

Minutes of Meeting of Mid Ulster District Council held on Thursday 27 October 2022 in the Council Offices, Circular Road, Dungannon and by virtual means

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| Chair | Councillor Corry |
| Members Present | Councillors, Bell*, Black, Brown, Buchanan, Burton, Clarke, Colvin*, Cuddy, Cuthbertson, Doris*, Elattar*, Forde, Gildernew*, Glasgow, Graham, Kearney, Kerr, Mallaghan, Martin, N McAleer*, S McAleer*, McFlynn, B McGuigan*, S McGuigan, McKinney, McLean, McNamee*, D McPeake*, S McPeake*, Milne*, Molloy*, Monteith, Mullen*, Oneill*, Quinn, and Wilson* |
| Officers in Attendance | Mr McCreesh, Chief Executive Ms Campbell, Strategic Director of Environment** Mr Black, Strategic Director of Communities and Place (SD: C&P) Ms Canavan, Strategic Director of Organisational Development Strategy and Performance (SD:ODSP)** Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E) Ms Keys, Marketing and Communications** Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD:ODSP) Mr Tohill, Strategic Director of Corporate Service and Finance (SD:CSF) 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 Corry 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.

C197/22 Notice of Recording

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

C198/22 Apologies

Councillors Ashton and Robinson

C199/22 Declarations of Interest

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

C200/22 Chair's Business

The Chair, Councillor Corry said it was the first meeting of the Council since the heart-breaking tragedy that befell the community of Creeslough in Donegal, a place that has many connections in Mid Ulster. She spoke of how she was struck by the outpouring of sadness and grief in the Mid Ulster community, as all watched the victim's families and the wider community there navigating through this incredibly difficult time. The Chair, said all continue to hold Cresslough in thought and prayer, especially now in the run up to, and during the Christmas season.

Reflecting on the past month the Chair, Councillor Corry said it had been a busy one and drew attention to some events such as the tenth anniversary of The Hill of The O'Neill and Ranfurly House the doors of which were officially opened on October 24th 2012 by the then First and Deputy First Ministers, Peter Robinson and the late Martin McGuinness. She commented that it is the local people of Dungannon and Mid Ulster as a whole, who have made Hill of The O'Neill and Ranfurly House such a success. The Chair said it is clear the people of the town feel pride in 'The Hill' as they would say! That much has been obvious over the past decade with the support they have shown to the programme there.

The Chair, Councillor Corry spoke of the civic receptions earlier in the month, at which a total of 45 local teams and individuals were recognised for their achievements in fields such as sport, traditional music, drama and volunteering. The stories told and achievements that were highlighted each evening really do the district proud. She also shared her delight in attending a number of events during the month that focused on one of her priorities for her year in office, that being inclusion. Loneliness does seem to be on the increase, especially in rural communities. The Chatty Café launched in Stewartstown this month by the Mid Ulster Loneliness Network is a way of helping people of the district from feeling invisible to visible and at the same time, feeling more connected to their local community. The Chair also advised she had attended a meeting of the Mid Ulster Disability Forum, at which she had recognised the work that the Forum do by its contribution to making the District more inclusive in so many ways and had the opportunity to thank the Forum for their contribution to the Council's goal of improving physical accessibility across the district and looked forward to the continuation of the partnership approach in the future.

The Chair, Councillor Corry highlighted that as businesses move out of the pandemic and look to the future, Council had given support to 31 Mid Ulster businesses who learned how to grow through change at a seminar held at CDE Global's premises in Cookstown. The Chair also encouraged all businesses in the district to join in with the forthcoming Enterprise Week, returning this year from Monday 14 to Friday 18 November. She advised that throughout the week 13 events for local businesses, both online and in person, will take place under this year's timely theme - Adapt, Evolve, Overcome, reflecting this year's focus on continuing the journey to economic recovery. She further highlighted that the capital investment programme continues

to bear fruit. The completion of the latest impressive and highly anticipated Shared Space works in Coalisland is further confirmation of the Council's commitment to investing in town revitalisation, not for only their residents but for their businesses, shoppers and visitors.

The Chair, Councillor Corry offered congratulations to the Ireland Women's Football/Soccer team, who have qualified for the World Cup, which has been a tremendous achievement.

Councillor Kerr concurred and said the team's achievements were an inspiration that dreams do come true.

Proposed by Chair, Councillor Corry
Seconded by Councillor Kerr and

Resolved That the Chair send a letter of congratulations to the Republic of Ireland Ladies Football team on their success in qualifying for the World Cup

Councillor Mallaghan expressed concern regarding the difficulty in making direct contact with officials in the Education Authority who deal with access to school transport issues. He said he had emailed on 31 August 2022 and was still awaiting an outcome despite numerous phone calls and follow up emails. He said it was ridiculous that issues with access to school transport were still unresolved when it was almost November. He concluded that the Dfl contact sheet recently issued to Councillors was a good template for how such information should be made available.

Councillor Mallaghan proposed that Council send a letter to the Department of Education and to the Education Authority expressing concern on the difficulty in speaking directly to officials in the Education Authority in relation to school transport issues and to request a list of contact details for District Electoral Areas to include mobile telephone numbers were applicable.

The Chair, Councillor Corry seconded the proposal and concurred with comments saying she too had been telephoning repeatedly and said there was also health and safety concerns in relation to school transport.

Councillor Kearney supported the proposal and said he too had issues and spoke of the frustration not just for Members but also for school principals.

Councillor Colvin also agreed and spoke of one situation whereby on the same road some children qualify for free school transport whilst others didn't. He said Council needed to ask questions as the criteria appeared to be shrouded in mystery.

Councillor Burton in relation to Dfl said that response times needed to improve as delayed responses not only reflects on Dfl but also public representatives.

Proposed by Councillor Mallaghan
Seconded by Chair, Councillor Corry and

Resolved That Council send a letter to the Department of Education and to the Education Authority expressing concern on the difficulty in speaking directly to officials in the Education Authority in relation to school transport issues; request a list of contact details for District Electoral Areas to include mobile telephone numbers where applicable.

Councillor Cuthbertson highlighted that Greiner Packaging were celebrating 50 years of work in Dungannon. He reflected on the history of how Wilsanco Plastics had run the site until 2006 having initially started the company in a small shed in Tamnamore. He said the factory now employs over 300 people and how he had been invited to an event recently at which he had met the Greiner family. Councillor Cuthbertson spoke of the work in that the plant make all types of food packaging for Tesco, Dale Farm and how every Quality Street tub was made in Dungannon. Councillor Cuthbertson also commended Greiner in how they put back into the community in that their waste hot water heats Dungannon Integrated School on the Gortmerron Link Road.

The Chair, Councillor Corry concurred with the comments and agreed to forward a letter to congratulate the company on the anniversary.

Councillor Cuddy expressed disappointment in that the UUP had not been invited to the recent event.

Resolved That the Chair send a letter of congratulations to Greiner Packaging celebrating 50 years of business.

Councillor McLean expressed sympathy to the family of former Cookstown councillor Maureen Lees who had recently passed away.

Resolved That the Chair send a letter of sympathy to the Lees family on the death of Maureen Lees.

Councillor N McAleer drew attention to the ongoing payment delays experienced by substitute teachers due to payroll issues caused by introduction of the new NISTR register. He highlighted that many substitute teachers had not received payment since August and proposed that Council send a letter to the Education Authority seeking clarity as to when the payroll issues caused by the introduction of the new NISTR register will be resolved and that all substitute teachers are paid up to date with expediency.

Proposed by Councillor N McAleer
Seconded by Councillor Clarke and

Resolved That the Council send a letter to the Education Authority seeking clarity as to when the payroll issues caused by the introduction of the new NISTR register will be resolved and that all substitute teachers paid up to date with expediency.

Councillor D McPeake thanked the Chair for the opportunity to speak. He stated that he was recently contacted by a constituent regarding an issue he had previously raised regards Council's role in General Power of Competence at a DEA meeting in Autumn 2019. Councillor D McPeake said he had received no feedback and assumed that he had been unsuccessful as his understanding was that in the region of 200 cases had been raised by all councillors. He said having followed up with enquiries he had realised that possibly due to Covid nothing had progressed on this issue. Councillor D McPeake proposed that a report be brought back to council on the status of General Power of Competence as like himself all Members would be interested in an update.

The Chair, Councillor Corry concurred.

Proposed by Councillor D McPeake
Seconded by Councillor Mallaghan and

Resolved That a report be brought to Council providing an update on the current status of potential projects considered within the scope of General Power of Competence.

Councillor Kerr drew attention to the fact that daily workers are declaring that they are unable to cope with the ongoing cost of living crisis. He drew attention to the postal workers who were now taking strike action for better pay and conditions and to secure a wage which will allow them to cope with the cost of living. Councillor Kerr highlighted that postal workers like many others had worked throughout the covid 19 pandemic. He highlighted that the Chief Executive of Royal Mail earns a salary in excess of £500k plus a pension of 13% together with enhancements yet in comparison redundancies were being announced for 2023 and strike action being pin pointed as one of the reasons for them. He stated that the whole situation was immoral and proposed that Council invite the Communications Workers Union to give a presentation together with representatives of the local branch who are taking strike action.

Councillor Monteith seconded the proposal expressing solidarity for ordinary working people and emphasised the need to hear from the local branch of CWU.
The Chair, Councillor Corry concurred.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved That the Communications Workers Union be invited to give a presentation to Council regarding the current Postal Workers strike to include representatives from local branches of the CWU and to express solidarity to those taking strike action.

Councillor Wilson said poor responses appeared to be a hot topic and drew attention to the serious consequences which would occur given the delays in Department for Infrastructure and Northern Ireland Environment Agency in issuing responses to planning applications. He said there was a major developer who had applied for planning approval in Cookstown which would bring a large number of jobs to the

district but the application was held up due to DfI Roads and NIEA not responding. He said earlier in the month the NIEA in particular had followed up with an email that they would not be responding until further notice. Councillor Wilson said the developer could go elsewhere but they wanted to locate to Cookstown but could not wait indefinitely. In relation to DfI Roads he said the division office would respond but the hierarchy of the organisation were not signing off the recommendations.

Proposed by Councillor Wilson
Seconded by Councillor Graham and

Resolved That Council seek a meeting with the Department for Infrastructure and Northern Ireland Environment Agency to discuss delays to response times which are delaying major planning applications leading to detrimental impact to the District.

Councillor S McGuigan advised that he had recently been contacted by the Board of Governors of St Mary's Primary School, Fivemiletown requesting that Council join Churches, MP's and MLA's in the campaign to counteract the argument made within the document 'Case for Change'. He said whilst the school met much of the criteria the focus was mainly on numbers and despite strong enrolment and steady growth the required number would not be met. It was highlighted that some 200 other schools were in a similar situation with 20% of them having lower number's than St Mary's. He highlighted that it had been acknowledged the school delivered high quality education but still faced closure. Councillor S McGuigan highlighted that closing the school would not only adversely impact existing pupils but would negatively impact the village economically, remove what was a shared space but also deem the village as single identity which was something Council had strived against in the Shared Future projects. Councillor S McGuigan proposed that Council send a letter to the Department of Education and to the Education Authority in support of St Mary's Primary School in Fivemiletown who in meeting the criteria for Sustainable Schools fall short of the specified number of students.

Councillor S McAleer seconded the proposal saying she too had been contacted by the school and said the school provided a community hub, the area did not have a GAA club, the chapel was closed for renovation and the removal of the school would impact the minority population in the area.

Proposed by Councillor S McGuigan
Seconded by Councillor S McAleer and

Resolved That Council send a letter to the Department of Education and to the Education Authority in support of St Mary's Primary School in Fivemiletown who in meeting the criteria for Sustainable Schools fall short of the specified number of students.

Matters for Decision

C201/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Reconvened Policy & Resources Committee held on 20 September 2022

Proposed by Councillor Gildernew
Seconded by Councillor Quinn

Resolved That the Minutes of Reconvened Policy & Resources Committee held on Tuesday 20 September 2022 (PR159/22 - PR181/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C202/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 22 September 2022

Councillor Cuthbertson drew attention to the deputation from Northern Ireland Housing Executive and the email received advising that contractors had been released due to the rise in cost of materials. He proposed that Council write to the NIHE to seek assurance that those projects ready to commence will not be allowed to slip and that works will commence as soon as possible. He spoke of one family home at which work was due to commence in November.

Councillor Monteith seconded the proposal adding that there was a lack of information for tenants that Councillors had been advised but tenants had not. He said Council should not have to defend NIHE decisions.

Councillor Elattar said that it is a difficult situation and as the NI Housing Council representative for Council she concurred that communication should be key and would bring forward the comments to both the NIHE board and the Housing Council itself. She said that the Housing Council had been assured that the money would still be there but projects may be delayed for six to nine months.

Councillor Wilson stated that clarity should be sought not only that projects would go ahead, that money would be ring fenced but also that future projects would not be impacted or delayed.

Councillor Elattar concurred and said that the Housing Council had been assured that money would be ring fenced and that due to the rise in construction costs the contractors had to be released for they could not meet the terms of the contract.

Proposed by Councillor Cuthbertson
Seconded by Councillor Monteith and

Resolved That Council send a letter to the NIHE

- (i) expressing concern on the impact the release of contractors has had on scheduled projects and request that tenants are informed as a matter of urgency;

- (ii) seek assurances that the funding previously allocated will be ringfenced for the original projects which are now to be delayed 6-9 months;
- (iii) that the projects will still be completed; and
- (iv) that projects set to commence in the future will not be impacted by current delays.

Proposed by Councillor Kerr
Seconded by Councillor S McGuigan

Resolved That the Minutes of the Council held on Thursday 22 September 2022 (C164/22 - C178/22 and C190/22) transacted in Open Business having been printed and circulated were considered and adopted.

C203/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 29 September 2022

Proposed by Councillor Kerr
Seconded by Councillor Brown

Resolved That the Minutes of the Council held on Thursday 29 September 2022 (C191/22 - C196/22) transacted in Open Business having been printed and circulated were considered and adopted.

C204/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 4 October 2022

Proposed by Councillor Brown
Seconded by Councillor Quinn

Resolved That the Minutes of the Planning Committee held on Tuesday 4 October 2022 (P121/22 - P127/22 and P132/22) transacted in Open Business having been printed and circulated were considered and adopted.

C205/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 6 October 2022

Councillor Doris drew attention to PR192/22 Gortgonis Health & Wellbeing Hub and said whilst it was included in confidential business she would propose that it is brought into open business.

In response the Chief Executive advised that it should at present remain in confidential business for contractual reasons and that the item remain on the agenda.

Councillor Doris said that the information was already in the public domain.

In response the Chief Executive said the matter should be discussed in confidential business.

Councillor McKinney said the debate had already taken place in confidential business at the Policy & Resources Committee and he would propose that confidential status remains.

Proposed by Councillor Kearney
Seconded by Councillor McKinney

Resolved That the Minutes of the Policy & Resources Committee held on Thursday 6 October 2022 (PR182/22 - PR191/22 and P203/22) transacted in Open Business having been printed and circulated were considered and adopted.

C206/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 11 October 2022

Councillor Kerr drew attention to E231/22 Waste Collection and requested that the new bin collection schedules be communicated again to residents of Coalisland and Clonoe who are impacted by the change.

Resolved That the new bin collection schedules be communicated again to residents of Coalisland and Clonoe who are impacted by the change.

Proposed by Councillor Graham
Seconded by Councillor S McGuigan

Resolved That the Minutes of the Environment Committee held on Tuesday 11 October 2022 (E227/22 - E243/22 and E253/22) transacted in Open Business having been printed and circulated were considered and adopted.

C207/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 13 October 2022

The SD: Communities and Place drew attention to the resolve detailed at D158/22 Air Quality Report 2022 . He advised that detailed legal advice had been sought and the view was that Council complied with its legal duties in making the report available online and should not write to residents as outlined in the recommendation to Council. He said that for Council to write to the residents as recommended would not be advisable and could be subject to legal challenge. He said that a meeting would be set up to discuss and review potential short or long term actions regarding the air quality issue.

Councillor Monteith said he had been speaking to the SD: C&P and he was disappointed that Council could not be more proactive. He said that speaking to representatives of some of the nationalities there should be a meeting with

Environmental Health representatives. He said many in the areas did not speak English as a first language, the issue in question impacted their health and if Council are aware of rats or mice infestation residents were alerted and this situation should not be any different. He concluded that he would continue conversations locally as would Councillor Molloy who had liaised with the Moy group, that Council had a moral responsibility and to say the report was on the website and in papers was simply not good enough.

Councillor Molloy said he too had spoken with the SD: C&P and whilst Council had fulfilled obligations that Council needed to broaden the issue out for example with DfI Roads who could influence or seek alternatives. He concluded that the areas could not continue with substandard air quality.

Proposed by Councillor Kerr
Seconded by Councillor McNamee

Resolved That the Minutes of the Development Committee held on Thursday 13 October 2022 (D150/22 - D161/22 and D165/22) transacted in Open Business having been printed and circulated, subject to the foregoing regarding D158/22, were considered and adopted.

C208/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 20 October 2022

Proposed by Councillor Clarke
Seconded by Councillor Kerr

Resolved That the Minutes of the Development Committee held on Thursday 20 October 2022 (D166/22 and D173/22) transacted in Open Business having been printed and circulated were considered and adopted.

C209/22 Festive Lights Funding – Delegated Authority

The SD: C&P sought delegated authority for the Policy and Resources Committee to consider a recommendation from the Development Committee, in regards to a ‘one-off’ allocation from the Councils capital fund under the Festive Lights Fund 2022-2023.

Proposed by Councillor Mallaghan
Seconded by Councillor Quinn

Resolved That approval be granted to provide delegated authority to the Policy and Resources Committee to consider and make the final decision in respect of the Council Festive Lights Fund.

C210/22 Conferences, Seminars & Training

The AD: ODSP sought approval for the previously circulated report on conferences, seminars and training as outlined in the appendix 1 and 2 of the report.

Councillor Kearney reflected on the National Association of Councillors annual general meeting which had recently been held in Cookstown. He said many councillors from England and Republic of Ireland had visited the district and had been very impressed by the 'gift bags' Council had contributed for the guests. He said both the NAC and recipients of the bags had been very complimentary. Councillor Kearney paid tribute to staff involved as their efforts had set the Council in a good light.

Proposed by Councillor Mallaghan
Seconded by Councillor Kearney

Resolved That approval be given to submitted requests for conferences, seminars and training as outlined in the Appendix 1 and 2 to the report.

C211/22 Civic Recognition Requests

The AD: ODSP sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated Council Policy, and as detailed within the report at appendix A.

Councillor Mallaghan proposed that Philomena Begley nomination be upgraded to Civic Honour. He commented that the singer had celebrated her 80th birthday and had a career spanning 60 years during which she had played across the world, released 30 albums and was the greatest singer from the area of all time.

The Chair, Councillor Corry concurred stating that she was a great ambassador for the district.

Proposed by Councillor Mallaghan
Seconded by the Chair, Councillor Corry and

Resolved That the nomination for Philomena Begley be upgraded to Civic Honour.

Councillor Quinn also concurred with this and asked that his name be added to the proposal saying when he had enquired about a similar proposal he had been advised it couldn't happen. He advised that the singer had played at his in-laws wedding.

Councillor Kerr advised he had submitted a request which had been omitted from the current list. He requested that civic recognition be considered for Viber Optix on winning the Rapid Riser accolade at the British Chambers of Commerce's annual business awards after it increased sales by more than eight-fold in just two years.

Resolved That Viber Optix be granted civic recognition reception category.

Declaration of Interest

Councillor Molloy declared an interest as an employee of Linden Foods

Councillor Molloy requested that his name be added to the nomination for civic recognition for Linden Foods.

Councillor Molloy also drew attention to the nomination for Damian Casey and said although he had received previous recognition, given his achievements and in light of his life being so tragically cut short if the Chair would consider hosting an event.

The Chair, Councillor Corry said she would consider a separate event.

Councillor Monteith advised he had submitted a nomination for Damian Casey the previous weekend and thus would like to be included. He urged caution in timing as there was potential for further accolades to be granted posthumously to Damian given he has been the greatest hurler Tyrone have ever produced and deserved the highest honour.

Councillor O'Neill requested that his name be added to Coalisland Credit Union nomination

Councillor Doris requested that her name be added to a number of nominations submitted to Democratic Services.

Councillor S McPeake drew attention to the nomination for Ethan Doherty and proposed that it be upgraded from letter to reception. He stated he was aware he had been recognised previously within the three year criteria but in his opinion the Ulster All Star surpassed previous achievements and if not upgraded he was the only one of nine players nominated for recognition not receiving an award.

Councillor B McGuigan seconded the proposal.

The Chair, Councillor Corry said as a way forward that she would consider a Chair's reception for all nine players.

The Chair, Councillor Corry said that a meeting date was now been scheduled to review the civic recognition policy.

Councillor McLean cautioned against moving the goalposts. He said he had hosted a reception for musicians during his term as Chair and Philomena had been in attendance. He concurred with comments that she had a great career and was an ambassador both for the music industry and the district. He spoke of the policy criteria and said if we move for one we are open to move for all. He suggested that Council look at alternative ways as the Chair was in prime position to honour such achievements. Councillor McLean highlighted that the Reverend William McCrea had won gold, platinum and silver discs for his music from Nashville and Council should have discussion and be cautious as to how such matters are considered.

Councillor Mallaghan said he was not trying to move goal posts but was challenging the officers' recommendation as in his view the nomination meets civic honour criteria. He expressed disappointment at the discussion taking place, when it was known that the civic recognition working group was scheduled to meet next month.

Councillor Glasgow stated pre covid he had been in a similar situation and was advised that it was the discretion of the chair to host receptions outside of the criteria. He said that in moving goal posts for one opened the flood gates that all should be moved to the next status. He concluded that the review needed to be sooner rather than later.

The Chief Executive advised that the review meeting was scheduled for 22 November. He said the discussions were not new and it was hoped that in reviewing the criteria Members would assist officers in resolving issues.

In response to Councillor McFlynn's request to upgrade Rainey School from letter to civic reception the Chief Executive advised it would be checked against criteria.

Proposed by Councillor Mallaghan
Seconded by Councillor Monteith

Resolved That approval be given to submitted requests for civic recognition detailed at appendix A as outlined in the report and the amendments listed in the minute.

Matters for Information

C212/22 Consultations

Councillor Monteith drew attention to the Southern Health and Social Care Trust Inpatient Dementia Services Consultation and proposed that Council submit a response especially in light of the implications for Loane House in Dungannon, he said Council must seek clarity as to the Trust intentions. He referred to staffing issues within Loane House whereby for example mental health patients were being placed and staff were not sufficiently trained to deal with their needs. He said distinct care and training needs are required with regard to both mental health and dementia patients and both should not be put in the one bracket. He stressed that Council must pay close attention to the matter as inpatient unit and facilities were long overdue but there was a perception that all services must go to Craigavon Area Hospital site.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That Council submit a response to Southern Health and Social Care Trust Inpatient Dementia Services Consultation (Closing Date: 23rd Dec 2022. In preparation of the response a workshop for all Members to be convened. Furthermore that Council seek a meeting with the SHSCT to discuss the issue.

Councillor B McGuigan proposed officers prepare a response to the Department of Education: Every Child: The Department of Education's Corporate Plan 2023-28 consultation. He said Council worked with stake holders and it was important to engage in the consultation. The Chief Executive stated that given closing date if an

extension could not be attained that delegated authority would have to be granted to the Policy & Resources Committee to agree the response.

Resolved That Council grant delegated authority to the Policy & Resources Committee for officers to draft and submit a response to the Department of Education: Every Child: The Department of Education's Corporate Plan 2023-28 (Closing Date 15th Nov 2022 endeavour to seek an extension to date until 2nd December).

Councillor S McGuigan concurred with Councillor Monteith with regard to the SHSCT and said that conversations need to take place to ascertain what plans are for Loane House in particular.

Councillor Elatter proposed that Council submit a response to the NI Housing Executive: Draft Corporate Plan 2022/23 – 2024/25 (Closing Date 14th Dec 2022). She stated there was many levels that Council should comment on.

Resolved That Council submit a response to the NI Housing Executive: Draft Corporate Plan 2022/23 – 2024/25 (Closing Date 14th Dec 2022)

C213/22 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor Cuthbertson drew attention to the letter from Department for Infrastructure regarding the Verge Management for Environment Benefit scheme and said whilst he was happy to support the scheme some of the cutting at grass verges was not adequate at junctions.

The Chair, Councillor Corry welcomed the scheme and said if done properly the scheme was great for biodiversity.

Councillor Kerr also welcomed the correspondence from the DfI Minister and said he had asked DfI recently about a biodiversity project at the Coalisland Clonoe roundabout and proposed that Councillor officers make contact with relevant counterparts to drive the schemes forward.

Councillor Cuthbertson left the meeting at 8.05 pm

Councillor Kerr drew attention to correspondence from Derry & Strabane District Council regarding Noah Donohoe and said he would fully support the content of the motion and that Council should write to the British Secretary of State Chris Heaton-Harris to cancel the Public Interest Immunity Certificate and that no information should be withheld from Noah's family. He said he personally had no faith in the Police Service of Northern Ireland or former Royal Ulster Constabulary investigations and he would call for an independent international investigation. He said Noah's family deserved truth and justice especially given the alarming circumstances in which Noah was found and to say foul play is not a serious line of inquiry is disturbing. He concluded that he would send solidarity to the Donohoe family and proposed Council support the motion.

Councillor Monteith seconded the proposal and welcomed the announcement of a jury trial. He too conveyed solidarity to the family.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved That Council

- (i) support the motion carried by Derry and Strabane District Council concerning the Noah Donohoe Case; and
- (ii) write to the Secretary of State to request the cancellation of the Public Interest Immunity Certificate.

Councillor Quinn concurred with the support to the Donohoe family and said transparency was required as all needed to have faith in the justice system. He concluded that he too supported the motion.

Councillor Quinn drew attention to correspondence aforementioned from the Minister for Infrastructure and seconded the proposal for Council officers to make contact with DfI to drive the Verge Management for Environment Benefit scheme forward.

Councillor Quinn reflected on his comments at the meeting with DfI Roads in September regarding the Mountjoy Road, Coalisland and said there had been more reports of accidents and that something needed to be done at what was an accident black spot on the road before lives were lost.

Proposed by Councillor Kerr
Seconded by Councillor Quinn and

Resolved That Council officers make contact with DfI to determine how best the Verge Management for Environmental Benefit can be implemented in Mid Ulster and also for ideas for Coalisland/Clonoe Roundabout.

Councillor Colvin drew attention to the support for correspondence from Derry & Strabane regarding the motion in relation to Noah Donohoe case. He said some of the remarks made previously he would not support and sought clarity as to what Council was supporting.

The Chief Executive confirmed that Council was supporting the motion carried by Derry & Strabane District Council.

The Chair, Councillor Corry echoed her support for the motion and welcomed the enquiry into the death of Noah.

Councillor Quinn left the meeting at 8.12pm returning at 8.15pm

C214/22 Notice of Motion

Councillor Clarke drew attention to the motion as undernoted.

This Council recognises the significant investment in rural communities and businesses, and the wider economy derived from the Single Farm Payment under the EU Common Agricultural Policy (CAP); agrees that CAP Single Farm Payments were critical to farm profitability, particularly for small family farms; is concerned with the significant uncertainty facing our farming community with the loss of CAP Single Farm Payments as a result of Brexit and the end of the replacement Basic Payment Scheme worth £300 million a year, beyond 2024; and calls on the British Government and the Minister of Agriculture, Environment and Rural Affairs to set out urgently what replacement funds will be put in place to support our farmers and the wider agricultural sector.

In moving the motion he said, “the loss of direct payments will be felt by over 25,000 farm businesses with over 40,000 farmers and workers. Financial support from Direct payments represents over 80% of farm income a year. Many farms in the North are in Less Favoured Areas and depend on direct payments. Data shows the total amount of Single farm payment a year for our constituency of Mid Ulster is £31.106M. Direct payments have assisted farmers to produce safe, nutritious, healthy, and affordable food and look after the countryside and environment and animal health and welfare. The produce of these farms contribute substantially to the supply of product which contributes to much of our processing industry and the knock on benefits of employment through that sector. Farmers income remains below the average and direct payments are vital to their survival. We are concerned about the negative impact this uncertainty will have on the health and wellbeing of our farming community- they don't deserve this.

A paper produced by Queens University highlighted that "without direct financial support, approximately 30% of farms are likely to cease functioning, leading to unemployment, land abandonment and knock-on effects within the agri-food sector and rural communities in particular". Farmers need clarity and certainty around payments going forward. Agriculture is a key pillar of our economy so the British Government must commit to certainty of farm payment well into the future beyond 2024. Every year approximately £300million of payments comes into the North to our farmers and agricultural sector. The European Union placed a priority on farming and protected it for decades through the Common Agricultural policy. The Common Agricultural Policy Pillars 1&2 have been vital to farmers and farming and rural communities. Since Brexit, farm payments come from Treasury and the Tory Manifesto has committed until the end of their mandate which is probably uncertain at this time. Sinn Fein wants a fair standard of living and a secure future for our farmers.”

Councillor Gildernew seconded the motion saying it was timely to bring it before the Council as the majority were connected to the rural community and the loss of the payment will be a massive blow. He stated that 2024 would soon be here and people needed a commitment from government on what the way forward would be.

Councillor Kearney said that the SDLP welcomed the motion and said there had been much debate about the Common Agricultural Policy and that all roads led back to Brexit prior to which it provided over £300m representing 87% of income. He

stated that 70% of farms would fall into the less favoured area that is being less than ten acres. He said that the farming community has met many difficulties and the farm sustainability payment announced by Minister Poots was welcome news but despite such positives many are keen to know what additional support will be given. He concluded that clarity was needed so that farmers could plan beyond the next three years and stated assistance was needed from both DAERA and the British government. He stated the SDLP would support the motion.

Councillor Brown said that the DUP were not against the proposal but that it was somewhat crass of Sinn Féin to bring the motion regarding support for farmers and 'profitability' on farms when they were the party that backed the pie in the sky climate targets brought forward by the Green Party which would have decimated farming and the wider agri-food sector but now were doing a turn around as public opinion was moving against them. He also highlighted that they were the party whose Stormont leader forced other Executive ministers to take legal action in 2013 because of her decision to remove £100m in direct farm payments and move that funding elsewhere without agreement. Councillor Brown stated there is a misconception that in the European Union basic payments are delivered in perpetuity without the need to renew that funding every few years. Brussels works on the basis of multi-year funding cycles and that the delivery of direct support will be renewed after 2024. He stressed that the DUP will be actively seeking to strengthen those processes.

Councillor Brown said that this sudden concern of Sinn Fein about a sunset clause on the Basic Payment Scheme stands in stark contrast to its blissful ignorance of the fact that by the end of 2024 without long-term solutions to the Protocol the supply of medicines to Northern Ireland from GB will be decimated. He asked "Where is their concern for the supply of veterinary medicines caught up in the Protocol?"; "Where is the same concern for certainty for producers and the wider agri-food sector when it comes to barriers on the movement of food and animals East-West?"; "Where is their concern for the reality that rigorous implementation of the Protocol, which Sinn Fein supports, would crash the Northern Ireland supply chain within 48 hours?". Councillor Brown said that the reality is that Sinn Fein are only concerned about certainty for farms when it suits their political agenda but that the DUP on the other hand have demonstrated an ongoing and practical commitment to meeting the needs of all farms and all farm sectors throughout Northern Ireland highlighting that the annual funding for agricultural support in Northern Ireland has been guaranteed by the Treasury until the end of this Parliament. The DUP placed this at the top of the agenda in previous negotiations with the Government while others refused to turn up. He also advised that last month, the Agriculture Minister Edwin Poots issued annual payments to 23,208 farmers six weeks ahead of schedule taking into account the impact of the situation of Ukraine on the markets. This included a 2.04% one-off increase, something which simply would not be possible if Northern Ireland remained in the European Union. In fact we have topped up the basic payment scheme for the last two years. He stressed that the DUP has backed up pledges to farm businesses and rural communities with tangible action whilst Sinn Fein on the other hand use these important sections of the economy and society to score cheap political points around Brexit. In conclusion Councillor Brown said that the DUP has demonstrated a vision for the future of agriculture and we are not afraid to make the tough

decisions. Others should reflect on this when they seek to use Council as an echo chamber to engage in sensationalism and scaremongering whilst offering nothing in the way of actual solutions.

Declaration of Interest

Councillor McKinney declared an interest as a farmer.

Councillor McKinney said he was not going to rehearse what had already been said but highlighted that the Common Agricultural Policy had been introduced to support food production in Northern Ireland but money had been allocated to other things noting that Mid Ulster had benefited from DAERA funding. He reiterated that the money was to assist production of food at a cheaper rate and also which was safe. He noted the increase of 75% in the cost of grain and fertiliser of up to 300%. He reflected that under the stewardship of previous Ministers money had been diverted away and this motion was interesting given that it was being moved the night before all Stormont Ministers would have to step down and the conversation would have been more apt perhaps early March. He referred to a draft which had been released and that the motion was misleading in that farmers would be on a cliff edge in 2024 when in fact there was an agenda set out regarding payments.

Councillor McKinney reflected that many in the district work in the agri food sector and said that the motion needed to include the pig, beef and poultry sectors which have been neglected and were greatly impacted by the rising cost of grain. He spoke of a suckler farmer who had advised he was selling his herd as he could no longer sustain the costs. Councillor McKinney pleaded with all to think of those whose livelihoods depended on farming and reminded the meeting that all wanted to eat safe food.

Councillor Mallaghan supported the motion and said it was important to seek clarity on the way forward. He said he did not often quote Shakespeare but "The lady doth protest too much, methinks" appeared to be quite apt. He stated that what was being seen was the impact of supporting brexit and farmers in New Zealand cannot understand how they are getting such a good deal when local farmers were not. He spoke of the Common Agricultural Policy 1962 and stated whilst its purpose was to support farmers it was also about sustaining rural development and communities. He said that he was a farmer and the civil servants and the pot of money referred to had brought great benefits. He emphasised that it was to benefit farming and rural communities. He too declared an interest.

Declaration of Interest

Councillor Mallaghan declared an interest as a farmer.

The Chief Executive sought clarity as to whether Councillor Clarke was accepting the addition to the motion as Councillor McKinney had outlined.

Councillor Clarke said he was unsure what the addition would be.

Councillor McKinney said to “seek support for poultry, cereal and pig farmers.” He said that no one else appeared to know about the future plan produced by Minister Poots just prior to the last election.

Councillor Mallaghan said as a point of order the last line of the motion covered all sectors.

Councillor Clarke stated all aspects were covered in the motion so the motion would remain as moved.

Councillor McKinney again reiterated the need to seek support for poultry, cereal and pig farmers.

The Chief Executive said the proposal had been clarified.

Councillor Clarke again read out the last line of the motion and reiterated that he wished to leave it as moved.

The Chief Executive asked was Councillor McKinney’s addition an amendment and if so was there a seconder.

Councillor Glasgow said he would second the amendment.

On a point of order Councillor McLean said that no amendment had been issued prior to the meeting.

The Chief Executive said this has been the practise in the past and as no amendment had been notified it would be the Chair’s call.

Declarations of Interest

Councillors Gildernew, Kearney, Clarke, McKinney and Mallaghan declared an interest as recipients of the farm payment.

Councillor McKinney said whilst he understood the motion said wider agricultural sectors those aforementioned were receiving no help at all even from the Common Agricultural Policy.

Councillor Kearney proposed that the last line read agricultural and agri food sector.

The Chair, Councillor Corry said the motion remained as moved as there was no written amendment.

The Chair, Councillor Corry said as there was no dissention declared the motion carried.

Councillor Clarke thanked all contributors to the debate all of which was useful. He said that the motion covers all aspects of farming and thanked Members for their support.

The live broadcast concluded at 8.37 pm

Councillor McKinney left the meeting at 8.37pm

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.

Proposed by Councillor Clarke
Seconded by Councillor Kerr

Resolved: That items C215/22 to C221/22 be taken as confidential business.

Matters for Decision

- (i) Reconvened Policy & Resources Committee Confidential minutes of meeting held on 20 September 2022
- (ii) Council confidential minutes of meeting held on 22 September 2022
- (iii) Planning Committee confidential minutes of meeting held on 4 October 2022
- (iv) Policy & Resources Committee confidential minutes of meeting held on 6 October 2022
- (v) Environment Committee confidential minutes of meeting held on 11 October 2022
- (vi) Development Committee confidential minutes of meeting held on 13 October 2022
- (vii) Document for Sealing: IST Award – Thomas Clarke’s NEC Document

C222/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.41 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.