

Minutes of Meeting of Mid Ulster District Council held on Thursday 25 September 2014 in the Council Offices, Circular Road, Dungannon

Members Present:

Councillor Mallaghan, Chair (Presiding Councillor)

Councillors Ashton, Bateson, Bell, Burton, Clarke, Cuddy, Cuthbertson, Dillion, Elattar, Forde, Gildernew, Gillespie, Glasgow, Kearney, McAleer, McEldowney, McFlynn, B McGuigan, S McGuigan, McKinney, McLean, McNamee, McPeake, Molloy, Monteith, Mullen, Mulligan, C O'Neill, J O'Neill, T Quinn, Reid, Robinson, J Shiels, G Shiels, Totten and Wilson

Officers in Attendance:

Mr A Tohill, Chief Executive
Mrs Cavanan, Lead HR Officer
Mrs Mezza, Marketing Communications Manager
Mr O'Hagan, ICT Manager
Mrs Forde, Member Support Officer (D&STBC)

The meeting commenced at 7 pm

C53/14 Apologies

Councillors Buchanan, McGinley and M Quinn.

C54/14 Declarations of Interest

The Chair reminded members of their responsibility with regard to declaration of interest.

C55/14 Notice of Motion

In response to a question from an UUP Member the Chair responded that the Notice of Motion was being heard at the commencement of business and not at the end as standing orders indicated as there was business to be discussed in committee at the end of the meeting and also regularly business was moved and Chairs had been happy to accommodate.

The Chair invited Councillor Dillon to present the motion,

Councillor Dillon in proposing the undernoted Notice of Motion stated that whilst the Sinn Féin party was not opposed to all cutbacks the Tory welfare cuts would have a devastating impact on society with every community being affected which would result in a rise of deaths by suicide, push both individuals and families into poverty and deepen social deprivation. Councillor Dillon also stated that behind the statistics there are real people dealing with the repercussions for example those who experience mental ill health were any change brings great distress. Drawing attention to happenings in Scotland at the time of reform which highlighted that if the

British Government is pushed they may well relent Councillor Dillon sought support for the motion.

“This Council is totally opposed to the imposition of Tory welfare cuts, which would have a devastating impact on the most vulnerable in our society, including working families, the poor and people with disabilities.”

Councillor S McGuigan seconded the motion stating that he fully supported it emphasising that on a daily basis he dealt with people in an advice centre and that although rewarding when a case or appeal was won welfare benefits was a highly emotive and stressful issue for people. Councillor McGuigan stressed the importance of looking at the high level figures that whilst £1 billion would be lost the flip side to this was that £750 million was being taken out of the economy the effects of which would impact on employment and local spend. Referring to a joint party working group which met in 2013 and looked at the consequences of the introduction of Welfare Reform he reported that at that time all Councillors reported similar impacts with the most vulnerable working families and people with disabilities being hardest hit and as such he hoped all Members would support the motion.

A SDLP Member stated that the party was opposed to cuts as there would be adverse effects for local people. Referring to bedroom tax he stated that 23000 people would be affected and this strand of welfare reform in particular disregarded the housing profile in the North of Ireland and would be a breach of human rights. The Member reported that three SDLP Members of Parliament (MPs) voted against the Bill in Westminster noting that they were the only MPs from the North who turned up to vote. Referring to the dedicated committee in the NI Assembly appointed to monitor reform he advised that there had been some success but the most vulnerable had not been protected. Current trends if they continued would indicate that by 2020 child poverty would be worse than that in Britain. In concluding the Member stated that the SDLP was committed to protecting the most vulnerable and they supported a fair and transparent system together with the introduction of a living wage which would make work pay.

A DUP Member stated that the motion was that of deepest hypocrisy from Sinn Féin as their stance was bringing massive cuts. Stating that the DUP MPs had attended many meetings regarding the matter were Sinn Féin MPs had not attended he advised that they had proposed a contingency fund and thanks to their party a social fund was being kept. The DUP Member advised they were called to support the people of Northern Ireland and that this was an effort to win votes in the Republic of Ireland. Stating that the Welfare Reform was better than any cuts the Member advised that the DUP opposed the motion.

Reading from ‘Standing Orders’ an UUP Member requested that the motion be ruled out.

In response the Chair advised he had checked the matter with the Chief Executive and his original answer remained satisfactory and in consideration of standing orders it is the Chair's discretion to accept the motion.

An UUP Member disagreeing stated that Council had no powers to do anything about Welfare Reform and that when the budget had been agreed for 2011-2015 the UUP had opposed it and that cuts had been made by Sinn Féin's DCAL Minister and also the DRD Minister responsible for roads and again the vulnerable suffer. An UUP Member called for Sinn Féin executive to oppose all cuts.

The Independent Member stated that he dealt with Welfare Reform issues daily and stressed his support for the motion stating that it reflected the austerity of the British Government where every single member of the cabinet is a millionaire. Commending the motion he stated that 50% of the population in receipt of benefits, many of whom were low income workers, are the people who would suffer. Advising that St Vincent de Paul and Vineyard Church are struggling to cope he stressed that it is a shame to all in the Chamber that families in our society are having to seek food. The Independent Member further stated that Welfare Reform is an ideological attack on the working poor, that it was draconian and would bring back the Victorian style workhouse, stressing that it should be rejected he stated that the British Cabinet may not care how people feed themselves but Councillors should.

Amendment

Councillor Mulligan expressing disappointment that the motion wasn't withdrawn proposed an amendment as undernoted:

"The Council recognising the dilemma facing the elected Government at Westminster of having to attempt to balance the books after the debacle of the Labour administration commend the Coalition Government for introducing such measures as are necessary to head off a financial meltdown and recommend that the NI Executive determines to follow that model and implement the relevant cuts as to ward off further major financial penalties being imposed by Whitehall which will have further adverse impact on the local scene both fiscal and political, including potential lay-offs and unnecessary hardship."

A DUP Member stated that the main purpose of the Shadow Council for Mid Ulster was to prepare for 2015 yet issues are being raised that effect the Westminster Government and across the world. He further stated that he could understand the disappointment of the Members as the MPs for the area did not attend Westminster and therefore the constituents are not represented.

Councillor Wilson seconded the amendment.

Councillor Dillon speaking on the motion stated that she would not support cuts on Welfare issues either in the North or South of Ireland and that the Minister for Social Development had been asked to bring the matter to the NI Assembly and that she supported the MPs for the area who did not go to Westminster.

A DUP Member suggested that the meeting be adjourned to allow parties time to consider the amendment proposed. The Chair accepted this and the meeting adjourned at 7.15pm

The meeting recommenced at 7.25pm.

The Chair stated he did not accept the amendment and called for a vote on the original motion.

Original Motion

The proposal was put to the meeting and 23 (twenty-three) members voted in favour and 14 (fourteen) members voted against.

The Chair declared the original motion carried.

Councillor Dillon thanked Members for their support and proposed that a letter is sent to the Office of First Minister and Deputy First Minister advising them of the Notice of Motion.

Seconded by Councillor McGinley and

Resolved That a letter be sent to OFMDFM advising them of the Notice of Motion.

On a point of order a SF Member stated that Members should refer to each other as Councillor.

Matters for Decision

C56/14 Receive and consider minutes of matters transacted in “Open Business” at Council meeting held on Thursday 28 August 2014

Proposed by Councillor S McGuigan
Seconded by Councillor Gillespie and

Resolved That the Minutes of the Meeting of the Council held on Thursday 28 August 2014, transacted in ‘Open Business’ having been printed and circulated be taken as read and signed as correct.

C57/14 Receive and consider the minutes and recommendations of the Planning Committee meeting held on Monday 1 September 2014

Proposed by Councillor Gildernew
Seconded by Councillor T Quinn and

Resolved That the Minutes of the Meeting and the recommendations of the Planning Committee held on Monday 1 September 2014 having been printed and circulated be adopted.

C58/14 Receive and Consider the Minutes and Recommendation of the Policy and Resources Committee meeting held on Tuesday 2 September 2014

Proposed by Councillor Kearney

Seconded by Councillor Molloy and

Resolved That the Minutes of the Meeting and the recommendations of the Policy and Resources Committee held on Tuesday 2 September 2014 having been printed and circulated be adopted.

C59/14 Receive and Consider the Minutes and Recommendations of the Environment Committee Meeting held on Wednesday 3 September 2014

Proposed by Councillor B McGuigan
Seconded by Councillor Cuddy and

Resolved That the Minutes of the Meeting and the recommendations of the Environment Committee held on Wednesday 3 September 2014 having been printed and circulated be adopted.

C60/14 Receive and Consider the Minutes and Recommendations of the Development Committee Meeting held on Thursday 4 September 2014

Proposed by Councillor Burton
Seconded by Councillor Dillon and

Resolved That the Minutes of the Meeting and the recommendations of the Development Committee held on Thursday 4 September 2014 having been printed and circulated be adopted.

C61/14 Proposed Planning Study Visit

The Chief Executive presented a report outlining a proposed planning function study visit seeking approval for the participation of Members, relevant officers and associated costs to attend and that the matter be passed to the Planning Committee to discuss and develop a detailed programme for roll out. Detailing the proposed visit to Scotland the Chief Executive advised that financial provision for the associated costs estimated at £4750 was made in the DOE Capacity Building and Learning Programme.

Proposed by Councillor Clarke
Seconded by Councillor T Quinn

That approval as sought by the Chief Executive for proposed planning function study visit to Scotland be approved.

A DUP Member stated that it would be more beneficial to pay for one officer from Scotland/Wales to visit Mid Ulster Council than for 20 Members to make the trip to Scotland. Another DUP Member stated that any presentation should be to full Council as planning committee Members was subject to change.

In response the Chief Executive advised that experiencing a planning committee in reality would prove greater benefit to Members but that it was important to do both ie the proposed study visit and invite an officer from Scottish/Welsh Planning Committee to present to Council.

Proposed by Councillor Clarke
Seconded by Councillor Quinn and

Resolved That approval as sought by the Chief Executive for proposed planning function study visit to Scotland at an estimated cost of £4750 and that an officer from Scottish/Welsh Planning Committee be invited to present to Council be approved with the matter passed to the Planning Committee to discuss and develop a detailed programme for roll out.

C62/14 Response to DoE on Transfer of Planning to Local Government

The Chief Executive presented a report advising Council on developments in respect of the transfer of Planning seeking approval for proposed response which due to time restrictions could not be brought through the Planning Committee.

The Chief Executive advised that the DOE had written to Councils on the 27 August setting out the position on the financial and other resource consequences of the transfer of planning function to Local Government, both for the sector as a whole and for each individual Council. The paper outlined the proposed resource allocation and sought comments on the allocation model for 3 October 2014 with the final allocations to shadow Councils to be confirmed by end of October 2014 to enable budget processes and the striking of the District Rate for 2015-16. Attention was drawn to the table in section 2.3 of the proposed response which provided the breakdown of projected income with Mid Ulster's noted as £1.27million. Further attention was drawn to what the DOE considered to be necessary staff requirement per Council cluster to deal with the expected volume of applications. It was suggested that 36.5 FTE staff will transfer to Mid Ulster ie 25.5 technical and 11 administrative staff.

The Chief Executive advised that throughout the region there was a significant difference in figures with exact staff being transferred but different income to cover costs. Currently planning function does not break even and has been subsidised by the NI Assembly. Noting that the subvention to Mid Ulster is lesser the Chief Executive advised that the Department was being asked to clarify the difference emphasising that once subvention is agreed it would have to be lived with. Drawing attention to the proposed response the Chief Executive sought comments.

An UUP Member stated that the costs that Mid Ulster District Council could incur were frightening and supported the response requesting that a paragraph be added emphasising that it had previously been agreed by the Department that the transfer of the function was to be cost neutral.

A SDLP Member suggested that given so many outstanding issues Council should seek a meeting with the Department.

A SF Member reported that at a recent meeting such issues had been discussed and he had emphasised that Councils were not happy again stressing the cost neutral position at point of transfer. Assurance had been given at the meeting that the DOE would work closely with officers from Mid Ulster to discuss issues. Another SF Member concurred with this stressing that the response should be strongly supported with Council lobbying for cost neutral transfer. It was emphasised that realistic budgets needed to accompany new powers in order to deliver.

The Chair stated that the response was excellent.

Proposed by Councillor Gildernew
Seconded by Councillor Wilson and

Resolved That Council note the content of the paper forwarded by DOE and grants approval to the issue of the draft response presented to the meeting.

Declaration of Interest

Councillor Wilson declared an interest in item C63/14 as Chairperson of Cookstown Economic Development Committee

C63/14 Transfer of Local Economic Development Powers from DETI

The Chief Executive presented a report seeking the approval for an extension to the Regional Start Initiative contract to October 2015 making Members aware that there are three areas of responsibility transferring from DETI/InvestNI to Councils from 1 April 2015 ie

- (i) Promotion of entrepreneurship and Encouraging Business Start Up;
- (ii) Provision for underrepresented Groups in Entrepreneurship; and
- (iii) Promotion of Social Enterprise.

The Chief Executive stated that the Invest NI contract ends in October 2014 and that Council should approve an extension for one year until October 2015. The resources required for an independent review of the Regional Start Up Initiative would cost Council approximately £1-£2k.

Approval was sought to

- (i) Approve extension to the Regional Start Initiative contract to October 2015;
- (ii) Local Government commission a review to determine the success of the current programme and agree a way forward in terms of a new programme and brand.
- (iii) Council agree that the programmes for underrepresented groups in entrepreneurship and the promotion of social enterprise be delivered in future at a local level.

A DUP Member drawing attention to appointing consultants to undertake a review suggested that it be more appropriate to use economic development officers who would have local knowledge. In response the Chief Executive stated that the concern was that economic development requirements are different across the board and that an independent review was required.

Proposed by Councillor S McGuigan
Seconded by Councillor McLean and

Resolved That approval be granted to

- (i) Approve extension to the Regional Start Initiative contract to October 2015;
- (ii) Local Government commission a review to determine the success of the current programme and agree a way forward in terms of a new programme and brand.
- (iii) Council agree that the programmes for underrepresented groups in entrepreneurship and the promotion of social enterprise be delivered in future at a local level.

C64/14 Recording and Style of Minutes

The Chief Executive presented a report the purpose of which was to approve style, format and record of Council and Committee meetings advising Members that the report had been prepared following discussion with representatives of each party. Members were also reminded that in the future Council would be required to make audio recordings of the meetings.

The Chief Executive sought approval for the core principles detailed in the report to be applied in the preparation of minutes to form accurate records of meetings.

Proposed by Councillor Bell
Seconded by Councillor Donnelly and

Resolved That approval is granted for the core principles detailed in the report to be applied in the preparation of minutes to form accurate records of meetings.

C65/14 Approval of Member and Officer Attendance at Seminars and Conferences

The Chief Executive provided an update on seminars and conferences relevant to Members and Officers of Mid Ulster seeking Members interest for attendance and approval for officer attendance along with associated expenses, mileage and fees, where applicable.

- Annual Northern Ireland Economic Conference 2014 on Tuesday 7 October 2014 9am-4pm at the Culloden Hotel, Belfast; and

- Planning – the transition to Local Government Tuesday 30 September 2014 9am-1pm at the Europa Hotel, Belfast

Proposed by Councillor S McGuigan
 Seconded by Councillor Mulligan and

Resolved That approval be granted to Members/Officers wishing to attend
 aforementioned conferences.

Matters for Information

C66/14 Responses to Notice of Motion Special Council Meeting 31 July 2014

The responses to Notice of Motion presented to Special Council meeting on 31 July 2014 were noted.

C67/14 Consultation List

Superfast Rollout Programme Phase 2:DETI Closes: 26 September 2014.

IN COMMITTEE

Proposed by Councillor McGinley
 Seconded by Councillor S McGuigan and

Resolved That item C68/14 – C72/14 be taken in committee.

The press left the meeting at 8.10 pm.

C73/14 Duration of Meeting

The meeting commenced at 7.00 pm and ended at _____ .

CHAIR
 (Presiding Councillor) _____

DATE _____