

**Minutes of Meeting of Mid Ulster District Council held on Thursday 25 March 2021 in the Council Offices, Circular Road, Dungannon and by virtual means**

**Chair** Councillor Mallaghan

**Members Present** Councillors Ashton\*, Bell\*, Black, Brown\*, Buchanan\*, Burton\*, Clarke\*, Colvin\*, Corry\*, Cuddy\*, Cuthbertson\*, Doris\*, Elattar\*, Forde\*, Gildernew\*, Glasgow\*, Graham, Hughes\*, Kearney\*, Kerr\*, N McAleer\*, S McAleer\*, McFlynn\*, B McGuigan\*, S McGuigan\*, McKinney\*, McLean\*, McNamee\*, D McPeake\*, S McPeake\*, Milne\*, Molloy\*, Monteith\*, Mullen\*, Oneill\*, Quinn, Robinson\*, Totten\* and Wilson\*

**Officers in Attendance** Mr McCreesh, Chief Executive  
Ms Canavan\*\*, Director of Organisational Development  
Ms Campbell\*\*, Director of Leisure and Outdoor Recreation  
Mr Cassells\*\*, Director of Environment & Property  
Mr Kelso\*\*, Director of Public Health & Infrastructure  
Ms Mezza\*\*, Head of Marketing and Communications  
Mr Moffett, Head of Democratic Services  
Mr Tohill\*\*, Director of Finance  
Mrs Forde, Member Support Officer

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

The meeting commenced at 7 pm

*The Chair, Councillor Mallaghan 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.*

**C0049/21 Apologies**

None

**C050/21 Declarations of Interest**

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

Councillor Black declared an interest *agenda item 22 Council Insurances 2021/22.*

**C051/21 Chair's Business**

The Chair, Councillor Mallaghan reflected that there had now been over 6700 deaths from COVID, he said it was wonderful that case numbers were falling that Fermanagh & Omagh had no new cases but noted it was unfortunate that Mid Ulster cases were remaining stubbornly high and urged everyone to keep following guidelines.

The Chair, Councillor Mallaghan advised that a letter of request had been received from Fairtrade to illuminate buildings to highlight Fairtrade week and proposed that Council proceed. He further requested that Communications promote fair trade week.

Proposed by Chair, Councillor Mallaghan  
Seconded by Councillor Quinn and

**Resolved** That Council

- (i) Light up Ranfurly House & Visitor Centre, Burnavon Arts & Cultural Centre and Bridewell as requested to highlight Fairtrade Week; and
- (ii) That Communications Service highlight Fairtrade Week.

The Chair, Councillor Mallaghan reflected on recent discussions regarding the closure of the Bank of Ireland and advised that a delegation had met with bank officials earlier in the day. He said the officials had spoken at length about the process and it was apparent that the decisions had been made. The Chair advised that the link for the meeting had been issued by the Bank of Ireland and noted that some Members had not been able to connect.

Councillor Monteith said that both Councillor Molloy and himself had been unable to access the link and proposed that Council set up the link for the follow up meeting.

Members were advised that they would receive a briefing paper.

Councillor Quinn seconded Councillor Monteith's proposal and requested that the next meeting invitation should be extended to all Members.

Councillor Cuddy said he had attended the pre meeting but could not access the meeting with Bank of Ireland officials and stated it did not reflect well on them.

Proposed by Councillor Monteith  
Seconded by 'Councillor Quinn and

**Resolved** That in regard to Bank of Ireland branch Closure: Dungannon, Council seek a further meeting and virtual meeting link be generated and issued by Council. All Members to be invited

The Chair, Councillor Mallaghan highlighted that he had been at President Grant Homestead and he had been approached by parents who had advised that there was a lack of wheelchair accessible play equipment in the play area. The Chair advised he had spoken to the Director of Outdoor Leisure and Recreation regarding the ongoing procurement process for four new play areas and he proposed that wheelchair accessible equipment be included in the tender.

Councillor Monteith supported the proposal and referred to a public meeting at a Dungannon area play park in relation to the same issue. He stated there were only two accessible play areas across the six counties which were fully compliant and if it were possible to have a number throughout the district it would be beneficial. Councillor Monteith concluded that he understood it was a niche market but emphasised it was vital for some.

Councillor Doris supported the proposal stating that in 2017 she had proposed that any newly developed play area contain disability friendly equipment. She highlighted that play areas at Washingbay and Stewartstown which had been progressed through neighbourhood renewal had wheelchair friendly roundabouts so Council was travelling in the right direction.

Councillor McLean concurred saying that he had received representations on the matter and was awaiting further information which he would pass on when available.

Councillor McFlynn concurred with the proposal and stated that approximately £1m was invested at Ballyronan Marina and she too had spoken with the Director of Outdoor Leisure and Recreation as all children should be able to use play equipment.

Councillor McKinney advised that whilst he did not want to reiterate what had been previously said posed the question that perhaps Council policy whilst already supporting accessible equipment may need updated to ensure compliance for all.

Councillor Wilson stated he had been contacted by groups regarding Fairhill Park and Drumanard Park as equipment was not always in working order so frequent checks were needed.

The Chair, Councillor Mallaghan advised that the Director of Outdoor Leisure and Recreation was currently progressing four new play areas but also would be looking at wider facilitation going forward.

Councillor Burton welcomed the refurbishment of the play area at President Grants and said that in the future a wheelchair user swing could be included. She advised that there was accessible equipment in Augher playground and concurred with previous speakers regarding wheelchair friendly equipment. The Councillor concluded that life often proved challenging for families and children with disabilities deserve equal facilitation.

Proposed by Chair, Councillor Mallaghan

Seconded by Councillor Gildernew

**Resolved** That Wheelchair Accessible Play equipment be included in current procurement exercise regarding four new play areas. Wider facilitation of Wheelchair Accessible Play equipment to be utilised across the district.

Councillor Molloy drew attention to communication which Members had received regarding the recent pay claim for Further Education Lecturers and highlighted that whilst the colleges were direct employers thus responsible for terms and conditions the Department for the Economy was responsible for funding. He referred to the two excellent colleges within the district whose service was second to none and proposed that Council write to the Department calling on them to provide adequate funding for Further Education Colleges and to offer support to the unions representing the lecturers. It was noted that the current pay offer which reflected 1.2% over a nine year period which was the lowest throughout the public sector.

Councillor Kerr seconded the proposal and concurred with the comments highlighting that throughout the pandemic additional pressure had been put on all teaching staff and they deserved recognition.

Proposed by Councillor Molloy  
Seconded by Councillor Kerr

**Resolved** That

- (i) Council write to Minister for Economy lobbying for the provision of funding for acceptable pay claims for FE College Lecturers; and
- (ii) Council write to the relevant Unions to offer support.

Councillor Wilson proposed that Council illuminate designated buildings to mark the 100<sup>th</sup> anniversary of Northern Ireland. He stated that he was aware that the proposal would have to be considered by the policy and resources committee. The Councillor also asked when Members could expect to receive the final report on events to mark the centenary. In response the Chief Executive stated that the report was imminent.

Proposed by Councillor Wilson  
Seconded by Councillor Graham and

**Resolved** That a request to illuminate Council property to mark the Centenary of Northern Ireland on 5<sup>th</sup> May is referred to the Policy & Resources Committee for consideration.

Councillor Cuthbertson expressed concern that Dungannon did not appear to feature with the Minister for Finance as he did not respond to letters and highlighted that Dungannon had not been considered in relation to the recent announcement for eight hubs for civil service employees. He stated that Dungannon would be ideal due to its close proximity to the motorway and said that 150 employees operating in

Dungannon town would be a great boost to the local economy. He said that it would also be beneficial for Cookstown and Magherafelt. Councillor Cuthbertson asked if Council had lobbied for a hub and if so what progress had been made. He proposed that Council write again to the Minister for Finance and to the Executive Office to seek responses.

In response to comments regarding the regional hub the Chair, Councillor Mallaghan advised that Council had sent a letter together with a list of publicly owned assets for the Ministers consideration.

Councillor Kerr drew attention to concerns raised with him by the Low Country Honey Bee Association regarding the circumvention of restrictions by importation of bees to Great Britain from the European Union via the North of Ireland. He stated that this could result in contamination of native honey bees and proposed that Council support the Native Irish Honey Bee Association in their campaign and also invite them to make a presentation to a relevant committee.

Proposed by Councillor Kerr  
Seconded by Councillor Monteith and

**Resolved** That

- (i) Council to write to the Low Country Native Irish Honeybee Association offering its support in the campaign against importation of the native honeybees; and
- (ii) The Low Country Native Irish Honeybee Association is invited to make a presentation to Council.

Councillors Cuddy concurred with Councillor Kerr's comments stating this is serious threat to local honey bees.

Councillor Quinn also concurred and shared he had read an article that reported English business men had reckoned they had found a way of importing the bees from Europe via Northern Ireland which would allow them to enter via the back door. He stated the risk of contamination could wipe out Irish bees and many English bee keepers were not happy about the situation either.

Councillor Cuddy referred to previous discussion in relation to the civil service hubs and stated that he had read in the article that Antrim, Newtownabbey, Bangor, Newtownards all mentioned and yet again Dungannon has not been able to avail of central government jobs. He was emphatic that there should be a hub in Mid Ulster and concurred with Councillor Cuthbertson and said much effort was being made to liaise with the Bank of Ireland and this should be the same. He said if the area did not make the radar now it would lose out and highlighted that both the First and Deputy First Minister represented the District yet it did not feature.

The Chair, Councillor Mallaghan agreed and stated if a response had not been received by the next meeting it would be followed up. Referring to the situation

regarding the honey bees the Chair stated he was glad the matter had been raised and looked forward to the forthcoming presentation.

Councillor Quinn drew attention to the ongoing issue regarding the aerodrome at Ardboe. He highlighted that the former Cookstown Council had endeavoured to have the matter addressed, that more recently Patsy McGlone MLA had done likewise and the answer was always there is no funding. Councillor Quinn proposed that Council write to the following Stormont departments Finance, Economy, Communities and DAERA to request a joint meeting with Council and local stakeholders to try to establish a resolution. He stated that a long term investment plan was required that there was many issues including that of right of ways and all concerned needed to be at the discussion table as back in the day the government had built the aerodrome and it was not acceptable that they just walk away.

Councillor Kerr seconded the proposal acknowledging that it would not be a quick fix but Council facilitating a meeting may kick start progress. He said he had contacted the local DfI Section Engineer in the past to no avail and Council needed to be stern in its approach and a change of attitude was needed by other statutory bodies.

Proposed by Councillor Quinn  
Seconded by Councillor Kerr and

**Resolved** That Council facilitate a joint meeting with Members, Officers, Department of Finance, Department for the Economy, Department for Communities, Department for Infrastructure, DAERA, together with local stakeholders to work towards a long term investment plan for Ardboe Aerodrome.

Councillor N McAleer concurred stating that it was a saga and major investment was needed and as time passed the worse its state of repair. He said that in previous conversations the general power of competency had been muted but the investment needed went far beyond its means.

Councillor Burton highlighted that the Caledon postmaster had received an award for 50 years of service to the rural village and asked that a letter be forwarded to Mr Roy Allen to acknowledge this. The Councillor told how he had worked in the rural shop as a young teenager and how his daughter also had a business in the small town.

The Chair, Councillor Mallaghan agreed.

**Resolved** That the Chair send a letter to Roy Allen, Caledon Post Master to commend him on 50 years' service to Caledon Community in this role.

The Chair, Councillor Mallaghan acknowledged the twelve and a half years' service of the Director of Environment and Property Mr Andrew Cassells who was now retiring from Council. He stated he had been a member of the Senior Management Team as well as being a key player in the legacy Magherafelt Council and that the

targets Mid Ulster achieved in recycling and reduction in waste landfill was tribute to his good management. He wished him every success in the future and presented him with a small gift.

The Director of Environment and Property expressed his thanks to the Chair.

Councillor McLean concurred with the Chair's remarks and said as a former Magherafelt Councillor he had found Andrew to be upfront and forthright and whilst he may not have been saying what you wanted to hear he was honest and a man of integrity. Councillor McLean wished him a long and happy retirement.

Councillor S McPeake thanked Andrew for his sterling work stating he had brought great accolades to the legacy Magherafelt and to Mid Ulster who could attribute environmental success to his leadership and foresight.

Councillor Kearney concurred saying Andrew was a dedicated officer who had been very supportive to him when he joined Magherafelt as a new Councillor and stated he did not think that Council had heard the end of him yet!

Councillor Cuddy on behalf of the UUP thanked Andrew for his contribution to Council and declared he was an expert in his field. He extended good wishes to him in retirement and his new directions of travel.

The Chief Executive on behalf of the Senior Management Team extended good wishes to Andrew stating he had first encountered him in 2014 and since then he had been a fantastic work colleague and friend on the management team. He said that often the top could be lonely and journeys rocky but Andrew always brought a steady head to choppy waters. The Chief Executive said he had been a key figure in local government in England, Scotland, Belfast and had been down the mines before and after the miners strikes and told many stories of his experiences. He concluded by wishing Andrew well and stated when the pandemic had past and restrictions were lifted they looked forward to an apt send off.

## **Matters for Decision**

### **C052/21      Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on Thursday 25 February 2021**

In response to Councillor Cuthbertson's query regarding the flooding of derelict building on Old Eglish Road the Director of Environment and Property the Director of Public Health and Infrastructure advised that a report would be presented to committee in due course in the coming months.

Councillor Cuthbertson highlighted that following three letters being sent from Council to the Minister for the Department of Finance in relation to rates holidays due to COVID no response had been received and proposed that Council now write to the Executive Office.

Councillor Burton drew attention to of the minutes *C025/21 Chair's Business Rural Roads*, and asked was there an update or response following Council writing to the Minister for Department of Infrastructure.

In response the Chair Councillor Mallaghan advised that the letter had been sent and there was no response to date.

Proposed by Councillor Doris  
Seconded by Councillor McNamee and

**Resolved** That the Minutes of the Council held on Thursday 25 February 2021 (C023/21 – C037/21 and C048/21) transacted in Open Business having been printed and circulated, were considered and adopted.

**C053/21 Receive and Consider Minutes of matters transacted in “Open Business” at the Special Council Meeting held on Monday 1 March 2021**

Councillor Clarke requested an amendment to the minute page 15 S008/21 Adequacy of Council's Reserves for 2021/22 amend first paragraph to close “....and would second the recommendation of 1.59% increase”.

Proposed by Councillor Clarke  
Seconded by Councillor Milne and

**Resolved** That the Minutes of the Special Council held on Monday 1 March 2021 (SC001/21 – SC009/21) transacted in Open Business having been printed and circulated, were considered and adopted.

**C054/21 Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on Tuesday 2 March 2021**

Councillor Doris drew attention to page 11 of the planning minute's application LA09/2019/0838/F regarding Coalisland Men's shed. She advised that she had raised the matter at the development committee and had asked if the environmental issues had been required prior to COVID. Councillor Doris said that the issue had been raised with her and Francie Molloy MLA and as an elected representative she would endeavour to resolve issues for her constituents. She suggested to Councillor Quinn that he should perhaps speak to the group and going forward be more supportive of the project.

In response Councillor Quinn advised he had spoken with Members of the Men's Shed and was fully supportive of the project. He concluded that his comments at the Planning Committee were made to ensure Council was aware of the facts, that there



would be no conflict of issues and he had been unaware as to which Member had raised the issue at Development Committee.

Proposed by Councillor Brown  
Seconded by Councillor D McPeake and

**Resolved** That the Minutes of Planning Committee held on Tuesday 2 March 2021 (P028/21 – P035/21 and P049/21) transacted in Open Business having been printed and circulated, subject to the foregoing amendment, were considered and adopted.

**C055/21 Receive and Consider Minutes of matters transacted in “Open Business” Policy and Resources Committee Minutes of Meeting held on Thursday 4 March 2021**

Proposed by Councillor S McPeake  
Seconded by Councillor Molloy and

**Resolved** That the minutes of Policy and Resources Committee held on Thursday 4 March 2021 (PR043/21 – PR056/21 and PR067/21) transacted in Open Business having been printed and circulated, were considered and adopted.

**C056/21 Receive and Consider Minutes of matters transacted in “Open Business” Environment Committee Minutes of Meeting held on Tuesday 9 March 2021**

Councillor Kerr drew attention to

- *E070/21 Department of Health – Draft Mental Health Strategy* and stated that he welcomed the response and noted that post COVID mental health was going to be even more problematic;
- *E071/21 Minutes of the Environment Committee held on 9 February 2021* with regard to the issue on Coalisland Recycling Centre and asked for a report to be brought to committee as it was his understanding there had been further issues at the site concerning machinery parts needing to be purchased from New Zealand;
- *E078/21 Live Here Love Here* in relation to roundabout enhancement that the Dernia and Upper Clonoe roundabouts be included and the scheme not just restricted to Cookstown and Dungannon.

In response the Director of Environment and Property advised that a report would be brought to committee regarding issues at Coalisland Recycling Centre and clarified that the equipment in question had been made in New Zealand and parts were not being purchased from so far afield. With regard to the query regarding roundabout enhancement schemes the Director advised that Council had a policy and officers had to work within its parameters.

Councillor S McAleer referred to *E068/21 DAERA – Valuing Nature* and requested a progress report regarding ongoing issues in the vicinity of St Aine’s burial site at Knockmany. Speaking of the site she highlighted that local Councillors had lobbied for improvements which had been a huge success story highlighting in particular the facilities together with the routes for walkers and wheelchair users but stressed that users must feel safe and if the use of trails needed to be broadened further discussion was required.

Councillor Monteith concurred with Councillor S McAleer’s comments.

Councillor Monteith seconded Councillor Kerr’s proposal with regard to broadening the enhancement of roundabouts and stated that Council should work with local communities.

Proposed by Councillor Kerr  
Seconded by Councillor Monteith and

**Resolved** That Council work with local communities and explore the inclusion of further roundabouts in enhancement schemes.

Councillor Monteith drew attention to *E065/21 NIHE Draft Cavity Wall Action Plan* and stated that the matter raises wider issues about fitness standards for housing highlighting that at present there is a very piecemeal approach and a joint up approach was required. He referred to the withdrawal twelve years ago of home improvement grant facility which allowed home owners, landlords and tenants to keep windows, doors and heating systems to an acceptable standard.

Councillor Monteith proposed that an all Member workshop be held to prepare a paper regarding fitness standards for housing which in turn could be used as a lobbying tool for housing standards, inspections and adequate resources to be in place to bring houses up to scratch.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

**Resolved** That an all Member workshop be held to prepare a paper with regard to Fitness Standards of Housing, the paper to be a tool to lobby for housing standards, inspections and adequate resources to be in place to ensure housing is up to scratch.

Councillor Glasgow drew attention to *E062/21 Chair’s Business bin collection Drum Road* and stated that a report was to be brought to the Environment Committee with regards to the changes introduced on the route and sought an update on the changes and the savings in relation to same.

Councillor Burton concurred with Councillor S McAleer’s comments regarding ongoing issues at Knockmany and emphasised that Council needed to take action to overcome the ongoing issues. She referred to a ramp which had been erected and

also that people felt unsafe walking for fear of being hit by a mountain bike users. Councillor Burton in relation to insurance asked what Council's position would be if someone was injured especially given that the clocks were changing and the usage would increase. Councillor Burton highlighted that mountain bike users could use the facility at the Blessingbourne site at a cost of approximately £5 she further advised that she had been asked if a feature to mark the tomb could be erected. Councillor Burton proposed that a meeting be held with officers, walkers and Elected Members.

Councillor Burton referred to the discussion regarding roundabout enhancement and stated that with regard to the scheme at Fivemiletown she had received complaints that the flowers were rotted by the time they were being planted at the scheme.

Councillor Ashton in relation to issues at Knockmany asked if bicycles were permitted on the walking trails and highlighted that many of the issues were with the more adventurous building trails through the forest. She also stated that the damage at the top of the trails was unsightly and some people were using the place to dispose of litter.

The Chair, Councillor Mallaghan seconded the proposal for a meeting and suggested the Forest service should also be invited to attend.

Proposed by Councillor Burton  
Seconded by Chair, Councillor Mallaghan and

**Resolved** That Council progress an all Member meeting in relation to ongoing issues at Knockmany Forest. Forest Service also to be invited to attend.

Proposed by Councillor McNamee  
Seconded by Councillor B McGuigan and

**Resolved** That the Minutes of Environment Committee held on Tuesday 9 March 2021 (E060/21 – E078/21 and E090/21) transacted in Open Business having been printed and circulated, were considered and adopted.

**C057/21 Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Thursday 11 March 2021**

Councillor Quinn drew attention to safety issues with regard to a swing at the play park at Killen and asked that although it was not listed within the five year strategy could it be looked at. He also drew attention to the play park and walkway at Washingbay and said it was a well utilised facility but stated he had received representation from residents with regard to the access road as it was extremely dangerous to turn both in and out of the site and proposed that council work with Department for Infrastructure (DfI) Roads to progress solutions.

Councillor Quinn also referred to the dog fouling at the Washingbay site and stated that more signs could be erected and highlighted that there was also an issue with human excrement being deposited close to the play area and stated that fouling was an ongoing issue and needed to be addressed.

Councillor Corry requested an Amendment to minute D052/21 Community Development – Derrynoid Forest “...*She said that this base was used as a hub and was a central point for Mid Ulster from other areas and was very popular with local people and was an ideal tourism area.*”

Councillor McNamee referred to Councillor Quinn’s request regarding Killen Play Area and stated that Council had determined the Five Year Strategy for play parks and had agreed schemes and budget and it would set a dangerous precedent to add others in.

Councillor Kerr supported Councillor Quinn with regard to Killen play area and stated that issues were being raised by residents and should be addressed. He further supported Councillor Quinn in relation to concerns expressed about Washingbay site access and stated that the matter needed to be addressed highlighting that there had been previous engagement with DfI Roads and Council officials and that they should be doing more to bring a resolution.

Councillor Doris concurred with regard to the Washinbay site but stated it was her understanding there was an issue with the landowner.

Councillor Doris drew attention to *D048/21 The Provision of Access for Outdoor Recreation* and stated that a number of months ago she had proposed that a list be compiled of walking trails in the district and sought an update on same.

In response the Chief Executive advised that it was a work in progress with marketing and tourism sections being added but assured that Members would receive an update.

The Chair, Councillor Mallaghan suggested that there should be a separate website to promote Mid Ulster walks stating that the one good thing arising from the pandemic was that people were exploring local facilities. Councillor McKinney suggested that the promotion of walkways should be by district electoral area with information as to whether or not they were accessible for wheelchair users. He highlighted there was many hidden gems to be explored.

The Chief Executive reiterated that he would provide an update in relation to walkways. He referred to the concerns expressed regarding access issues at Washingbay and stressed that council officers could engage with DfI Road but it was the politicians who had influence. He suggested that a meeting be progressed with DfI Roads and elected Members emphasising which would provide Members the opportunity to exert influence directly.

Councillor Quinn concurred with Councillor Kerr and proposed the suggestion by the Chief Executive that a meeting be progressed.

Councillor Kerr seconded the proposal and again stressed that the role of Council is to ensure the safety of the residents and users of the site and more engagement was needed. He concurred that Members could influence but stated that officers too needed to be proactive.

The Chair, Councillor Mallaghan stated when everyone worked collectively the best results were achieved.

Proposed by Councillor Quinn  
Seconded by Councillor Kerr and

**Resolved** That Council arrange a site meeting at Washingbay Play Area for DEA Members and DfI to discuss sight line issues entering and exiting the site.

Proposed by Councillor McNamee  
Seconded by Councillor Milne and

**Resolved** That the Minutes of Development Committee held on Thursday 11 March 2021 (D044/21 – D055/21 and D058 /21) transacted in Open Business having been printed and circulated, were considered and adopted.

#### **C058/21 Requests for Civic Recognition**

The Head of Democratic Services sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated Council Policy, as detailed within the report at appendix A.

Proposed by Councillor B McGuigan  
Seconded by Councillor Kearney and

**Resolved** That approval be given to submitted requests for civic recognition as outlined in the report and be dealt with as previously resolved by April Council in that recipients receive a letter together with an award, where appropriate.

#### **C059/21 Response Programme for Government Outcomes Framework 2021**

The Head of Democratic Services drew attention to the previously circulated report making Members aware of the draft consultation response developed on behalf of the Council in response to the Consultation being undertaken on the draft Programme for Government.

The Head of Democratic Services sought approval for the draft response as outlined in the report. It was noted that the Department had approved a late submission by Monday 29 March.

Proposed by Councillor Quinn  
Seconded by Councillor Milne and

**Resolved** That Council submit the response to the programme for Government Outcomes Framework 2021.

## **Matters for Information**

### **C060/21 Correspondence**

Members noted previously circulated report providing correspondence received for the attention of Council.

Councillor B McGuigan drew attention to correspondence from Derry and Strabane District Council with regard to their motion on calling on the Department for Infrastructure (DfI) to conduct a feasibility study on rail connections and the rail network and proposed that Council support the request.

Councillor Monteith seconded the proposal stating the neglect of infrastructure west of the Bann was not only a disgrace but an act of vandalism and a major detriment to local communities. He highlighted that money could be sourced to promote pipe dreams and vanity projects such as bridges to Scotland yet there was no money for residents living in areas where infrastructure has been decimated.

Proposed by Councillor B McGuigan  
Seconded by Councillor Monteith and

**Resolved** That Council support the motion raised by Derry City and Strabane District Council and write to the DfI to express same.

Councillor Monteith drew attention to the correspondence from Minister for the Economy and the mention of the High Street Task Force, he asked if Council had received the terms of reference for same, if Council were engaged and suggested a workshop regarding the issue.

In response the Chief Executive stated he had heard an interview on the radio regarding the task force and advised that only Belfast City Council had representation on it and it had been highlighted that rural and those west of the Bann should be included. He advised further information would be brought to the development committee and that a meeting would be sought with the taskforce.

**Resolved** That Council seek a meeting with the High Street Task Force highlighted in correspondence from the Department for the Economy.

Councillor N McAleer drew attention to the correspondence received from DAERA which had been emailed to Members. He advised that it was in response to letter forwarded by Council concerning support to the Lough Neagh fishing industry and expressed disappointment in the response given that the pandemic had been ongoing for a year and the industry had received no support. He proposed that Council write yet again requesting a time line for the support mentioned in the letter.

Proposed by Councillor N McAleer  
Seconded by Chair, Councillor Mallaghan and

**Resolved** That Council to write to Minister for DAERA seeking a time line for support to Lough Neagh fishing industry.

Councillor Quinn drew attention to the correspondence from the Local Government Boundary Commissioner and expressed concern that part of Torrent area had been included in Dungannon electoral area and posed the question as to why this was so.

Councillor Kerr highlighted that Council should request that Maghera should be reverted back to Mid Ulster from ABC Council and suggested that Council compile a corporate response regarding local boundary issues.

Councillor Kerr also drew attention to the correspondence from NI Ambulance Service and stated he would like to see a meeting as soon as possible as ambulances were experiencing difficulty finding houses.

In response the Chief Executive stated that there was an offer of a virtual information session with the Local Government Boundary Commission and if Members were minded to engage in the process a corporate response could be prepared.

The Chair, Councillor Mallaghan stated that different parties may have a different viewpoint.

Councillor Brown proposed that Council avail of the virtual information session with the Commission and stated that everything would be tagged by legislation and Members needed direction.

Councillor Wilson drew attention to correspondence from the Northern Ireland Ambulance Service and stated that it was vital that Council publicise the necessity to have house numbers displayed at the end of lanes. He proposed that Council avail of the offer to meet with the NIAS.

Proposed by Councillor Wilson  
Seconded by Chair, Councillor Mallaghan and

**Resolved** That Council progress meeting with NI Ambulance Service.

Councillor Monteith seconded the proposal to meet with the Local Government Boundary Commission and concurred with Councillor Kerr's view that there would be

issues which would meet corporate agreement and arguments are stronger if all parties agree. Speaking on the issue around the Tyrone side of the river the Councillor said there is tidying up across district electoral areas also. Councillor Monteith said that political parties could submit their own responses also.

Councillor Doris stated that Sinn Féin had lobbied for some time with regard to lands at the Tyrone side of Maghera as there was a lot of potential and she would support getting the matter progressed.

Proposed by Councillor Brown  
Seconded by Councillor Monteith and

**Resolved** That Council progress a meeting with the NI Ambulance Service.

#### **C061/21 Consultations Notified to Mid Ulster District Council**

Members considered the previously circulated report.

Councillor Clarke drew attention to the consultation listed as Private Members Bill (Declan McAleer MLA) Areas of Natural Constraint (ANC) and proposed that Council submit a response.

Proposed by Councillor Clarke  
Seconded by Chair, Councillor Mallaghan and

**Resolved** That Council submit response to Private Members Bill (Declan McAleer MLA) Areas of Natural Constraint (ANC)

#### **C062/21 Notice of Motion**

Councillor Corry moved the motion

“That this Council Expresses its concern with the continued attempts by the British Government to undermine the Good Friday Agreement; Notes that responsibility and powers concerning housing, communities, and local government are devolved to the north of Ireland; Views the proposed opening of a Whitehall Department office for the Ministry of Housing, Communities and Local Government in Belfast as a power grab and a further attempt to undermine devolution; Believes firmly that local democratically elected representatives in the north of Ireland are best placed to make the decisions on behalf of people here who elect them; Urges greater progress for the further transfer of powers from Britain and not these backward steps by the British Government; Commits to writing to the Joint First Ministers explaining our concerns with the harmful approach of the British Government and its impact on our Peace Process.”

Councillor Corry commenting on the motion stated,



*“It should be alarming to all local elected representatives, that Whitehall has recently announced that the Ministry of Housing, Communities and Local Government plans to open an office in Belfast. This fundamentally undermines the legislative basis of the Good Friday Agreement and the operation of power sharing in the north. In the past few weeks we have seen various attempts by the Tory Government at undermining our devolved governments and indeed our power sharing arrangements. Just yesterday the devolved finance ministers of Scotland, Wales and the north of Ireland released a joint statement, expressing their concerns on being bypassed on the allocation of replacement EU funds, of which there was a commitment made, that these powers would be devolved fully after Brexit. As well as breaking a commitment this creates, a new and separate layer of bureaucracy and a bidding process with no guarantee of success. The three ministers stated “It is ignoring our respective devolution arrangements, delivering funding to meet Whitehall’s priorities rather than those of the people of Scotland, Wales and the north of Ireland.” This and plans to bring another Whitehall office here are blatant attempts to chip away at power sharing arrangements here and indeed the powers of the three devolved governments.*

*Locally our colleagues in the assembly, like ourselves, have been elected by the people here in the north, with a mandate, to work on their behalf and bring forward the priorities that matter to them. This move by Westminster treats citizens here with absolute contempt. It should be for local ministers to decide on local priorities and for the block grant to be funded appropriately.*

*The north and in particular west of the Bann has been underfunded for decades. Our local infrastructure is crumbling. I like everyone else here, I’m sure, is inundated with issues around the state of our roads, countless potholes, the need for resurfacing and larger scale projects to connect our towns and cities, insufficient broadband, mobile phone coverage, the virtual non-existence of a railway system. Once or twice a year, we have NI Water presenting to us that the system is at breaking point and that without investment it will have a severe impact on new building projects for homes and businesses, perhaps preventing them even happening.*

*Housing has been and is another priority, in November Carál Ní Chuilín announced the biggest housing reform programme the north has seen in decades, to ensure that every household has access to good quality, affordable and sustainable homes that are appropriate to need. Minister Deirdre Hargey is working hard to ensure that this programme is carried out. Just this week ITV did a report on the unliveable conditions in high rise flats in Croydon, tower blocks still have flammable cladding in the wake of the Grenfell disaster. The Tory Government have much work they should be doing on their own doorstep and are not.*

*The fact is that responsibilities and powers for communities, housing and local government are devolved matters, we know what the priorities are as we work on them every day. I really don’t think we need the Tory Government with no mandate, to come here, to tell us what our priorities should be on infrastructure, housing or anything else for that matter.*

*This is about the narrow interests of Boris Johnson and his vanity projects, a man who led tax payers up the garden path, to the tune of 43 million on his failed garden bridge project. It is an attempted power grab by the Tory Government on the devolved administration's here in the north and in Scotland and Wales. We need to ensure that the legislative basis of the Good Friday Agreement through power sharing in the devolved assembly is protected. That those with a mandate from the people of the north are the ones that are making decisions locally, not the Tories, who do not hold a mandate and who do not know or care what people's priorities are. I would hope that my colleagues here tonight support the motion as proposed. That we can work together to seek the further transfer of powers as already committed too and not these backwards steps."*

Councillor D McPeake seconded the motion.

Councillor Black commented on the motion stating,

*"There has been a lot of commentary in recent days in response to this announcement by the UK Government, much of it alluding to an undermining of devolution. Firstly, I don't believe this is undermining the devolved institutions, rather I believe that this is a signal of the UK Government's intent to work in partnership with the Northern Ireland parties, to identify areas where a collective approach could deliver better outcomes for the people of Northern Ireland. Surely such an initiative should be welcomed, if viewed beyond the narrow scope some appear to be taking in respect of this matter. I also find myself somewhat bewildered by some of the comments, many of a similar vein to this motion, because the UK Government's plan to increase their visibility and involvement in Northern Ireland is clearly stated within the 'New Decade, New Approach' Agreement. Referencing 'Annex A, which is entitled - UK Government Commitments to Northern Ireland' Point 7 states 'Scope the establishment of a Northern Ireland hub in London - complementing the Invest Northern Ireland London Hub - to provide an increased opportunity for Northern Ireland stakeholder engagement in London. In tandem, explore the creation of a UK Government hub in Northern Ireland to increase the visibility and accessibility of UK Government departments in Northern Ireland. Therefore, the announcement that the UK Government plan to establish offices in Northern Ireland should come as no real surprise, especially to the parties who have signed up to this agreement.*

*Further, I find this motion rather hypocritical and a case of Sinn Fein trying to ride two horses, as they are quite content to have Westminster involvement in Northern Ireland when it suits their agenda. For example, in the assembly over recent days, Sinn Fein abstained from voting on Westminster legislation to implement abortion services in Northern Ireland. Whilst lip service was given to being opposed to Westminster involvement, when push came to shove Sinn Fein facilitated Westminster involvement on this matter. There was no real concern with the UK Government's involvement in the devolved matter of health on this occasion.*

*Finally and in closing, Mr Chair, I think the member should reflect on the language used in this motion. Accusing the British Government of a so called 'power grab' and alluding to the damage the British Government's plans will have on our 'peace process' is incendiary and unhelpful language. It amounts to nothing more than sabre-rattling to play to the hard line elements in the nationalist/ republican community.*

*Such attitudes are depressing and I don't believe are reflective of many in our communities. Focusing on a collective approach, including, where appropriate, the devolved institutions working in partnership with the British Government to deliver positive outcomes for all our people, should be where our energies are focused. We will therefore not be supporting this motion."*

Councillor Wilson said that once again Council is debating a contentious motion over which it has no control and that if you were a cynic you would think there was an election in the offing. He said that the motion was factually incorrect as it speaks of the Good Friday Agreement, not the Belfast Agreement and that there is no such entity as the north of Ireland and certainly not in the agreement. The Councillor reminded the meeting that Northern Ireland receives a subvention of £10billion from the UK government and the block grant which is the funding used to run Stormont. He stated that devolution is a partnership and posed the question where would Northern Ireland currently be without the UK funding for furlough business grants not to mention the success of the vaccine roll out. Whilst Sinn Féin may prefer that Northern Ireland was part of the Republic far from criticising the United Kingdom they should be extending their thanks for continued support. Councillor Wilson concurred with Councillor Black's comments in regard to 'New Decade New Approach' item 7, and stated that Sinn Féin say they support it but what did they think a UK hub would be and yet again they were cherry-picking from agreements.

Councillor Wilson proposed an amendment to the motion that it be marked read, saying that to save Council the embarrassment of passing a motion that was factually incorrect.

Councillor Cuthbertson concurred with Councillor Black and proposed that the proposer of the motion and Sinn Féin would clarify what is meant by the last line of the motion and asked if they were not 100% committed to the peace process or is this a threat to it.

Councillor Quinn said that the Tory party stood a candidate in local elections who had received less than 3000 votes and thus the Tories have no mandate to impose priorities. He stated that they had not delivered the funding they committed to the New Decade New Approach nor had they turbo charged infrastructure requirements as they had promised. Councillor Quinn said whilst the SDLP welcomed all additional funding they did not agree that London should decide how it is spent highlighting that £20m is set aside for feasibility study on a bridge when this spend was much needed in infrastructure. He said elected representatives here Ministers, MLAs and Councillors should decide how money is spent not London. Councillor Quinn concluded that the crux of the problem was the Tory government had seen the

success of the Scottish National Party running Scotland and now on the verge of independence and were afraid of losing power. Councillor Quinn said the SDLP would support the motion.

Councillor McKinney seconded Councillor Wilson's proposal and said that a lot of comments had been made about the British government yet it was they who had looked after Northern Ireland especially over the past year. He also remarked on the talks of a bridge to Scotland and highlighted the boost this would be to the local economy as it would allow trade links with the United Kingdom within an hour. Councillor McKinney said he may not see the bridge in his lifetime but it would be welcome not just by Northern Ireland but also its neighbours in Eire who would also reap the benefits and unless you were really bitter and hard line you would recognise updated road links was much needed. Councillor McKinney said in conclusion all should remember that the British government is the paymaster and yet again this was tribal politics.

Proposed by Councillor Wilson  
Seconded by Councillor McKinney

That the motion be marked Read.

The Chair Councillor Mallaghan ruled out the proposal as it did not add or change the motion.

Councillor Monteith stated that listening to the debate you would not think that local people paid tax and as such were entitled to avail of the systems they pay into and reiterated that the six counties pay tax to the British government. He said that Sinn Féin signed up to the NDNA agreement and it did say it would create a presence and as an Irish republican he would object to this. He concluded that he had issues with the motion as he did not think it would achieve much but he would support it as he did not agree with British involvement.

Councillor Brown concurred with Councillor Black and picking up on both the SDLP and Sinn Féin speakers reminded them that in relation to the rights of abortion they made way for the Tories to impose laws in Northern Ireland reminding them that Colum Eastwood, Claire Hannah and the Alliance Party were all instrumental in making this happen.

Councillor Cuddy said he was a Northern Irish Unionist and unionism had been around for many years. He said that much of the debate tonight had been on issues not relating to the motion. With regard to the proposed hub he said that the government were doing this across the UK it would bring investment and create local jobs. Councillor Cuddy stated Council should welcome all investment should it be from Mars, he said that if Brussels was opening an office everyone would be delighted and that earlier in the meeting the discussion was getting a regional hub for civil service staff into our towns. Councillor Cuddy said Council should not be rejecting the hub as it would bring investment and expertise which Council needed to

capitalise on. Councillor Cuddy stated that it was a pity the amendment from Councillor Wilson had been overruled.

Councillor Kerr said he concurred with Councillor Monteith's comments and likewise had reservations about the motion but did concur with regard to British interference in Ireland was not welcome. In relation to Boris Johnston's recent comments that 'capitalism and greed' was behind the success of the vaccine roll out Councillor Kerr expressed his disgust stating that some countries for example Iraq had only received its first dose of the vaccine and this was all human life being impacted. He made reference to the comments that the British government was the paymaster and reminded Members that throughout history the British had plundered and stole assets and from other nations highlighting that gold stolen from Venezuela was not being returned. He said money coming here was taxpayers' money that people had contributed to and highlighted that the British should remember their Colonial Museums were full of stolen items. He concluded he would support the motion.

Councillor Colvin said that the current actions by London was predictable as far back as the RHI situation as having read Sam McBride's book BURNED, it was only a matter of time that the governance arrangements in Belfast would be examined by London because of a cynical attitude to the expenditure of public money where the tab would be picked up by London. He recalled that Sinn Féin had collapsed the Assembly on the issue and as such would have thought such independent help from London would have been welcomed, and rather than objected to. Councillor Colvin also remarked that the DUP had not challenged the term 'Joint First Ministers' and suggested was this because they were the architects of the new structure?" Councillor Colvin also highlighted that the will of the people in Northern Ireland had been ignored by the British Government in the matter of abortion. He stated that the Centre for Bio-Ethical Reform NI is one of many pro-life groups and quoted from them, *"Northern Ireland is facing its greatest political and constitutional crisis ever. The Secretary of State is taking control from the NI Assembly and Executive on abortion and leaving our elected representatives without any say or control on this issue in the future. Tragically this will be just the first step in turning NI into one of the most socially liberal countries in the world, will result in the deaths of thousands of unborn children, with massive implications for freedom of speech, religion, and transform the social and moral foundations of our society."*

Councillor Colvin said he held a strong *both lives matter* view on this issue and, for the record stated that he was personally opposed to abortion but asked that Members consider that if one is a supporter of the of abortion ideology, this is a matter that should be decided by the democratically elected Assembly and allowing otherwise sets a very concerning precedent going forward. He also expressed his concern that the SDLP had, with some other 50 MP's, written a letter to the Secretary of State asking him to, in effect, ignore the Assembly; and commission abortion over the head of the elected members. Councillor Colvin concluded that had the motion recognised that the issue of abortion was the one that undermined devolution he would have supported it but as it is, the assistance of London to improve the governance arrangements was completely misconstrued by the motion, and therefore he would not support the motion.

The Chair, Councillor Mallaghan reminded Members that there was a Northern Ireland Office and he did not see the need for another one. He also stated that decisions made on behalf of people here should be made by the politicians here. The Chair also stated that the Barnett consequential was law and that is what determines the level of support received if it was not law the Tories would not give the level of support. He said that again and again the Tory government had shafted local parties who had given them support and it amazed him that no matter how often they were shafted the same parties supported them again and again. With regard to Joint First Ministers the Chair stated that it was a joint office and people could use whatever terminology they were comfortable with. The Chair, asked Councillor Corry to give her concluding remarks.

Councillor Corry in answer to comments made in debate stated that all parties signed up to the peace process and part of the workings out of that is the Good Friday Agreement, the devolved assembly and power sharing institutions. She highlighted that everyone made a commitment to honour their obligations to this and as such the British Government also need to honour their commitments and not seek to undermine devolution. Councillor Corry said it was not an orange and green issue it is about democracy that those elected to the devolved assembly have a mandate and are accountable to the people that elected them. The Tory government have no mandate and no accountability. She highlighted that successive British Governments had decades upon decades to rectify infrastructure, bring capital projects, housing projects and so on but chose not to and under numerous policies actually decimated housing and infrastructure among many other things.

Councillor Corry reminded Members that as already alluded to we all pay our taxes, we have a right to get that back and for our local politicians with a mandate, to spend it where they know it is most needed. She said it amazed her that there are still people here who trust Boris Johnson. Councillor Corry stressed that it is our roads and local infrastructure projects that she gets lobbied on, not the building of a tunnel through a munitions dump in the Irish Sea or a bridge on one of the windiest routes going and when you look at the Foyle bridge closures due to adverse weather conditions would it be viable. In conclusion Councillor Corry said she wanted to work with her colleagues here and in the assembly to deliver what local people want and need but if some wanted to live in Boris Johnson's fantasyland that is up to them.

The Chair, Councillor Mallaghan put the motion to the vote.

For	25
Against	15

The Chair, Councillor Mallaghan declared the motion carried.

**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.**

*The live broadcast concluded at 9.10 pm*

Proposed by Councillor Bell  
Seconded by Councillor Quinn and

**Resolved** That items C063/21 to C072/21 be taken as confidential business.

**Matters for Decision**

- (i) Council confidential minutes of meeting held on 25 February 2021;
- (ii) Planning Committee confidential minutes of meeting held on 2 March 2021;
- (iii) Policy and Resources Committee confidential minutes of meeting held on 4 March 2021;
- (iv) Environment Committee confidential minutes of meeting held on 9 March 2021;
- (v) Development Committee confidential minutes of meeting held on 11 March 2021;
- (vi) Audit Committee confidential minutes of meeting held on 16 March 2021
- (vii) Cookstown Town Centre
- (viii) Council Insurances 2021/22
- (ix) Document for Sealing: Ballyronan Refurbishment & Tourism Contract - Contractor – E Quinn Civils Ltd
- (x) Document for Sealing: Peace IV Shared Space Villages Contract - Contractor - M P Coleman Ltd

**C073/21 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 9.35 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.