

## Minutes of Meeting of Mid Ulster District Council held on Thursday 23 May 2024 in the Council Offices, Circular Road, Dungannon

<b>Chair</b>	Councillor Molloy
<b>Members Present</b>	Councillors Bell, Black, Brown, J Buchanan, W Buchanan, J Burton, Cahoon, Clarke, Corry, Cuthbertson, Forde (BEM), Gildernew, Groogan, Johnston, Kelly, Kerr, Mallaghan, McAleer, McConnell, McElvogue, McFlynn, McGuigan, McLernon, McNamee, D McPeake, S McPeake, McQuade, Monteith, Robinson, Totten, Varsani and Wilson
<b>Officers in Attendance</b>	Mr McCreesh, Chief Executive Mr Black, Strategic Director Communities and Place (SD:CP) Ms Campbell, Strategic Director Environment (SD:Env) Ms Canavan, Strategic Director of Organisational Development Strategy and Performance (AD: ODSP) Ms Keys, Marketing and Communications Manager Mr McGuckin, Head of Strategic Services and Engagement (HoSSE) Mr Moffett, Assistant Director of Organisational Development Strategy and Performance (AD: ODSP) Mr Brown, ICT Mrs Forde, Committee and Member Services Manager

The meeting commenced at 7 pm.

*The Chair, Councillor Molloy welcomed everyone to the meeting and those watching the meeting through the Live Broadcast.*

### **C093/24 Notice of Recording**

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

### **C094/24 Apologies**

Councillor F Burton, Carney, Milne, McLean, Graham, Martin and Quinn

### **C095/24 Declarations of Interest**

The Chair, Councillor Molloy reminded Members of their responsibility regarding declarations of interest.

## **C096/24      Chair's Business**

The Chair, Councillor Molloy in his opening remarks said, "I was delighted this month to attend the Go Succeed launch at the Burnavon in Cookstown which highlighted the success of our recent business programmes. The business results from the programmes delivered by our Economic Development team are nothing short of amazing. In addition to the extremely positive feedback from our business owners and managers, an independent evaluation has confirmed some eye watering achievements.

2,992 days of support were delivered to 714 businesses; 344 new jobs were created at an estimated value of £7.33 million; and 32 businesses won new work worth just over £28million. All of which translates into success not just for our businesses but also for Mid Ulster.

Speaking of business success, the Deputy Chair and I joined interim Economy Minister Hargey at the announcement of a £19million investment in Copeland's facility in Cookstown just last week. The investment marks another significant milestone for the Cookstown facility, which has continued to grow and expand since its opening in 1997. It is also good news for our local and regional economy. It represents a vote of confidence by the owners of Copeland in Mid Ulster's manufacturing sector and is evidence of the lasting relationship that maximises economic prosperity on both sides of the Atlantic.

Our events season is also well underway. Thousands of people, including myself, visited sunny Cookstown for the return of the Cookstown Continental Market a few weeks ago. It was great to see so many people enjoy all that there was to offer, not just in the market but also in our local shops and eateries which were packed out, and the great local acts that entertained visitors over the weekend. Credit to Market Place Europe and our own Council employees for making sure the event was delivered so smoothly.

I have attended quite a few events out and about since the last council meeting that have included viewing a fantastic display of Judo by Ren Bu Kan judo club, raising the chequered flag at the Tour of the Sperrins Rally, and having the privilege of being guest of honour with the Timor Leste community in Dungannon at the wonderful cultural celebration held at Hill of the O'Neill to mark restoration of Independence. All very different events, but with one thing in common and that's a very warm welcome from everyone at each one, so thanks must go to everyone I met.

Looking ahead to this weekend, the place to be is Coalisland. I'm looking forward to attending it myself, to cheer on the runners who'll be completing the Newell Stores 5K and 10K runs, to enjoy the family focused entertainment on offer, and to soak up the atmosphere – no matter what the weather has in store for us!

Two announcements in the last 48 hours are of huge significance, the decision by the Irish Government along with Spain and Norway to officially recognise the State of Palestine is a belated but much welcome move. Unfortunately, the ongoing genocide of the Palestinian people continues unabated. Secondly, the announcement by Rishi Sunak to call a Westminster election for 4<sup>th</sup> July will hopefully see the end of an era of misrule by incompetent and uncaring millionaires.

Lastly, a few acknowledgements in relation to members, I sincerely congratulate Cllrs Eimear Carney and Kerry Hughes on giving birth since our last Council meeting. However, sadly in that circle of life, we think this evening of Cllr Ian Milne whose dear wife Kathleen sadly passed away last week.”

The Chair, Councillor Molloy invited Members issues.

Councillor Gildernew reminded Members that at the March meeting of Council she had highlighted the vital importance of the A5 dual carriageway project and the necessity to ensure that it is prioritised and commenced as a matter of urgency. The Councillor spoke of how on 29 April she had joined the staff and students at St Ciaran’s College in Ballygawley to support their campaign to bring the A5 project to fruition. Within 48 hours of that campaign there was another two fatalities on the A5, a student who had participated in the campaign on 29 April and her boyfriend.

Councillor Gildernew reiterated her determination that the work on the A5 begin as soon as possible in order that lives would be saved but also that regional imbalances be addressed and economic and social prosperity improved. As an outcome of the March meeting Council sent a letter to Minister John O’Dowd, Department of Infrastructure again highlighting the urgent need for works on the A5.

Councillor Gildernew drew attention to the Ministers positive response to the letter and extended her thanks to his agreeing to meet with the A5/N2 Cross Border Committee which as Chair she looked forward to facilitating.

The Chair, Councillor Molloy concurred with the comments.

Councillor McAleer drew attention to the lack of Education Authority funded places at local nursery and preschool units, he also welcomed the announcement by the Minister of the Department of Education but stated that clarity should be sought as to when the monies would be available.

Proposed by Councillor McAleer  
Seconded by Chair, Councillor Molloy and

**Resolved** That Council write to the Department of Education welcoming the Minister's announcement of £25m package of measures to support children, parents and providers with early learning and childcare in 2024/25 and request clarification as to whether it will be made available 2024/25 school year and whether additional places will be made available.

Councillor Kerr said he had attended a meeting of the Early Years Forum, Armagh and Dungannon branch and requested that they be invited to make a presentation to Council.

Councillor McElvogue seconded the proposal.

**Resolved** That Armagh and Dungannon Early Years Branch be invited to make presentation to Council regarding the pressures the sector or facing.

Councillor Cuthbertson concurred.

Councillor Cuthbertson commended Dungannon Ladies RFC Hockey club on their recent success and the William Kerr Memorial Pipe band.

Councillor Cuthbertson drew attention to the recent Cookstown 100 which he had attended on behalf of Council. He highlighted both the success of the event which had over 100 riders, the television coverage, and the economic boost it brought to the district. He said he wondered if Council was doing all it could to promote the event given its coverage and suggested Council sit down with the organisers and Cookstown DEA members to discuss future support. He also highlighted that the event would benefit from social media coverage on council platforms.

**Resolved** That Council engage with Cookstown 100 organisers in advance of the 2025 event to discuss support for example promotion of event on Council's social media platforms.

Councillor Kerr highlighted that due to the slowing down of engineering some firms had moved to a four-day week, and some were facing payoffs. Councillor Kerr highlighted that some of the firms had received funding via MEGA and Council should be asking what support is being put in place for workforces and further seek accountability in relation to the MEGA funding.

The Chair, Councillor Molloy said that the Labour Market Partnership should engage with firms.

**Resolved** That Council engage

- (i) with local engineering companies who availed of MEGA funding and who due to slowing down of engineering sector are having to lay off workers or reduce working hours.
- (ii) Council also offer support where possible to workers impacted.

Councillor McConnell requested that the Chair send a letter to St Mary's Primary School in Fivemiletown for winning the best community campaign award in London. He said the campaign to save the school was one of the most endearing issues he had ever seen. He said congratulations should be extended to board of governors in particular Mariad Kelly and the entire group of volunteers who deserve highest praise. He said the campaign had buy-in from across the community and had been both focus driven and inspirational. Councillor McConnell extended highest praise to all who played a key role and said that the school is a massive asset to the community and the accolade was richly deserved.

**Resolved** That Council send letter of congratulations to St Mary's Fivemiletown in winning the Best Community Campaign Award

Councillor McConnell extended congratulations to the Tyrone under 20 team who won the under 20 title, defeating Kerry. He highlighted it was a fantastic achievement and the second all Ireland title in 3 years and that players, back-room team in particular Paul Devlin had given a real lift to the county group and hopefully the inspiration will continue to get drive and hopefully next year the team will win the Sam McGuire and bring it home to Tyrone.

The Chair, Councillor Molloy said it had been a fantastic achievement.

**Resolved** That Chair send a letter of congratulations and host a reception for the Tyrone Under 20 Management and Players who won the All Ireland Title.

Councillor McAleer echoed the comments and requested that the Chair send a letter of congratulations to Shea O'Hare the Eir Grid U20 Footballer of the Year.

**Resolved** That Chair send a letter of congratulations to Shea O'Hare the Eir Grid U20 Footballer of the Year.

Councillor Johnston spoke of the recent death at a quarry in Magherafelt and highlighted the dangers around quarries. She highlighted that quarries are not fun places they put life at risk, they are extremely cold, currents can drag people under water, rock falls, surface can break and you could be sucked down and there was no help on hand. Councillor Johnston said Council could be vital partners in supporting the Health and Safety Executive Stay Out Safety Campaign.

Councillor McFlynn seconded the proposal.

The Chair, Councillor Molloy concurred.

Proposed by Councillor Johnston  
Seconded by Councillor McFlynn and

**Resolved** That Council support the Health & Safety Executive Quarry Safety Campaign.

Councillor Forde spoke of the recent passing of former Councillor Bertie Montgomery. She shared he had been a councillor from 1989 to 2005 and during that period had been chair four times. Councillor Forde said that Bertie had been well-known in the community and had worked for everyone. She requested that Council pass on sympathy to the Montgomery family.

**Resolved** That Council send letter of sympathy to the family of the late Bertie Montgomery former Councillor in Magherafelt

Councillor Mallaghan referred to a meeting of the Department for Infrastructure at which capital projects had been presented by a new director. He advised that the presentation had included the Cookstown Bypass and he had concerns about how it was presented in relation to Mid South West Growth Deal (MSW). Councillor Mallaghan said that it came across that MSW bringing £42m to the table were acting at risk. He said that the A29 was a priority before MSW had tried to help and the project should be treated the same as that of the Enniskillen bypass and having watched the footage he was very concerned that the portrayal looked like MSW were doing something underhand.

Proposed by Councillor Mallaghan

Seconded by Councillor Wilson and

**Resolved** That Council Officials review the online meeting of the Department for Infrastructure Committee in relation to comments made regarding the A29 Bypass and the MSW Growth Deal support. That Council write to the Chair & Members of the Department for Infrastructure Committee expressing concern at the comments made in relation to MSW Growth Deal operating at risk.

Councillor Wilson supported Councillor Forde's comments in relation to the former Councillor Bertie Montgomery. He said everyone knew him as 'big Bertie' he had been a long time UUP Councillor and chair of a number of committees throughout the community.

Councillor Wilson also concurred with Councillor Mallaghan's comments in relation to the DfI committee's portrayal of matters in relation to the A29, he said it appeared like they were on a solo run.

Councillor Wilson requested that a letter of congratulations be sent to Cookstown Primary School hockey team who won the Pearson Cup.

**Resolved** That Council send a letter of congratulations to Cookstown Primary School on winning the Ulster Hockey Primary Schools Pearson Cup.

### **Matters for Decision**

#### **C097/24 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on 25 April 2024**

Councillor Kerr drew attention to C084/24 Correspondence and welcomed the news of the departure from Ireland of the Ambassador for Israel. He further welcomed Ireland's decision to view Palestine as a 'free state' and the arrest warning in regard to Zionist leaders.

Councillor Cuthbertson drew attention to C052/24 and C076/24 in relation to the compilation of an itinerary of graffiti throughout the district with the view of working with other agencies to have it removed referring to the fact that the minute was ratified the previous month.

In response the Chief Executive stated the matter would be progressed.

In response to Councillor Monteith's comments regarding Sperrinview and Oakridge the Chair, Councillor Molloy advised that dates had been agreed with Sperrinview and the SHSCT and would be issued in due course.

Proposed by Councillor Kerr  
Seconded by Councillor McLernon and

**Resolved** That the Minutes of the Council held on Thursday 25 April 2024 (C072/24 – C084/24 and C092/24) transacted in Open Business having been printed and circulated were considered and adopted.

**C098/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 7 May 2024**

Proposed by Councillor Kerr  
Seconded by Councillor S McPeake and

**Resolved** That the Minutes of the Planning Committee held on Tuesday 7 May 2024 (P061/24 – P071/24 and P077/24) transacted in Open Business having been printed and circulated, subject to the foregoing were considered and adopted.

**C099/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 9 May 2024**

Councillor Kerr drew attention to PR093/24 Deputation – NIPSA and proposed that Council write to 10 other councils to encourage them to invite NIPSA representatives to make presentation regarding Pay and Grading review for non- teaching staff in the Education Sector.

Councillor Monteith seconded the proposal.

**Resolved** That Council write to 10 other Councils to encourage them to invite NIPSA representatives to make presentation regarding Pay and Grading review for non- teaching staff in the Education Sector.

Proposed by Councillor McAleer  
Seconded by Councillor Corry and

**Resolved** That the Minutes of the Policy & Resources Committee held on Thursday 9 May 2024 (PR089/24 – PR101/24 and PR116/24) transacted in Open Business having been printed and circulated were considered and adopted.

**C100/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 14 May 2024**

Councillor Wilson drew attention to grass cutting at roundabouts and said that Members were being contacted about grass cutting which had at the Committee been referred back to the working group. He sought clarification as to whether interested Members could attend working groups,

Councillor Cuthbertson, chair of Environment Committee said that the matter referred back, was in regard to wildflower areas and had nothing to do with grass cutting.

Councillor Monteith said like all councillors he too had been approached about grass cutting at Northern Ireland Housing Executive lands, he said when the NIHE are contacted they blame the contractors and it appeared to be potluck if grass received a second cut. Councillor Monteith proposed that Council write to the NIHE to express concern about the ongoing situation and stated people deserve better. He further proposed that Council seek a meeting with them.

The Chair, Councillor Molloy concurred.

Councillor Mallaghan stated that the Council cuts the grass on its property whilst others did not. He stated it was a disgrace especially given the risk of vermin in long grass.

The Chair seconded the proposal stating that people paid rent and deserved better.

Councillor Monteith said that if the grass in a tenant's garden was as high they would receive a letter about it.

Councillor McConnell said that the NIHE had adopted a new approach in dealing with Members queries. He said in the past Members could build a rapport with staff responsible for areas of work, but they were now not allowed to take direct calls instead calls had to be logged and Members contacted in due course. He said the new approach was detrimental to getting situations resolved.

The Chair, Councillor Molloy stated Council would seek a meeting.

Proposed by Councillor Monteith  
Seconded by Councillor McConnell and

**Resolved** That Council write to the NIHE expressing concern on the standard and lack of grass cutting throughout the district and seek a meeting to discuss same.

Councillor McFlynn said the matter had been discussed recently at the NILGA partnership panel.

Councillor S McPeake advised that as a party Sinn Féin had met with the Manager of the NIHE earlier in the day and had brought photographic evidence to support their complaints and that although the response had been minimal the Manager had agreed to look at it.

Proposed by Councillor McNamee  
Seconded by Councillor Cuthbertson and

**Resolved** That the Minutes of the Environment Committee held on Tuesday 14 May 2024 (E096/24 – E111/24 and E121/24) transacted in Open Business having been printed and circulated were considered and adopted.



**C101/24      Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 16 May 2024**

Councillor McElvogue drew attention to D081/24 chair’s Business – Northway Mushrooms and sought an update on the recent testing. He also advised that up to 20 households were currently without water and it was thought this could be due to a connection to the mushroom plant.

The Chief Executive referred the queries back to the Development Committee and said officers would follow up with regards to the water supply issues and revert to members.

Councillor Gildernew said that she too had logged a call with NI Water and was waiting on a call back regarding outcome.

Proposed by Councillor McNamee  
Seconded by Councillor McLernon and

**Resolved**      That the Minutes of the Development Committee held on Thursday 16 May 2024 (D078/24 – D092/24 and D101/24) transacted in Open Business having been printed and circulated were considered and adopted.

**C102/24      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.

Proposed by Councillor McAleer  
Seconded by Councillor Corry and

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

**C103/24      Consultations**

The HoSS&E provided update on consultations notified to Mid Ulster District Council and sought approval to submit draft consultation response to DfI on the Water Resource and Supply Resilience Plan 2024 as set out at Appendix B of report.

Councillor Corry drew attention to The Lough Neagh Heritage Resilience Consultation. Closing Date 31 May 2024. She proposed that send a response and grant delegated authority for same. It was further suggested that Council share the consultation on social media platforms.

Proposed by Councillor Corry  
Seconded by Councillor McLernon and

**Resolved** That

- (i) respond to The Lough Neagh Heritage Resilience Consultation. Closing Date 31 May 2024. Delegated authority granted.
- (ii) Council also share consultation on social media platforms;
- (iii) To submit draft consultation response to DfI on the Water Resource and Supply Resilience Plan 2024 as set out at Appendix B of report.

## **Matters for Information**

### **C104/24 Correspondence**

Members noted update on correspondence received for attention of Council.

Councillor McLernon drew attention to the response received from department of Health in relation to respite provision for those with complex needs. She expressed her disappointment especially as the letter focused on learning difficulties and adults with disabilities not complex needs. Councillor McLernon stated that there is a lack of knowledge of the complexities involved and to suggest a nursing home highlighted this fact. She concluded that sometimes a person with complex needs could require 3:1 attention and nursing homes would simply not be equipped to provide such care.

The Chair, Councillor Molloy concurred that the response did not address the issues raised.

Councillor Mallaghan drew attention to correspondence received from Derry City and Strabane District Council seeking support for their motion in relation to a business case for early intervention support for children with autism.

Proposed by Councillor Mallaghan  
Seconded by Chair, Councillor Molloy and

**Resolved** That Council support Derry & Strabane District Council motion in relation to autism.

**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 7.40 pm**

Proposed by Councillor McNamee  
Seconded by Councillor Kerr and

**Resolved** That items C105/24 to C115/24 be taken as confidential business.

### **Matters for Decision**

- (i) Council Confidential minutes of meeting held on 25 April 2024
- (ii) Planning Confidential minutes of meeting held on 7 May 2024
- (iii) Policy & Resources Confidential minutes of meeting held on 9 May 2024

- (iv) Environment Confidential minutes of meeting held on 14 May 2024
- (v) Development Confidential minutes of meeting held on 16 May 2024
- (vi) Document for Sealing: Appointment of ICT: Small Settlements Moy Pitch Development. Ref: MUDC/TC/C/2022/004
- (vii) Document for Sealing: Appointment of ICT: Small Settlements Castlecaulfield Recreation Grounds. Ref: MUDC/TC/C/2022/004
- (viii) Document for Sealing: Oona Valley Community Association - Release of Charge
- (ix) Document for Sealing: Transfer of title of the Cornmill Car Park, Coalisland (Schedule Ref No. 125) MUDC to Department for Infrastructure
- (x) Document for Sealing: Off Street Car Park Enforcement Contract with Marston (Holdings) Limited
- (xi) Document for Sealing: Maghera Environmental Improvement Scheme Licence Agreement with the Department for Infrastructure

**C116/24      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 7.45 pm

Chair \_\_\_\_\_

Date \_\_\_\_\_