

## **Minutes of Meeting of Mid Ulster District Council held on Thursday 27 June 2024 in the Council Offices, Circular Road, Dungannon**

**Chair** Councillor McConnell

**Members Present** Councillors Black (7.03pm), J Buchanan, W Buchanan, F Burton, J Burton, Cahoon, Carney, Clarke, Corry, Cuthbertson, Gildernew, Graham, Groogan, Kelly, Kerr, Mallaghan, McAleer, McElvogue, McFlynn, McGuigan, McLernon, McNamee, D McPeake, S McPeake, McQuade, Milne, Monteith, Robinson, Quinn, 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 McConnell welcomed everyone to the meeting and those watching the meeting through the Live Broadcast.*

### **C117/24 Notice of Recording**

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

### **C118/24 Apologies**

Councillors Bell, Brown, W Buchanan, Forde (BEM), Johnston, Martin, McLean, Molloy and Totten

### **C119/24 Declarations of Interest**

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

## **C120/24      Chair's Business**

The Chair, Councillor McConnell in his opening remarks said that, "in looking back, It has proved a busy first month as Chair and I'm working on my promise to be a Chair for all. Last week was Refugee Week, and I was delighted to celebrate it at two events hosted by our Ukrainian and Syrian Communities. Refugee Week celebrates the contributions of refugees and people seeking sanctuary, challenges negative stereotypes and creates a space where refugees can be seen and heard beyond their experience of displacement. It was my privilege to continue to welcome people from all over the world to Mid Ulster. I also attended the Family Fayre and Pre-Loved Sale Event in Meadowbank Arena. Seeing so many families come together to have fun and contribute to a more sustainable future was just wonderful. The event enabled local families to save money on pre-loved items they no longer needed, while also promoting reuse and recycling – a fantastic event that I hope to see repeated.

You'll have seen that Council's social media channels are focusing on spreading the message about registering of defibrillators. This is such an important message that I wanted to highlight it here tonight. The moment someone has a cardiac arrest, the clock starts ticking. Every minute without CPR and defibrillation reduces the chances of survival. But many defibrillators are never used because emergency services don't know where they are located - this is where The Circuit comes in. It connects defibrillators to NHS ambulance services and people first on scene so that in the crucial moments after a cardiac arrest, defibs can be accessed quickly to help save lives. We are urging all local groups, clubs and organisations to register their defibrillator today if you've not already done so and also to reregister your equipment if it has been used or repaired recently. It could save a life.

I also want to take a moment to congratulate the three hundred and fifty plus students who participated in the creation of the Sensory Infusion Exhibition on display in the Burnavon. The students from eight schools which included a combination of special schools and specialist provision within mainstream across the district have produced some wonderful bright positive artworks and I'd encourage you to drop in before the exhibition finishes on Sunday. To finish, just a word of thanks to the many new faces I have met this month and who have made me feel so welcome, from the Clogher Valley Rugby Club, the Kildress Health Matters team, Tourette's Support N.I, Primate Dixon Primary School and the organisers of the All-Ireland Whist Competition, Eileen Mullan and Josie Scullion as well as many others, it has been great to see the depth of real live activity that is happening across the district is uplifting."

The Chair, Councillor McConnell stated that a new brush sweeps clean and given the number of Chair's Business requests received, many of which were after the deadline he had taken a decision and would ask Members to respect it. He said that anything that came in after the deadline which was not relevant to agenda items would not be taken, any relevant items would be taken in the relevant business area and this is how he would be conducting Chair's business going forward. He emphasised the ruling was for all members. Members agreed.

The Chair, Councillor McConnell invited Councillor Cahoon to speak, Councillor Cahoon stated, "I wish to speak about the 80th Anniversary of DDAY and the events that were held across the District to remember those brave soldiers, sailors and airmen. As on 6 June 1944 more than 150,000 Allied troops landed in Normandy supported by 11500 aircraft and 6900 naval vessels in the largest sea-land invasion in history. DDay altered the course of history as it laid the groundwork for the liberation of Western Europe as Allied Forces Shattered Hitler's Atlantic Wall.

The Battle of Normandy lasted until the end of August as British, American, French, Canadian, Polish and other Allied forces pushed German forces beyond the River Seine. Across Mid Ulster residents paid tribute to those who served and paid the ultimate sacrifice to protect our freedoms and stopped to remember the thousands of personnel who lost their lives when they left their future behind to liberate Western Europe from the Nazis. Killymoon Castle played a key role in the war effort as it was the base for the 505th Parachute Infantry Regiment (of the 82nd Airborne Division) of the US Army. 643 American army paratroopers were stationed at Killymoon Castle as they spent three months between Dec 43- Feb 44 at Killymoon before being dispatched to England for the final preparations of the operation to land in France, that would forever be known as D-Day. On the cellar walls in Killymoon you can read an engraving that says: "P.T – Tony J. Vickery 505 Prcht. Inf, U.S. Army, Atlanta, GA".

Tony Vickery had been part of the parachute regiment in the 82nd Airborne Division and was only 18 when he stayed at Killymoon. He parachuted into Normandy on 6 June 1944. Five days later he was providing cover while other soldiers were sleeping and a group of Germans advanced to their position. A firefight ensued and Tony Vickery was killed in action. By the end of World War Two, 153 paratroopers who stayed at Killymoon were killed. A memorial now stands at Killymoon Castle along with a Roll of Honour marked with the words "Time will not dim the glory of their Deeds" Bringing my remarks to a conclusion, I would like to place on record my thanks to all of the Council staff who helped to ensure that groups and schools across the District received their DDAY 80 commemorative Lamp of Peace which were lit on 6 June 2024 to mark this 80th Anniversary."

Councillor Cuthbertson said he had submitted his request to raise matters in chair's business prior to the deadline. He also advised that former councillor, Mr Harry Greenaway who had served on the legacy Dungannon & South Tyrone Borough Council had passed away earlier in the day and he thought it fitting that a letter of sympathy be sent to his family.

The Chair, Councillor McConnell agreed to send a letter of sympathy. Councillor Cuthbertson paid tribute to Noel Irwin President of the Royal British Legion Dungannon & Moy Branch who had been awarded an MBE in the King's Birthday Honours.

The Chair, Councillor McConnell reminded Members of his opening remarks in relation to chairs business and further advised all those submitted requests to honour local citizens achievements would receive a letter. He said there was merit in all achievements but he was not highlighting each individual one but give the assurance that all would receive a letter from him as Chair of the Council and going forward if requests were received they would be issued from the Chair.

In response to further comments made by Councillor Cuthbertson the Chair, Councillor McConnell reiterated his ruling.

### **Matters for Decision**

#### **C121/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 23 May 2024**

Councillor Kerr acknowledged the Chair, Councillor McConnell’s decision with regards to Chair’s Business and said he had not been aware of the deadline. He drew attention to C096/24 Chair’s Business and wished local boxer Ferghal McCrory best wishes in his forthcoming title fight.

Councillor Kerr sought an update in relation to Council’s resolve at C096/24 in relation to companies who had received MEGA funding but were now having to lay off workers. He advised he had met with representatives of South West College who were keen to assist anyone in a redundancy situation to upskill or retrain. Councillor Kerr proposed that Council Officers explore this opportunity with South West College.

The Chair Councillor McConnell concurred.

**Resolved** That Council explore options of support with South West College in relation to workers facing redundancy.

Proposed by Councillor Kerr  
Seconded by Councillor Varsani and

**Resolved** That the Minutes of the Council held on Thursday 23 May 2024 (C093/24 – C104/24 and C116/24) transacted in Open Business having been printed and circulated, subject to the foregoing were considered and adopted.

#### **C122/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Annual Meeting of Council held on 3 June 2024**

Proposed by Councillor Mallaghan  
Seconded by Councillor McLernon and

**Resolved** That the Minutes of the Annual Council held on Monday 3 June 2024 (AC1/24 – AC10/24) transacted in Open Business having been printed and circulated, subject to the foregoing were considered and adopted.

#### **C123/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 4 June 2024**

Proposed by Councillor Kerr

Seconded by Councillor S McPeake

**Resolved** That the Minutes of the Planning Committee held on Tuesday 4 June 2024 (P078/24 – P084/24 and P091/24) transacted in Open Business having been printed and circulated, subject to the foregoing were considered and adopted.

**C124/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 6 June 2024**

Proposed by Councillor Corry  
Seconded by Councillor McLernon and

**Resolved** That the Minutes of the Policy & Resources Committee held on Thursday 6 June 2024 (P117/24 – PR129/24 and PR136/24) transacted in Open Business having been printed and circulated were considered and adopted.

**C125/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 11 June 2024**

Councillor Cuthbertson drew attention to E129/24 Festive Lighting Replacement – delegated authority request and said he had been contacted by Town traders who had been involved in discussions but still felt that their queries had not been answered. He said that the tender process was now closed, and it was hoped the paper would be brought to Environment Committee in July but he would ask that officers make contact with the Traders Association as soon as possible to have queries addressed as he too had failed to get answers.

The Chair, Councillor McConnell said that updates would be sought.

Councillor Monteith concurred with Councillor Cuthbertson’s comments stating that some of the traders are dismayed and he too could identify with not getting answers to questions sought. He said whilst there was to be a new lighting scheme large sections of the town would not be lit such as Irish Street, Greers Road and Shambles Lane. He said that traders had made it clear that all streets should be lit and he would share concerns.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Monteith

**Resolved** That Council progress a meeting Dungannon Traders Association to discuss Christmas Lighting in Dungannon Town.

Councillor Varsani referred to a meeting with Traders which had taken place earlier in the day to update traders on ongoing issues. She said that further discussions

were needed and that the original lighting may be able to be reused in streets not within the new scheme. Councillor Varsani said the meeting had been useful and thanked officers who had worked on the project to date.

The Chair, Councillor McConnell thanked Councillor Varsani for the update and said Council should look at reusing the redundant lighting.

Councillor Kerr drew attention bus shelter report and requested that those listed be installed prior to the schools returning in September.

Councillor J Burton concurred with Councillors Cuthbertson and Monteith in relation to a face-to-face meeting with traders.

Councillor F Burton asked if there was any surplus lighting because of the new lighting schemes if smaller towns and villages could be considered. She highlighted in these areas the community looks after lighting schemes albeit with support from Council, but it would be good if officers could investigate a reusable scheme concluding that it was also good recycling.

Councillor McGuigan said the matter had been discussed at the Environment Committee and that areas where the community led the lighting scheme via council grant opportunities for redistribution were to be explored.

Councillor Varsani concurred that reusability of current lighting had been discussed and this would be addressed when officers determine a way forward.

Proposed by Councillor McGuigan  
Seconded by Councillor Varsani and

**Resolved** That the Minutes of the Environment Committee held on Tuesday 11 June 2024 (E122/24 – E136/24 and E144/24) transacted in Open Business having been printed and circulated were considered and adopted.

**C126/24 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 13 June 2024**

Councillor Wilson drew attention to the Pitches Strategy and the issue of lack of provision for hockey in the district. He proposed that Cookstown Hockey Club be invited to a future development committee to make a presentation.

Councillor Cuthbertson seconded the proposal and said he had raised the lack of provision for hockey in Dungannon in the past.

The Chair of the Development Committee, Councillor Black concurred with the request.

Proposed by Councillor Wilson  
Seconded by Councillor Cuthbertson and

**Resolved** That Cookstown Hockey Club be invited to make a presentation to Development Committee in relation to provision of pitches for hockey in the district.

Councillor Kerr drew attention to D108/24 Development Report – Gortgonis and Coalisland Canal. He requested that a Torrent DEA meeting be organised to continue progress on the Gortgonis project and sought an update in relation to previously raised queries regarding expert advice in relation to the running track and gym equipment.

Councillor Kerr drew attention to the Coalisland Canal Project and stressed the importance of the project, the attendance of all relevant staff at the planned consultation event highlighting that there was wide public interest both for and against the project and effective community engagement was required.

In response the Chief Executive give assurance that as in any public exercise, the Council performs ethically, and the officer team deliver on that basis.

Proposed by Councillor Wilson  
Seconded by Councillor McNamee and

**Resolved** That the Minutes of the Development Committee held on Thursday 13 June 2024 (D102/24 – D115/24 and D119/24) transacted in Open Business having been printed and circulated were considered and adopted.

#### **C127/24 Regulation on Remote Meetings – Transaction of Council & Committee Meetings**

The HoSS&E advised that since the paper was issued with the reports the Department for Communities (DfC) had now introduced regulations to enable Councils to opt to continue fully remote and/or hybrid meetings. Members were asked to consider Council's position on transacting future Council and Committee business by remote means, now that the regulations had been passed by the NI Assembly in the form of the *Local Government (Remote Meetings) Regulations (Northern Ireland) 2024*. The HoSS&E stated should Council decide to operate remote and/or hybrid meetings the Standing Orders would have to be amended and as Members would be aware this requires a notification to Council one month prior to the actual debate to consider change thus the earliest the remote and/or hybrid meetings could be held would be October.

*Councillor J Burton left the meeting at 7.32 pm*

Councillor Mallaghan proposing that Council opt to continue with fully remote and/or hybrid meetings and said it was important that the need for this is reflected especially for those Members who have caring responsibilities.

Proposed by Councillor Mallaghan  
Seconded by Councillor Gildernew and

**Resolved** That in line with Local Government (Remote Meetings) Regulations (Northern Ireland) Council progress to amend standing orders to opt to transact its council and committee meetings by fully remote and/or hybrid means.

Councillor Cuthbertson outlined that the DUP are content with the option of hybrid position but the preference is in person attendance especially for legal matters and in committee business. He said he had set through situations when Members attending remotely have had their cameras off and thus you don't know who else could be listening.

Councillor Quinn said the SDLP supported the option of remote and/or hybrid which gave the Members options to connect to meetings remotely.

Councillor Wilson concurred with the options.

The Chair, Councillor McConnell said it was a sensible approach as each Member at times had differing circumstances.

Proposed by Councillor Mallaghan  
Seconded by Councillor Gildernew and

**Resolved** That approval is granted for Council to transact its Council and Committee meetings by fully remote and/or hybrid means, subject to regulations being passed by the NI Assembly.

## **C128/24 Consultations**

The HoSS&E provided update on consultations notified to Mid Ulster District Council.

Councillor Gildernew drew attention to NIHE Community Involvement and Cohesion Strategy 2024-2029 and proposed that Council seek an extension to the closing date and if granted response it be brought to Development Committee on 9th July 2024, should extension not be granted then authority be delegated to the Chief Executive to approve the response.

Councillor Corry seconded the proposal.

Proposed by Councillor Gildernew  
Seconded by Councillor Corry and

**Resolved** That Council note the consultations and

- (i) respond to consultation NIHE Community Involvement and Cohesion Strategy 2024-2029; that Council seek an extension to the closing date and if granted response be brought to Development Committee on 9th July 2024, should extension not

be granted then authority be delegated to the Chief Executive to approve the response.

- (ii) that delegated authority be granted to Chief Executive to approve responses to consultations whereby extensions are not granted for: DfC: Equality Impact Assessment consultation on his initial decisions on the Department for Communities 2024-2025 budget; DfI: Budget 2024-25 Equality Impact Assessment Consultation; DoH: Budget 2024-25 Equality Impact Assessment Consultation.

## **Matters for Information**

### **C129/24 Correspondence**

Members noted update on correspondence received for attention of Council.

Councillor Quinn drew attention to the response from NI Water and stated whilst they had upgraded works in some areas the tone of the letter would imply, they are passing off responsibility. He said he had met with NI Water regarding discharge into a local river, that Lough Neagh was on the brink of disaster, yet the response had been the discharge leaked into the river would be filtered before it reached the Lough. He said an independent Environment Agency was required.

Councillor Monteith drew attention to email from Northern Ireland Housing Executive and referred to the meeting which took place. He welcomed that the NIHE had admitted standards had fallen and that things should improve going forward but it would be worthwhile to revisit that standards have been maintained perhaps in October.

He acknowledged grass cutting was a major issue in many housing developments many of which had management companies who implemented high charges for care of the estate. Councillor Monteith proposed that council have a workshop at which the planning department should also be involved to outline the conditions outlined in planning permissions in where green space had been a condition. He said many of the companies were quoting to residents that it was the planning permission conditions that made the charges necessary.

Proposed by Councillor Monteith  
Seconded by Councillor McElvogue and

**Resolved** That a workshop is progressed for all Members to provide clarity on who is responsible for maintenance of grass areas in housing developments, open spaces and verges. Planning Department to provide clarity in relation to planning permission conditions.

The Chair, councillor McConnell said the matter was prevalent as Members were being contacted about hedges, footpaths and grass cutting and who owns different stretches of grass and the workshop would be beneficial.

Councillor Varsani drew attention to correspondence listed in the report: Remembering Srebrenica UK. She highlighted that it was listed as the worst atrocity

according to the United Nations and yet now it did not bear to think about what was taking place in Gaza. Councillor Varsani said that community cohesions across Ireland, England, Scotland and Wales was vitality important and anything Council could do to broaden understanding should be done.

Proposed by Councillor Varsani  
Seconded by Councillor McLernon and

**Resolved** That Council explore how it can be involved in Srebrenica Memorial Day to help raise awareness and reject hatred and extremism and build more cohesive communities.

Councillor Gildernew drew attention to correspondence from Minister O'Dowd Department for Infrastructure and welcomed the positive update on the A5 Western Transport Corridor.

Councillor F Burton welcomed the preparation of a response to the Department of Health consultation listed in the report. She highlighted the differences between the Northern Health and Social Care Trust and the Southern Health and Social Care trust when it comes to various project support. Councillor Burton highlighted the Loneliness Network which is funded by Public Health Agency but there was insufficient funding for events. She advised there was vast differences at times in contributions to support organisations from the respective trusts and asked if officers could establish how best to ascertain the differences and revert to Members who inevitably need to lobby for such groups.

The Chair, Councillor McConnell concurred and said there was need for transparency.

The Chief Executive said that Officers would explore and revert to Member.

Councillor Quinn concurred with comments in relation to Remembering Srebrenica Memorial Day and acknowledge the level of hate crime against the Muslim community especially in England. He shared how he had attended recent events with the local Muslim community and their delight in that Council had an interest in them. He also spoke of a recent racist incident in Coalisland where a young man had been attacked because he was different. He spoke of the range of nationalities that Mid Ulster District now enjoys and said he would support community cohesion.

Councillor Monteith referred to issues in relation to grass cutting and said it would be useful if there was a schedule issued to members in relation to grass cutting of verges as residents are coming to Members for clarification.

Councillor McGuigan said this information was available for Members and there were maps of what Council owned.

Councillor McConnell concluded correspondence and highlighted that he had recently learned of the achievements of Darren Rafferty, and it had been a pleasure to listen to the excitement and enthusiasm around his recent cycling achievements.

He advised as referred to in Chair's Business he would send a letter of congratulations as Chair of Council.

*Councillor Cuthbertson left the meeting at 8.51 pm*

**Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public withdrew from the meeting at 7.50**

Proposed by Councillor Kerr  
Seconded by Councillor Mallaghan and

**Resolved** That items C130/24 to C140/24 be taken as confidential business.

**Matters for Decision**

- (i) Council Confidential minutes of meeting held on 23 May 2024
- (ii) Planning Confidential minutes of meeting held on 4 June 2024
- (iii) Policy & Resources Confidential minutes of meeting held on 6 June 2024
- (iv) Environment Confidential minutes of meeting held on 11 June 2024
- (v) Development Confidential minutes of meeting held on 13 June 2024
- (vi) Audit Confidential minutes of meeting held on 18 June 2024
- (vii) Tender for Mobile Vending Provision
- (viii) Document for Sealing: Appointment of ICT: Small Settlements Moy Pitch Development. Ref: MUDC/TC/C/2022/004
- (ix) Document for Sealing: Improvements to Cottagequinn Cemetery, Dungannon
- (x) Document for Sealing: Transfer Deed between Mid Ulster District Council and the property owners of 62 Coleraine Road, Maghera
- (xi) Document for Sealing: Section 76 Planning Agreement between Mid Ulster District Council and Orchard County Contracts

**C141/24 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.05 pm

Chair \_\_\_\_\_

Date \_\_\_\_\_