

**Minutes of Meeting of Mid Ulster District Council held on Thursday 28 April 2022 in the Council Offices, Circular Road, Dungannon and by virtual means**

<b>Chair</b>	Councillor McLean
<b>Members Present</b>	Councillors Bell*, Black, Brown, Buchanan, Burton, Clarke*, Colvin*, Corry*, Cuddy, Cuthbertson, Doris*, Elattar*, Forde*, Gildernew*, Graham, Martin*, Mallaghan*, N McAleer*, S McAleer*, B McGuigan*, S McGuigan*, McKinney, McNamee*, D McPeake*, S McPeake*, Milne*, Molloy*, Oneill*, Quinn*, Robinson*, Totten* and Wilson
<b>Officers in Attendance</b>	Mr McCreesh, Chief Executive Mr Black, Strategic Director of Communities & Place Ms Campbell, Deputy Chief Executive & Strategic Director of Environment (SDE) Ms Canavan, Strategic Director of Organisational Development Strategy & Performance (SD:ODSP)** Mr Kelso, Director of Public Health & Infrastructure (DPHI)** Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD:ODSP) Mr Tohill, Strategic Director of Corporate Service & Finance (SD:CSF) Mrs Forde, Member Support Officer Mrs Mezza, Head of Marketing and Communications**

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

The meeting commenced at 7 pm.

*The Chair, Councillor McLean 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.*

**C074/22 Notice of Recording**

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

**C075/22 Apologies**

Councillors Ashton, Glasgow, Kearney, Kerr, McFlynn, Monteith and Mullen

**C076/22 Declarations of Interest**

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

## **C077/22 Chair's Business**

The Chair, Councillor McLean spoke of five Chatty Benches installed across the district at Ballysaggart Lough Dungannon, Iniscarn Forest Desertmartin, Portglenone Riverside Walk, Ballyronan Marina and Round Lake, Fivemiletown. He encouraged Members to make people aware of them and spoke of the importance their impact may have.

The Chair, Councillor McLean spoke of his pleasure in donating a cheque to the NI Air Ambulance following the fundraising events celebrating the achievements of women. He thanked all who both supported and participated.

The Chair, Councillor McLean thanked The Honourable, The Irish Society for the £1,700 donation to the Chair's Charity, NI Air Ambulance. He requested that Councillors Black and B McGuigan express his thanks back to the organisation.

The Chair, Councillor McLean acknowledged the success of 'In Bloom' winners at the annual Translink Ulster in Bloom awards presentation. He advised that Donaghmore was presented with the best Village Award, Caledon had won a Special Award for their community allotments and Friel's Bar and Restaurant and that Swatragh had achieved a Special Award for their Floral Presentation.

The Chair, Councillor McLean said his term of office was nearing an end and asked Members and officers to support the planned Hymn Sing events scheduled. He said that proceeds from the events would be presented to three different charities.

Councillor Burton told of how she had received complaints regarding uneven pavements in villages highlighting the most recent whereby a lady had tripped in Castlecaulfield. She further advised that the footpaths in Caledon are also uneven. Councillor Burton proposed that Council write to the Department for Infrastructure Roads regarding the village footpaths to ask how often they are inspected/repared. She also highlighted the difficulty in communicating with DfI Roads personnel especially in the Moygashel office, Councillor Burton said calls were often unanswered and if you are speaking to someone they don't know who has taken on responsibilities of people who have either retired or moved to other positions.

The Chair, Councillor McLean called on the Chief Executive to give an update on the current situation in relation to the impact of current strike action on services.

The Chief Executive advised that due to the industrial action by members of UNITE taking place from Monday 25 April to Sunday 1 May, and from Tuesday 3 May to Sunday 8 May would impact bin collection services and two leisure centres. He said in the current week no brown bins were being collected but when sufficient staff are available, the Council will work to collect blue bins where possible. From Tuesday 3 May to Friday 6 May, no brown bins will be collected and again if sufficient staff are available, the Council will work to collect black bins where possible. He emphasised that no collections can be guaranteed but residents are being advised to leave their blue and black bins

out for collection on the normal day by 7.30am and they will be emptied where there are sufficient crews to deliver a service. If bins are not emptied, residents are being asked to take their bins back in from the kerbside and place them out again on their next scheduled collection day during the weeks beginning 9 and 16 May 2022.

He highlighted that black and brown bin collections would take place as normal on Monday 2 May. With regard to recycling centres he said all, with the exception of Magherafelt Recycling Centre which is closed temporarily from Monday 25 April to Monday 2 May, will remain open during the industrial action. With regard to Leisure Centres he said Cookstown and Greenvale swimming pools had been closed on Monday 25 April, with the availability of swimming reviewed on a daily basis for the remainder of the week. There will be no public swimming lessons and no school swimming lessons in either centre for the duration of the industrial action, and fitness classes will also be limited.

The Chief Executive concluded that it was anticipated that all other services and facilities, including cemeteries, play facilities, parks, arts and cultural facilities, will operate as normal but the situation would be kept under review during the strike. In response to Councillor Cuddy's query the Chief Executive advised that the strike is in relation to a pay dispute. He clarified that the pay award had been a collective UK level national agreement.

Councillor McKinney welcomed the 'grass roots' workers to the chamber and stated he had every sympathy for them. He said he was aware of their take home pay and whilst he understood it was a UK agreement he felt Council was 'passing the buck'. He said the increase in the cost of living was not going away and was really impacting those on lower wage scales. He suggested that Council take the lead as it often does in matters and help the lower paid staff who are on little more than the minimum wage. He concluded that Council makes decision for its own finances.

The Chair, Councillor McLean stated that the points were noted.

Councillor Wilson concurred with Councillor McKinney's comments and said there was now the working poor.

Councillor Wilson asked for sympathy to be extended to the family of Ivor Paisley who had been Head of Corporate Services in the legacy Cookstown District Council. He spoke of the personal support he had received from Ivor throughout his career with Council and how he had helped everyone. Councillor Wilson said Ivor would be sorely missed especially by his family. He concluded that Ivor had been a very dapper gentleman and every time he had finished chatting would have finished by saying, *'Trevor, you take care and God Bless'*.

The Chair, Councillor McLean said it had been remiss of him not to refer to the matter earlier and concurred with Councillor Wilson's remarks. He said he had got to know Ivor at election Counts and he had found him to be a true gentleman. The Chair extended sympathy to the Paisley family and advised that he had already sent a letter extending sympathies on behalf of the Council.

Councillor Doris seconded the proposal made by Councillor Burton and said that there was a serious lack of communication especially at the Moygashel office.

Proposed by Councillor Burton  
Seconded by Councillor Doris and

- Resolved** That Council to write to Department for Infrastructure requesting
- (i) the maintenance inspection/repair schedule for village footpaths. Noted that Castlecaulfield and Caledon highlighted as particular concern;
  - (ii) an updated list of contacts for DfI Roads for the district in particularly the Moygashel office where Members have experienced delays/difficulties in communication.

Councillor McNamee concurred with previous comments on Mr Ivor Paisley and said he had spent many team building days in the Mourne Mountains when Ivor could have given people a two mile start and still been at the top before them.

The Chair, Councillor McLean advised that an urgent requirement to have a document sealed had been brought to his attention and he had agreed to the matter being addressed under Chair's Business. He sought a proposer and seconder for the Council Seal to be applied to *Purchase of lands at Old Coagh Road, Cookstown between Mid Ulster District Council and DfI*.

Proposed by Councillor Wilson  
Seconded by Councillor Buchanan and

- Resolved** That the Council seal be applied to Purchase of lands at Old Coagh Road, Cookstown between Mid Ulster District Council and Department for Infrastructure.

### **Matters for Decision**

**C078/22 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on Thursday 24 March 2022**

Proposed by Councillor Brown  
Seconded by Councillor Wilson and

- Resolved** That the Minutes of the Council held on Thursday 24 March 2022 (C044/22 – C059/22 and C073/22) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

**C079/22 Receive and Consider Minutes of matters transacted in "Open Business" at the Environment Committee Meeting held on Monday 4 April 2022**

Proposed by Councillor McNamee  
Seconded by Councillor Graham and

**Resolved** That the Minutes of the Environment Committee held on Monday 4 April 2022 (E090/22 – E105/22 and E114/22) transacted in Open Business having been printed and circulated, were considered and adopted.

**C080/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on Tuesday 5 April 2022**

Proposed by Councillor Black  
Seconded by Councillor S McPeake and

**Resolved** That the Minutes of the Planning Committee held on Tuesday 5 April 2022 (P042/22 – P047/22 and P056/22) transacted in Open Business having been printed and circulated, were considered and adopted.

**C081/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on Wednesday 6 April 2022**

Councillor Cuddy drew attention to D058/22 Chair's Business regarding the proposed meeting with Dungannon/Moy Royal British Legion to discuss vandalism at War Memorials in both locations. He said that since the development committee further damage had been caused and proposed that the meeting take place with expediency.

Councillor Cuthbertson seconded the proposal.

The Chair, Councillor McLean asked if this was for Dungannon DEA Members.

Councillor Cuddy said it would be most relevant to Dungannon DEA Members but any interested Member should attend.

**Resolved** That the proposed meeting with Dungannon/Moy Royal British Legion to discuss vandalism at War Memorials in both locations be progressed expediently. All interested Members invited to attend.

Proposed by Councillor Wilson  
Seconded by Councillor Cuddy and

**Resolved** That the Minutes of the Development Committee held on Wednesday 6 April 2022 (D055/22 – D068/22 and D072/22) transacted in Open Business having been printed and circulated, were considered and adopted.

**C082/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee Meeting held on Thursday 7 April 2022**

Councillor McKinney thanked Councillor Kearney deputy Chair of Policy and Resources Committee for chairing the April meeting in his absence. He drew attention to PR071/22 Report of Good Relations Working Group meeting: March 2022. He drew attention to the comment made in the report by Mr John Kramer "In response to questions from members, John Kremer advised that Council could improve by having access to a wider set of views and opinions for the Good Relations Working Group." Councillor McKinney stated there was only nationalist opinion on the working group and asked where Council was at in bringing forward other sections of the community especially the unionist community.

The Chair, Councillor McLean said the point was noted.

The AD:ODSP said that the Good relations Working Group actions had been brought to the Policy and Resources for approval and the matter being discussed had been the attendance of all political parties represented on Council. He said the group was open to all parties Sinn Féin, DUP, SDLP and UUP to attend in line with working group arrangements.

Councillor Cuddy said in his experience of the good relations working group was a rubber stamping of what the Chamber had discussed where unionists are out-voted every time. He said he could appreciate democracy may out-vote the minority but following the Good Friday Agreement everyone had to find a better way of respecting each other. He referred to a recent request for lighting up buildings to mark the Platinum Jubilee which had been turned down. He said if this cannot be accommodated what hope is there for good relations. He stated that he referred to the Good Relations Working Group as the 'Bad Relations Group'. Councillor Cuddy appealed that a better way forward be found. He said he had been an elected member for 22 years and had in the legacy Council experienced respect and harmony between parties which does not exist in Mid Ulster. Councillor Cuddy reflected on the resentment in the Unionist community at the current status. He said he was all for building bridges and he would like all parties to engage in how to find a way forward. He said Councillors represent everyone and he was a unionist but could respect other viewpoints. He appealed to the Chair stating that he knew he would be of similar view

Councillor McNamee concurred with the AD: ODSP and said other Members were invited to sit on the working group and he did not agree with another group running parallel. He said everyone needed to attend.

Councillor S McPeake said it was not hard to know there was an election in the air and stated he had said at the last meeting the group would benefit and be richer from a full attendance. He said that Sinn Féin and the SDLP were not to blame for Unionist non-attendance. Councillor S McPeake said the group was set up to take forward sensitive work and it was unfortunate that the Unionist parties had boycotted it to date.

Councillor McKinney said his question had been taken out of context and he again drew attention to the comment made in the report by Mr John Kramer "In response to questions from members, John Kramer advised that Council could improve by having access to a wider set of views and opinions for the Good Relations Working Group."

He posed the question was Council turning a blind eye to Mr Kramer's advice? Councillor McKinney said in his view that would be what would happen. He also said he had not mentioned boycotting meetings but it was a waste of his time to attend to be ignored and obviously it was a waste of Mr Kramer's too if his advice was not being taken on board.

Councillor Cuthbertson said the working group was a tick box exercise as Unionists attend council meetings whereby, simple respectful motions such as he had brought regarding the Platinum Jubilee are kicked out. He said it was only a talking shop and the unionist community thoughts and wishes are constantly rejected.

The Chair, Councillor McLean said he would under Chief Executive guidance take a lead and facilitate an informal chat with party leaders that will feed back into process and discussion. He said that he had boycotted the working group but would initiate a discussion.

**Resolved** That the Chair facilitate a party leaders discussion under the direction of the Chief Executive to discuss engagement of all parties in Working Group

Councillor S McGuigan asked if there was an application to light up buildings that had not been included on the report to Policy and Resources. He said he had been made aware of an application being submitted which had omitted some information and when the information was submitted they were told it was too late. He said if this was the case he felt it should have been brought to the committee to consider on the night.

In response the AD:ODSP said in considering requests officers have to look at the date the light up is required and the information provided to meet criteria. He said if a late application is received in time to meet the release of council agenda this could have been included.

Councillor S McGuigan said that in a case where information was omitted in his opinion the request should be included on the report and agreed subject to the receipt of required detail. He said the current process knocks groups out of the system when potentially they could have been accommodated.

The Chair, Councillor McLean said that the point is noted and that there is always the opportunity to bring it to policy and resources committee.

Proposed by Councillor S McGuigan  
Seconded by Councillor Gildernew and

**Resolved** That the Minutes of the Policy & Resources Committee held on Thursday 7 April 2022 (PR067/22 – PR077/22 and PR090/22) transacted in Open Business having been printed and circulated, were considered and adopted.

**C083/22 Standing Orders Amendment – April 2022**

The Chief Executive presented previously circulated report which considered an amendment to the Standing Orders of Council following the Coronavirus Act 2020 (Extension of Provisions Relating to Local Authority Meetings) Order (NI) 2022 being approved by the Assembly on 21 March 2022 and that discussion on same stand adjourned until the next ordinary meeting of the Council, in line with Standing Order 30.2 (Amendment).

Proposed by Councillor Burton  
Seconded by Councillor Brown and

**Resolved** That amendment to the Standing Orders regarding Remote Meetings Protocol and Procedure Rules as attached and highlighted in Appendix 6.1 be approved and that the matter stand adjourned without discussion to the next meeting of Council, in line with Standing Order 30.2 (Amendment).

*(Guests departed the public gallery at 7.47pm)*

#### **C084/22 Civic Recognition Nominations**

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. He also sought approval to add Councillor N McAleer's name to request for Blaine Ryan Danske Bank Ulster Schools GAA Football All Star 2022 and also onto letter to Cormac Devlin for achieving Danske Bank Ulster Schools GAA Football All Star 2022 noting that Cormac had received Civic Recognition in the past year. Attention was also drawn to nomination for Sofija Procevska who had been listed for a letter for silver medallist at Irish Judo Competition but confirmation had since been received that Sofija achieved a gold medal and approval was sought to upgrade to civic reception category.

Proposed by Councillor McNamee  
Seconded by Councillor Molloy and

**Resolved** That approval be given to

- (i) submitted requests for civic recognition detailed at appendix A as outlined in the report; and
- (ii) As aforementioned Cllr N McAleer's name be added to nomination for Blaine Ryan and Cormac Devlin and Sofija Procevska be upgraded to civic reception category.

#### **C085/22 Conferences, Seminars & Training**

The AD: ODSP sought approval for the previously circulated report on conferences, training and seminars.



Proposed by Councillor McKinney  
Seconded by Councillor Brown and

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

## **Matters for Information**

### **C086/22 Correspondence to Council**

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

Councillor S McPeake drew attention to correspondence received from Newry Mourne and Down District Council regarding change of use in red diesel and proposed that Council respond advising that prior their letter Mid Ulster had written to the Treasury regarding the matter.

**Resolved** Council respond to Newry Mourne and Down District Council to advise that MUDC had already completed actions requested in relation to proposed changes to use of red diesel.

### **C087/22 Consultations Notified to Mid Ulster District Council**

Members considered previously circulated report on consultations notified to Mid Ulster District Council for comment.

Councillor McNamee proposed that Department of Health: Consultation on Review of Urgent and Emergency Care Services in Northern Ireland be referred to development Committee for response. (Closing Date 15 June 2022)

Councillor Elattar seconded the proposal stating that the proposals would have a major impact on rural areas and requested that the online events in relation to the consultation be promoted on Council social media platforms.

**Resolved** That

- (i) Department of Health: Consultation on Review of Urgent and Emergency Care Services in Northern Ireland. 2022. Be Refer to Development Committee for response. (Closing Date 15 June 2022); and
- (ii) Council highlight the online zoom events on social media platforms.

**Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.**

*The live broadcast concluded at 7.52 pm*

Proposed by Councillor Brown  
Seconded by Councillor Burton and

**Resolved** That items C088/22 to C093/22 be taken as confidential business.

**Matters for Decision**

- (i) Council Confidential minutes of meeting held on Thursday 24 March 2022
- (ii) Environment Committee Confidential minutes of meeting held on Monday 4 April 2022
- (iii) Planning Committee Confidential minutes of meeting held on Tuesday 5 April 2022
- (iv) Development Committee Confidential minutes of meeting held on Wednesday 6 April 2022
- (v) Policy and Resources Committee Confidential minutes of meeting held on Thursday 7 April 2022
- (vi) Entertainment Licence Update

**C094/22 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 7.58 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.