

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 6 June 2019 in the Council Offices, Burn Road, Cookstown

Members Present Councillor Molloy, Chair

Councillors Ashton, Buchanan, Colvin, Elattar, Forde, Gildernew, Hughes, McFlynn, S McGuigan, McKinney, McLean, S McPeake, M Quinn, Totten

Officers in Attendance Mr A Tohill, Chief Executive
Mrs Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Ms Mezza, Head of Marketing and Communications
Mr Moffett, Head of Democratic Services
Mr O'Hagan, Head of IT
Mr JJ Tohill, Director of Finance
Mrs Grogan, Democratic Services Officer

The meeting commenced at 7 pm.

PR093/19 Apologies

Councillor Doris

PR094/19 Declarations of Interest

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

PR095/19 Chair's Business

The Chair welcomed everyone to the committee, especially the new committee member Councillor Hughes and said that he hoped to progress through the year as swiftly as possible. He also said that he wanted to thank his party for nominating him to Chair the Policy and Resources committee.

The Chair advised Councillor Ashton that the issue she wished to raise under Chair's Business tonight be referred to the Development Committee for consideration.

Matters for Decision

PR096/19 2019-2020 Performance Improvement Plan

The Head of Democratic Services presented previously circulated report and sought approval for Council's Corporate Performance Improvement Plan for the period 2019 to 2020.

Councillor Gildernew referred to item 3.1, objective 2 and said that he was disappointed to see there was nothing referring to the duration of the planning

meetings and that he didn't know any other Council that this was happening in. He said it was unfair to all, especially applicants where decisions are being made at the late hour of the night and that it was paramount that this be investigated as a matter of importance.

The Chair agreed with Councillor Gildernew's sentiments and stated that he was present at the Planning meeting on Tuesday night and said it had to be looked at so it's favourable to all.

The Chief Executive said that discussions had previously taken place around concerns around Planning Committee times and said this was a matter for the Planning Committee members to discuss.

Councillor McKinney said that there were over 40 planning applications and felt that if everyone was restricted to speak for 3 minutes only on an application that this should speed things up.

Councillor McLean said members of his party on the planning committee had raised concerns about the duration of the planning committee and feels that this needed to be steered from the Chief Executive towards the Planning Manager. He said that he was aware of issues being raised previously regarding concerns raised and felt that this has to be properly addressed.

Councillor Quinn said that he attended his first planning committee meeting on Tuesday night and did not realise the extent of the issue and agreed with Councillor Gildernew's views. He said that he didn't get to speak until 11 pm and found it hard at that hour of the night to concentrate on what he was trying to say and it was a struggle to keep focused. He agreed that this needed to be brought back to the Planning Committee for consideration.

Proposed by Councillor McLean
Seconded by Councillor S McGuigan and

Resolved That it be recommended to the Council that approval be given to:

- 1) Adopt the Corporate Performance Improvement Plan for 2019-2020.
- 2) Planning Committee timings and duration of same be referred to Planning Committee for discussion.

PR097/19 Progress Returns – Equality Commission and Dept. Agriculture, Environment & Rural Affairs 2018-19

The Head of Democratic Services drew attention to the previously circulated report and sought approval for the Mid Ulster District Council's Progress Reports for 2018-19 on meeting the statutory equality and good relations due as detailed within Section 75(1) and 75(2) of the Northern Ireland Act 1998 and the Rural Needs Act NI (2016).

Proposed by Councillor Gildernew
Seconded by Councillor S McGuigan and

Resolved That it be recommended to the Council to approve the Annual Progress Reports (2018-19) on the implementation and activities surrounding its Equality and Good Relations and Rural Needs statutory duties.

PR098/19 Council Meetings: August

The Chief Executive advised that it was previous practice to hold a Council meeting in August, but it was thought that it would be more beneficial to have a recess as very little business had been brought in previous years. He said that the only committee which met was the Planning committee as it didn't need decisions ratifying and that Mid Ulster was the only Council which did not avail of a recess but that it was up to the Committee to decide on how to proceed.

Proposed by Councillor McFlynn
Seconded by Councillor Gildernew and

Resolved That it be recommended to the Council that a meeting of the Council not be convened in August and going into a summer recess following the Planning Committee meeting held on the first Tuesday of that month.

Councillor McKinney stated that he would be happy to agree to the August recess but asked what would happen if important business arose and needed addressing.

The Chair agreed with Councillor McKinney and felt that it was a long period from July to September to wait for a decision to be ratified.

The Chief Executive advised that the Chair has the authority to call a meeting at any time. 5 members of the Council may request that a meeting be held if they deem it necessary to discuss an important issue. Delegation of powers as was the case with the Election could also be given to the Chief Executive on certain matters.

PR099/19 Establishment of Council Working Group: Outside

The Head of Democratic Services drew attention to the previously circulated report to make arrangements for the establishment/convening of a Working Group of Councillors to review Council representation on series of 'outside bodies' and forums established from within the Council.

Councillor McKinney recommended the 5 members be nominated.

Councillor S McGuigan recommended 10 members be nominated.

Councillor McLean agreed with Councillor S McGuigan and said that he would be in favour of nominating 10 members due to the extent of their work and the need for a fairly wide scope.

Councillor Colvin felt 5 nominations would suffice as 10 would be overkill and may look inefficient.

Councillor S McGuigan said that presently there are 10 members on other committees i.e. Brexit Working Group and Housing etc and felt that as this was working it should remain as it is.

Councillor Ashton referred to item 3.4 – Working Group Remit and asked for consideration to be given to including Conflict of Interest in the remit.

In response to Councillor Quinn’s query regarding membership through d’hondt, the Head of Democratic Services advised that this was outside the proposed scope, but a matter for the committee to decide.

The Chair put Councillor McKinney’s proposal for 5 members to vote:

For	4
Against	11

The proposal was lost.

Proposed by Councillor S McGuigan
Seconded by Councillor Gildernew and

Resolved That it be recommended to the Council that a Working Group of 10 Councillors be nominated to review Council representation on outside Bodies.

The Chair enquired if the 10 members were to be drawn from the Policy & Resources Committee or Council.

Councillor Ashton said that she assumed that the 10 members were to be drawn from the Council as it would be more focused on development than the Policy and Resources Committee and a broader scope of experience.

Proposed by Councillor Ashton
Seconded by Councillor S McGuigan and

Resolved That it be recommended to the Council that the 10 members be drawn from Council membership.

In response to Councillor McKinney’s query about how the 10 were going to be allocated, the Chief Executive stated that it would be done through d’hondt.

PR100/19 Lease and Licence of Lands situated at Glenone Wood, Portglenone from DAERA/Forest Service

The Chief Executive drew attention to the previously circulated report and sought approval to enter into the lease and licence with DAERA/Forest Service (“FS”) in relation to lands situated at Glenone Wood, Portglenone (“the Lands”).

Councillor S McPeake said that he was very much supportive of the proposed Blueway Development along the lower Bann from Portglenone to Newferry as it would be a tremendous recreational attraction upon completion and did not wish to be in any way obstructive towards the issuing of any lease/licensing requirements between Mid Ulster District Council and DAERA/Forest Service. However, a significant issue has emerged with the long established Ballynease Gun Club now being unable to reapply for their shooting licence from Forest Service within this 35km site. This is down to Forest Service not now offering this area of forest lands for Shooting Licensing as a consequence of Mid Ulster District Council Blueway proposals.

The Ballynease Gun Club had their Shooting Licensing granted in excess of 30 years within Portglenone Forest and had an exemplary working relationship with Forest Service with no issues or complaints ever recorded. They had their own public liability and indemnity insurances in place and were excellent custodians of the Forest. They now feel very aggrieved about not being able to apply for licensing at this site.

Councillor S McPeake stated that he had recently attended meetings between Ballynease Gun Club members, MUDC Officers, DAERA/Forest Service Officials and Country Sports Ireland to seek a resolution.

Proposed by Councillor S McPeake

That the issue of the licensing and leasing of the lands at Portglenone Forest be deferred for further discussion at the June Council meeting to see if a resolution can be found that will accommodate Ballynease Gun Club continued Shooting rights within Portglenone Forest.

Seconded by Councillor McLean

Councillor McLean said that he could concur with Councillor S McPeake's comments and would be happy to second his proposal as he too had been approached by the club. He said that Ballynease Gun Club members were all from the Mid Ulster District Council area and had been very accommodating and had a real passion for their sport. He reiterated that he was glad to see this being brought to the attention of Council to see what can be achieved.

Councillor McKinney referred to Derrynoid Forest and said something similar has happened as they also didn't get their licence renewed.

Councillor Elattar advised that the Council were responsible for the maintenance of the forest and walking trail.

Councillor McKinney said that the Forestry Service had indicated that the Council had turned down the licence and not them.

Councillor S McPeake said that this seemed to be the new way the Forestry Service was carrying out their work and that something similar had happened in Davagh, but this was somewhat different because it had a huge walkway.

Councillor Quinn said that he had heard on the radio about Belfast City Council planting a million trees across the city and enquired whether this Council had been approached to do something similar.

The Chief Executive said that this Council had become involved in a very extensive planting scheme at Ballymacombs and were continuously pursuing other opportunities.

Councillor S McGuigan referred to a recent incident at Parkanaur Forest involving approximately 20 people with hunting dogs and guns one Sunday morning which scared some of the regular users including those at caravan pitch. One of the people reported the incident the next day to Forestry Service who allegedly told them it was not their responsibility and to raise the issue with Mid Ulster District Council. He said that this incident is similar to what was raised by other members about the Forestry Service passing on the blame and would like the issue investigated.

The Chief Executive advised that the incident would be passed to the Director of Leisure and Outdoor Recreation who would liaise with the Forestry Service on concerns raised.

Proposed by Councillor S McPeake
Seconded by Councillor McLean and

Resolved That it be recommended to the Council that approval be given to:

- 1) Defer taking any decision on the tabled lease/licensing paper until next full council meeting until Council examine proposals to allow Ballynease Gun Club shooting rights/licensing on Portglenone Forest lands.
- 2) Director of Leisure and Outdoor Recreation to liaise with Forestry Service on concerns raised regarding incident at Parkanaur.

PR101/19 Making Tax Digital

The Director of Finance drew attention to the previously circulated report to update Members in relation to HMRC's Making Tax Digital Initiative.

Proposed by Councillor Ashton
Seconded by Councillor S McGuigan and

Resolved That it be recommended to the Council that Members note the contents of the report and to authorise Officers to address the first requirement of Making Tax Digital by procuring the HMRC accredited PWC product (or other equivalent product in the unlikely event that PWC withdraw their product from the market).

Matters for Information

PR102/19 Minutes of Policy and Resources Committee held on Thursday 4 April 2019

Members noted Minutes of Policy and Resources Committee held on Thursday 4 April 2019.

PR103/19 2018-19 Corporate Health Indicators Year End

Members noted the contents of the report previously circulated which provided members with an update on the measurement of the Council's Corporate Health Indicators for the period 2018-19.

PR104/19 Annual Subscription – Somme Association

Members noted the contents of the report previously circulated which provided members with an update on correspondence received from the Somme Association on annual membership contributions payable for period 2018-19.

PR105/19 Marketing & Communications Update

Members noted the contents of the report previously circulated which provided which provided members with an update on key areas of recent marketing and communications activity.

PR106/19 Marketing & Communications Service Improvement Plan 2019-2020

Members noted the contents of the report previously circulated which provided members with an update on the draft Service Improvement Plan for the Marketing & Communications Service for the 2019-2020 year.

PR107/19 Legal Services Service Improvement Plan 2019-2020

Members noted the contents of the report previously circulated which provided an update on the draft Service Improvement Plan for Legal Services for 2019-2020.

PR108/19 Finance Department Service Improvement Plan

Members noted the contents of the report previously circulated which provided Members with an update on the Finance Department Service Improvement Plan for 2019-2020.

Councillor Colvin said that he wanted to commend Officers on their professionalism collating the Service Improvement Plan which made it easy for Members to understand.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor Gildernew and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR077/19 to PR091/19.

Matters for Decision

PR109/19 Staffing Matters for Decision
PR110/19 Financial Report 12 Months ended 31 March 2019

Matters for Information

PR111/19 Confidential Minutes of Policy and Resources Committee
held on Thursday 4 April 2019
PR112/19 Update on Structure Changes
PR113/19 Staff Matters for Information
PR114/19 Managing Attendance

PR115/19 Duration of Meeting

The commenced at 7pm and concluded at 7.55 pm.

Chair _____

Date _____