

Minutes of Meeting of Mid Ulster District Council held on Thursday 23 February 2023 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair	Councillor Corry
Members Present	Councillors Ashton, Bell, Black, Brown*, Buchanan, 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, Robinson, Totten*, and Wilson
Officers in Attendance	Mr McCreesh, Chief Executive 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) Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD:ODSP) Mr Tohill, Strategic Director of Corporate Service and Finance (SD:CSF) Ms Kate Keys, Marketing and Communications Manager** Mrs Forde, Committee & Members Services Manager

* 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.

C031/23 Notice of Recording

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

C032/23 Apologies

Councillor Burton, Graham

C033/23 Declarations of Interest

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

C034/23 Chair's Business

The Chair, Councillor Cora Corry said that all had heard the awful news of the attempted murder of DCI John Caldwell which took place on 22 February in Omagh in front of his child and other young people. The Chair extended her solidarity to John and his family and wished him a full recovery. The Chair proposed to send a letter condemning the attack and wishing John a full recovery. She sought unanimous support from all for the proposal.

Councillor Bell seconded the proposal.

Councillor Robinson speaking of the attack stated, "I played football against John Caldwell when we were children. The last time I was talking to him was in the swimming pool. I was there with my children and he was there with his. He's an ordinary man the same as anyone else living and working in County Tyrone. Some of us chose to be farmers, builders, councillors, council staff, nurses, doctors, firefighters or care workers but he chose to serve his community as a police officer. The fact he wears that police uniform gives no one the right to shoot him. Indeed our jobs would all be a lot easier if DCI Caldwell was sitting at his desk this evening helping put drug dealers behind bars rather than lying in a hospital bed fighting for his life. As a council we should send our prayerful support to DCI Caldwell and his wider family as well as his colleagues. As a council we should condemn those who planned and shot DCI Caldwell. Police officers are hampered in doing their job because of the terrorist threat. How many times in this council chamber do we talk about anti-social behaviour. How many times do we talk about rural crime. How many times do we talk about substance abuse and organised crime. Yet here we have a man who was taking the fight to the criminals and removing them from our streets and a few cowards skulk around in dark and shoot him in the name of Ireland. I don't even know how you put logic to that. But council I couldn't put logic to it 30 years ago either. It was criminal then and it is criminal now. It was terrorism then and it is terrorism now. There was no justification for shooting police officers in 1973 or 1983 and there was no justification last night in 2023. Finally, last night DCI Caldwell was shot in front of children indeed his 12 year old son saw it all. They will never get over that trauma. This was not the first time a Republican shot a policeman in front of a child but Council let's make sure it's the last time."

Councillor Glasgow said the event was a stark reminder of what all had thought was passed. He reflected on the fact that in 1998 91% of people voted for peace yet the small minority would try to bring a campaign of terror back. Councillor Glasgow said that John was a husband and a father who was fighting for his life, a life in which he had made a career of protecting people. He stated that perpetrators must be found and put before the courts and there should be no hiding place for those who carried out the attack on an innocent man who was carrying out his duty as a father. Councillor Glasgow said that the law is the law and murder is wrong. He on behalf of

the UUP passed prayerful thoughts to the Caldwell family and hoped that John had a full recovery.

Councillor Quinn said that his thoughts and those of the SDLP were with DCI Caldwell and his family together with those who witnessed and looked after him at the time of the attack. He said that the people behind the attack represented no one in the chamber. He said that the fact that John was shot in front of his son added additional horror. Councillor Quinn recalled a conversation he had with his father when he had asked if he could join the police and told how his father had said 'son, we cannot have a country without law and order.' He said people should not be in fear of being shot whilst training children. He concluded that the message had to reach those who carried out the attack to 'wise up' and stop such activity and do something decent for society.

Proposed by Chair, Councillor Corry
Seconded by Councillor Bell

Resolved That the Chair send a letter to the family of DCI John Caldwell condemning the attack on his life and sending well wishes and solidarity to them.

The Chair, Councillor Corry welcomed the funding secured for the Derrynoid and Drumcaine Forest upgrade project through the latest round of Shared Prosperity Funding together with the recent announcement of the £9M for the regeneration of Maghera. She said that the award of just over one hundred and four thousand pounds will make up part of the matched funding elements for the Derrynoid and Drumcaine projects, and will enable Council to unlock additional investment to further support the development of outdoor spaces under Outdoor Recreation Strategy, currently in its third year, across the district. The Chair, said that projects like these can also have benefits in a wider sense, encouraging those from outside the district to visit. She said that in the current month, a significant cross-border tourism project has been set in motion and as part of the Sliabh Beagh Partnership, Outdoor Recreation NI have been appointed as consultants for a feasibility study to look at developing walking, cycling and equestrian activity in the area. She said it was a significant project in an area that has great conservation and heritage value, welcomed the initiative, which would help to develop tourism and recreation across all three partnership councils involved.

The Chair, Councillor Corry drew attention to events and encouraged people to participate. She said that the proportion of older people in Mid Ulster is growing and by developing a new Age Friendly Strategy and Action Plan, Council is making an important commitment to older people now and throughout future generations by outlining how the district can become more age friendly. She said that consultation for the plan is open, and encouraged all to have their say emphasizing the importance of getting it right from the get-go, and by ensuring that older residents' voice is heard clearly in the planning stages and plan to do the right things and deliver them at the right time for to meet residents' needs.

The Chair, Councillor Corry drew attention to events to mark International Women's Day on Wednesday the eighth of March with the supporting the theme of 'embrace

equity'. The Chair highlighted the the two events aimed to celebrate the achievements of inspirational local women who are making a major impact in the world of business, community and all areas of society. It was noted that all money raised will go to Causeway and Mid Ulster Women's Aid, a worthy cause I'm sure you'll agree.

The Chair, Councillor Corry extended an invitation to a seisiún mór – a big session in aid of the Chair's charities: STEPS Mental Health, Causeway & Mid Ulster Women's Aid and Tourette's Support, she advised that the session was scheduled for the third of March at Seamus Heaney HomePlace. Local traditional musicians and dancers from the Groogan School of Irish Dancing will entertain as the story is told of Ballinascreen Harpist and Harp maker, Cormac Ó Ceallaigh, maker of the famous Downhill Harp in the 17th century, which now resides in the Guinness Storehouse Museum.

The Chair, Councillor Corry stated that the arts were to the fore in the coming month, as the Council is showcasing the local arts scene through the first ever Mid Ulster Arts Festival which would put on the record all the upcoming opportunities for residents to connect through creativity. She said it was fantastic to have this festival as a platform, showcasing and celebrating the work that is being produced across the district. The Chair concluded that she hoped everyone can find something that they enjoy, and in doing so show their support for the organisations that work so hard to bring our district to life through the arts.

Councillor S McGuigan drew attention to St Mary's Primary School, Fivemiletown which had been discussed previously regarding discussions in relation to closure. He said staff, governors, parents and many sections of the Fivemiletown community had lobbied to have the school retained as pupil numbers were increasing, new housing developments were under construction which would contribute to an upward flow in attendance and the school also provided a much needed community hub. He reiterated previous requests to support the school.

Councillor S McAleer said that the matter was now approaching final stages in consultation and the decision would be taken in the near future as to whether the school would be closed from 31 August 2023. She reiterated the upward trend in attendance, the difficulties with students travelling to the nearest maintained school. that was up to six miles away, the reality that transport is often promised but not delivered, which led to members being lobbied regarding same and the fact that this would eliminate students ability to attend after schools clubs. She said the proposed closure showed no appreciation for the Rural Needs Act and supported Councillor S McGuigan.

Councillor Gildernew concurred with previous comments adding his support to the need to retain the school in Fivemiletown.

Proposed by Councillor S McGuigan
Seconded by Councillor S McAleer and

Resolved That Council liaise with School and Board of Governors and respond to the final consultation regarding the proposed closure of St Mary's Primary School, Fivemiletown. Closing Date: 8 April 2023

Matters for Decision

C035/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 26 January 2023

Councillor Monteith drew attention to C006/23 in relation to cuts in youth funding regarding Dungannon Youth Centre and Ogras Centre Coalisland. He said Members had received a letter today from an officer to say that the Education Authority were keen to meet to discuss funding. He said the Youth Alliance had demonstrated that there are cuts, it was noted that whilst the amount of funding remained the same for Mid Ulster there had been extra youth providers thus the money had to be spread further. Councillor Monteith spoke of a letter penned by Josh Boyle a user of a local youth club, he said that Josh had eloquently communicated the real need as he used the youth club for his social interaction and development. Councillor Monteith said that organisations should not be victims of their own success and Council could not sit back and permit the cuts to take place given the volume of young people availing of the services.

Councillor Monteith proposed that Council progress a meeting as soon as possible with EA Officials and representatives of Dungannon Youth Resource Centre and Ogras Coalisland.

Councillor Molloy seconded the proposal and said that the centres provide young people with a place to go and if the services are cut they will be left roaming the streets. He said if the proposed cuts go ahead who decides which 40 young people get priority and which 40 is turned away. He said that Members have engaged with centres concerned.

Councillor Kerr concurred with previous comments and spoke of the sterling work delivered by Ogras in his DEA including their provision of weekend activities, summer schemes and evening events. He was emphatic that Council 'fight their corner.'

Councillor Quinn stated that the SDLP had met with the Education Authority during the week and the outlook had been bleak. He said Ogras was in line to lose some 30% of funding whilst some outside Mid Ulster were losing all of their funding. He said the facts are a disgrace, people jobs were at risk as well as the impact on the young people who use the clubs. He echoed support for the proposal.

The Chair, Councillor Corry concurred.

Proposed by Councillor Monteith
Seconded by Councillor Molloy and

Resolved That Council progress a meeting as soon as possible with EA Officials and representatives of Dungannon Youth Resource Centre and Ogras Coalisland.

Proposed by Councillor Mallaghan
Seconded by Councillor N McAleer and

Resolved That the Minutes of Council meeting held on Thursday 26 January 2023 (C001/23 – C016/23 and C030/23) transacted in Open Business having been printed and circulated were considered and adopted.

C036/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Special Council Meeting held on 6 February 2023

Proposed by Councillor Mallaghan
Seconded by Councillor N McAleer and

Resolved That the Minutes of Special Council meeting held on Monday 6 February 2023 (SC001/23 – SC010/22) transacted in Open Business having been printed and circulated were considered and adopted.

C037/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 7 February 2023

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That the Minutes of Planning Committee held on Tuesday 7 February 2023 (P012/23 – P017/23 and P022/23) transacted in Open Business having been printed and circulated were considered and adopted.

C038/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee held on 9 February 2023

Proposed by Councillor Gildernew
Seconded by Councillor Molloy and

Resolved That the Minutes of Policy & Resources Committee held on Thursday 9 February 2023 (PR021/23 – PR031/23 and PR039/23) transacted in Open Business having been printed and circulated were considered and adopted.

C039/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee held on 14 February 2023

Councillor Kerr drew attention to E031/23 Chair’s Business: Rates Estimates Rationalisation of Waste Recycling Centres and expressed concern that as an

Independent Member he was excluded from the proposed working group. He also stated that it was ironic that the membership of the working group would be mostly made up by the parties who voted for the rates including the rationalisation of the recycling centres. He said such matters should not take place behind closed doors and proposed that Council facilitate a public meeting and consultation to allow the public to have their say. He concluded that a working group was not the way forward as Council needed to be open and transparent.

Councillor Brown asked for the remit of the working group to be clarified.

The Chief Executive stated that working groups were established as part of council's governance procedures and had been tried and tested. He reminded Members that they are set up by the parent committee and their membership is derived by d'hondt. He clarified that the remit of the working group was to look at the recycling centres across Mid Ulster.

Councillor Brown asked if the working group would be implementing a plan to close the centres or was the implementation to work towards saving them. He said his understanding was that the decision had been taken by Council to rationalise the centres as detailed in the rates report and how could this now be reversed?

The Chief Executive reiterated his comments regarding governance procedures and said the outworking of the group would be brought back to committee for consideration and agreement.

Councillor Monteith seconded Councillor Kerr's proposal for public meetings/consultation and said that it was imperative to consult with those impacted. He said Council repeatedly complain about meaningless consultation and constituents need to have a say over services and it was the only way to be open and transparent. He said that a working group would only, 'kick the decision down the road' past the elections. He also was emphatic that working groups were anti-democratic as they exclude the three independents. He said numerous other councils allows smaller parties to form a group in order that they are included. He concluded that the Council needs to speak to its constituents.

The Chair, Councillor Corry stated the Chief Executive had explained working group remit.

Councillor Mallaghan proposed to proceed with the working group as recommended by the environment committee. He said that at the special council meeting the rates had been struck on budget estimates, no paper had been presented to detail the way forward on the suggestions and the working group was the most effective way to discuss moving forward. He said the current debate was unnecessary as consultation takes place at elections when the people elect members to represent them. He said the fact is that the budget is agreed but the decision in terms of services wasn't taken and sought clarity on same.

The SD: CSF said that the Council had struck a rate and the budget proposals reflected the process required to achieve the rate but he would not prejudge the

outcome of the working group. He concluded that Councillors through democratic mandate make the decisions.

Councillor Mallaghan acknowledged the clarification and said that in any 12 month period the finances could go up or down and decisions can be made in response. He said it was time to stop sensationalising the matter and stated any member had the democratic right to attend committee.

The Chair, Councillor Corry concurred that there have been various outworkings of budget and that any Member could attend a committee.

Councillor S McAleer said that the Clogher Valley councillors had been invited to a meeting of Fivemiletown Chamber of Commerce to discuss the matter and she felt it was a good place to start.

Councillor N McAleer seconded the minutes and Councillor Mallaghan's proposal to proceed with the working group.

Councillor Glasgow said he had highlighted at the Environment Committee and would reiterate that this debate would take place. He said he knew how the UUP had voted! Councillor Glasgow said people were furious in seeing a rise on the rates yet services cut but in fairness to officers they had advised the party leaders and had incorporated the outline plans in the rates paper. He said he had shared all information with his party group but had felt that the process was rushed. He said that he fully respected the democracy of the working group but emphasised that more was mentioned than rationalisation of recycling centres and highlighted that carparks and grass cutting should be included in the group remit. He also shared that the NI Retailer Consortium had mentioned the Mid Ulster rates rise. Councillor stated that all contributing factors needed to be discussed. He said his group had voted against car parking charges in Cookstown especially since people were under pressure. He said Mid Ulster was in uproar and everything needs to be discussed and a logical solution found.

The Chair, Councillor Corry reminded Members that Department for Infrastructure was responsible for grass cutting and Council should be lobbying them to carry out their functions. She also reminded Members that there was an ongoing carparking pilot scheme in Magherafelt.

Councillor Ashton reiterated Councillor Glasgow and said that directors had been up front in saying how they would make the books balance with rationalisation of recycling centres, carparking charges and grass cutting all highlighted. She said if some in the room did not understand, or had not participated in discussion the DUP proposal on the night made it clear they did not support the aforementioned.

Councillor McNamee said that in relation to carparking charges in Cookstown the outcome of the pilot in Magherafelt was awaited to see if charges would be viable.

Councillor Wilson said that the closure of recycling centres had been included from the first paper was produced to every party leaders. He said the officers are tasked to produce a budget on some facts and if these were to be revisited was there going

to be a further increase on the rates or is the additional monies coming from somewhere else. He concluded that 7.3% rise was far too high.

The Chief Executive said that he had made it clear that senior management team had to operate within funds given and if Members determine something else the envelope of funding does not change. He said that the senior management team work with the Members through the committee structures and that members have the political mandate and officers carry out their decisions.

Councillor Cuthbertson said like others he had disagreed with the decision taken on the night but it had been clear as he had personally sought clarification on the rationalisation of recycling centres and grass cutting. He reminded Members that at the Environment Committee the SD: Env had reiterated the facts and said that whilst he welcomed the matters to be revisited he said that the grass cutting is not a 'black and white' issue especially in villages that Council has flower planting schemes. He said in the villages the grass cutting is one of the few services delivered and the flowers planted will not be able to be seen beyond the grass. He said Sinn Féin had blocked all of the matters and now the party was under pressure from the public and reminded them that the grass cutting season hadn't commenced and that was when the complaints would start. He proposed that grass cutting is added to the remit of the working group but said that he would be happier if a paper was brought back to the environment committee as it should be it not a working group making the call.

The Chief Executive stated there was two proposals on the floor, the first the recommendation to adopt the minutes with the working group to address the issues raised at committee, the second for a public consultation.

Councillor Monteith raised a point of order. He said corporate governance had been mentioned but it did not include party leaders and he would have extreme concerns that the rates setting was being discussed at council with a group which has no statutory function.

In response to Councillor Colvin's request to speak the Chair, Councillor Corry said Members were rehashing what had been discussed.

Councillor Cuddy said his colleague had indicated to speak several times without success.

The Chair, Councillor Corry called for a vote on public consultation proposal.

Councillor Mallaghan on a point of order said it did not make sense to consult on a decision not taken.

Councillor Monteith on a point of order stated what is the point on consultation if a decision has been made.

Councillor Glasgow requested that Councillor Colvin be given opportunity to express his view point.

The Chief Executive sought clarity on the wording of the proposal in relation to public consultation

Proposed by Councillor Kerr
Seconded by Councillor Monteith

That Council facilitates public consultation in relation to rationalisation regarding recycling centres and grass cutting.

The Chair, Councillor Corry put the proposal to vote.

For	20
Against	17

The Chair Councillor Corry declared the proposal carried.

The Chief Executive said in determination of the decision Members will understand it will have to be progressed in line with working group and committee.

Proposed by Councillor S McGuigan
Seconded by Councillor N McAleer

Resolved That the Minutes of Environment Committee held on Tuesday 14 February 2023 (E028/23 – E046/23 and E056/23) transacted in Open Business having been printed and circulated were considered and adopted.

Declaration of Interest

Councillor S McAleer declared an interest in D030/23 in relation to the Clogher proposal.

C040/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee held on 16 February 2023

Councillor Cuthbertson drew attention to provision of sports pitches and said it was disappointing that there still would be no council owned facility for hockey. He also drew attention to issues in bringing facilities up to standard, some of which had been detailed in year 5, and requested that it be put on record that where possible Council owned facilities should be brought up to standard prior to embarking to green field sites mentioned in the strategy.

Councillor Kerr drew attention to D030/23 and sought clarity on the proposal. He said Councillor McNamee had seconded the proposal which to his understanding had included that Council to engage with local collages and Trade Unions regarding the cut to funding provided by the European Social Fund and for council to contact the National Association of Drainage Contractors to help alleviate labour's shortage and engaging with local education providers to see if courses can be provided.

Councillor McNamee said he had seconded the proposal.

Councillor Kerr said the recommendation did not include the aforementioned.

The Chief Executive said if it was the mind of the members the proposal would be amended.

Resolved That minute be amended at D30/23 to read
(ii) to engage with local collages and Trade Unions regarding the cut to funding provided by the European Social Fund and for council to contact the National Association of Drainage Contractors to help alleviate labour's shortage and engaging with local education providers to see if courses can be provided.

Proposed by Councillor Clarke
Seconded by Councillor McNamee and

Resolved That the Minutes of Development Committee held on Thursday 16 February 2023 (D020/23 - D034/23 and D040/23) transacted in Open Business having been printed and circulated were considered and adopted.

C041/23 Conferences, Seminars and Training

The HoSS&E sought approval for the previously circulated report on conferences, seminars and training as outlined in Appendix A and B of the report.

Proposed by Councillor Mallaghan
Seconded by Councillor Glasgow

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

C042/23 Civic Recognition Requests

The HoSS&E 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.

Proposed by Councillor N McAleer
Seconded by Councillor Kerr and

Resolved That approval be given to submitted requests for civic recognition detailed at Appendix A as outlined in the report.

Matters for Information

C043/23 Consultations

Members noted consultations received for attention of Council.

Councillor Molloy proposed that Council respond to SHSCT: Consultation on Reforming Emergency General Surgery Provision Across Southern Trust. Closing Date 21 April 2023. He referred to the relocation of some services at Daisy Hill site, and said that with the current capacity at the Craigavon site, the waiting lists and times for Accident & Emergency as well as other services were dreadful as the people of South Tyrone knew too well.

Councillor S McGuigan concurred with Councillor Molloy and posed the question how would services be populated and would senior staff move.

Proposed by Councillor Molloy
Seconded by Councillor S McGuigan and

Resolved That Council respond to SHSCT: Consultation on Reforming Emergency General Surgery Provision Across Southern Trust. Closing Date 21 April 2023

Councillor Doris drew attention to DoH: Consultation on New Domestic and Sexual Abuse Strategy. Be referred to committee for response. Closing Date: 2 May 2023. Members concurred.

Resolved That DoH: Consultation on New Domestic and Sexual Abuse Strategy. Be referred to committee for response. Closing Date: 2 May 2023

C044/23 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor Monteith referred to correspondence from NI Water regarding Castlehill and said it was worth noting that they deliberately choose to misunderstand Councils ask regarding the reservoir and stated that the face to face meeting should be progressed.

Councillor Monteith drew attention to correspondence from Derry & Strabane and proposed that Council support them in the motion regarding the railways.

Councillor McFlynn seconded the proposal in relation to Derry & Strabane District Council request regarding railways.

Resolved That Council support Derry & Strabane District Council motion in relation to funding of a feasibility study into re-opening the former Great Northern Railway line.

Councillor Kearney acknowledge the response from the BBC regarding Foyle Radio and said that he welcomed the job security he would also like the morning show to continue.

Councillor Molloy concurred with Councillor Monteith's comments regarding the reservoir and mast at Castlehill. He said whilst the meeting was later than wished it

was hoped a resolution would be established in the near future. He too concurred with the proposal in relation to Derry & Strabane District Council re the former Great Northern Railway line and said that Council should be starting to look to see what track beds remain in the district and look towards protecting same.

Councillor Cuthbertson welcomed the response from Department for Infrastructure regarding the gritting of roads. He stated that it is not clear to the general public as to whether they are allowed to collect grit or salt mix when they are gritting the roads themselves. Councillor Cuthbertson proposed to seek clarity.

Proposed by Councillor Cuthbertson
Seconded by Councillor Corry and

Resolved That Council write to DfI Roads to seek clarity as to whether the public who are gritting rural roads not covered in the schedule have access to grit or the salt mix; and how it is made available.

Councillor Kerr supported Councillor Monteith's proposal and referred to presentation previously made to committee and said People should be able to travel from Derry to Cork if the line was reinstated.

The Chief Executive advised that the date had been confirmed for meeting with NI Water regarding Castlehill.

Councillor Quinn concurred with Councillor Molloy and said whilst he did not think a train would run through Coalisland in the near future he would hope that it would be returned and every effort should be made to retain track beds.

Councillor Quinn referring to the gritting of Roads said that the schedule was outdated highlighting the example of the Annaghmore Road where one end was gritted and the other not when in fact there was a primary school at each end. He stated that cars going off the road was frightening and people struggled to travel in heavy frost.

Councillor Glasgow concurred with Cuthbertson and said that the policy was outdated and in his DEA dairy farmers in particular had to come down the mountain to get grit. He said staff in local DfI offices did their best but it was the decision makers who needed lobbied.

C045/23 Notice of Motion

Councillor Wilson moving the motion stated: "As we approach European Victims day it is important that we as a Council show our support to victims especially to the people of Ukraine. We have all witnessed the harrowing scenes from Ukraine where innocent victims have been brutally killed or maimed by the invading Russian Army. We have all seen the affect this has had on the people of Ukraine especially the women and children. Here in Northern Ireland we have also witnessed acts of atrocity where innocent men, women and children were targeted by the IRA and loyalist groups. The Provisional IRA ran amok across this District for three decades

and more, slaughtering men, women and children including; eight innocent civilian men at Teebane who were travelling home from their place of work, terrorists lay in wait to carry out premediated murder. What threat did these men pose to anyone? And then we had the regular targeting of members of the security forces, primarily when they were off duty. I think of Jimmy Speer who was a part-time UDR soldier who when off duty and working in his own garage was brutally murdered. Three children were left behind aged 10, 14 and 16 years. We think tonight of the words of Deirdre, Jimmy's eldest child and I quote, *"He was in the office in the garage, talking across the desk to the secretary. She phoned across; I think she tried phoning the police when the gunman was still there. She phoned across to my mother and we all ran out and we saw him taking his last breathe. "It is not something that ever leaves you. It is something you never forget - the site of his dead body lying there covered in blood."*

In Maghera, they placed a bomb underneath the car of William Gordon knowing that he transported his children to School, the Bomb murdered William and his 10-year-old daughter Lesley and seriously injured his son, who mercifully survived. In Ballygawley the Provisional IRA attempted to murder a former Dungannon Councillor Sammy Brush and they have continued their campaign of intimidation upon him and his family for the years that have followed. They also murdered the Headmaster of Aghnacloy High School, Cormac McCabe on 20 January 1974 almost 50 years ago. Mr McCabe was stolen away from his wife and disabled daughter whilst enjoying a family meal in a hotel located in County Monaghan. Their trail of destruction is there for all to see and no corner of this District survived their fascist actions. Last night we have seen once again gunmen back on our streets as they shot a serving police officer in front of his son and other children and I am sure we all wish DCI John Cardwell a full and speedy recovery from what we know are very serious injuries. I am also conscious that in this chamber Councillor Mullen whose father Dennis was murdered by loyalists, her experiences were not the experiences any child of this Country should ever have gone through. Councillor Black also lost his father, one of the nicest people you could meet, who was murdered on his way to work as a Prison Officer. I have absolutely no doubt that Kyle and Denise are still affected to this day by the callous murders of their much loved fathers. All victims are entitled to justice and I feel that it is important that they do. However the Governments ill-conceived Legacy and Reconciliation Bill will not afford them this opportunity. This bill has been opposed by all the political parties and victims groups at every stage but it appears to be have fallen on deaf ears."

Madam Chair I move this motion.

"That this council light up Council buildings red on the evening of 11th March to recognise European Victims Day.

This would be an important act of symbolism by our Council in showing solidarity with victims/survivors as they face down the UK Government's ill-conceived Legacy and Reconciliation Bill.

Furthermore as we approach the 25th Anniversary of The Belfast/Good Friday Agreement it is incumbent on us all to recognise the constituency of people who sacrificed most over the years of violence, and whose dignity and

generosity of spirit has meant that wider Society has enjoyed a level of Peace (however imperfect it may be).

Let us stand with Troubles victims/survivors from across our community.”

Councillor Cuddy seconded the motion.

Councillor Cuthbertson stated, “The ruthless campaign of terror waged on our streets and in country lanes, and in particular here in our Border County, has left a legacy of pain and suffering across Northern Ireland. It is not just appropriate but essential that we set time aside to remember those whose lives were unjustifiably and callously cut short. The personal stories of those left behind could break even a heart of stone. To hear of the deep void left by the loss of mothers, fathers, grandfathers, sisters and brothers to acts of terrorism is a timely reminder of why all proposals that make an equivalence between perpetrators and victims must be roundly rejected. Let’s be clear, there is a clear difference between an innocent victim and those “would be victim makers”. Those terrorists who set out armed to the teeth in the dark of night, or hiding behind hedges were not innocent victims. There are those who have called to draw a line under the past. However, for loved ones impacted by terrorism there is no option to hit reset. These experiences have shaped their lives and the lives of their children. They have to deal with the impact of this trauma every day. Innocent victims should not be left on the fringes or simply forgotten out of convenience. Instead, they must be central to Northern Ireland’s future. Through their powerful testimony, victims have an important role to play in warning and educating the next generation. Although vital support is now in the process of being provided through the Troubles Permanent Disablement Payment Scheme - which excludes terrorists - there is much more to be done. We need to prioritise the health and wellbeing needs of victims and their families across our Province. The DUP is also clear that they must also retain routes to pursue and obtain justice. That’s why the Government’s plan for a de facto amnesty must be rebuffed. . If we are to move forward in Northern Ireland, those innocent victims, who suffered the most through no fault of their own, must be remembered and respected. This Council should do its part and recognise the many innocent victims of terrorism in our District by lighting up our buildings.”

Councillor Mallaghan said that other victims not mentioned by the two previous speakers had been those who were victims of the British state which too had been acts of terrorism.

Councillor Quinn said he had not dealt with the horrors of the troubles but had attended a debate, on which he had been a panel member together with Tom Elliot, Jim Allister and had met with victims of republican terrorism. He said the entire event had been an eye opener to him. He spoke also of meeting Ann Cadwallader together with Councillor Mullen and had been on a reading panel regarding the Glenanne gang which to him had been an eye opener. He said that everyone in the country had suffered and some in the Chamber tonight had suffered more than others. He said victims need help and he had no problem opposing the Tory bill but said people had to move forward and victims need all the help they can get.

Councillor Monteith stated that he had read the motion and had been mindful to support it but the debate had embarked on a one sided narrative about the country. He concurred with Councillor Mallaghan's comments and highlighted that there had been those who had suffered at the hands of the British state, he said everyone's grief must be respected. He drew on references made about people wearing masks and hiding and named the four men shot at the Chapel in Clonoe Kevin Barry O'Donnell, Sean O'Farrell, Peter Clancy, and Daniel Vincent and said that one person's terrorist is another's freedom fighter. He spoke of John Pat Cunningham shot in the back, Aiden McAnespie shot in the back and still in the British Court system there was no justice for Irish people. He said the wording of the motion was fair but the aforementioned had to be said.

Councillor S McPeake said one could speak at length but to follow on from Councillors Monteith and Mallaghan the fact that two sitting councillors had been murdered through collusion had to be said. He spoke of Bernard O'Hagan and John Davey personal friends and council colleagues who were murdered through collusion.

The Chair, Councillor Corry declared the motion carried.

C046/23 Notice of Motion

Councillor Corry moving the motion stated, "As a young person the importance of education was always instilled in me. My parents didn't have the opportunity to go into the careers they had wanted to, as their families couldn't afford it, being from poor rural backgrounds in the 50's and early 60's. My mother had wanted to be a hairdresser and my father had been encouraged to go on to teaching but their families didn't have the money to send them for training. So they went straight into work, in the jobs they could get at the time, to help their families and to support themselves. My father was always hungry for knowledge and was an avid reader and always encouraged us to learn, as they say knowledge is power. I took that to heart and recognised the importance of education and that I had opportunities that they didn't, although we didn't have money at home, times had changed and I was lucky to be able to go to university, which was something they could only dream of. Once again financial barriers are becoming an impediment to people wishing to go on to their chosen paths, heavily impacting on those from disadvantaged communities. Others facing barriers include women often due to caring responsibilities, those with disabilities and those from ethnic minority backgrounds. As Chair of council I have met the Open University on a number of occasions and when they told me of their work on lifelong learning I was very excited. I believe everyone should have the opportunity to learn and to go on their chosen path whatever that may be without barriers. The Open University are part of The Life Long Learning Alliance which includes the forum for adult learning, the open college network, aontas and chief officers third sector co3. They also work with the Trade Unions and throughout the various sectors. They believe their vision must recognise the intrinsic and holistic value of learning for all to transform lives, economies and communities - its fundamental relationship not just to widening participation in learning, but supporting an inclusive and resilient workforce, better jobs and pay. The Open University's manifesto 'The Future is Flexible'. Recognises the value of

accessible part-time, flexible higher education and prioritising its growth is key to addressing skills shortages, economic productivity, regional imbalances, and social inclusion. Creating a culture of lifelong learning is crucial to ensure that individuals participate in learning after leaving compulsory education. 34% of adults in the north haven't taken part in learning since leaving school, the lowest on these islands.

People who have left school for whatever the reason, be it for caring reasons, financial or maybe just not having the confidence or belief in themselves, should have the opportunity to then go on to further learning if that is something they wish to do and it should be encouraged. Education should be flexible, with suitable hours for those currently working or with caring responsibilities and I know that the open university already provide a credits system where learners can build up towards their chosen level of education, they also provide apprentice programmes and work with those trying to address skills shortages such as in health. The alliance want education to be affordable so needs to see funding and flexibility for learners, the open university also provides hundreds of free courses. They aim to support those on UC who wish to engage in education and ensure benefits are not penalised. To eradicate digital poverty and exclusion and remove barriers of age, barriers to women, those with caring responsibilities, those with a disability, disadvantaged communities and refugees, asylum seekers and BAME communities.

To conclude and as already stated Lifelong learning results in a wide range of benefits in recognising the value of learning for all to transform lives, economies and communities - its fundamental relationship not just to widening participation in learning, but supporting an inclusive and resilient workforce, better jobs and pay. I hope you will support this motion.”

The Chair, Councillor Corry moved the motion.

This Council believes:

- education should be accessible to all who seek it and embedding a culture of lifelong learning in our society is essential to enabling people to realise their potential.
- part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive and green economy.
- part-time students are a unique demographic, they are more likely to have disabilities, come from disadvantaged backgrounds, have caring responsibilities; such as children or elderly relatives, and in general, be part of a 'hard to reach' group who missed out on full-time study.
- lifelong learning, including non-formal education, addresses social issues, strengthens communities and builds civic engagement. It is the most effective tool for meeting social policy objectives and creating positive social change.
- recognises that lifelong learning must become a meaningful and developed policy area with tangible actions and outcomes, underpinned by the wealth of best practice and innovation from across the UK and Ireland.

This Council therefore resolves to:

- To work with the Lifelong Learning Alliance to develop a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities.
- Engage with MLAs and MPs to prioritise funding for formal and informal part-time education when the Executive is formed.
- Encourage MLAs to form an All-Party Group on Lifelong Learning to support an evidence and best-practice informed approach to policy making, in collaboration with adult education bodies to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

Councillor Mallaghan seconded the motion and said he had attended events with the Chair and had found them informative and interesting. He said he would have liked to have attended university but at the time had decided to travel. He said the open university provided people with great opportunity to build up credits toward a degree which also give people a second chance at education. He said it should be considered 'in the mix' with apprenticeships. Councillor Mallaghan said Council should play a positive role and help demonstrate that it is not insurmountable to attain education credits. He said he would welcome opportunity to learn more.

Councillor Black stated, "As a party we are generally supportive of the motion. We agree that education should be accessible to all who seek it for both the benefit of the individual and wider society. Indeed the ten skills strategy developed by the DUP Economy Minister includes a commitment to creating a culture of life-long learning, recognising that individuals of all ages will need to engage in education and training, to ensure their skills and qualifications keep pace with changes in technology and other areas. It also sets out a plan to deliver growth in qualifications relating to technical and professional skills.

There is particular need to address these issues in Northern Ireland as participation in adult learning is low, 18.2% compared to the United Kingdom average at 25.3 % based on the working age of the population. This needs to change. As well as minority groups raised by the Chair, it is also important to note that research shows that women, lone parents with dependents and carers are more likely to be in part time employment, therefore it is also vital to ensure that these people can participate in life long learning. However this will require the current systems constraints in relation to childcare and social care to be addressed. This will be pivotal part of transforming access to life long learning for the hardest to reach in our society. We also need to tackling inequality by supporting people with low or no qualifications to overcome the barriers to employment and make the most their capabilities.

Councillor Kearney referred to the 2017 Community Plan in relation to educational skills and drew on statistics outlined in the document. He spoke of how the plan outlined objectives to give children and young people better opportunities. Councillor Kearney also referred to shared education and skills programmes and part time education courses. He said there were 15 objectives in numeracy and literacy and that throughout the life of the plan there would be opportunities to assess and measure progress. He also spoke of partnerships such as MEGA (Manufacturing Engineering Growth Advancement) the LMP (Labour Market Partnership both means of improving skills and opportunities. He concluded that the SDLP would support the motion.

Councillor Colvin said the UUP would support the motion and told how he had availed of life long learning opportunities. He also highlighted the importance of apprenticeships and the need for sound educational advise to young people. He stated that often education moves people to university which was important but there were other means of achievement. He shared how an uncle had the desire and capability to be a doctor but had been a farm labourer due to educational constraints.

The Chair, councillor Corry thanked Members for their support and said that the Open University programmes include apprenticeships and was a great means to continuous learning. She declared the motion carried unanimously.

The live broadcast concluded at 8.38 pm.

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 Kerr
Seconded by Councillor S McAleer and

Resolved That items C047/23 to C055/23 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 26 January 2023
- (ii) Planning Confidential minutes of meeting held on 7 February 2023
- (iii) Policy & Resources Confidential minutes of meeting held on 9 February 2023
- (iv) Environment Confidential minutes of meeting held on 14 February 2023
- (v) Development Confidential minutes of meeting held on 16 February 2023
- (vi) Land acquisition at Desertcreat
- (vii) Document for Sealing – Local Authority Deed Agreement for Ballymacombs Landfill Site
- (viii) Document for Sealing – Local Authority Deed Agreement for Magheraglass Landfill Site
- (ix) Document for Sealing – Local Authority Deed Agreement for Tullyvar Landfill Site

C056/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.00 pm.

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.