

COOKSTOWN DISTRICT COUNCIL

Minutes of proceedings of a **STATUTORY MEETING** of the Council held in the Council Chamber on Tuesday 13 February 2007.

Present:	P McAleer, Esq. Chairman
Councillors:	Baker, Clarke, Glasgow, Greer, Lees, McCartney, McCrea, McGarvey, McGlone, Molloy, Mclvor, Quinn and Wilson.
Officers:	Clerk/Chief Executive Director of Corporate Services Head of Finance Clerical Officer
Other Representatives	Planning Services Mrs A McNee, Senior Planning Officer Ms M Walker, Planning Officer

1 APOLOGIES

Apologies were received on behalf of Councillors Cassidy and McNamee.

2 MINUTES OF STATUTORY MEETING – 9 JANUARY 2007

The Minutes of the STATUTORY meeting held on 9 January 2007, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor McGarvey and seconded by Councillor Molloy

3 MATTERS ARISING

3.1 Review Into Affordable Housing

The Clerk/Chief Executive reported that he had received a letter of thanks for response and comments on the Review into Affordable Housing Interim Report received from Council.

3.2 Coagh United Football Club

Members AGREED to host a Civic Reception for the Coagh United

Football Club to recognise their achievement of winning the Bob Radcliffe Trophy, instead of a letter of congratulations which had been agreed at the Statutory Meeting on 9th January 2007.

4 MINUTES OF DEVELOPMENT COMMITTEE MEETING – 16 JANUARY 2007

4.1 Matters Considered

10.1 - Tullyhogue Fort

The Clerk/Chief Executive reported that DARD has agreed to sell the land required to develop Tullyhogue Fort to Council for £90,000. On the proposal of Councillor McGarvey, seconded by Councillor Clarke, it was AGREED to proceed with this purchase, bringing the total cost to the Council for the project of £254,705 excluding professional fees.

4.2 Adoption of Minutes

Subject to the above matter, the Minutes of the DEVELOPMENT COMMITTEE meeting held on 16 January 2007, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor Baker and seconded by Councillor Clarke.

5 MINUTES OF POLICY RESOURCES & SERVICES COMMITTEE MEETING – 23 JANUARY 2007

5.1 Matter Considered

6. Report of Director of Operational Services

Clerk/Chief Executive reported he had checked the entire content of this report, and confirmed that no recommendations had been agreed.

5.2 7.1 Proposed Cemetery Development, Moneymore

Councillor Greer stated that he was not opposed to a sub committee of Ballinderry Councillors being established to consider the feasibility and full implications of providing a public cemetery in Moneymore, but that he was only objecting to the lapse in time when nothing has been done.

The Director of Corporate Services confirmed that a meeting of this Sub-Committee has been arranged for 26th February 2007.

5.3 Adoption of Minutes

Subject to the above matters, the Minutes of the POLICY RESOURCES & SERVICES COMMITTEE meeting held on 23 January 2007, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor Molloy and seconded by Councillor Greer.

6 MINUTES OF PLANNING COMMITTEE MEETING – 5 FEBRUARY 2007

The Minutes of the PLANNING COMMITTEE meeting held on 5 February 2007, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor Glasgow and seconded by Councillor McGlone.

7 PLANNING MATTERS

7.1 Schedule

Submitted schedule dated 13 February 2007 a copy of which had been previously circulated, showing details of the Department's opinion as to how planning applications within the District should be decided.

DEFERRED APPLICATIONS

Ref No	Applicant	Development
I/2005/1177/O	Mr P Fox Between 24 and 34 Main Street Pomeroy	Mixed Use Development con. of office

The Senior Planning Officer agreed to hold this application for ten days.

I/2005/1184/F	Mr & Mrs Hartley Adj to 55 Cookstown Road Moneymore	Change of Use Farmland & Buildings to Riding School
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The Senior Planning Officer agreed to hold this application for 5 days

I/2005/1307/F J Arrell Dwelling
Opp 53 Ruskey Road
Coagh

The Senior Planning Officer agreed to hold this application for 10 days. The applicant must demonstrate landscaping scheme has been put in place

I/2005/1452/O Jja Construction Housing Dev
90 m west of Methodist Church
Turnaface Road
Moneymore

The Senior Planning Officer agreed to hold this application for 5 days

I/2006/0096/F Ballyneil Group Alterations
23-25 Ballyneil Road
Ballyronan

This application has been withdrawn

1/2006/0332/F Mrs E Bell Dwelling
site south of
19 Mobuy
Lissan
Cookstown

The Senior Planning Officer agreed to hold this application for 10 days

I/2006/0351/O Mr K Black Dwelling
Rear of
132 Coolreaghs Road
Cookstown

This application has been withdrawn

I/2006/0458/O Mr J Wylie Dwelling
Glassmullagh Lane

420m south West of
6 Strews Road
Cookstown

This application has been withdrawn.

I/2006/0868/F	Mr K Quinn 40 Killycananan Road Ardboe Dungannon	Temp Office
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The Senior Planning Officer agreed to hold this application for 7 days

I/2006/0869/O	Mr K Quinn 40 Killycanavan Road Ardboe Dungannon	Offices
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The Senior Planning Officer agreed to hold this application for 7 days

NEW APPLICATIONS

I/06/0302/O	JJ Quinn 200m E 279 Pomeroy Road Pomeroy	Dwelling
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The Senior Planning Officer agreed to hold this application for 5 days

I/06/0450/O	A Sloan 22 Orritor Road Cookstown	Dwelling
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The Senior Planning Officer advised that this application was recommended for refusal because of road safety issues, and applicant would have to re-consult with Roads Service.

Rear
1 Lissan Road
Cookstown

The Senior Planning Officer agreed to hold this application for 10 days to permit further information to be submitted

I/06/0934/F	A Jabari 13 Church Street Cookstown	Retention of Change of Use
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors Cassidy, McCrea, McGlone, Wilson

I/06/0936/F	Titan Precast Ltd W of Titan Precast Factory 14 Sandholes Road Cookstown	Storage Units
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors McGlone, Wilson

I/06/0938/O	E Conway Adjacent to 66 Morgans Hill Road Cookstown	Dwelling
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors McGlone, Wilson

I/06/0954/F	G Simpson Rear 172 Ballyronan Road	Dwelling
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Magherafelt

The Senior Planning Officer agreed to defer this application for one month for further information to be submitted.

I/06/0963/F Creagh Concrete Products Extension
Kilmascally Road
Ardboe

An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors Baker, McAleer, McGlone, McIvor

I/06/0968/O T Scott Dwelling
10m E
28A templereagh Road
Ballywholan
Stewartstown

The Senior Planning Officer agreed to hold this application for 7 days for further information to be submitted.

I/06/0976/F M Rea Dwelling
18A Drumvale Avenue
Cookstown

An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors Cassidy, Wilson

I/06/1059/F SELB Resource Base
70m N
70 Fountain Road
Cookstown

An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors Cassidy, McAleer, McCrea, McGlone, McNamee, Wilson

and Clerk/Chief Executive

I/06/1090/O Cookstown District Council Development
20m S
1 Shanroy Park
Pomeroy

An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors Clarke, McAleer, McCrea, McGlone, McGarvey, Molloy and Clerk/Chief Executive

I/06/1092/F B Herron Dwelling
40 Coagh Road
Cookstown

The Senior Planning Officer agreed to hold this application for 10 days in order to consider information further.

All of the following applications were refused an office meeting.

I/2006/0576/O S Brady
I/2006/0787/F R Badger
I/2006/0918/F B & B Tally
I2006/0929/F P Loughran

Councillors expressed strong objections to the refusal of the Senior Planning Officer to grant office meetings and resolved

"That this Council totally disagrees with the Planning Service opinion and its refusal to grant meaningful consultation on those applications for which a consultation meeting was requested. Council wishes to place on record its opposition to these Planning Service recommendations to refuse and demands the opportunity for full and proper consultation as required by Article 20(1) of the Planning (NI) Order 1991."

Members also RESOLVED that in the cases where applications were refused on the basis of being contrary to PPS14

“That this Council notes that the Department for Regional Development is unable to proceed with policy completion and full implementation of PPS14 due to a pending Judicial Review. It therefore questions how the Department of the Environment can implement the draft PPS14 policy giving full effect to that policy at this time as it is clearly of a prejudicial nature to both the outcome of court proceedings and for that matter the statutory consultation process . Council wishes to put on record its objection to the Department’s decision.”

7.2 Requests For Deferrals to the Divisional Planning Manager

Letters dated 9 and 25 January 2007 were received from Mr Gerry Hogg, Divisional Planning Manager regarding applications referred to him for assessment.

With reference to the above, Members AGREED to make representation to the Minister.

7.3 Planning / Council Consultation Process Refinements to Guidance Procedures

A letter dated 8 January 2007 was received from Antrim Borough Council regarding Council’s support in writing to the Minister rejecting the implementation and enforcement of the ‘Refinements to the Planning Procedures’ prior to proper and full consultation with all Councils.

It was AGREED that Clerk/Chief Executive should reply to Antrim Borough Council to confirm our Council’s continued support.

7.4 Planning Policy Statement 14

Council NOTED receipt of copy of a letter dated 23 January 2007 from Mr David Cairns, MP, Parliamentary Under Secretary of State to Councillor Patsy McGlone regarding Planning Policy Statement 14.

7.5 Residential Extensions and Alterations Draft Addendum to Planning Policy Statement 7 – Quality Residential Environments

Council NOTED receipt of a letter and Draft Addendum to Planning Policy Statement 7 – Quality Residential Environments issued by Planning Service.

7.6 Proposed Wind Farms

Council NOTED receipt of a letter dated 5 February 2007 from Gaelectric advising of their intention to submit an environmental statement in conjunction with a planning application for proposed wind farms at Crockbrack and Cappagh.

8 CONSULTATIONS

8.1 Draft Local Government (General Grant) (Amendment) Regulations (NI) 2007

Council NOTED receipt of a letter dated 30 January 2007 issued by the DoE Local Government Division regarding the above.

8.2 Appointment of Sheriffs 2007

Council NOTED receipt of a letter dated 4 January 2007 issued by the Northern Ireland Public Appointments Unit regarding the Sheriffs for 2007.

8.3 Safeguarding Vulnerable Groups Act 2006

Council NOTED receipt of a letter dated 12 January 2007 issued by the Department of Health, Social Services and Public Safety regarding measures to strengthen further child protection arrangements.

8.4 Discussion Paper - Staffing the Local Government Taskforce

Council AGREED to defer the Discussion Paper - Staffing the Local Government Taskforce, until after the NILGA Conference to be held on 15 & 16 February 2007.

8.5 Consultation on a Draft Health and Personal Social Services (Reform) (NI) 2006

Council NOTED receipt of a letter and consultation on a Draft Health and Personal Social Services (Reform) (NI) 2006 issued by the Department of Health Social Services and Public Safety.

8.6 Councillors' Allowances

Council NOTED receipt of a letter dated 22 January 2007 regarding the remuneration system for councillors.

8.7 Review of the Accessible Transport Strategy Action Plan

Council NOTED receipt of a letter dated 19 January 2007 and Review of the Accessible Transport Strategy Action Plan issued by the Department for Regional Development.

8.8 NILGA Consultation on the Way Forward

Council AGREED to defer the consideration of the letter dated 24 January 2007 and Consultation on the Way Forward issued by NILGA, until after the NILGA Conference to be held on 15 & 16 February 2007.

8.9 Consultation on Proposal for a Draft Order in Council: The Public Authorities Reform (NI) Order 2007

Council NOTED receipt of a letter dated 24 January 2007 and Consultation on Proposal for a Draft Order in Council: The Public Authorities Reform (NI) Order 2007 issued by the OFMDFM.

8.10 NIHE District Office: Modernising Services Programme

Council NOTED receipt of a letter dated 25 January 2007 from the Northern Ireland Housing Executive regarding modernising services programme.

8.11 Consultation Administration of Estates: Intestacy and the Statutory Legacy

Council NOTED receipt of a letter dated 25 January 2007 and Consultation Administration of Estates: Intestacy and the Statutory Legacy issued by the Department of Finance & Personnel.

8.12 Proposed Disabled Parking Bay, Molesworth Street, Cookstown

Council NOTED receipt of an email dated 29 January 2007 from Roads Service regarding the proposed Disabled Parking Bay, Molesworth Street, Cookstown.

8.13 Consultation – Pathology Services.

Council AGREED that the Clerk/Chief Executive would write a letter of support regarding the implications of the ongoing review regarding Pathology Services at Antrim Area Hospital.

8.14 Tyrone Economic Development Initiative (TEDI)

Council NOTED receipt of a letter dated 1 February 2007 from Strabane District Council advising that as of 31 December 2006 Tyrone Economic Development Initiative has ceased trading.

8.15 Northern Ireland Policing Board

Council NOTED receipt of a letter dated 1 February 2007 from the Northern Ireland Office advising that the Northern Ireland Policing Board will require to be reconstituted on the restoration of the Northern Ireland Assembly.

8.16 Consultation Report on Child Protection & Vulnerable Adult Policy & Procedural Arrangements

It was proposed by Councillor Wilson and seconded by Councillor Baker to the adoption of the Consultation Report on Child Protection & Vulnerable Adult Policy & Procedural Arrangements.

9 SEMINARS & CONFERENCES

9.1 The Role of Local Authorities in Building Peace and Reconciliation

Council NOTED receipt of The Role of Local Authorities in Building Peace and Reconciliation conference organised by the Confederation of European Councillors on 23 February 2007 in the Park Hotel, Dundalk, at a cost of £120 per delegate plus accommodation.

9.2 Island of Ireland Week and 90th Anniversary of the Battle of Mesen/Messines

Council NOTED receipt of the above conference organised by the International School for Peace Studies on 4/10 June 2007 in the Messines at a cost of £760 per delegate.

9.3 Dungannon & South Tyrone Borough Council – Charlie Donnelly Weekend

Council NOTED receipt of The Charlie Donnelly Weekend to be held at Craic Arts Centre, Coalisland from 22nd – 24th February 2007

10 TENDERS

10.1 Annual Tenders 2006/2007

Following public advertisement, the tenders were opened, initialled by the Chairman and Chief Executive and were received from the undernoted suppliers:-

TENDER NO 1 – ROAD/STREET NAMEPLATES

R S Greer (Contracts, 15 Lime Kiln Lane, Cookstown
Ecoplastic Ltd, 86 Annacloy Road, Downpatrick

TENDER NO 2 – STONES

Hamilton Contracts, 47 Shivey Road Cookstown,
R Hogg & Sons Ltd, 60 Tobermore Road, Magherafelt
Northstone (NI) Ltd, 50 Quarry Road, Carrickmore
P Keenan, 35 Rocktown Road, Magherafelt

TENDER NO 3 – SAND

Cookstown Aggregates Ltd, 4 Doons Road, Cookstown
Horta Soils Ltd, 4 Carn Court Road, Portadown

TENDER NO 4 – BITMAC SURFACING

Northstone (NI) Ltd, 50 Quarry Road, Carrickmore
P Keenan, 35 Rocktown Road, Magherafelt
Tarmac Ltd, 73 Holywood Road, Newtownards
Patrick Bradley Ltd, Craigall Quarry, Kilrea

TENDER NO 5 – TIMBER

J N Sinclair & Son, 7 The Square, Stewartstown

TENDER NO 6 – PUNCTURE REPAIRS

Russell Shiels Tyres, 11 Pound Road, Magherafelt

TENDER NO 7 - TYRES AND TUBES

Russell Shiels Tyres, 11 Pound Road, Magherafelt

TENDER 8 - PLASTIC SACKS

Cromwell Polythene Ltd., Vickers Building, Hurricane Close,
W T Robson Ltd, 1/5 The Cutts, Dunmurry, Belfast

TENDER NO 9 - FIRST-AID SUPPLIES

Safetycare, 3 Selastown Road, Mallusk
Vivomed Ltd, Unit 3, Ballymote Centre, Downpatrick

TENDER NO 10 – CLEANING MATERIALS

Donegal Shaores Ltd, Derrybeg, Co Donegal
JBS Glendermott, 1D Campsie Real Estate, McLean Road, Eglinton
Wm Clements Chemicals Ltd, The Old Transport Museum, Witham
Street, Belfast
Safetycare, 3 Selastown Road, Mallusk
Cleancare, Patrick House, Commercial Way, Newtownabbey

TENDER NO 11 – LEISURE CENTRE CHEMICALS

Wm Clements Chemicals Ltd, The Old Transport Museum, Witham
Street, Belfast
Nichem Ltd, Unit 3D Maryland Industrial Estate, 286 Ballygowan Road,
Belfast

TENDER NO 12 – LEISURE CENTRE CLOTHING

S McConnell Ltd (Intersport Superstore Cookstown) 10/12 William
Street, Cookstown
Embroider Us, Units 24/29 Cookstown Enterprise Centre, Cookstown

TENDER NO 14 - BRUSHES FOR MECHANICAL SWEEPERS

TBF Thompson (Garvagh) Ltd, 6/10 Killyvalley Road, Garvagh
SP Plant, 30 Comber Road, Newtownards
Plant-Mec Ireland Ltd., 39 Drumconwell Road, Lisnadill, Armagh

TENDER NO 15 - HORTICULTURAL SUPPLIES

James Coburn & Son Ltd, 32 Scarva Street, Banbridge
John Lindsay Professional Sports Turf, 2 Car Court Road, Craigavon

Nomix Enviro Ltd, Portland Buildings, Portland Street, Staple Hill, Bristol
JA Humphrey, 189 Castleroe Road, Coleraine
Horta Soils Ltd, 4 Carn Court Road, Portadown
Orchard County Enterprises Ltd, 66 Greenagh Road, Loughgall

TENDER NO 16A – ELECTRICAL SUPPLIES

C A Gillis Electrical, 33 Tullyveagh Road, Cookstown
Gordons Electrical Supplies, 49 Windmill Street, Ballynahinch

TENDER NO 17 - HIRE OF PLANT – GENERAL

Hamilton Contracts, 47 Shivey Road, Cookstown
R S Greer, 15 Lime Kiln Lane, Cookstown
KDM Hire, Ltd, 11 Killycolp Road, Cookstown

TENDER NO 19 – INSPECTION AND SERVICING FIRE EQUIPMENT

Eurofire, Unit 32 Mallusk Enterprise Park, Mallusk Drive, Newtownabbey

The tenders were referred to the appropriate Officers for a report and recommendation.

11 FINANCE MATTERS

11.1 General Estimates 2007/08

A copy of the above estimates, together with relevant papers had been previously circulated.

The Director of Corporate Services outlined the net cost of the various services and clarified points raised regarding items of expenditure.

On the proposal of Councillor Clarke, seconded by Councillor Glasgow it was AGREED, that the estimated net cost of £7,804,487 be approved for the forth coming year commencing 1 April 2007 and that after the deduction of General Grant of £1,490,433 a credit balance of £600,000 be applied to offset some of the increase. The Non Domestic District Rate of 19.3 p in the £ and the Domestic District Rate of 0.2444 p be determined as the rates to be levied to meet the estimated expenditure. This represents an increase to the Domestic District Rate of 5.9%..

12 NOTICE OF MOTION

- 12.1 To consider the following Notice of Motion in the names of Councillors Baker, Cassidy, McGarvey, McGlone and Quinn

"In light of the recent, disturbing, figures about emergency ambulance response times in the Mid-Ulster Hospital catchments area, that this Council, in co-operation with Magherafelt District Council, requests an urgent meeting with the Minister for Health."

Members AGREED to adopt the Notion of Motion.

It was also AGREED that Council would write to Dalriada Urgent Care (Northern Health & Social Services Board) to arrange a meeting to ascertain the future of Dalriada Care

The meeting ended at 8.15 p.m.

Chairman

Clerk/Chief Executive

Date

TABLED FOR INFORMATION

MINUTES

Southern Education & Library Board
13 December 2006

REPORTS

Boss Planning
Traffic Calming – Drumconvis Road, Coagh

Committee on Standards in Public Life
Review of the Electoral Commission

Department of Health Social Services and Public Safety
Action Plan for the Prevention, Management and Control of Hepatitis C

Criminal Justice Inspection
Hate Crime in Northern Ireland

Northern Ireland Human Rights Commission
Annual Report and Financial Accounts 2005/06

Environment & Heritage Service
- Regulation of Water Charges

Northern Ireland Housing Executive
Home Energy Conservation Report 2006