

Minutes of Meeting of Mid Ulster District Council held on Thursday 25 April 2024 in the Council Offices, Circular Road, Dungannon

Chair	Councillor Molloy
Members Present	Councillors Bell, Black, Brown, J Buchanan, W Buchanan, F Burton, J Burton, Cahoon, Carney, Clarke, Corry, Cuthbertson, Forde (BEM), Gildernew, Graham, Groogan, Johnston, Kelly, Kerr, Mallaghan, Martin, McAleer, McConnell, McFlynn, McGuigan, McLean, McLernon, McNamee, D McPeake, S McPeake, McQuade, Milne, Monteith, Quinn, Robinson, Varsani and Wilson
Officers in Attendance	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 McKeown, 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.

C072/24 Notice of Recording

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

C073/24 Apologies

Councillors McElvogue and Totten

C074/24 Declarations of Interest

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

*Councillor Kerr declared an interest in Coalisland Food Bank
Councillor Monteith declared an interest in Tyrone GAA as a member of Dungannon Clarkes*

Councillors Bell, Black, Burton, Cuthbertson and Forde declared an interest in Community Grants.

C075/24 Chair's Business

The Chair, Councillor Molloy shared that, "During the past month I had a kind invitation to the premier of 'Blown Off Course', in celebration of Portuguese connections as part of Sonorities 2024 in Queens University. I also met with reps from Spain, Italy, Brazil, and other countries, and was able to relay the huge contribution Portuguese and other nationalities have in making our multi-cultural and diverse district a better place. Then last week I also welcomed Madame Zhang Meifang, Consul General of the People's Republic of China in Belfast, to OM Dark Sky and then to SeamusHeaney HomePlace, the delegation was very complimentary of both facilities. The international flavour continues next month as I'd like to remind everyone that the Continental Market will be rolling into Cookstown on the 11th and 12th May – after an absence of two years, it'll be great to see the town buzzing again – all we'll need is the sunshine!

Cookstown has also been in the news recently with the start of the latest consultation on the A29 Bypass, and some of you were with me last week as we viewed the plans. I'd encourage everyone to have a look at the Department's dedicated web page on the project -you'll find the links on our social media – and to take the opportunity to give your views on the scheme. And we continue to lobby for a similar scheme for other towns and villages along the A29 including Dungannon, The Moy and Moneymore. Also related to improvements for residents we had the launch of works for the eagerly awaited Maghera Public Realm Scheme.

The Chair of Environment committee Cllr Cuthbertson and myself attended the EcoSpeak event this week and it's great to hear young people advocating on environmental issues which affect us all, well done to all those who took part. Yesterday evening myself and the other Dungannon DEA Cllrs attended a meeting with The Dungannon Town Centre Traders which was a very productive meeting which we took away a number of enquiries to follow up on top of the list was the drive for 2-hour on street parking which whilst the responsibility of DFI needs this Council to endorse and if I have a seconder I will so propose."

Councillor Monteith seconded the proposal.

Proposed by Chair, Councillor Molloy
Seconded by Councillor Monteith and

Resolved That Council write to Department for Infrastructure to endorse the call for two hour on street parking in Dungannon.

The Chair, Councillor Molloy concluding said, "Lastly I wanted to send best wishes to local press photographer Davy Dougal who is hanging up his camera at least in an official capacity. Davy as many of you will know was ever present at local events to

capture many memories. That's all I have for this evening. I have several members who have indicated to speak. Members we have a previous understanding in place on letters of congratulations and this isn't to curb the celebration of many worthy recipients from throughout the District and I undertake to congratulate all. When we reviewed Civic recognition members were advised to send letters using their letterhead and council logo if desired. If it is wished that the Chair does likewise it does not need to wait to come before this meeting, as Chair I can do that at any time."

Councillor Graham extended congratulations to Fivemiletown Royal British Legion who received the King's Award for Voluntary Service at a ceremony which she attended. She acknowledged that the award was the highest a local voluntary group could receive in the United Kingdom and is in effect an equivalent to the MBE. She shared that the volunteers are from all sides of the community and work hard to make a difference which was especially highlighted during the pandemic. Councillor Graham extended congratulations to Clogher Valley Rugby Club men on winning the Senior Cup and the ladies who won the Championship League B, Dungannon Hockey Club Ladies first XI who won the senior cup and extended best wishes to them on their up-and-coming Ulster Shield Final. Councillor Graham also extended congratulations to St Mary's Primary School in Cabragh in winning the 'Overall Best School NI 2024' at the Families First Education Awards. She stated it was a wonderful achievement especially for a rural school and commended all involved. In conclusion Councillor Graham thanked the Chair for the opportunity to highlight the groups and said she had sent letters of congratulations.

Councillor Robinson endorsed the congratulations to Clogher Valley 1st XV in winning the 2C competition to move up to "B grade" and winning the Bank of Ireland Cup. He also commended Augher Primary School in winning the EcoSpeak competition.

Councillor Cahoon spoke of footballer Stuart Dallas and the great role model he had been for Mid Ulster district and the whole of Northern Ireland. She highlighted he had first made his mark at Coagh United, then Crusaders before moving further afield. Councillor Cahoon proposed that the Chair send a letter marking his retirement and thanking him for the inspiration his career had brought to many.

Councillor Cahoon also extended congratulations to Coagh Primary School on a staff member winning Classroom Assistant of the Year at the Families First Awards.

Councillor Wilson concurred with Councillor Cahoon's remarks about Stuart Dallas stating Stuart had lived beside him and had been a great role model for young people. He said you could take the man out of Cookstown but success had not taken Cookstown out of the man. He shared that Stuart always had htime for young people, had played 69 times for Northern Ireland scoring 3 goals. He concluded in whatever retirement brought for Stuart that he wished him well.

Proposed by Councillor Cahoon
Seconded by Councillor Wilson and

Resolved That Chair write to Stuart Dallas wishing him well in his retirement from football and expressing appreciation for the role model he has been to young people throughout the District and Northern Ireland.

Councillor Wilson extended congratulations to Rebecca Bell on winning the Royal British Legion National Youth Standard Bearer a great achievement and the 6th youth standard award for Cookstown. He also extended congratulations to those who provide training to the youth year on year.

Councillor Wilson concluded by congratulating Cookstown High School on school All Ireland Hockey Championship and requested that as the Chair had commended the wins up to this point that he write a letter of congratulations. The Chair, Councillor Molloy agreed.

Resolved That Chair write to congratulate Cookstown High School on winning the All-Ireland Hockey Championship.

Councillor Kerr drew attention to the NIPSA campaign regarding pay and grading of non-teaching staff and the recent review which highlighted historic injustices to the staff who play a positive role in schools throughout the district. He requested that NIPSA be invited to make presentation to relevant committee.

Resolved That NIPSA representatives be invited to committee to make presentation regarding Pay and Grading review for non- teaching staff in the Education Sector.

The Chair, Councillor Molloy concurred and said his daughter worked in the role and he could appreciate the extensive work they do.

Councillor Cuthbertson concurred with comments in relation to Davy Dougall's retirement saying he had served a total of 51 years as a local photographer.

Councillor Cuthbertson extended congratulations to Dungannon hockey club who played a championship game at Stormont last week beating Coleraine 2-0. He said there was great enthusiasm for the game, but it highlights the lack of support in that there is no Council owned hockey facilities in Dungannon. He concluded that he had highlighted many times, that Council needs to invest in infrastructure in Dungannon and across the district.

Councillor Burton extended congratulations to Fivemiletown Royal British Legion who had received the King's Award. She shared how Ian Lendrum and the team had done great work during covid serving the entire community.

Councillor Burton also extended congratulations to Caledon play group celebrating 25 years and highlighted that the leader Patricia who was soon retiring had a tremendous impact on the many children she has nurtured bringing great work and a feel good factor to the group. Councillor Burton requested that the Chair write to Caledon Play Group commending them on 25 years' service and make special mention of Patricia.

Resolved That Chair write to Caledon Play Group commending them on 25 Years of serving the local community with special mention to the leader Patricia who is soon retiring.

Councillor Burton also associated herself with earlier comments commending Clogher Valley Rugby Club for their recent achievements. She also highlighted that the Clogher Valley Guide Company were celebrating 70th anniversary and congratulated them on the achievement saying that generations had been involved in the company as guides and then as leaders.

Councillor Burton also congratulated Davy Dougall on his retirement stating he had taken many photographs during a career which spanned 51 years, he was always witty and got the job done quickly then moved to the next event!

Matters for Decision

C076/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 28 March 2024

Councillor Cuthbertson sought an update on request made at March meeting C052/24 Chair’s Business that officers draw up an itinerary of graffiti in Dungannon town and asked if the task had been assigned.

In response the Chair, Councillor Molloy had said that the matter was being progressed.

Councillor Kerr sought an update on the Gortgonis track and also the proposed meeting with DfI in relation to footpaths. He further highlighted that road defects were causing damage to cars highlighting the Coalisland Road in particular.

The Chair, Councillor Molloy said he was aware that there was planned works for that particular section of the road.

Councillor Monteith drew attention to C052/24 in relation to issues concerning Oakridge SEC and Sperrinview.

In response the AD: ODSP said that contact had been made with the school office and they were to follow up with dates. He further advised that at a recent Community Planning Partnership meeting the matter had been raised and Council was endeavouring to get dates in relevant diaries.

In response to Councillor McLernon’s enquiry it was confirmed that Directors from Southern Health & Social Care Trust would be invited to attend.

Proposed by Councillor McAleer
Seconded by Councillor Corry and

Resolved That the Minutes of the Council held on Thursday 28 March 2024 (C049/24 – C063/24 and C071/24) transacted in Open Business having been printed and circulated were considered and adopted.

C077/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 9 April 2024

Proposed by Councillor S McPeake
Seconded by Councillor Kerr and

Resolved That the Minutes of the Planning Committee held on Tuesday 9 April 2024 (P045/24 – P052/24 and P060/24) transacted in Open Business having been printed and circulated, subject to the foregoing were considered and adopted.

C078/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 10 April 2024

Councillor McNamee requested an amendment to the Development Committee meeting that D067/24 Chair’s Business second paragraph should read Chair, Councillor Molloy not Councillor Monteith.

Councillor Kerr drew attention to D067/24 Development Report and concurred with Councillor Monteith’s comments in relation to the opposition to the D Day events to promote British militarism. He further concurred with comments in relation to the Justice and Security Act and the use of stop and search. Councillor Kerr reiterated that the stop and search was being used disproportionately against communities deemed to be nationalist and republican. He stated that it was well known that such searches have a negative effect on young people’s mental health.

Councillor Kerr proposed that Council should both oppose and show opposition to the Justice and Security Act.

In response the Chair, Councillor Molloy said the matter would be better dealt with by a motion to Council.

Proposed by Councillor McNamee
Seconded by Councillor Corry and

Resolved That the Minutes of the Development Committee held on Wednesday 10 April 2024 (D062/24 – D073/24 and D077/24) transacted in Open Business having been printed and circulated were considered and adopted.

C079/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 11 April 2024

Councillor Kerr drew attention to PR078/24 Deputation: Childcare Provision: Children with additional needs and advised that Ms Toner and Ms Hanna had further requested that the undernoted detail be included in correspondence detailed in the resolve.

- That criteria for a disability social worker for children with additional needs be explored, given that currently there is little or no support provided by SHSCT social work team;
- That Council write to the Minister for Education expressing concern that children receive their school placements late April yet children with special educational needs don't receive notification to much later some maybe just days prior to school term commencing.

Resolved That the undernoted detail be included in correspondence detailed in the resolve.

- That criteria for a disability social worker for children with additional needs be explored, given that currently there is little or no support provided by SHSCT social work team;
- That Council write to the Minister for Education expressing concern that children receive their school placements late April yet children with special educational needs don't receive notification to much later some maybe just days prior to school term commencing.

Proposed by Councillor Kerr
Seconded by Councillor McLean and

Resolved That the Minutes of the Policy & Resources Committee held on Thursday 11 April 2024 (PR074/24 – PR082/24 and PR088/24) transacted in Open Business having been printed and circulated were considered and adopted.

C080/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 16 April 2024

Councillor Kerr drew attention to E080/24 Chair's Business discussion in relation to wildflower sowing at roundabouts and requested that as well as the 12 roundabouts included other roundabouts such as the one at Upper Clonoe be included.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That the Minutes of the Environment Committee held on Tuesday 16 April 2024 (E077/24 – E091/24 and E095/24) transacted in Open Business having been printed and circulated were considered and adopted.

C081/24 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.

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

C082/24 Community Grants

Members considered the Community Grants paper which was presented previously to Development Committee and approval was sought for the following –

- Community Grant Aid Programme award allocations 2024/2025
- Pitches and Recreational Spaces Strategy grant award allocations 2024/2025
- Irish Language Activity grant award allocations 2024/2025

Councillor Mallaghan thanked officers for the opportunity to meet and discuss concerns about community grants. He stated that there should be a review of Community Grants Policy as soon as possible. Councillor Mallaghan said that the report had provided two options and Sinn Féin would propose that option two be the way forward. He said that he would ask that as it is two months into the financial year that if there was an opportunity for officers to review savings within their sections that could be used to raise the value of some of the grants. He acknowledged he did not want to hold up the letters of offer and if Council was happy that it was appropriate to delegate authority to the Development Committee to approve.

Councillor Carney seconded the proposal but expressed disappointment that Naomh Colum Cille had not met the criteria but had been successful the previous year but had no match funding to avail of the grant. She requested that officers feedback to the club on the application.

Councillor Kerr concurred with Councillor Mallaghan and said that hopefully some additional money could be identified from reserves.

Councillor Mallaghan clarified that his proposal was to identify additional funding from in year budgets not Council reserves.

Councillor Wilson drew attention to the Pitch and Recreation Strategy grants and said if Council proceed with option 2, Donaghmore GAC grant remains the same but the other applicant's level of funding is reduced.

In response the Chair, Councillor Molloy said that officers would report back to the Member as given the number of individual grants it could not be discussed. Councillor Wilson said whilst he appreciated this, this particular grant was not reduced pro rata.

The Chair, Councillor Molloy said that this section of grants could be referred back to committee for discussion.

Councillor Wilson proposed that if Council wished to proceed with option two the Pitch and Recreation Strategy Grants should be excluded from the proposal until clarification is provided.

The Chair, Councillor Molloy said that delegated authority could be granted to the committee in relation to same.

Councillor Cuthbertson asked if the letter being issued would include an indication that there could be further monies later.

The Chief Executive said such discussion was why the matter was considered in committee. He said the report represents three months' work of a complete officer team assessing against an agreed criteria with each application assessed on its own merit and this was how it had been done since 2015 noting that council had excelled in this field. He said his recommendation was to proceed with option two, with delegated authority to the committee as outlined. He said there would be one letter of offer which would reflect what the committee agree with delegated authority.

Councillor Monteith said he took on board what the Chief Executive said but there was issues Members wished to discuss in relation to grant schemes and the item should be taken in confidential business by the committee that gives opportunity for frank discussion.

In response the Chief Executive said that Members were entitled to discuss and the matters were regarding policy and Councillor Monteith was correct that it should be in confidential business.

The Chair, Councillor Molloy highlighted that all Members were welcome to attend committees.

Proposed by Councillor Bell
Seconded by Councillor Kerr and

Resolved That

- (i) the Community Grants are awarded in line with option two of the officers report;
- (ii) Officers explore potential in year budget underspends which could be used to provide a funding uplift, up to the maximum award, and report these to the May Development Committee;
- (iii) Officers consider the member query in relation to Pitches & Recreational Spaces Strategy, Feasibility Development Grant and re-table any required amendments for this grant at the May Development Committee.
- (iv) Delegated authority be granted to the Development Committee to agree any potential funding uplift and any amendments to the recommended awards under the Pitches & Recreational Spaces Strategy, Feasibility Development Grant.

- (v) The Community Grants Policy is reviewed expediently.

Matters for Information

C083/24 Consultations

Members noted consultations notified to Council.

Councillor Brown drew attention to the consultation by Department for Infrastructure: A29 Cookstown Bypass. He said as well as Members making their own responses Council should also make a response highlighting that the Bypass whilst welcome would have knock on effects for example in Moneymore.

Resolved That Council respond to Department for Infrastructure: A29 Cookstown Bypass. Delegated authority to Committee if required: Closing Date 29 May 2024

Councillor Monteith drew attention to NI Water Consultation on Draft Water Resource Water Resource and Supply Resilience Plan & Supporting Documents and requested that Council make a response highlighting Lough Neagh needs to be front and centre of any response. He suggested a workshop for Members in order that all views could be encompassed, and that delegated authority be granted to the relevant committee should it be required.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That Council respond to NI Water Consultation on Draft Water Resource Water Resource and Supply Resilience Plan & Supporting Documents. Members workshop to be facilitated to formulate response. Delegated authority granted if required. Closing Date 24 May 2024

C084/24 Correspondence

Members noted update on correspondence received for attention of Council.

The Chair, Councillor Molloy drew attention to letter detailing the motion carried at Derry City and Strabane District Council regarding Palestinian Refugees and proposed that Council support same.

Proposed by Chair Councillor Molloy
Seconded by Councillor Kerr and

Resolved That Council support Derry City and Strabane District Council motion as detailed in the report.

Councillor Cuthbertson drew attention to letter received from Police Service of Northern Ireland and spoke of the shock that clarification on the closure of enquiry offices has brought. He acknowledged that Members had thought one office, Cookstown would close, but in fact confirmation had been given that both Dungannon and Magherafelt would experience the closures thus people for example in Fivemiletown would now have to travel some 35 miles to the Cookstown enquiry office. Councillor Cuthbertson said he had raised the matter at PCSP but as a higher authority had made the decision, he proposed Council should write to express their concern at the closures.

Resolved That Council write to the PSNI expressing concern at the closure of Magherafelt and Dungannon enquiry offices and requesting that the decision is reconsidered.

Councillor Cuthbertson drew attention to correspondence from BT proposing the removal of a telephone kiosk at Killymerron Park, Dungannon. He said that in speaking to several residents they had indicated they would like the kiosk and a working phone to stay active. Councillor Cuthbertson proposed that Council write to BT requesting that the telephone kiosk and working telephone remain at Killymerron Park, Dungannon.

Proposed by Councillor Cuthbertson
Seconded by Councillor Robinson and

Resolved That Council write to BT requesting that the BT telephone and kiosk be retained at Killymerron Park, Dungannon.

Councillor Quinn drew attention to correspondence from NI Water and said that recently he had read of 20m tonnes of sewage being dumped into rivers and waterways which is causing major concern. He acknowledged that the matter had been highlighted in the past and often the attitude was this happens. Councillor Quinn said that parents had contacted him, and he had no answers to give. He requested that his concern be put on record about this and the major environmental issues at Lough Neagh.

The Chair, Councillor Molloy concurred and spoke of large outlet pipes running into the Blackwater River but no one accepted responsibility.

Councillor Quinn proposed that Council request a meeting with NI Water to seek clarity as to what is leaking into waterways and where it is happening across the district. He further referred to pipes at the Washingbay.

The Chair, Councillor Molloy said that the proposed meeting should be a single item agenda.

Councillor Kerr seconded the proposal.

Proposed by Councillor Quinn
Seconded by Councillor Kerr and

Resolved That Council seek a meeting with NI Water to discuss sewage/waste dumping and disposal into waterways throughout the district.

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 7.43pm

Proposed by Councillor McNamee
Seconded by Councillor Kerr and

Resolved That items C085/24 to C091/24 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 28 March 2024
- (ii) Planning Confidential minutes of meeting held on 9 April 2024
- (iii) Development Confidential minutes of meeting held on 10 April 2024
- (iv) Policy & Resources Confidential minutes of meeting held on 11 April 2024
- (v) Environment Confidential minutes of meeting held on 16 April 2024
- (vi) Document for Sealing: Planning Agreement Pursuant to Section 76 of the Planning Act (NI) 2011, between Mid Ulster District Council and Jamdac Development Limited.
- (vii) Document for Sealing: Lease in triplicate for the Acquisition of Land at St Colmans Park to facilitate Bus Shelter – NIHE to Mid Ulster District Council.

C092/24 Duration of Meeting

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

Chair _____

Date _____