Paul Dougan: Good morning, ladies and gentlemen. It is 10am and I now formally open this public inquiry into the proposed District Electoral Areas for the local government district of Mid Ulster. My name is Paul Dougan and I have been appointed by the Secretary of State for Northern Ireland to conduct this inquiry.

A couple of preliminary points before we begin. Firstly, I should stress that I am independent of the District Electoral Areas Commissioner, Dick Mackenzie and it is not my function to defend his recommendations; my role is to listen to and consider the evidence put forward at this inquiry and to report my findings and my recommendations to the Commissioner. My recommendations are to be made within four weeks of the close of the inquiry.

In terms of the running of today, I intend to break for lunch between 12.30pm and 1.30pm and then the inquiry will finish at 5pm this evening. We do not plan to stop for breaks but I will, of course, stop for adjournments, if necessary.

In terms of maps and documents, copies of the Commissioner's provisional recommendations are available for inspection here; there are also copies of the written representations relating to this district, which have been made to the Commissioner during the eight week consultation period which ended on 27th June.

I should also point out that this inquiry will be recorded, which is why we have the sound people beside us, and that a transcript will be made available on the Commissioner’s website in due course. If anyone cannot access the website and wishes to receive a printed copy of the transcript, please leave your name and contact details with a member of my support staff. There are maps available and on the screen behind me showing the proposed grouping of the wards into electoral areas and everybody should make sure that you have a copy of those before we commence.
What is the purpose and the scope of the inquiry? Well, the purpose is to consider representations concerning the provisional recommendations of the District Electoral Areas Commissioner for the local government district of Mid Ulster, and that's the report that hopefully you have. It should be noted that this inquiry has been convened to consider and to hear arguments for and against the objections raised to the Commissioner's proposals during the consultation period which, as I said, closed on 27th June.

New objections unrelated to those already submitted cannot be considered and I'm going to repeat that because it's very important. New objections unrelated to those already submitted cannot be considered. I must also emphasise that you cannot reserve your position to await my report. It will not be possible for you to make any written or oral submissions to me, or indeed, to the Commissioner, after this inquiry has concluded. Some of you may already have made written representations; be assured that I have studied those carefully as part of my preparation for this inquiry this morning and I will certainly take those into account in my report to the Commissioner.

Those of you who have already made written representations will of course want to elaborate on those representations today. However, I will not be assisted by the repetition of written submissions. If you have already made your points fully in writing you may simply wish to state that you support or oppose a particular recommendation for the reasons that you've already stated in your written representation. I can assure you that full account will be taken of all the written representations irrespective of whether or not they are referred to during the course of today's proceedings.

I should also be grateful if other speakers would try not to repeat points already put to the inquiry, but rather simply record their support for views expressed previously. Above all, it is important that you try to back up your proposals with evidence where possible, rather than relying on unsubstantiated statements, bearing in mind that in making these recommendations the Commissioner was constrained by the rules set out in the relevant legislation and replicated in his report. Those are the rules set out in Schedule 3 of the 1984 Order and are repeated on Page 5 of the Commissioner's report at Paragraph 3.1.
Issues that fall outside of the scope of this inquiry, there are a number of issues that are outside the scope of the inquiry and these include firstly, the boundaries and names of local government districts and their constituent wards, because these have already been settled under the terms of the Local Government Boundaries Order 2012 and that came into force on the 30th November 2012; secondly, the impact of the provisional recommendations on political representation; and thirdly, any issues that do not relate to the Commissioner’s proposal for the grouping of wards within this particular local government district. So therefore please do not raise these issues in your representations.

The programme of speakers: if anybody wishes to make an oral submission, please ensure that you register that with the staff at the desk on arrival. If you have not already registered, I would be grateful if you would do so as soon as possible and indicate when you register whether or not you wish to make a presentation. Already we have one registered speaker so if anybody else would like to speak, please register and then we'll start the presentations. We will try to accommodate people as far as is reasonably possible.

There may be people, who due to other commitments require a particular speaking slot; people may arrive later this morning or indeed later this afternoon and we will accommodate everybody as best we can. If anyone has difficulty being present at a particular time, again please let my staff know so that they can make arrangements for a suitable slot.

In terms of the procedure for speaking, the procedure in relation to the oral submissions is as follows. You will come up to this table in front of me to speak, and it is imperative that you speak into one of the microphones provided so that everything that is said can be properly recorded. In making your submission could you please start by stating your name and whether you're speaking in a personal capacity or in a representative capacity and, if so, for whom. Please speak clearly and try not to use abbreviations or colloquialisms as they may cause difficulty for the transcribers who will be transcribing these proceedings after today. And also could you also state whether you have already made a written submission.
Your oral submission will be of particular assistance if you are able to explain the reasons why you have taken a particular position; for example, supporting an objection and counterproposal to the Commissioner's recommendations or supporting the Commissioner's original recommendations or proposing an alternative to both. When you have finished your submission other people may wish to put questions to you from the floor and I may also have some questions for you or points of clarification.

I would like to emphasise that I intend this inquiry to be conducted in an informal manner conducive to all those who wish to contribute. Formal cross-examination is not appropriate at an inquiry of this nature; however, I am very happy and in fact, would encourage people to put questions to the speaker through myself and similarly I will facilitate the person answering the question in the best way possible.

I will touch very briefly on the question of site visits. After this inquiry is over I may go to view some areas under consideration so if there is a particular boundary or feature that you want me to look at then please mention it during the course of your submission. It will be noted and I will try to go and see it.

I am ably supported today by a team in the running of this inquiry and the team is composed of staff from the District Electoral Areas Commissioner's Office and Morrow Communications. Please feel free to approach any of these staff with any queries that you may have and they will be pleased to help you or draw the matter to my attention.

Finally, as I indicated earlier, we will try to move the running order as seamlessly as we can. If there had been a number of speakers I would have proposed to adjourn for a short period in order to allow everyone to register and have your names added to the programme but, on the basis that only one speaker has registered so far, I think we'll just press on and get into the proceedings formally.

So unless there are any contrary observations, I would like to call the first speaker, and I understand that is Cllr Barry Monteith, so if Mr Monteith could come forward please to the front desk.
Barry Monteith:

Good morning. My name is Barry Monteith; I am a councillor for Dungannon Town District Electoral Area as it stands at present. I have made a short written presentation initially and I just wanted to come here and reinforce my feelings on the subject and add a few more insights into why I feel the adjustments should be made.

I was making two points; one was in relation to 3.6 where the Commissioner is asked to look at the inclusion of complete settlements within a DEA. I believe there is an anomaly at present and a potential continued anomaly within the Ballysaggart ward or at the edge of the Ballysaggart ward, which would constitute the boundary of the new District Electoral Area of Dungannon.

There is a small housing development just at the edge of Dungannon known as Mullaghconnor or the Glebe, which is seen by most people that live there, they're Dungannon town people, as a Dungannon town estate, but it just so happened to be built outside the present boundary. Now, the Commissioner has chosen to maintain that boundary as in the Ballysaggart ward, but all the land that's zoned between it and the edge of the town is zoned at present as priority one housing.

Now obviously with the economy there may not be an urgency in whether or not that's going to be built or not but I would assume that that planning will not change. So it's priority one housing stretching from the Mullaghconnor area right into the heart of the west of Dungannon.

Now, during the boom there was talk of four hundred houses being built on that particular site and that site is land locked within the Dungannon DEA, as proposed. So the only entrance to that would be at the Mullaghconnor side, at the back of the town. So you could have an anomaly where four hundred houses will be built in Dungannon town and there'll be complete confusion within that. Half of them may be in the new Clogher Valley and half of them will be in Dungannon.

I believe the way to alleviate that is for the Castlecaulfield ward to be included in the Dungannon DEA, which also allows for continued expansion on the west of the town. I'm talking about a situation as in the District Area plan at present. Obviously the new councils with their new planning roles will be developing new
area plans. Undoubtedly the expansion of the town on that side of the town over the next fifteen to twenty years will go further into the Castlecaulfield ward as it is at present.

So I think also the settlements within the Castlecaulfield ward have a far more natural link to the town anyway. Many of them, even the single dwellings that are in that two to three mile stretch on out and on up towards Galbally, see themselves as orientating towards the town, far more so than it could be argued a lot of the people in Benburb and Moy, who are currently in the Dungannon proposal; a lot of them would actually orientate towards Armagh city.

So, to my mind this is a way to address the issue. I would argue that the complete inclusion of the settlement of Dungannon town is not included in the DEA as constituted at present, particularly in the light of the current development which is already taking place, and to future development, which obviously we’d all like to see over the next fifteen to twenty years.

So the proposal I would make is that Castlecaulfield is included in Dungannon. I have no difficulty with the Moy ward being included in Dungannon DEA, although if it was the case that the Commissioner wanted to keep that six orientation, I would argue that Castlecaulfield is a better fit to Dungannon than the Moy ward, but the Commissioner does have the remit to have five, six or seven.

That brings me to the next point which is I accept there may not be grounds under the proposals for this, but in Cookstown, the three main towns in Mid Ulster Council are Dungannon, Cookstown and Magherafelt. Dungannon town is by far the biggest population and I feel it’s important for the significance of the town that it is not represented by less councillors than any of the other towns.

So I would argue that Castlecaulfield being included in the Dungannon DEA would address the anomaly, I believe, of Cookstown being represented by seven and Dungannon being represented by six. But I accept that the Commissioner does not necessarily have the remit to take into account populations, it’s more entire settlements.
Paul Dougan: Thank you very much. Before I ask a few points of clarification, has anybody any particular observations for or against that which Cllr Monteith has provided?

Francie Molloy: Francie Molloy, MP Mid Ulster. Having looked at the presentation from Cllr Monteith, I think it is important that you look at this as a new council completely and so the towns of Dungannon, Cookstown and Magherafelt are irrelevant in that sense because that they are three different towns within a new council which is now an urban and rural council, whereas before it would have been seen more as urban.

But the idea of just expanding out into one area and picking Castlecaulfield to add into it, I think takes away from the idea of a new council, in a similar way that later on we'll be talking about the Cookstown presentation and the difficulties that that presents.

But at this particular point I think to take in Castlecaulfield into Dungannon town and to look at it on the lines of actually the size of the town ward of seven or six ignores the point that this is an entirely new council which is not Dungannon, Cookstown or Magherafelt. I think we have to break away from that line of thinking of it on the three different council areas and actually look at it as Mid Ulster Council.

In the light of how you expand Dungannon town, I think if you look at the break that actually has been created, there is a natural break between Lisnahull and the Castlecaulfield ward of the Glebe and that because O'Neill Park and the green area has been created to actually divide the town from the Castlecaulfield ward. I think that divide is a useful divide which actually stops the development of Dungannon on a wider scale, whereas there's still a lot of development land within Dungannon town.

So whilst people may look at the link out to the Glebe and to Castlecaulfield, the link is more to actually give the linkage to Castlecaulfield, which the Glebe is a short distance from Castlecaulfield School. And so the link between Castlecaulfield School, which has dwindling numbers, needs to be established to ensure that you actually get the development of Castlecaulfield and to keep the vitality of that at the same time, where Dungannon has the growth and the room to expand within Dungannon town.
Paul Dougan: Cllr Monteith, would you like to respond?

Barry Monteith: I have no particular issue around the seven or six, I have no difficulty. I accept the Commissioner doesn't have the power to take in the issue around the town and the town boundaries in relation to six or seven or how many there are; however I am arguing, because I raised this with the Commissioner around the wards originally, and was told you need to wait until the DEAs are proposed and I raised the issues of the Glebe that Francie is talking about.

And anybody who knows the area knows that they're Dungannon people that live in it, it's a Dungannon orientated development but, more importantly, the land that you're talking about, Francie, right from the back of the Newell Road right out to the Glebe, is currently zoned phase one housing within the Dungannon area plan that was adopted in 2000.

So we actually have a situation, not in the future but now, where part of Dungannon town, as constituted for development, will be outside the Dungannon DEA, regardless of what any new council will do. So what I'm saying is there's an opportunity here to rectify that. And also I would argue that, while I accept that you don't want urban sprawl going out, there has to be room to breathe; all around the town in the DEA at the minute, north, east and west, there is room to breathe, to use an expression. But in the west of the town, right at the edge of the 30 miles per hour speed limit, right at the edge of the town boundary, it doesn't take into account currently zoned development land in the urban environment.

So I'm saying that at the minute the DEA does not include the whole of Dungannon town as currently proposed and as currently physically on the ground and also whatever new rural/urban split that a new council may propose, I am sure that more land will be designated for development, whether it is industrial or rural.

So I have no problem about the six or seven, but I would make the argument that at the minute Dungannon town as it's talked about and as zoned is not included in Dungannon DEA. So, as I say, I brought this up because I felt this could have been addressed within the wards originally with the Commissioner, with the Ballysaggart ward with a bit of expansion out; I was told that there was absolutely no point in speaking at that stage.
because you didn't know where the wards were going to be so it's at this stage I'm bringing this forward.

Paul Dougan: Thank you. Anybody else from the floor? Well if I could perhaps just clarify a few things. Could we zoom in on the map to bring up the Castlecaulfield boundary, where is the housing development that you're talking about?

Barry Monteith: If I can get my bearings, it's about there but there's a swathe of land that comes in here which goes from actually further out than the housing development, right into about here, the boundary with the Mullaghmore and Ballysaggart ward, which is all currently owned by one landowner and currently phased as one site within the area plan, which if you know the local area it takes you down the back of the Willows, Mullaghconnor down into the old railway line and up the side of Lisnahull behind the football pitch.

Now at present, those developers, I don't know what would happen in the future, there is no road access to that that would not create a bit of difficulty for someone to create other than out past the boundary.

Paul Dougan: To assist me could I ask you to mark on my map where you say it is? I have looked at the 1992 boundaries because obviously that is something that the Commissioner talks about as being something that he couldn't ignore when he was making these proposals. Now, the Castlecaulfield Ward under those boundaries, the existing boundaries, it is in the Clogher Valley area, it isn't in the Dungannon area. Now, what do you say about that?

Barry Monteith: It's a statement of fact, a historical fact, and I don't think there's anything I can do to change the fact that the Commissioner made that decision at that stage. What I'm saying is that the changes, since that is that the District Area plan, adopted in full consultation with the community and with the local council for 2000-2010, clearly designated development land which straddled the old Dungannon Town District Electoral Area and the Castlecaulfield District Electoral Area.

So I feel it's irrelevant if we're talking of a new dispensation; we'll have to look at how towns and settlements have developed over the last 20 to 30 years and how they're going to be allowed to
develop in the next few years – and at all times looking towards what the Commissioner is talking about in trying to maintain entire settlements within a particular DEA.

Paul Dougan: And then the second point is the seven or six councillors.

Barry Monteith: My thinking on that was as much as a sense of natural equality as much as anything. I accept that within the guidelines set down by the Commissioner there may not be room to take in that particular consideration. It wasn't for me to be saying that what ward should be taken out of the DEA in order to accommodate Castlecaulfield, so I'm not hung up on the six or seven; the main issue that I'm talking about is the settlement of Dungannon Town as it currently physically exists and as it's currently planned for by the District Planning Office over the last twenty years and which, if there had been no property bubble burst, this land I'm talking about was on sale for 400 housing units at the height of the boom.

And then the crash came so the land wasn't developed. If there hadn't been a property crash we'd be talking about a current housing development which emanates right from the heart of Dungannon town and at least a third to a half of it lying outside the DEA that the rest of the town is included in.

Paul Dougan: How many houses are built on it now?

Barry Monteith: The development I'm talking about, there are sixty or seventy houses at Glebe but all the land from behind it is zoned phase one housing, as I say; it's not developed at the minute but the point I'm making is the phasing of the land straddles the current boundary as proposed. So while you can't pre-empt what any new plan will be, it's highly unlikely that that land would then be un-zoned for development to fit in with the settlement boundary that this would constitute.

Paul Dougan: And my final question for you, have you any evidence in terms of what you've said about the Mullaghconnor and Glebe residents and their natural affiliation to Dungannon as opposed to anywhere else?

Barry Monteith: I have no physical evidence but all I can say is, knowing the town well and knowing the families that are living there, the vast majority of them emanated from the housing developments in the
town, they orientate in and out of the town. Yes, there is a connection elsewhere the same as everybody who doesn't live solely in one place; the vast majority of them do their shopping in the town; quite a number of them play sports in the town; some of them use the schools in the town, some of them use the school in Castlecaulfield. But to say that they don't orientate to town would be wrong; it's like anybody, you go wherever is handiest. But the vast majority of them would see themselves as Dungannon town people.

Paul Dougan: I have no further questions. There is another question from the floor.

Seán McGuigan: Cllr Seán McGuigan, Clogher Valley representative. Listening to both Barry's submission and his answering of questions and also what Francie has been saying on it, one of the facts I'd start by saying is how the Clogher Valley Ward was originally historically designed, as we talk about historically or how it is at present, and the fact that the Glebe development occurred outside Dungannon town.

One issue is, for example, Road Service providing street lighting considered it outside of Dungannon town in every regard and failed with the amenities to link it. Therefore I would contend that we have to consider it as is and whatever development that should occur will occur naturally and will go towards Castlecaulfield as will be in the future. Again there's the potential for smaller type developments heading towards Castlecaulfield direction so therefore I would say that I think there's potential for the boundary to remain as is.

Again, from your initial introduction I'm not entirely sure if it's appropriate to do this but I'm going to ask you anyway. We talked in terms of six and seven and it's one of those things I'm not hung up on, so if we look at the fact that the decision was made to split Blackwater Ward or take it out of existence and split it between Dungannon and Clogher Valley, one of the other considerations was - and I've looked at six and seven myself - was there an extension of one of the Blackwater Wards in the Dungannon town, the new ward as this will be, as a more natural thing that occurs.

The boundaries for it already exist; the people, their voting patterns will be contained within that. So I'm not sure if that's
something that you take into consideration as looking at what the proposal that Barry has put in his.

Paul Dougan: Well, as I did say at the outset, the inquiry is constrained to deal with the objections that were raised during the consultation. Now there were no objections or contrary submissions made in respect of the Clogher Valley DEA at all and therefore, whilst I've listened and there will be a record of what you've said and I will reflect upon it, if it doesn't form the basis of an objection per se, or it's not for and against an objection then it isn't something that can be considered.

Now you're entitled to ask the question because Cllr Monteith's proposal talks about a change to the existing proposal by bringing Castlecaulfield into the Dungannon DEA. But as an observation about reconfiguring Clogher Valley when no objection or representation was made during the consultation period, that would be a difficulty for me.

Seán McGuigan: To clarify, I'm not reconfiguring Clogher Valley, I'm talking about reconfiguring Dungannon, so it's not Clogher Valley, in a sense. So therefore the seven could be made up of an additional one out of Blackwater and Dungannon town; that's where the seven came out of and that boundary would be the existing Blackwater continuation of that ward in Dungannon town.

Paul Dougan: Thank you.

Barry Monteith: Seán is 100% correct on the issues about street lighting out to Mullaghconnor and this was actually used as a stick to beat the residents there and any of the elected representatives in here will all have been well lobbied by those residents who wanted footpath and street lighting into Dungannon town because Dungannon town was the town they most frequented and the area that they wanted connected to. Now, thankfully the footpath issue has been resolved to some extent but the street lighting hasn't and there are many areas where development grows, where these amenities are not put in.

An example is the Mullaghmore Road in Dungannon which has been inside the town boundary development limit for umpteen years and we are still arguing with Road Service to provide a proper footpath on both sides of the road despite the fact there's
been five to six hundred houses built out there in the last fifteen years.

So I think to say that because other utilities or public services are not providing services does not mean that an area doesn't orientate towards a town; we all think the towns we live in have plenty of places that need proper footpaths installed and things like that. I think it actually does give evidence to the fact that this area orientates towards the town and that there's been a demand by the residents there for many years for proper linkages to the town.

Francie Molloy: Francie Molloy again. Just to round that whole issue off. As I said before, there is a green belt between the town and the Glebe, as the only park and with the road because the Road Service actually don't feel that there's a need for to continue Carson’s Lane or to make that into a proper road from O'Neill Park down. So there's a clear divide between what was a small rural housing development, as it is at the moment, into being part of a town. So I think that's why people choose to live in a small rural development other than in the town.

I think once you start to put footpaths and unnecessary links between it you actually urbanise that area which wasn't an urban area in the first place. This is a rural site within it and, as Seán McGuigan has actually said, the linkage of small developments into Castlecaulfield is what secures the local school in the area and secures the development of that and also maintains Clogher Valley which has always seen itself as the outreach of Dungannon town.

It secures it as a sizeable ward, a DEA within that, and gives it the strength within that and I think we actually have to recognise that the Clogher Valley is made up of a number of small towns and a different makeup completely to Dungannon town. Whereas here we actually have an opportunity of keeping that separation but still people have the link if they want it.

But part of the development of Castlecaulfield schools has been into Lisnahull out to Castlecaulfield and the failure of that is actually when that breaks down and you don't have that direct connection within it. So I still think that we do need to keep Castlecaulfield as part of the Clogher Valley, as a separate identity completely from Dungannon town; the Dungannon town
has plenty of room for expansion within it; in fact, within Lisnahull last year or two years ago we had objections to six houses being built within the Lisnahull Ward because we were getting overbuilt. So if you start to actually expand the town out round that, you then start to urbanise the entire rural area, which is against what the planning authorities want to do.

And we have to remember also that the new Mid Ulster Council will have a new area plan which may de-zone some of the housing developments that are there because we are probably lucky that they weren't built because they'd now be sitting as partly built housing developments and abandoned housing developments. So I think we have been lucky that that rural area hasn't been built on even partly and that Glebe hasn't been extended any further and people still have the opportunity of being a small housing association, a small housing group within a rural area, and that's what they obviously wanted when they bought houses there in that particular place.

Paul Dougan: Thank you. Do you want to respond?

Barry Monteith: None of what I'm talking about stops any of that. I'm not arguing for the Glebe or that area outside the edge of Dungannon town to be taken away from the orientation of Castlecaulfield; what I'm saying is that Castlecaulfield as a ward should be included in Dungannon, so none of this affects anybody's ability to educate their children where they see fit or anything like that.

When we talk about a green belt, it isn't green belted - just because we see green space, it's not green belted. The land is zoned phase one housing; that's not green belted land. So all the land behind the housing development we're talking about, right back into the old railway line at the back of Lisnahull and the back of Wellbrook and the Willows housing developments, is all owned by the same landowner and all phased as one site under the area plan as phase one housing.

Now, I'm glad a lot of it didn't get developed, obviously, because there's a lot of urban sprawl in the area, but we can't change the fact that it was zoned that way and the current zoning for development in the Dungannon town settlement goes across the boundary as currently proposed.
So, what I'm saying is that any issues about people educating their children, I don't feel that my proposal affects that in any way, but this would alleviate the anomaly of the proposed development as currently constituted and settlement is not all included within the Dungannon District Electoral Area as currently proposed.

About Road Service, about connecting into Lisnahull, the Road Service have made numerous approaches. It's a private road and the landowner has refused to allow that to be adopted by the public authority. So in fact Road Service has argued to make that a road numerous times in the past but the current owner of the road does not. Now they haven't said if they see fit to do anything further than that but there are ample road connections there.

Paul Dougan: Well thank you for coming along, thank you for your written representation. Thank you very much.

The next speaker who is registered is Mr Molloy, so if you would like to come forward please. Again, I appreciate you weren't here at the very outset when I made some opening remarks. For the purpose of the recording, if you could just follow the instruction on the sheet to make sure we have all your details correct.

Francie Molloy: Francie Molloy, MP, Mid Ulster, and I am representing Sinn Féin. The overall issue around the Mid Ulster Council, basically we support the proposals as they are laid out. If you started to nitpick between it you could obviously find small pieces where you would disagree with but, by and large, we would actually support the proposals as they are laid out at the present time.

The composition of the Mid Ulster Council is a completely new beginning and must be embraced as such; the narrow small nit picking won't solve the problem within that and will simply lead to the continuation of Dungannon, Cookstown and Magherafelt Councils, instead of people moving to the new situation of the Mid Ulster Council.

We believe that the Commissioner's presentation presents the best opportunity and an actual way forward for the new council. The submission put in by Cookstown Council is not recognising the new councils at all; it's dealing with still looking after the
interests of Cookstown Council and, as such, leads to the
continuation and breakup of the three councils.

The proposal by Cookstown Council only concerns themselves
with fifteen out of forty wards which comprise the new council
and, as such, there’s a knock on effect. Every time you make
one change there’s a knock on effect to the next ward or to the
next DEA and so we can pick and choose within that and make
up your own area, and one of the most discerning points of the
Cookstown proposal is that whenever you get the complete
breakup of it you finish up with Cookstown is the only town with
the seven wards within that. And so it’s very clearly setting itself
out, which it’s entitled to do, as a main council within it but also
taking in a wide stretch of the rural community to try and make
that position strong.

We believe that the change of names - personally I would have
preferred that the Commissioner had changed all of the names of
the wards because it is confusing at the moment because you
have some wards that are still called as they were originally but
they are now extended or they’re now changed so they’re entirely
different to what they were originally. But by using the same
wards as Cookstown are proposing to hold onto old names, I
think adds to that confusion and leaves it more dangerous.

Their focus entirely on Cookstown does not deal with the other
areas; indeed, they effectively attempted to land grab in the
attempt to claim Draperstown, Ballymaguigan, Donaghmore,
Washing Bay wards as areas which are Cookstown-centred.

This has not been the case in the past, there was no link at all to
those wards into Cookstown, as such, and then the remaining
wards are left scattered in various different ways. The remaining
DEA of Torrent - Stewartstown and Donaghmore are both part of
the new proposals which would leave the existing Torrent with
only four wards. How Cookstown Council propose to readjust the
DEA to make it up is not clear and it hasn’t been explained, so I
think it is partly just centred on Cookstown and ignoring the
knock-on effects that it would have on all the others.

And I think again, the proposal by Cookstown Council for
changing ward names fall outside of the remit of this hearing.
The proposal by Michael Moriarty is a bit of a hotchpotch of
aligning large district urban areas such as Coalisland and
Dungannon together, which are very clear and separate entities. Certainly I think the parochialism of this county would say that to link Coalisland and Clonoe even can be difficult enough, but linking Coalisland and Dungannon certainly would have nothing in common whatsoever. And Coalisland is the second largest town within the existing Dungannon Council area and sees itself very much as the town and the hinterland around that as part of the new council area.

The inclusion of the main parts of Coalisland as part of the Dungannon DEA serves no purpose and, indeed, minimise the distinct nature of Coalisland as a significant urban area in its own right. The proposal to bring the Castlecaulfield ward we've dealt with and it's similar in a sense that it's still actually dealing with the issues of the existing council areas and the main town within the council area instead of actually looking at the entire Mid Ulster Council, which is a new structure completely.

We support the proposal to change the name of Upperlands DEA to Carntogher, again representing the local area there and the makeup of that area. Donaghmore Ward, for instance, has no natural link with what was commonly identified as Clogher Valley, rather than being clearly identified with a natural rural Torrent DEA and the river being the central part of that particular ward.

The submission’s proposal with the revised Torrent ward to include the area from Killyman right across to the Loup including Coagh, brings together areas of no natural connection except, I suppose, the Lough shore. It does bring in that particular aspect to it. The names of DEAs are generally acceptable but I think going back to my original point is when you actually reconfigure a DEA and a ward and then you actually continue the same name, which is different, then that, I think, adds confusion to whenever people are looking at where their natural ward is within that. I think we have to take that into account whenever you’re looking at how you name DEAs and what you should name DEAs and what you should name wards within that situation as well.

The name of the DEAs generally is acceptable overall because we think that actually to pick and choose then starts to - except where you’ve a distinct nature of an area, as we have with Carntogher and the development of that whole area as Irish speaking and a rural community and as a community set aside in its own way.
The Commission has mapped the area. It will be likely that part of the most of the DEAs will not sit neatly within their identified new title, for example, Ardboe with Torrent DEA, Pomeroy - Cookstown DEA, and it's how you actually get the makeup of those areas, as I say, you can pick and choose within it. But sometimes it gets confusing whenever you use the same names.

Paul Dougan: Are there any questions from the floor?

Barry Murphy: Barry Murphy, South Derry Cultural and Historical Society. We had actually also made a submission ourselves welcoming the proposals and again, like Francie Molloy, we would query the proposals as made by the Cookstown Council as currently situated. They have effectively attempted a land grab by trying to claim four wards, two from Magherafelt and two from the Dungannon councils. They seem to have failed to recognise that that is a new council, that we're moving away from the situation that we're currently in and I think that for them to do that is just ignoring what this is all about.

We would also support the Sunnyside Residents’ submission in relation to the name change of Carntogher; it is a very distinctive area. The Carntogher Mountain runs across three wards within that and, indeed, Maghera ward is also just at the base of it so it's very distinctive and it fits in very well with that entire area.

Paul Dougan: Thank you. Is there anybody else from the floor before I ask Mr Molloy a few questions? I think you do take the point and will appreciate that names of wards and the ward boundaries themselves are now settled by legislation and this exercise can't delve into that or revisit that whatsoever, so there's nothing that can be done about that.

Obviously you've made the point about the Cookstown submission and the strength of the Cookstown brand. In their own submissions, however, they do suggest that there are three DEAs effectively centred on both Magherafelt and Dungannon and in fact find themselves as the poor relation of the new proposed council structure. What would you say directly in relation to that general proposition?

Francie Molloy: Well I think if I were in Cookstown I would be bidding as myself as the central location within the new Mid Ulster Council, but I
think by this proposal Cookstown is still looking at itself as
Cookstown Council and within the Mid Ulster Council.

And if we continued on that particular line I think we would finish
up with three councils continuing as they were instead of actually
taking in the idea of a new council of which any one of those
towns could become the central figure within it as regards to the
makeup. It will be for the new Transition Committees to actually
decide where the council will be based and what the makeup of
that council would be.

So I think areas like Cookstown, Magherafelt or Dungannon have
to stop thinking of themselves as small councils but think of the
role they can play within the new council. And so to consider the
size of the DEA, to consider the makeup of the DEA, is ignoring
the fact that they have to be all-embracing of the new council
right across the Mid Ulster area.

Paul Dougan: But just to tease that out, do you accept that the current
proposals, and by that I mean the Commissioner's proposals, do
effectively create three DEAs for Dungannon and Magherafelt?

Francie Molloy: Yes.

Paul Dougan: You do accept that?

Francie Molloy: Yes. But I think you have to move from the situation of actually
looking at it as three distinct areas and looking at it as one
complete council area, because it's now Mid Ulster, it's not
Cookstown, Dungannon or Magherafelt. And the same argument
could be made that in any one part, whatever you want to take,
that actually you can run the DEAs one way or the other. At the
moment, for electoral purposes, they're running crisscross but
there's nothing actually to stop it running north/south.

And it would achieve the same aims at the end of the day. So
the makeup of the DEAs I think is something which is for
electoral purposes mainly, whereas when we get into the new
council it will be right across Mid Ulster, and I think the danger of
actually keeping anywhere close to the existing areas leaves the
continuation of that situation.
Paul Dougan: Mr Moriarty in his proposals effectively suggests a north/south grouping but you described that then as being a bit of a hotchpotch.

Francie Molloy: That's right. I think it is because there's no particular reason for doing that and it's like people picking the bit they like and leaving the rest aside. I think what Cookstown Council have done is they have picked the bits they like and actually discarded, despite what effect that may have on the area that they have discarded. So whatever the proposal the Commissioner is making, there are linkages to the main towns and the hinterland of that.

I think one of the advantages we have now, particularly with Dungannon more so, is that you now have an urban/rural so it's no longer just a town boundary. It's an urban/rural spread which is the nature of this countryside; there are no major towns in the broad sense of it and it's all in the rural context. So I think you would get a better mix of the urban/rural in the proposals that are before us than you actually would get if you start to just pick the bits you like out of it and link up areas within it.

There's no more justification for Mr Moriarty's proposals of running north/south than there is for the present one of running east/west.

Paul Dougan: And in terms just of the east/west proposal, Cookstown describe the boundary of the Cookstown DEA as illogical; have you any observation on that?

Francie Molloy: No, because I don't look at it in the basis of a town and its boundary because I think if the town is sitting within a rural spread then all of the wards around it could be part of it. But what we have really here is Lough Neagh is the centre, essentially, in that you have the linkages across to Lough Neagh from Magherafelt into Lough Neagh, from Cookstown into Lough Neagh and from Dungannon into Lough Neagh, and so Lough Neagh becomes the hub of the wheel.

Paul Dougan: I think Mr Murphy wanted to ask you a question?

Barry Murphy: It's in relation to the proposals by Cookstown Council and they're only dealing with fifteen wards, they haven't dealt with 60%, the other twenty five remaining wards within the new council. I can understand where they're coming from in relation to that, it's
either all duck or no dinner and you have to deal with the whole thing and clearly they're dealing with the minority.

They're only interested in their own end, they're not interested in anything else and I think for that to have been a reasonable and logical proposal they should have put forward full DEA amalgamations instead of just concerning themselves with fifteen out of forty wards.

Paul Dougan: Thank you. Can we deal finally with the proposed name change from Upperlands to Carntogher? I just want to get the factors which the Commissioner has taken into consideration; what do you say about that choice of name in terms of resonance with locality?

Francie Molloy: Well, as Mr Murphy has actually said, there is a very distinct character of the mountain that runs between that entire area. There is the Carntogher community and the language base within that, which is representative of a very large community development within that area.

Paul Dougan: How many is in the community?

Francie Molloy: Well it takes in the entire area because it's a district around it and ties into that. Upperlands doesn't mean anything in a sense of a DEA within that area at all.

Paul Dougan: I had a look at the website for the Carntogher Community Association and it states that it watches over a small rural community of two hundred households in the Slaghtneill area outside Maghera – but you've described there a large distinct area and that's what that particular community group says about itself.

Francie Molloy: Well, I think there's a difference in what the community group actually say and their responsibility directly in their own development, because otherwise they infringe on other developments.

So as regards their own development area but in regards of the community and how the community around that area sees itself, certainly there is a wider spread within that because it's taking in the Swatragh and the areas around it, all names that have been longstanding within that community. If you go back to the age-
old maps you'll still see those particular areas within it. And I think if you look on the line of Carntogher itself, it's actually very clearly identifiable as an entire community, an entire area, not just a small community group, as such.

Paul Dougan: And you don't think it's confined to the general hinterland of the Glenshane exclusively as opposed to where the entire Upperlands DEAs presently describe does, for example, Draperstown?

Francie Molloy: No, I think there's a very clear link between Carntogher and Draperstown, Ballinascreen as we would call it there in that area, and again, Swatragh, Tamlaght O'Crilly. There's a clear link between all of those and the proposed name. Upperlands sounds like a modern name actually put into a rural community, a rural mountain area and a very tight knit community; Upperlands doesn't come across as that, there's no particular links to it, there's no particular reason for Upperlands in that particular area.

Paul Dougan: My own research talks about Upperlands getting its name from a mishmash pronunciation of the Irish Áth an Phoirt Leathain and it talks about its history going back to the mid 1700s.

Francie Molloy: Well with Carntogher there's no mix-match of the Irish, it's very clear. So I think that's the one thing - it's not a makeup of names, it's not an Anglicised name; it's a very clear name that identifies a community within that area.

Paul Dougan: I have no further questions, Mr Molloy. Again, thank you for coming along, especially as an elected representative. It's very important that these inquiries attract all the local representatives and I'm very grateful for your contribution and the clarity and succinctness of your submission.

Francie Molloy: Thank you.

Paul Dougan: Do we have any other questions or contributions at this stage? As far as I'm aware we've nobody else at the moment registered to speak so, unless anybody wants to do so, I would propose to adjourn the inquiry until another speaker comes along. Obviously there's been a lot of discussion about what Cookstown has said and, if a representative comes along, what they will say. But for the present then I would propose to adjourn and then we
Mid Ulster will re-sit whenever the need arises. So I propose to adjourn the inquiry for the time being. Thank you very much.

**ADJOURNMENT**

Paul Dougan: Good afternoon everybody, once again. Apologies to those who have been here already, there are a few new faces who have attended for the afternoon session and, in fairness to them, I think it is important that I repeat some of the points from the opening remarks I made this morning.

I am Paul Dougan and have been appointed by the Secretary of State for Northern Ireland to conduct this inquiry. I must stress that I am independent of the District Electoral Areas Commissioner, Dick Mackenzie, and it is not my function to defend his recommendations. My role is to listen to and consider the evidence put forward at this inquiry and to report my findings and my recommendations to the Commissioner, a task I must complete within four weeks of today.

The purpose and scope of the inquiry is to consider the representations concerning the provisional recommendations of the District Electoral Areas Commissioner for this local government district of Mid Ulster. New objections unrelated to those already submitted cannot be considered.

The other matter I want to draw to everyone’s attention are the issues that fall outside the scope of the inquiry - the boundaries and names of local government districts and their constituent wards, because these have already been settled under the terms of the Local Government Boundaries Order 2012; the impact of the provisional recommendations on political representation and any issue that does not relate to the Commissioner’s proposal for the grouping of wards within this particular local government district. Those are three issues that fall outside the scope of the inquiry and therefore please do not raise these in your representations.

The procedure for anybody who wishes to speak is that you’ll be called upon to come to the table in front of me to speak into the microphones provided. There’s a sheet in front of you at the microphone to state your name and the capacity in which you
speak and if you could follow that it will assist with the transcribing of the proceedings in due course.

I think that's everything that I need to cover in terms of what we're about. The afternoon session for this inquiry reconvenes now and the inquiry will continue until 5pm. So on that basis, I would call upon the first speaker for this afternoon and that's Mr Ivor Paisley.

Ivor Paisley: Thank you, Mr Chairman. As an officer of Cookstown District Council I simply want to comment upon our submission and I suppose, given the opportunity to respond, it would be a sin to waste the opportunity, and I suppose fundamentally that's why the council did do it. I think the council's submission stands on its own and I don't want to comment at length on that other than it was within our remit as Cookstown District Council.

We submitted our response on behalf of Cookstown District Council; it was prior to the creation of the Statutory Transition Committee and it doesn't necessarily reflect the view of the council post Statutory Transition Committee, but I think it was specifically aimed at the best interests of Cookstown as a district as it stood at that time.

In general I would comment as well that in terms of the recommendations by the Commissioner, the council is generally happy taking one with the other and we don't have enormous issues in terms of the overall recommendations for the new Mid Ulster District.

Paul Dougan: Thank you. Does anybody from the floor wish to put any questions to Mr Paisley? Mr Molloy.

Francie Molloy: Francie Molloy, MP. Again, just to thank Mr Paisley for his submission. I think one of the things that we need to record, first of all, is that it's not a corporate decision of Cookstown Council, that it is the officers of Cookstown Council and, as such, I think indicates the level of support within the council for that and as such doesn't represent the council; it represents the officers.

I think the issue around that we raised earlier on today is that it is actually centred around Cookstown, maintaining Cookstown as a council more than actually building Cookstown into the new Mid Ulster Council. And what I said earlier on, it was the land grab
idea from Cookstown Council looking to build up a stance, and the fact that it has created seven wards within Cookstown and dismissed the two other larger councils before this stage than what Cookstown was. I think to some extent it is about positioning Cookstown for the future and that could best probably be done by the building of the relationships within the council.

The main point, I think, about this one is that it only deals with fifteen of the forty wards; it doesn't deal with the surrounding area. It doesn't take into account the knock-on effects that it has on the surrounding areas and it doesn't deal with the effects that will have on Cookstown in the future as regards working within the Mid Ulster Council. Thank you.

Paul Dougan: Mr Paisley, would you like to respond to that?

Ivor Paisley: Mr Chairman, I will respond to that. Fundamentally I think what you've said, Mr Molloy, is correct. I think the document was produced by the professional staff and I'm aware of the political sensitivities around that but I think it was an attempt by us, working within a remit at that time, to act in the best interests of Cookstown Plc.

I suppose it reflected what was or what seemed to be a significant diminution in political representation, or the perception that we became one DEA with seven wards, which was a significant reduction and it was an opportunity for us to make representation as a council. We didn't address the remainder of the wards simply because it wasn't within our remit as we felt, in that we acted on behalf of Cookstown District, but I would come back to the comment that I've made that in general, taking the recommendations one with the other, corporately the council is generally happy with the recommendations of the Commissioner.

Paul Dougan: Any other comment? You indicated by way of a preliminary that the decision was taken before the constitution of the Statutory Transition Committee?

Ivor Paisley: It is a body created from the three antecedal councils.

Paul Dougan: When was that committee established?

Ivor Paisley: Approximately 1st August and I think politically, and in every other way as a corporate body, we're simply working much more
closely together for the common good and I suspect that had we produced this document under the auspices of the Statutory Transition Committee perhaps we would have felt empowered to address all of the wards.

Paul Dougan: I have no further questions or any clarification. Is there anybody else? Thank you very much. Again, I appreciate the contribution that has been made, it was certainly a very detailed submission and I will give it appropriate consideration in light of what you have said and the other contributors this morning. Thank you very much for attending.

Ivor Paisley: Thank you, Mr Chairman.

Paul Dougan: Mr Paisley, maybe just before you go, just one question. You’ve said that the council largely agrees with the provisional recommendations of the Commissioner’s report. Are you withdrawing the proposals that you have, for example, in respect of the three new DEAs for the fifteen wards that was effectively the lynchpin of the submission?

Ivor Paisley: No, Mr Chairman, I’m not in a position to withdraw it. What I would say is that you take it in the context of the comments I’ve just made subsequent to the submission of the board in the context of the comments I’ve made today.

Paul Dougan: I think that’s been a very helpful clarification, thank you very much.

Ivor Paisley: Thank you, Mr Chairman.

Paul Dougan: Our second speaker is Mr McFalone from the Sunnyside Community Association.

Gabhán McFalone: My name is Gabhán McFalone and I’m the Secretary of the Sunnyside Community Association. On behalf of the Sunnyside Community Association, Maghera, we wish to make representation with regard to the provisional recommendations of the naming of a District Electoral Area in the Mid Ulster local government district. We firmly believe that the proposed recommendation of Upperlands as the main DEA, which includes the five wards of Maghera, Tamlaght O’Crilly, Valley, Swatragh and Lower Glenshane, does not reflect an overall resonance with the locality concerned.
Upperlands is indeed a very small village hamlet within the proposed DEA and, in order to reflect resonance with the locality concerned, we propose that the name of the DEA be changed to Carntogher. Carntogher, a gateway and part of the Sperrins is a mountain landscape area west of the Maghera ward which sweeps to the lower Glenshane and Swatragh wards. On the mountaintop there is a large bronze Stone Age burial cairn and it's from this cairn that the mountain area receives the first element of its name. The second element, tucker, refers to the type of roadway made of oak planks and used for crossing an area of wet ground.

The mountain landscape range is well documented by Magherafelt District Council as a leading walking area within the district. The Tourist Board promotes the area in its brochures as a place of outstanding beauty and most popular with hill walkers; the landscape is also a great location for family outings.

In relation to the naming of this DEA, we would like the Commissioner to revisit their proposal. From early map plottings of Ulster, Carntogher has featured throughout.

This landscape would have been and still is regarded as an area of importance. Notably in one of the earliest published maps of Ulster of 1638 in the county of Coleraine Carntogher is featured. This area was the main distribution route for supplies that were shipped into Lough Foyle, an area that was known as the Carntogher district, an area that should officially be recognised and not disappear from the history book. Carntogher then is the Glenshane pass of today.

Carntogher is an area that not only has a resonance with three wards but is visible in all of the five wards and the beautiful landscape of the Carntogher area contains a wealth of sites of archaeological and environmental importance, tracing man's impact on the local environment from the Neolithic period to the present day with research indicating a prehistoric village site and tomb on the landscape.

Carntogher is an area of geographical importance and is well known throughout the five wards and, indeed, the Mid Ulster local government district. The area is centrally located within the DEA
and is a geographical feature with which the people living in the DEA are familiar.

I want to thank you for allowing me to present our recommendation and we look forward to your final response and in summary we wish to recommend the name change of the District Electoral Area to Carntogher. Thank you.

Paul Dougan: Thank you for giving your presentation. I’ll open it to the floor initially. Is there anybody would like to raise any comment for or against that which has been said?

Oliver Molloy: Oliver Molloy, Sinn Féin, Mid Ulster. I’d like to support the application for the name change. From the perspective that has been highlighted, Upperlands is a small village hamlet area and in a sense it’s probably smaller than a lot of the other developments and villages within the district itself in the Magherafelt district, the likes of Swatragh, etc. So there’s no justification in selecting Upperlands over any of the other particular districts. I think the Carntogher name would reflect more accurately the wider geographical nature of the area and would be a lot more appropriate. Thank you.

Paul Dougan: I’ll offer you an opportunity to respond to that; I assume you agree with everything Mr Molloy said. When the Commissioner departed from existing DEAs, the factors set out in his report are to take names that have a resonance with the locality concerned. Now, you’ve touched upon that in your submission both orally and in your written submission but could you provide me with evidence to support the resonance with the locality concerned?

Gabhán McFalone: Within the actual Carntogher mountain range itself approximate statistics prove and have shown that about 8,500 people use that mountain landscape area. It’s widely used by the North West Mountain Rescue for their training needs and it’s an ideal terrain for them to use. But in relation to the actual resonance of the locality, if you take the Carntogher mountain range, it sweeps right across without any divide, right across from the lower Glenshane, right through the Swatragh and touching in above just before the Swatragh town and straight across that whole range. So it’s an ideal name change for a proposal put forward to the Commissioner.
Paul Dougan: In the previous names for what was the Magherafelt Local Government District, the electoral areas were Magherafelt Town, Moyola and Sperrin. Now, if Carntogher was as significant a name as you have submitted it is, why do you think it didn't feature as a name for previous exercises like this?

Gabhán McFalone: I think now is the proper opportunity, we have the consultation period here to address that and I'm unsure if anybody had addressed it previously. Whenever the opportunity has arisen, I think now is the proper time to look at it. It's the same as in relation to the Upperlands name, how was it derived or thought of at that time where the mountain range of the Carntogher, which is of outstanding beauty throughout; many documentations can be used.

Paul Dougan: Where does Sawel Mountain feature?

Gabhán McFalone: Sawel is the highest mountain on the Sperrins, the highest peak on the Sperrins; it features on the County Tyrone end of it.

Paul Dougan: So it wouldn't be directly relevant to this?

Gabhán McFalone: It's not relevant to this DEA, no.

Paul Dougan: And you gave historical details of the references and old maps, etc, to Carntogher; what year did you go back to?

Gabhán McFalone: 1638.

Paul Dougan: And just to play devil's advocate for a moment. With Upperlands, obviously you're referring to the village of Upperlands but do you accept that Upperlands itself seems to have a historical pedigree, its existence deriving from the linen industry, a particular family who established the first linen mill there back in 1736?

Gabhán McFalone: Yes.

Paul Dougan: So do you have any observation or comment to make about that?

Gabhán McFalone: On the history of Upperlands?

Paul Dougan: The history of Upperlands and where Upperlands is a name derived from.
Gabhán McFalone: You're going back to what, 1700 or something, is it?

Paul Dougan: 1736.

Gabhán McFalone: If you were looking at the historical end of it, we can look at the Carntogher end and it's further going back and at the end of the day, as I noted, Carntogher then was the Glenshane Pass of the day, it was a hive of traffic. It was notably used throughout; if you were coming from Ballymena and you were heading towards the Port of Derry, it was taking 17 hours by coach to do that and the only way you would have got to the Port of Derry was over the Carntogher mountain range and it's well documented in all literature.

Paul Dougan: I think there's somebody wants to make a contribution.

Kate McEldowney: Kate McEldowney, councillor on Magherafelt District Council. I live in Slaghtneill which is part of that area and I agree with what Gabhán is saying and I would support Gabhán's proposal. The area Gabhán is talking about is a large area. There are the Carn Wheelers who are a cycling club; they use the mountain for training as well. Nearly every year they do a re-enactment; the Vikings come and do a re-enactment on the mountain on Carntogher and I think it would be apt to name that ward or area as Carntogher instead of Upperlands. I think the historical significance goes back further than the Upperlands one.

Paul Dougan: Thank you very much. Mr Murphy?

Barry Murphy: Yes, Barry Murphy again. As I said earlier this morning, I would be supporting the name change because even if you take a look at the names as currently presented, you have Magherafelt which is representative of the town, as is the Cookstown DEA, as is Dungannon, but whenever you move into the other four, with the exception of Upperlands, they're all geographical or natural features.

Moyola follows the path of the river, Torrent is the same, Clogher Valley obviously speaks for itself. Carntogher, as a result, is also moving along that mountainscape. If there was going to be named after a town within that proposed DEA, Maghera would probably have a greater shout in terms of having it named after it because it is a sizeable town within that, it is the only sizeable
town within that area and, for that reason, for a bit of continuity, the proposal of Carntogher should seriously be considered.

Paul Dougan: Thank you. Can I ask, Mr Murphy, just in the written representations that were submitted, the last line of your written representation "we also feel that the construct of the DEAs has taken into account geographical identity"?

Barry Murphy: No, I do agree and I can speak in relation to our group that we do wish to amend it to support this proposal. When we initially looked at it and the whole discussion around this came up with a short turnaround, because we'd never put submissions like this in before, so after consultation it was our group that would largely be responsible for local drama, music and language.

There was wider discussion within the area and the proposal, whenever we had seen it on the website in relation to the Sunnyside group, we were in support of it. So that's why we're taking this opportunity now to ensure that we voice that.

Paul Dougan: That's fine, thank you for that. Was there somebody else?

James Glass: James Glass, Sunnyside Community Association. A couple of points around the name of Upperlands. I would suggest that that name would only represent the people in that village, it wouldn't represent the wider geographical area, that they would be the people that would identify mostly with that.

And the other thing that I would point out would be in light of the papers today, local place names are very important in terms of the Seamus Heaney stuff around Anahorish. I don't know if anybody has read the papers today but there is a question mark around that as a place name where it actually exists or where it doesn't exist, so it is relevant to people in the area who have a strong affiliation with place names. Thank you.

Paul Dougan: Thank you, Mr Glass. Mr Murphy again.

Barry Murphy: I'd just like to go along with what James has said in relation to the papers this morning, the name Anahorish; they're trying to remove it, saying it doesn't exist. I come from the area where Anahorish is, it's well known, it's a town land within an area known as Newbridge, so it's vitally important that that's done.
You mentioned earlier in relation to the name of the DEAs within the existing Magherafelt Council, the name for that which covers a large chunk of that was Sperrin DEA, that was the mountain range; Carntogher is the mountain within that and I think for continuity of the geographical sense it's important that it's kept.

Paul Dougan: Thank you. Again, you appreciate names are limited in terms of what the Commissioner or indeed me, for that matter, can actually do. Ward names we can't look at so you're effectively left with the names of DEAs. The gentleman beside you wanted to say something.

Seán McPeake: It's Cllr Seán McPeake, Magherafelt District Council, currently within the Moyola ward which Upperlands is part of. I would concur with the last speakers in terms of the name change. I think Carntogher gives it a broader reflection of the area. Upperlands is one small village within the wider area and I would firmly support the name change to Carntogher.

Paul Dougan: Thank you, Mr McPeake.

Cáthal Mallaghan: Cllr Cáthal Mallaghan, Cookstown District Council. I would like to support the name change also based on all the other reasons given.

Paul Dougan: Thank you. I don't have any further questions; I think everybody has made their point very clearly. Thank you for coming along, thank you for your written submission and if you want to remain in case there's anything else you want to contribute to, you're very welcome.

Cllr McPeake, if you would want to come up and make a formal representation?

Seán McPeake: On the last issue?

Paul Dougan: On whatever issue - it's just I've been given a sheet where you register so I don't know whether you putting your point to the last question was your contribution or whether you wish to make a contribution to anything that has been said already or anything that's contained in the written representations?

Seán McPeake: Not really if that's ok, from here as the issues come up but I've nothing formally.
Paul Dougan: That's fine. I just want to make sure everybody who's here has an opportunity to contribute. There's nobody else who has registered on the afternoon programme to speak. Mr Molloy?

Francie Molloy: I know we're going back over this morning's stuff but particularly around the inclusion of Castlecaulfield into Dungannon and it was raised this morning in relation to the zoned land within that, and I just was checking over lunchtime, and the land actually has been zoned for more than twenty years.

It has never been built on and whilst it maybe worthwhile looking at that in some future time if housing is built and taking into account that we'll have a new area plan before that time, that would be time enough looking at it or any reconfiguration of that in the future. But at this point in time the people who live in the Glebe, for instance, are living in a small rural pocket there and have chosen to do that.

To actually include the land that's zoned but not built on yet, I think would be a mistake and would be extending Dungannon out from where it's naturally based at the present time. If it had been possible at an earlier stage to include part of it, then you could look at it, but to actually include the whole of Castlecaulfield ward into Dungannon would be extending Dungannon in a westerly line beyond where the town is likely to develop even at any time in the future.

Castlecaulfield is a very distinctive line and we're talking about the historical sites and indications. Castlecaulfield is a very old historical town with its castle still in place and to include that entire rural setting into Dungannon town would be extending it well beyond the remit of Dungannon town itself. And I know Dungannon has been extended on the other side but the other side of Dungannon and taking in the Moy and Killyman is an entirely different geographical area to what you're actually talking about. It really is in the Glebe and the Castlecaulfield situation is really just extending the boundary and a very distinct green line has been created there with O'Neill Park, with the playing fields, which actually separates the town from the rural district. I think local people who actually wanted to build in that rural sort of setting would be annoyed to include that end of town and see that built up in the future.
So I think area plans could change and that that line of O'Neill Park and the playing fields is something which has been built out towards but now becomes at least a green belt of breaking that from where the town is. And again, going back to the line of maintaining the local school in Castlecaulfield and maintaining the two primary schools in Castlecaulfield does need that continuation of small buildings and areas and housing estates which have a rural complex more than the urban situation that would be of bringing it into Dungannon town.

And as I said this morning, there is no direct linkage with Lisnahull, which is the nearest estate road-wise, because it has never been built by Road Service because they don't see a need for that, even though there is a very rough pathway. But they have never seen the need for actually to build the road and to make that link through to the rural area.

So I know it's going back over this morning's stuff but I think it is important for the future development and also the boundaries of Dungannon town as they are at the present time.

Paul Dougan: So you're happy with the purple line on the map, which is the proposed DEAC line, as opposed to any other line?

Francie Molloy: Yes.

Paul Dougan: You did say presumptively that there will be or we will have a new Area Plan for the area, is that something that you would expect as a matter of course or is that something that is actually envisaged and if it is, do you know when?

Francie Molloy: Well it is envisaged because the present one is out of date from 2001, so the new Area Plan for Dungannon, for instance, won't be developed until the new council comes into operation and you will then have a new Area Plan for Mid Ulster Council. So that will be something that at the early stages of the new council we would envisage was an early piece of work because planning is going to be transferred to local government. And to do that effectively there would need to be an area plan directly for the different areas to work along with in that situation.

Paul Dougan: Does anybody else want to speak about anything that they've heard already or anything contained in any of the written representations? Because, if not, what I would propose to do is
again adjourn the inquiry until such time as another speaker indicates an intention to speak and, as you know, the inquiry remains open until 5pm and then it will be formally closed at 5pm.

Linda Dillon: Linda Dillon, Sinn Féin. Just to say that I support the proposals as laid out by the Commissioner. I’m supporting, I suppose, what Francie has said already about Dungannon being moved out into that rural area. The town, in order to be sustainable, inside the town needs to be built first; there are a lot of derelict buildings and empty housing developments in and around that area as well that need to be developed before you would move out anywhere outside the town. So I think to make the town sustainable it should be kept within the boundary that's already there.

Paul Dougan: Thank you. We’ll adjourn and we’ll reconvene as and when required. Thank you very much.

ADJOURNMENT

I’m surrounded by maps here and nobody knows these areas better than the people themselves. So I can see that the naming of Upperlands and the suggested name which seems to have universal support in this room to Carntogher is clearly a matter of significant interest and/or concern. So what we have here is the ordinance survey map for the area. I will happily put the map on the speaker's table and you can come up and, again, for the purposes of the recording, anybody who wants to comment it needs to be done into the microphone.

But from my perspective, having looked at the Glenshane area and the mountain range, I can see Carntogher very clearly on that along with White Mountain, Mullaghmore, Coolnasillagh, Carnhill, a number of the various ranges within that part of the Sperrins. And then again, looking at this map, we can see Maghera, Swatragh, Tamlaght O'Crilly, Clady and Valley.

Now, does anybody disagree with the observation that Upperlands as the village seems to be in the centre of that general area? Again, I’ll put the map here for anybody to come up but if you take Maghera, Tamlaght O’Crilly, Valley, Swatragh, Lower Glenshane, if I were to draw a line around this area on this ordinance survey map, Upperlands appears to be the central point. Would anybody disagree or agree with that or would you like to come and have a look at the maps?
So this is Carntogher here, Maghera, Tamlaght O'Crilly, Swatragh; Upperlands is there and the furthest point away, which is Valley, and we have Clady there. So would you agree that if I was to draw a circle, this is the general area that we're talking about? Everybody agree?

So we have Gulladuff here, there's Maghera, that general area covers the Upperlands DEA. Carntogher is here; now if you are in Clady there, is it your submission that Carntogher can be seen from Clady?

Gabhán McFalone: Yes.

Paul Dougan: And can be seen from the river and Moran's Cross Roads, if we go north of the Valley ward.

Gabhán McFalone: My submission was that it can be seen from within the five wards, not specifically in whatever town, but from Clady if you're driving along through from Clady to Gulladuff. So if you're in the Valley, you can see it; when you come in from the Tamlaght O'Crilly, you can see it; from Maghera Town you can see the Carntogher mountain range and the Lower Glenshane area where it shows Glen.

That area there, you can also see the Carntogher mountain range which sweeps right across the whole valley of the Swatragh ward and sweeps down towards the Glen, Lisnamuck. If you take in different mountain ranges there's Seefin and you mentioned Coolnasillagh at the top end of it, and it comes right across over up onto the Swatragh and it sweeps down into the valleys of Maghera. It sweeps across the Slaghtneill mountain range which comes in below the Swatragh and touches maybe, you're talking at least about a mile and a half, two miles away from the Upperlands village.

Paul Dougan: Now, leaving Upperlands as a village aside, just looking at this particular map, is it a fair observation that Upperlands is effectively in the centre of all of those? If you were to join the dots around all of the various towns and villages that we've talked about, Upperlands seems to be in the centre of it all.
James Glass: James Glass, Sunnyside Community Association. I would say that it isn't central or doesn't in many ways connect with Moneyneny village.

Gabhán McFalone: It's Gabhán McFalone, Sunnyside. It's just the proposal that we've put forward as a group and association was that the Carntogher range touched on three of the wards, namely the Maghera, the Lower Glenshane and Swatragh, whereas the Tamlaght O'Crilly where Upperlands is at, is a small village hamlet within. So just to give the true reflection of it, the whole landscape of the Carntogher area sweeps across that there and we as a group believe it can give full resonance to within that whole area and can be ideally used as a proposal for the recommendation of the Upperlands.

Paul Dougan: And would you highlight on the screen map where Carntogher is?

Gabhán McFalone: That's the summit there. Carntogher range sweeps right across here and comes down to Tirkane at the very foot of the mountain landscape and it comes right down here.

Paul Dougan: So just so that I know, we've got GHER on the map and you're saying that that's the summit of Carntogher.

Gabhán McFalone: The summit actually is about there and then the summit is about 500 metres from the actual line up so it's roughly about here and it sweeps right across over towards the Swatragh area.

And it comes down through Tirkane and, from this point here of Tirkane to the actual summit, in the Hill Walker's Guide it's about a 20-minute walk. So that's the distance that you're looking at it, and it sweeps right across down to this part here which would be the Coolnasillagh area here and the lower part of Glen, which you're taking into the likes of Seefin here, which is in the town land of Ranaghan. So you've got a vast range of mountainous area which sweeps across whereas Upperlands, as we've stated, is a village.

Paul Dougan: And again, just looking at that, if we take the map on the screen, you've now highlighted its significance to the Swatragh ward, and I can see now where you might say on the Lower Glenshane it's directly in its line of vision but it is also your submission that the people in Valley would equally be as impacted visually, if nothing else?
Gabhán McFalone: Yes, definitely. If you're in the Valley ward, particularly if you're coming from Clady and if you're coming from Clady towards the Gulladuff region, so in Valley you can definitely see the Carntogher range and the Tamlaght O'Crilly ward you can definitely see it. Maghera Town is at the foot of Carntogher; you can see the mountain range also in the Lower Glenshane part of where it mentions Glen, Lisnamuck, you can see the mountain range and indeed the Swatragh; the mountain range is within that area, you can view it.

Paul Dougan: What I'm going to ask you to do on one of my maps is to shade the general area for me, then I'll know precisely where we're talking about.

Francie Molloy: I think in relation to the names that have been used in the various different ways around that, as Barry Murphy actually said earlier, some have used rivers as a mechanism to actually deal with, and here you have a mountain range which actually covers the entire area. So whilst the Upperlands may be in the centre of that, the dominant feature within the area is the mountain range which covers the entire area, in the same way as the Moyola River or the Torrent River is central to a feature within the area which is clearly identified on the historical maps.

Paul Dougan: But again, trying to understand what the Commissioner was proposing, new names have a resonance with the locality concerned so he obviously felt that Upperlands had a resonance with the locality concerned, that was one of the factors that he took into consideration.

I'm going to give you a clean map for the area and again take a highlighter and shade on the map where you say Carntogher is as a range, as a peak, and just colour in so that I can get an idea of the sweep. While Gabhán is doing that, are you saying that Carntogher is a specific mountain or is it a range of mountains?

Gabhán McFalone: No, it's a specific mountain, a specific mountain - the range covers a wide spread but the name is Carntogher throughout.

Paul Dougan: So it is a specific mountain but the range would equally be known as Carntogher? There's no different name for the range?
Gabhán McFalone: There are different names within it; there's Knockoneill. There are different areas within it but the area as a whole is known as the Carntogher.

Paul Dougan: So Carntogher would be the dominant name.

James Glass: I would submit that Carntogher is easily recognised because they talk about it as the snout of the Carn, that particular sweep. Any other point on that range, White Mountain or any of the names that you suggested earlier on, are not clearly identified as a specific point to be seen from throughout the whole geographical area of that DEA; it is clearly identified from quite a distance that you can clearly see that specific feature.

Paul Dougan: And does everybody now agree that that's a fair reflection? Again that's very helpful.

Gabhán McFalone: It is a vast range where it sweeps down through the mountain and the lowlands.

Paul Dougan: Has anybody any questions or any clarification on anything I have said during that exchange?

Barry Murphy: Barry Murphy. Whilst Upperlands could be construed as central within that location, the town is only a geographical centre; it's not in terms of any economic or other activity because the main source of activity within that area would actually be Maghera, which is the largest town within it. So Upperlands may be geographically centre but there's no other significant central relation to it.

Paul Dougan: And Mr Murphy, you haven't seen the map, do you want to have a look at?

Barry Murphy: I do know the area so I'm happy enough with what Gabhán's done.

Paul Dougan: Thank you. That's clarified a few matters. In the absence of any specific contribution we'll adjourn until we need to come back. Thank you.

CLOSING COMMENTS
Paul Dougan: It is now 5pm and since we adjourned the inquiry at 2.47pm no other speakers have indicated that they wish to make a presentation. And I confirmed at that time that everyone was content that they have had a full opportunity to air their views and present their submissions, I therefore propose to bring the hearing to a close.

Before I formally close these proceedings I would like to place on record my gratitude to everyone who has attended, particularly those who have made representations. I want to thank my support team from the office of the District Electoral Areas Commissioner, Morrow Communications and the transcribers and audio engineers for the help they have given me in preparing for and conducting this hearing. I would also like to thank the management and staff of the Glenavon House Hotel for the excellent facilities they have provided.

My immediate task now is to consider carefully all of the evidence I have heard at this inquiry as well as the written representations that were received during the recent consultation period and to prepare a report for the District Electoral Areas Commissioner within the next four weeks.

My report will be made publicly available on the Commissioner’s website together with the Commissioner’s final recommendations report. It will ultimately be a matter for the Commissioner to decide whether to accept any or all of my recommendations. Thank you all very much for your assistance and participation and good evening.