget brought good news but it also had a shortfall of £146m thus limiting major projects. He said it was a glum picture but commended Mr Healey and his team for their delivery on the ground with such a limited budget. He concluded stating that the Department were looking towards a transport strategy and encouraged all to respond as they try to work towards the Climate Change Act and net zero targets.

Mr Healey spoke of the budget challenges he and his team were facing but drew attention to the detail listed within the annual report on the achievements on projects that had been delivered. Speaking with regard to the 14% reduction in resource budget provided by the Secretary of State he said there was a great disparity between what was allocated and what was required as outlined in the NI Audit report. Mr Healey advised that with the Assembly not sitting no late application of funding would be received by the Department and with out any additional money work was severely restricted. He said the section was doing the best they could to keep roads safe but it was more expensive to maintain than replace.

Mr Healey drew attention to completed works during 2022/23 as outlined in the report and advised that major road improvement schemes such as the A5 were moving through statutory processes as was the A29 Cookstown bypass. Mr Healey drew attention to the completed and proposed Active Travel Schemes as listed in the report and thanked Council for their input into them. In relation to grass cutting he said most areas had had two cuts over the period outlined and reminded Members of

the change of policy to encourage biodiversity. He also outlined roads maintenance, local transport plan and green active travel plans.

Mr Healey concluded saying that whilst Members brought forward good ideas there was recognition that the budget was not there to deliver but as always his section endeavoured to provide eventually.

The Chair, Councillor Molloy welcomed the statutory engagement and stated that all Members as well as constituents work with Dfl representatives on a daily basis and appreciated the good working relationships enjoyed.

Councillor Cuthbertson thanked the team and in particular thanked Mr Graham on the delivery of works at the Bush Road crossroads. He also requested that an update be provided to him on the Stangmore park and ride. He concluded by welcoming the traffic restraints on the M1 between junctions 13 and 14 and said there was great concern over the issues at the stretch of road and asked if any works had been completed.

Councillor Burton thanked the team for the delivery of scheme at Main Street, Caledon and extended particular thanks to Lesley Maxwell. She also expressed thanks for the footpath provision on road to Round Lake at Fivemiletown, and the active travel scheme delivered at Eglisish and said she would welcome such a scheme at Aughnacloy. Councillor Burton raised the issue of trees falling and spoke of a presentation to Environment Committee by a lady whose father had been killed by a tree. She said that the issue had been raised continually, she had also had to telephone emergency services on a number of occasions when large branches had fallen onto roads, that the issue of trees had also been raised at NILGA and called on Dfl to utilise their powers in relation to same in asking people to maintain their trees. With regard to the M1 between junction 13 and junction 14 Councillor Burton concurred with Councillor Cuthbertson and said that all should be done to ensure it was safe.

In response Mr Healey stated that checks had been carried out on the M1 and that all road checks and barrier assessments had met with requirements.

Councillor Forde thanked the team and Mr Graham in particular and said whilst at times there was long wait times Dfl did endeavour to deliver.

Councillor Kerr concurred with Councillor Burton's comments with regards to unkept trees and said he too remembered Helen's presentation and she had shared that her father had been killed by a fallen tree. He requested Dfl to remind utility companies about the standard required for reinstatement works and said that there were many road defects due to poor workmanship following works by utility companies and that it was better to get the job done right first time.

Councillor Brown spoke of a standard request for a bypass between Moneymore and Cookstown.

Mr Healey in response said it would be incorporated into the local development plan, that there was an awareness of the old route planned and eventually it would be taken forward.

The Chair, Councillor Molloy highlighted the requirement of a bypass at Dungannon and Moy and said an overarching strategy was required.

Councillor Clarke welcomed the planned footpath out to the Loup. He also spoke of rural roads flooding due to outlets at for example bridges becoming overgrown. He said at times too grit washed into hollows blocking drains and said often it would not take more than a man with a shovel to clear but uncleared they posed a real danger.

Councillor S McPeake thanked the team for the report and in relation to Active Travel scheme said that he had worked with DfI, was aware there were issues of ownership and said he did not see the scheme listed in the forward plan and sought reassurance it would not fall off the agenda.

In response Mr Healey stated that issues of ownership took a long time to resolve but schemes may be delayed but would not be let slip.

Councillor Varsani acknowledged the difficulties faced by DfI in budgetary restraints but highlighted a legacy issue with a fence at Edendork which had fenced off whereby former railway lines were located and had not been maintained. She said the issue had moved between Council and DfI for a long period of time but no one took responsibility. Councillor Varsani said a piece of work needed to be completed over such longstanding issues as it was not good enough for constituents to be told no one was responsible.

In response Ms Maxwell advised she had received an email from Council and had responded to say that DfI were not responsible as they did not own the ground and thus did not maintain boundary fences. She said there was a lane with access to private houses, so the responsibility of maintenance was that of the land owner and it was clearly private.

Councillor Varsani said the land was apparently owned by railways.

Councillor McFlynn thanked the team particularly in relation to active travel scheme. She welcomed the LED lighting schemes and said it was her hope it would benefit the environment. She asked if DfI were prepared for the winter period ahead and also highlighted that debris needed removed from some footpaths particularly in Moneymore area. Councillor McFlynn concluded thanking the team for the recent DEA meetings.

The Chief Executive from an officer perspective said that at times Council and DfI had disagreed but ultimately worked for the greater good and supported strategic projects. He said that the district brings £2bn to the NI economy and it needed to be supported with decent infrastructure and if a level playing field applied more money would be generated. He said the bypasses would make the navigation of HGV lorries through the district easier and reminded the meeting that council were committed to supporting bypasses and had advised that a planning team of experts

would be committed to the project that collectively could be delivered when the transport plan is issued.

With regard to active travel the Chief Executive reinforced that Council was supportive of schemes and would be prepared to commit and contribute to get projects delivered.

The Chair, Councillor Molloy thanked the Department for Infrastructure team for their presentation.

Representatives of Department of Infrastructure left the meeting at 7.50pm.

C162/23 Chair's Business

The Chair, Councillor Molloy addressed the meeting and said, "A few things for this evening's Chair's business – firstly welcome back to the first full Council meeting after the August break. It's good to get back into the usual routine again! It has been a busy time for me since the last Council meeting. As you know, summer is a time when events come thick and fast, and this year has been no exception. I travelled across our district, attending our Town Centre Saturdays, Lumarina and Maghera Walled Garden. As always, these events were excellently run by our officers and thousands of residents and visitors enjoyed the entertainment. Sport featured heavily also, and I was delighted to attend the All-Ireland Road Bowls and the Confederations Cup Festival, as our district played host to sports people from across the country, indeed the world!

There certainly has been an international feel to the past month in particular as we welcomed several visitors of note to the district, including the US Special Envoy for Economic Affairs, Joe Kennedy the third, and Joao Paulo Da Costa Rangel, the Ambassador of Timor Leste. I also had the pleasure of attending a reception at the Chinese Consulate in Belfast, hosted by the Chinese Consul General, Madam Zhang to mark Chinese National Day. Making international connections is vitally important for stretching the name of Mid Ulster to promote tourism and trade, thus bringing in significant spend for the local economy. Closer to home, I have recently been able to acknowledge many of the individuals, groups and organisations making a difference in our community, including the RVH Liver Support Group at a recent reception I held, and at the Civic Awards last week in the Burnavon and again on Tuesday on the Hill of The O'Neill.

Speaking of community projects that make a difference, I was privileged to be invited to several new openings since our last Council meeting, including the opening of a new community hub, gym and changing room development at Dungannon Thomas Clarke's GAA Club. I'm delighted that the Council has been able to support this modern community centre and sports facility that will deliver significant social value and community impact in Dungannon, Ballysaggart and the wider area. Not only will Thomas Clarke's club benefit from the new premises, so will residents and other community and sporting organisations too. I would also take the opportunity to extend congratulations to Councillor McQuade who played on the Tyrone Masters team.

Myself and the Deputy Chair, Councillor Graham also attended a smaller but no more significant event for the local community, when we were invited to the opening of Newmills Wildlife Gardening Club River Trail and Phone Box Lending Library. The weather was kind to us and it was fantastic to see how this group's vision for the Garden is growing and providing a focal point for the community of Newmills.

I appreciate we have notice of motion on our agenda tonight regarding the current state and the future of Lough Neagh which has been very much in the public eye in recent weeks, however can I just say briefly. The future of the Lough does not stand alone, to address the Lough we must address many issues; our network of rivers and waterways, our sewage and wastewater process and infrastructure, our agricultural and aquaculture practices, our place as consumers, manufacturers and producers. Collectively and individually we all bear responsibility but what is undisputed is the fact that we need urgent action to save our lough for future generations.

Unfortunately I finish on a very sad note, I wish to send the Council's sincere sympathies and condolences to the parents, family and friends of nine-year-old Ronan Wilson, of Kildress who was tragically killed in a road traffic incident this weekend past. May the support of our community comfort them at this time."

The Chair, Councillor Molloy invited Councillor Mallaghan to speak.

Councillor Mallaghan said he had received a letter from Carol Doey regarding mental health issues and the lack of services due to the Assembly not sitting. Councillor Mallaghan read the letter as follows.

'I opened the Hub in Cookstown 11 years ago to enable people who were struggling in our local community. Struggling with mental health issues, we all know Mental health is a large umbrella with many different spokes. Loneliness, no sense of belonging, anxiety, fear of the future, suicidal thoughts, paranoia, bipolar, PTSD, fear of growing old and the rest of the spokes, despite the enormity of it all we coped and managed to provide qualified counsellors and self help groups and workshops enabling the people to build their confidence and acknowledge their worth, not an easy task when you are a self sustaining charity. I was always adamant to bring in our own money and not depend of funding, and we managed that very well too.

Last Winter we had Tuesday and Thursday soup days (Free to everyone) Drawing people in who were struggling financially and with loneliness, we were inundated, it was a very rewarding event, wood burning stove, fresh soup and rolls, tea and biscuits. All of the above cost us nothing but our time and electric, the rest was donated. I believe if you work from your heart and not your pocket an abundance of what you need comes around, and it did from local businesses, and the ordinary citizens of our town. I feel blessed and I never asked for one item, when they saw the advertisement they came in their droves.

So why am I writing this for you to read? (Well I hope you read it to here) These past couple of months our counselling service has went through the roof, e.g. yesterday 22nd August we had 3 counsellors, (1 is a resident counsellor) the other two come as we need them (they're never not busy) we had five clients in 2 with

very complex issues, the other 3 moderate to severe issues, we have 5 qualified counsellors on our books and The Hub pay all the counsellors from our own money pot, and we even manage that, until now that is.

Before you delete, I am not looking your money. I am begging and I mean begging you to bring this letter to the attention of the local councillors/MLA's at your next council meeting. (I am assuming this will be the 1st Tuesday in September) We need a working Government, yesterday... the statistics for Suicides in NI can be found on nisra.gov.uk website... it's grim reading....I have to say Mid Ulster is the poor cousin of Derry/Londonderry and Belfast. 1 death through suicide in Mid Ulster = 100 in Belfast because of the Size of the Council Area, so when you read the statistics it looks like we have not many compared to the city, but that's far from the truth. The ripple effect in our communities is huge when a death through suicide happens. Our NHS has crumbled....not crumbling but crumbled. We as a charity are brilliant as the first stepping stone to getting clients the help they need, we are qualified in QPR (Question, Persuade and Refer) a Mental Health course we completed, we would then be their first port of call, we also paid for the course to be held in the Hub for others to have this vital knowledge. I believe if we get a person at the first thoughts of suicide they can be saved. We work closely with S.T.E.P'S in Draperstown who are another amazing organisation working with those affected by poor Mental health, they also visit schools and businesses educating all about their mental health. Both our organisations have waiting lists...this causes me sleepless nights. I realise I am not responsible for the deaths from suicide, but I have a responsibility to try to prevent them.

My request: the process of building peace is certainly not easy, we have come such a long way. Is there anyone willing to step out of their comfort zone and get Stormont up and running. Freeze the issues that you can't agree on and take them up when you have halved the suicides in Mid Ulster and the rest of NI. I expect a couple of you to laugh at my naivety, a couple to ignore and move on to AOB, but I know there'll be a couple wishing they had the courage to 'Go for it'. I do what's right and not what's easy, and there are people who don't like me for that, that does not bother me anymore, the truth of the matter is that you always know the right thing to do. The hard part is doing it. If you save one person from dying through suicide then you'll have done the right thing.

Thank you for your time, Carol Doey'

Councillor Mallaghan reflected that the letter was lengthy and he was not into finger pointing but the letter was an example of the struggles people were facing. He said that GP's are reducing their services and libraries were unable to buy new books, Department for Infrastructure had just advised they can't deliver what they need to, schools were in dire straits and whilst Stormont could not fix everything it would be a start. He said the British government had no difficulty finding money when they wanted to but tonight he felt it was important to bring the real struggles that people are facing, as eloquently penned by Carol to the chamber.

The Chair, Councillor Molloy thanked Councillor Mallaghan and said that the work of Cookstown Hub and the facts Carol spoke of was replicated across many groups and was indicative to how many people are struggling. He concluded that whilst

Councillor Mallaghan was only but highlighting the letter groups and people needed support.

Councillor Cuthbertson spoke of the adoption of the public realm works in Dungannon town. He highlighted that there was continuous defects arising and if action was not taken soon the complete Market Square would need redone. Councillor Cuthbertson proposed that Council set up a Dungannon DEA meeting to discuss adoption of Public Realm works; Department of Infrastructure and Department for Communities also to be invited to discuss way forward.

Resolved That Council set up a Dungannon DEA meeting to discuss adoption of Public Realm works; Department of Infrastructure and Department for Communities also to be invited to discuss way forward.

Councillor Kerr spoke of Electric Ireland consumers in the district and said that following a recent disruption in service for which constituents were entitled to compensation it had not been forthcoming from the company. Councillor Kerr stated he felt it was for Council to support these constituents and proposed that Council write to Electric Ireland to (i) request a meeting to discuss interruptions in service; and (ii) to ascertain reasons for delays in compensation for customers and seek immediate payments of same.

Councillor McLernon concurred and said that many customers of Electric Ireland would be shocked to learn of the recent profits announced and supported Councillor Kerr's proposal.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved That Council write to Electric Ireland to (i) request a meeting to discuss interruptions in service; and (ii) to ascertain reasons for delays in compensation for customers and seek immediate payments of same.

Councillors Burton and Cuthbertson left the meeting at 8.00pm

Matters for Decision

C163/23 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on 27 July 2023

Proposed by Councillor McAleer
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Council held on Thursday 27 July 2023 (C134/23 – C148/23 and C157/23) transacted in Open Business having been printed and circulated were considered and adopted.

C164/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 1 August 2023

Proposed by Councillor D McPeake
Seconded by Councillor S McPeake and

Resolved That the Minutes of the Planning Committee held on Tuesday 1 August 2023 (P079/23 – P085/23 and P089/23) transacted in Open Business having been printed and circulated, subject to the foregoing were considered and adopted.

C165/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 5 September 2023

Proposed by Councillor D McPeake
Seconded by Councillor S McPeake and

Resolved That the Minutes of the Planning Committee held on Tuesday 5 September 2023 (P090/23 – P096/23 and P101/23) transacted in Open Business having been printed and circulated, subject to the foregoing were considered and adopted.

C166/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 7 September 2023

Councillor McElvogue drew attention to PR143/23 Corporate Performance Improvement Plan (PIP Plan) 2023-2024: Northway Mushroom Plant and requested that all information held by Council regarding the plant be made available to the community. He stated that the odour was disrupting rural life and told how a youth football match could not be played as the odour was so bad.

The Chief Executive said the matter would be referred back to officers.

Councillor Robinson referring to Councillor McElvogue’s request proposed that the Chief Executive, SD: C&P and Senior Officers meet with the party leaders initially to discuss ongoing odour issues and subsequently meet with Northway Residents Group.

Councillor Robinson also spoke of ongoing dog attacks on sheep and said that some farmers had been in contact with the Council but the matter was moving at a slow pace. He proposed that the Chief Executive, SD: CP meet with party leaders to discuss attacks on sheep in the Clogher Valley and subsequently meet with local farmers to discuss issue.

Councillor McElvogue seconded the proposals.

The Chief Executive said he would be happy to meet with Members initially and stated that Council had to adhere to statutory processes.

Councillor Robinson asked if the meetings could take place as soon as possible.

Councillor Monteith said the local DEA Members should be invited.

Councillor Robinson concurred.

Councillor Mallaghan suggested that the way forward would be to meeting with DEA Members and the relevant committee.

Councillor McLean concurred.

Proposed by Councillor Robinson
Seconded by Councillor McElvogue and

Resolved: That Chief Executive, SD: C&P and Senior Officers meet with the Clogher Valley DEA Members and Environment Committee initially to discuss ongoing odour issues and subsequently meet with Northway Residents Group.

Proposed by Councillor Robinson
Seconded by Councillor McElvogue and

Resolved That Chief Executive, SD: CP meet with Clogher Valley DEA Members and development Committee to discuss attacks on sheep in the Clogher Valley and subsequently meet with local farmers to discuss issue.

Proposed by Councillor S McPeake
Seconded by Councillor McAleer and

Resolved That the Minutes of the Policy & Resources Committee held on Tuesday 7 September (PR134/23 – PR148/23 and PR160/23) transacted in Open Business having been printed and circulated were considered and adopted.

C167/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 12 September 2023

Councillor Kerr drew attention to E179/23 in relation to health and safety matter and said he would like to raise the matter in confidential business.

The Chair, Councillor Molloy noted the request.

Proposed by Councillor B McGuigan
Seconded by Councillor Varsani and

Resolved That the Minutes of the Environment Committee held on Tuesday 12 September (E165/23 – E187/23 and E207/23) transacted in Open Business having been printed and circulated were considered and adopted.

C168/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 14 September 2023

Proposed by Councillor Corry
Seconded by Councillor Clarke and

Resolved That the Minutes of the Development Committee held on 14 September 2023 (D122/23 – D137/23 and D143/23) transacted in Open Business having been printed and circulated were considered and adopted.

C169/23 Conferences, Seminars and Training

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

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

Matters for Information

C170/23 Consultations

Members noted consultations received for attention of Council.

Councillor Corry proposed that Council respond to The Executive Office: Consultation on a Strategic Framework to End Violence Against Women and Girls & Foundational Action Plan

The Chair, Councillor Molloy seconded the proposal and drew attention to the imminent closing date.

The Chief Executive suggested delegated authority be granted to officers to respond.

Resolved That Council grant delegated authority to officers to respond to: The Executive Office: Consultation on a Strategic Framework to End Violence Against Women and Girls & Foundational Action Plan

Councillor Varsani spoke of the All Ireland Strategic Rail Review and sought confirmation that Council had responded reiterating the need to extend the rail network through the Clogher Valley.

The Chair, Councillor Molloy stated Council had responded and the Chief Executive said he would reflect on the additional wording.

C171/23 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor Cahoon drew attention to correspondence from Pageant Master 80 D Day 2024 and said she would encourage Council to participate in the event.

The Chair, Councillor Molloy said it would be referred to the relevant Committee.

Resolved That Pageant Master 80 D Day 2024 be referred to Development Committee regarding Council's participation in a planned event to mark 80 D Day 2024. Refer to <https://www.d-day80beacons.co.uk/>

Councillor McAleer drew attention to correspondence from Newry Mourne and Down District Council in relation to reduction in minimum age for voting and proposed that Council continue to support the NMDDC and send letters as requested.

Councillor Mallaghan seconded the proposal.

Proposed by Councillor McAleer
Seconded by Councillor Mallaghan and

Resolved That Council having previously supported Newry, Mourne and Down District Council in relation to the notice of motion - Reduction in Voting Age write to the political parties named to call for their commitment to reduce the voting age to 16.

C172/23 Notice of Motion

Councillor Quinn speaking on the motion said, "Where do we start with this motion? Indeed how do we begin to talk about Lough Neagh, and why is it important? In any discussion about this Island, whether its mythology, history, culture or the present day, you simply cannot do it without talking about Lough Neagh. From the moment that Finn McCool created it (and coincidentally The Isle of Man) or if you prefer the more tragic origin story of Echaoid the Lough Sprang from a well, regardless 'The Lough' has played its part in many of the great stories of Ireland. Indeed our Red hand on our coat of arms is tied to one such story. Its mystic and majesty have inspired songs, stories, works of art and even Nobel Laurates like Seamus Heaney.

More importantly the Lough has played its part in the life of everyone in this chamber. If you are like me, my family have lived on the lough shore for countless generations, fishing and farming the land and while we may not do much of that now, it's only by those practices that many of us are here today. Sadly the story of Lough Neagh today is not one of joy, but one of shame. The Lough, is dying. I don't say that to get a reaction or stir up a story, it is a simple fact and indeed according to some experts in the media, the Lough may be dead already. The once familiar sight of our fisherman on the lough is dwindling and the summers of seeing tornados of

Lough Neagh Fly will soon just be another story we can tell our grandchildren about, who won't believe a word of it.

The scourge of Blue/Green algae is just one of the many symptoms of a deadly sickness that is cast over the entire water system, fuelled by slurry and waste water being dumped into our rivers. It is poisoning the water, sucking oxygen as it dies, killing fish on its way. We have Zebra mussels cleaning the water and killing the larva of the Lough Neagh Fly. Our fish are getting fewer and the ones that we have are getting smaller, our fishermen are finding it harder to make a living. The Lough has increased 1 degree over the last 10 years because of Global warming,

And the biggest problem of all, we have at least 20 different bodies all arguing over who they can pass the buck to when it comes to the Lough. If there ever was a more apt example of "Nero fiddled while Rome burned" then it's Lough Neagh, only Nero's part is being played by Stormont, Westminster, the civil service and indeed many if not all political parties. We also have the extraordinary situation where our greatest natural asset is owned by a Lord over in England. Owing to the fact that an English King several 100 years ago gave away our land as a reward.

While all these departments and lords argue over who is to blame, we can, one very prominent scientist Les Gornall tell me, "The Lough is dead, we have 8 years or less to save the eel from extinction and maybe 10 to stop Lough Neagh turning into an open sewer." Lough Neagh provides 40% of our drinking water, do we want to continue that from an open sewer? Les went on to say if the Lough Neagh fly are gone, they will be replaced, quite possibly by Mosquitoes and it will be Zika carrying kind given the effects again of Climate change. So if that's not enough to scare people into action, just know that the Lough was home to 20,000 different types of plants and animals, 1 in 6 of which now face extinction. Even if we start today, it will take 21 years for the Lough to recover.... 21 years is a long time, but it's better than not recovering at all.

Our motion tonight can be the start of that recovery. It's quite simple we need an interdepartmental group to set up along with our local councils to deal with the overall management of the lough. Call it a taskforce if you will but if we are going to start a recovery, we need a plan and it needs buy in from all stakeholders. We need an independent environmental protection agency that can punish those found guilty of destroying our countryside, including, as extraordinary as it is, Northern Ireland Water. We also need tougher penalties for those found guilty. Last year we saw thousands of fish killed because of slurry in the River Torrent, not one fine has been handed out, despite NIEA telling me they know the source last year.

Lough Neagh has been the centre of this nation's history. Let's make sure the Lough itself doesn't become just a story that falls into a memory. I work in Health and Safety, there you are charged with allowing those working for you to return home in the same state as they arrived. Well we have been charged with looking after our environment, let's make sure the Lough can go back to what it was a 100 years ago and that preserve it for future generations

Councillors Quinn, moved the motion:

Over recent months we have seen a concerning rise in Blue/Green Algae in Lough Neagh which has affected local wildlife as well as local businesses right across the Lough. All this combined with serious access issues and a perceived lack of action from Governmental bodies, this council calls for; An Interdepartmental Group to be set up by DAERA and Department of Infrastructure in conjunction with local Councils to deal with the overall management of Lough Neagh. Council to reaffirm its position that Lough Neagh should be in public ownership as it is of such strategic importance to the whole of Ireland. Ramsar Secretariat and Environmental Protection Agency be invited to present to Council on the deterioration of Lough Neagh. Council to write to the secretary of state calling on him to ensure the Loughs Environmental and Economic sustainability is given the due care and consideration needed to protect for future generations.

Councillor D McPeake seconded the motion and spoke of the current situation at the Lough which has come to public attention. He said that living close to the Lough he could smell the odour from the blue/green algae and people in the community who never spoke of the Lough were asking of him what was going on. He said it was mind boggling that so many people and agencies had a little piece of authority at the Lough but no one had responsibility. Councillor D McPeake said that at first the community was told that the algae would fade and even if it did it should not be allowed to fade from memory. He also said the significance of the motion was such that two different parties and one independent Member had come together to bring the motion to the chamber.

Councillor Kerr said he welcomed the fact that differences could be put aside to deal with what was an environmental catastrophe resulting from climate change, nutrients on the lough bed and changes to the eco system. He highlighted that some species of fish were fading due to lack of oxygen in the water. He also highlighted that NI Water had been permitted to dump sewerage into Lough Neagh from which drinking water is sourced. He said that Lough Neagh needed to come into community ownership and that an all Ireland resolve is required. Councillor Kerr spoke of the impact of the current situation on livelihoods together with the health and wellbeing of local people. He concluded that he supported the motion as the lough was of significant importance and previous negligence had been documented by national media.

Councillor Brown speaking on the Lough said, "Last week, representatives from Sinn Fein, the DUP, UUP and Alliance all met with DAERA officials. Collectively all parties agreed on way forward in terms of scrutiny and urged that they get on with the job. The SDLP has opted not to be part of the Executive when it is reformed, so was not part of the discussion. Let's be honest, there are nearly one hundred and seventy examples of this algae across Northern Ireland, Lough Neagh may be the focus but there's a wider issue. This is a complex and long-term problem therefore suggesting a 'time bound strategy' is not realistic, and what will seek to be a clever headline, will not serve users of the lough well in the long run. We are in favour of an interdepartmental group being established with the key stakeholders to coordinate these matters.

The DUP is committed to protecting our environmental heritage because that's what our children and grandchildren will inherit. Protecting our natural assets will be key to

Northern Ireland's success for generations to come. Lough Neagh is one of the crown jewels. However, we are concerned it has been allowed to decline over many years. There are many factors to consider, and our focus now must be on addressing the problems and ensuring they are dealt with permanently.

However I'm not convinced public ownership is the solution to all problems, indeed if we look at some examples of public ownership, Northern Ireland Water is a Government Owned Company, yet over the last five years it was found to have almost 600 instances of releasing pollutants into waterways. Rather than focusing on ownership, we instead need a partnership between the public sector and the private sector that will significantly improve the environment.

My colleagues who were DAERA Ministers advanced a province-wide soil survey of every field in Northern Ireland. This commenced two years ago and is well underway with County Down complete and County Fermanagh well advanced. This is a four-year project costing approximately £40m. At the end of this process, farmers will know the soil analysis of their fields and will be able to make better informed decisions as to whether fertilisers are needed. There needs to be working together. The key stakeholders will remain the same. A better management plan is therefore urgently required at this stage, rather than prolonged negotiations over future ownership. We have not supported the creation of an independent Environmental Protection Agency. There are multiple layers of government and governance already in place in Northern Ireland, and they must be fit for purpose and providing a coordinated approach, rather than rushing to creating a new forum – it reminds me of the saying 'if you can't do something, at least be seen to be doing something'. This approach is not good enough for the DUP:

In the last Assembly, DUP Ministers introduced many environmental policies including: ground-breaking Climate Change legislation with balanced protections for agriculture; delivered £13.5m for projects to deliver for habitats, species and improved water and air quality through the DAERA Environment Fund; and tackled pollution in hotspot areas using targeted policies, capital support and more meaningful enforcement action. However, we recognise much more needs to be done, but our focus is on action not playing around with structures and governance.

Whilst we support the creation of an interdepartmental team to coordinate the Lough issues, we are not convinced about the call for public ownership therefore we will abstain on the motion.”

Councillor McLernon speaking in favour of the motion said that the issue of the Lough had come to the fore and the need for public ownership was greater now than ever. She said Sinn Féin were on record for saying that the Lough should be in public ownership and spoke of how a perfect storm of scientific environmental and ecological significance had taken place. Councillor McLernon spoke of the ongoing neglect which was impacting the fishing and tourism industry and that the ecological crisis highlighted a change of behaviour was needed. She said that the absence of the Assembly was not helping and now more than ever people needed government. She concluded that she hoped all would support the motion.

Councillor Johnston highlighted to Councillor Brown that the SDLP were not in the meeting mentioned and it was rich of him to dig at them when the DUP would not go into Government. Councillor Johnston speaking on the motion said that "Once again, I find myself speaking on an issue that in theory should unite all parties. This is not an orange or green issue, or yellow for that matter, it's a blue algae issue and its slowly killing Lough Neagh. Given the catastrophic state of Lough Neagh, its feeder rivers such as Mayola, the river that defines my own DEA and the lower Bann, it is essential that an interdepartmental group be set up as a matter of urgency so that solutions can be sought, assessed, and implemented where deemed feasible. In the absence of an assembly, which would be our first port of call under normal circumstances, it is incumbent on the departments of DAERA and DfI to work in conjunction with the local councils and act immediately. Mistakes have been made by both departments, granted under ministerial direction but what is important now is that we work collaboratively to fix the mess that has been allowed to develop. Thanks to the various campaign groups, made up of those who are passionate about our lough, everyone here now knows the causes of the blue green algae: Climate change, which we must learn to live with; Too many nutrients caused largely by an intensified farming policy that lacked regulations to safeguard our waterways; and Zebra mussels an invasive species that have filtered the water, increasing the clarity and the reach of the sun's rays, resulting in rampant blue green algae growth, which of course is toxic.

Who is affected? Everyone is the very simple answer. We are all impacted in some way. I support fully the call for Council to write to the Secretary of State calling on him to ensure that the Lough's Environmental and Economic sustainability is given the due care and consideration needed to protect it for future generations. Given the Secretary of State's keenness to intervene in budgetary matters in a blatant attempt to push the DUP back into government, punishing ordinary people, often our most vulnerable, perhaps he could, and despite his parties lack of green credentials, spare a thought for the consequences of inaction in relation to Lough Neagh. He will leave post soon, it may not matter to him but it matters to all of us in this chamber. With no action, the lough will become the largest septic tank on these islands another epic failure in a litany of failures. He might also want to put purchasing Lough Neagh top of his agenda for his next cabinet meeting. Lough Neagh must come under public ownership. The days of the absentee landlord generating an income from our 'stolen waters' as referred to by TM Healey, who wrote extensively on the matter of ownership of Lough Neagh; must be brought to an end. Time for the British to repay an outstanding debt and right a great wrong by returning Lough Neagh to the people whose livelihoods depend upon its wellbeing; those who live on its shores; those who cherish it; not someone whose only interest is its financial worth, who has taken much and given little. That said taking on responsibility for the laughs bed and shores will require commitment from the public purse. Ultimately there's a price to be paid by us all.

It is a great shame that opportunities to take ownership were missed as in 2014, and although it may well have been well intentioned by the then Minister for Agriculture M O'Neill, the working group she commissioned did not deliver consensus (unsurprisingly) on public ownership. The one issue that the report did have consensus on was the need for an improved management structure to be put in place - which of course, as often is the case here, was never implemented. This did

have the potential to avert the crisis we face today. Then of course we had no government for 3 years. Decisions by Edwin Poots have exacerbated the crisis as he boasted of being freed from the shackles of the EU - allowing him to reduce the would be penalties imposed on those irresponsible farmers who polluted the rivers. I should remind you that not all farmers are irresponsible and in some ways DAERA share fault as they haven't provided alternative disposal options for excess slurry. An interdepartmental group would, we would hope, pick up on the consequences of such an irresponsible policy on our rivers and our lough.

One would assume with all the knowledge we have in relation to climate change, that officials would be falling over themselves to protect and preserve the largest freshwater lake in Ireland and indeed the British isles. Must we follow the Scottish example where the various stakeholders have had to lead the way in the rewilding of the Scottish highlands, since 2021. It is only now that the Scottish government, eventually seeing the out workings of these groups perseverance and dedication to their surrounding environment; that they now take an interest. We don't have the 2 years it took for the Scottish government to pay catch up. We need immediate action, not talk, or talks about talks, just immediate action. We have witnessed how the love of our lough has inspired the various campaign groups, and of course we all have a part to play - either individually or in our communities in ensuring the sustainability of our environment and in particular our lough.

Here in NI we are well used to waiting for the gears of government to grind into action but in the absence of government the agencies tasked with responsibility must act now. Not to do so will lead to the permanent demise of our much-loved lough. I would ask that we put our divisions aside and present a united front in this mammoth battle for the survival of Lough Neagh. If not for ourselves then for the next generation that will share this place we all call home.”

Councillor Graham stated that the issue of the Lough should not be about political point scoring, she said much work was required such as improved woodland buffer zones and that all stakeholders needed to be monitored. Councillor Graham stated that public ownership of the Lough may not fix the problems but the matter could be looked at in the future. Councillor Graham concluded that the UUP would support the motion.

The Chair Councillor Molloy said that the current situation of Lough Neagh was an important issue which would impact for generations to come. The Chair called for a vote on the motion.

For	26
Abstained	9

The Chair, Councillor Molloy declared the motion carried.

Councillor Quinn thanked Members for their support reiterating the comments that it was significant that three Members from different parties had come together to bring the motion. He said it was a shame the DUP had abstained as he recalled them supporting the New Decade New Approach Agreement in 2020 and surely they

could sign up to this. He said the issues won't be solved next week but the motion would be a starting point.

C172/23 Notice of Motion

Councillor Groogan moved the motion –

That this Council: notes with concern that the ongoing cost of living crisis and British Government imposed cuts is exacerbating poverty and financial pain on people in the community; believes that targeting objective need is fundamental to tackling poverty and inequality; further believes what is required is a living wage economy and a fair social security system that targets resources where they are most needed and ensures people have a minimum essential standard of living; recognises that the current social security system, particularly Universal Credit, is not fit for purpose, not properly funded and is failing people; further recognises that those who rely on Universal Credit are incredibly vulnerable to changing circumstances often beyond their control, such as loss of employment, illness, increased caring responsibilities; and family breakdown; Endorses the Guarantee our Essentials campaign which seeks to ensure everyone can afford the essentials in hard times; And calls on the British Government to introduce an Essentials Guarantee which would ensure, at a minimum, Universal Credit/legacy benefits, would protect people from going without essentials.

Speaking on the motion Councillor Groogan said that, “the Social security system is supposed to act as a safety net when people lose their jobs, find themselves unable to work or when their income is too low or their hours un dependable. The reality however is that years of Tory austerity, successive cuts and freezes to benefits, wages not keeping pace with inflation, along with the soaring price of food, fuel, energy and housing costs has left many people unable to meet their most basic needs. While the cost of living crisis has stretched most people's household finances there can be no doubt that those who have the least have been disproportionately impacted. When individuals and families have insecure or insufficient income to meet their basic needs then they have little or no resilience to income shocks, unexpected bills or price increases. This can impact on mental and physical health, educational outcomes, employment opportunities and can drive people into destitution and/or debt often at high cost/risk.

The Joseph Rowntree Foundation have stated that inadequate social security is the main driver of food bank need. One off payments while helpful in the short term are not the solution. They do not provide people with the certainty they need when trying to make ends meet on a weekly basis. Nor do the well documented problems within Universal Credit such as the 5 week wait for the first payment, the policy decision to limit support to 2 children in a family and the challenging rules around assessment periods for people with fluctuating hours and wages. People deserve to be part of a living wage economy which renders addition financial support unnecessary. And people who are unable to work deserve a fair social security system that ensures, as a minimum, their essential needs are met. This is key to addressing poverty and achieving a more equal society.

Councillor Groogan concluded by calling on the DUP to get back around the Executive table in order that those who need it most can be supported and a more human approach is adopted.

Councillor Varsani seconded the motion stating that all were well aware of the issues.

Councillor McLean on a point of clarity asked if the motion was as tabled in item 16 of the agenda.

The Chair, Councillor Molloy said it was.

Councillor Monteith pledged his support for the motion and said the issue had been raised many times and that he personally had raised the fundamental crisis people were experiencing with their income. He said that people were struggling to maintain a family, a home and should be able to do it with human dignity. He said that food banks had become the norm and the situation was such that public money was being used to support people who cannot afford to buy food. He highlighted it as the evident of the move to the right by the British government and that many speeches from the Tory party were far right fascism. He said the Labour party too was moving right and that all the initiatives they said they would overturn they are moving away from such as the two child rule. He said that the situation in the six counties highlighted the suffering and that no one should forget what partition has done to impoverish people. He said that previous strategies had not worked well such as areas of deprivation as people should be targeted for help not areas as it was people who were poor. Councillor Monteith highlighted the issue of rent control or lack thereof and also how the six county administration had rubber stamped the introduction of universal credit. He further stated that the impact of current political situation should not be forgotten and how dare those in authority say that people should work harder or longer when they were the very ones who bailed out the banks. He said big business and multinationals profits were private but their losses were socialised and the public were called on to keep them going. Councillor Monteith said better could and should be done and concluded by welcoming the motion and said the issue should not be shied away from.

Councillor Cahoon speaking on the motion said, "The cost of living crisis is compounded by two unique costs in Northern Ireland. First, the Protocol. In 2020 NI spent £13.2 billion on purchases from GB, amounting to 65% of NI purchases outside of NI. As a fully integrated part of the United Kingdom economy, we benefited from all the economies of scale associated with being part of a tightly integrated market of nearly 70 million consumers which had a beneficial downward impact on prices. The imposition of a border in the Irish Sea has made sending goods to NI more expensive and resulted in our being rendered a less integrated part of the UK economy and, as such, less able to access the economies of scale in the context of which there must necessarily be an upward pressure on prices. One would expect these to increase as the parts of the Protocol that were implemented are replaced with the Windsor Framework, which while less disruptive than the Protocol as initially conceived, is more disruptive than the Protocol as implemented to date. Although the DUP has welcomed the fact that the Windsor Framework is better than the Protocol as initially conceived, we have not approved it because it

does not address the fundamental economic and constitutional problems caused by the Protocol. We continue to argue for the full reintegration of Northern Ireland in the UK single market for goods, which would remove any basis for additional cost of living pressures in NI.

Second, the UK Government decision to fund Northern Ireland below its own definition of need. On 1 April 2022 we crossed a sorry line when for the first time the UK Government began to fund Northern Ireland through the Block Grant below its own definition of need. People often talk about the need to reform the Barnett Formula which makes it sound like we need to go away and undertake a major piece of research to recalibrate Barnett which will probably take years and inevitably run out of momentum in the proverbial long grass. This is NOT true. In addition to the Barnett Formula, which allocates monies to Wales, Scotland and Northern Ireland on a proportionate per head of population basis to England, the Government already has an additional formula to adjust this for need, the Holtham Formula.

The Holtham Formula was devised on the basis that rather than each part of the UK receiving the same public monies, each should receive the funding necessary to ensure broadly comparable public services. It was developed in 2009-10 in response to particular funding challenges facing Wales but it was impossible to establish what Wales should receive on the basis of its needs apart from a broader UK assessment of need. The resulting Holtham Formula is, therefore, a UK formula, applying to Northern Ireland, as much as Wales. In 2012 the UK Government effectively embraced the Holtham Formula when it issued a joint statement with the Welsh Government in which it acknowledged the risk of Welsh funding falling below need at some point in the future if funding continued to be allocated just on the basis of the Barnett Formula. The UK Government said that when this risk looked more imminent it would introduce a Barnett floor below which the Block Grant allocation for Wales could not fall, based on the Holtham Formula's definition of need for Wales.

In 2016 the UK Government determined that it was time to intervene from the 2017-18 financial year, and since then the Barnett Formula has been adjusted by the Holtham Formula so that funding in Wales does not fall below what has become the UK Government's definition of need. This comprises of two elements: First, a 5% uplift to apply until such a time as funding falls to the Holtham definition of need, £115 spent per head of population in Wales for every £100 spent in England. Second, a needs adjustment to the Holtham definition of need once funding reaches £115 per head so it cannot fall below need.

Funding decisions for Wales for the current spending review period are informed by two key variables: the Holtham definition of need at £115 and the UK Treasury Block Grant Transparency average spend figure for the spending review period which is £120. In this context the benefit to Wales of the 5% uplift since 2017-18 is thought to be in the region of £1 billion, all spent while Welsh spend per head has been above need.

Northern Ireland faces additional challenges to Wales and so, according the Holtham Formula, we need to spend £124 for every £100 in England in order to enjoy comparable services. The UK Treasury Block Grant Transparency document, however, shows that our average level of spend per head for the current spending

review period is £121. This means that for each of the three years of the current spending review period, we are underfunded by £3 per head. That computes to underfunding of: £322 million in 2022-2023; £341 million in 2023-2024; £358 million in 2024-2025, This amounts to over £1.2 billion. The DUP argues, and continues to argue, that once the UK Government embraced a UK definition of need and began to intervene to ensure that funding in one part of the UK did not fall below need in 2017-18, it created a situation in which it was duty bound to similarly intervene to adjust the Barnett allocation through the Holtham Formula, so that public spending did not fall below need in any part of the UK.

To make matters worse we are being required to not receive any Barnett consequential this year to pay back the over-spend last year, but, crucially, this is an overspend (originally defined at £297 million but recently reassessed to £257 million) is less than the £322 million we were underfunded in that year. We are calling for the introduction of an immediate needs adjustment to £124, in line with Holtham, backdated to 1 April 2022, and compensation for the failure to be afforded the uplift that Wales now enjoys.

Rather than simple platitudes, these are the real things we want to happen to improve the financial landscape for families: Deliver 30 hours free childcare per week; Fair access to pre-school places; Financially support hard-pressed families with an Energy Support Payment; Deliver Energy Efficiency schemes to support better-insulated homes; Support calls for a Windfall Tax on energy firms; and make going green affordable to homes in Northern Ireland”

Councillor Quinn said that the SDLP were happy to support the motion and stated that universal credit was punishing hard working families and concurred with Councillor Monteith’s point in the government’s move to the far right. He said that hard working families were being destroyed and spoke of the introduction to the living wage in 2016 and said that universal credit was now £35 less than people needed to live on. He reflected that the cost of living crisis was deepening and that he recently had a friend who was in hospital send him photographs of food banks being advertised.

Councillor Graham said she would keep her comments brief and stated that the UUP would support the motion.

The Chair, Councillor Molloy noted the unanimous support for the motion and declared it carried.

Councillor Groogan thanked everyone for supporting the motion and said all must look after the vulnerable.

The live broadcast concluded at 8.55 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 Burton

Resolved That items C173/23 to C184/23 taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 27 July 2023
- (ii) Planning Confidential minutes of meeting held on 1 August 2023
- (iii) Planning Confidential minutes of meeting held on 5 September 2023
- (iv) Policy & Resources Confidential minutes of meeting held on 7 September 2023
- (v) Environment Confidential minutes of meeting held on 12 September 2023
- (vi) Development Confidential minutes of meeting held on 14 September 2023
- (vii) Document for Sealing – Purchase of Cornmill Carpark (PHI001-0076)
- (viii) Document for Sealing – Lease at Moy – MUDC and Sean Cavanagh & Co Ltd (ENV001-0045)
- (ix) Document for Sealing – Connecting Pomeroy WP5 Pomeroy Forest Trail Development (Ref MUDC/TS/C/2018/007)
- (x) Document for Sealing – Manor Park Moneymore Appointment of Contractor – (Economic Operator) (Ref MUDC/TS/C/2022/004)
- (xi) Document for Sealing – Appointment of an Integrated Consultancy Team for MUSA Capital Project (Ref MUDC/TS/C/2021/008)

C056/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.00 pm.

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

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

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

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

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

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