

Minutes of Meeting of Mid Ulster District Council held on Thursday 25 June 2015 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Dillon, Chair

Councillors Ashton, Bell, Buchanan, Burton, Clarke ,
Cuddy, Cuthbertson, Dillon, Elattar, Forde, Gildernew,
Gillespie, Kearney, Mallaghan, McAleer, McEldowney,
McFlynn, McGinley, B McGuigan, S McGuigan, McKinney,
McLean, McNamee, McPeake, Molloy, Monteith, Mullen,
Mulligan, J O'Neill, M Quinn, T Quinn, Reid, Robinson, G
Shiels, J Shiels and Wilson

**Officers in
Attendance:**

Mr A Tohill, Chief Executive
Mrs Canavan, Lead HR Officer
Mrs Campbell, Director of Culture and Leisure
Mr Kelso, Director of Public Health and Infrastructure
Mr McCreesh, Director of Business and Communities
Mrs Mezza, Head of Marketing and Communications
Mr Moffett, Head of Democratic Services
Mr JJ Tohill, Lead Finance Officer
Mrs Forde, Member Support Officer

The meeting commenced at 7 pm.

C107/15 Apologies

Councillors Bateson, Glasgow, C O'Neill and Totten

C108/15 Declarations of Interest

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

C109/15

The Chair, Councillor Dillon extended sympathies to the family and friends of Ronan Hughes a young man from Clonoe who lost his life in tragic circumstances, a death which impacted across the country. Councillor Wilson on behalf of the Ulster Unionist Party concurred with the condolences. Councillor Mallaghan also concurred stating that in the past internet protection courses had been hosted for adults in Pomeroy which had not been well attended and that Council should be highlighting the dangers of the internet to parents to look after their young people. The Chair, Councillor Dillon advised that she had spoken to clubs and schools within the area to organise training as although it was a sad time it was also an opportune time to highlight the need for protection and education in this area.

Councillor M Quinn extended sympathies on behalf of the SDLP to the family of Ronan Hughes.

Councillor McLean extended sympathies on behalf of the DUP to the family of Ronan Hughes.

Councillor J O'Neill advised that the Clonoe under 14s team had won the Tyrone League Championship and Féile and requested that the achievements be recognised at a reception.

Councillor McNamee requested that a letter of congratulations be forwarded to Eamon McCrystal who hosted the 'Music in Northern Ireland Show' at the Grand Opera House, Belfast and was a recipient of four Emmy Awards for this.

Councillor Monteith advised that Eoghan Ruadh hurling team won Division Two of the All Ireland Hurling Championship and requested that the achievements be recognised at a reception and also extended good wishes to the Dungannon Clarke's whose football team was participating in competition at the weekend. Councillor Monteith also extended apologies as he would be leaving the meeting early.

Councillor Wilson extended congratulations to fellow Councillor G Shiels who had been awarded an MBE on the Queen's birthday honours list. Speaking with regard to Councillor G Shiels he stated that anyone who knew him was aware of the hard work he carried out especially at the Volunteer Centre in Magherafelt and also in the regeneration of Curran Community Hall as well as his dedication to his duties as a Councillor. Councillor Wilson requested that the Chair, Councillor Dillon write to all those residents of the District who had been honoured. Councillor McLean concurred with this request.

Councillor G Shiels thanked his fellow Councillors for the kind remarks and stated that are thousands of volunteers and officers of Council who take an active role in the local community and that he would complement each and every one.

Councillor Mallaghan requested that congratulations from the Council be passed to Cookstown Boxing Club who had two All-Ireland winners Francis Quinn and Ethan McGuickin and that the two be honoured at a future reception.

C109/15 UNISON Northern Health Branch regarding Residential Homes

The Chair, Councillor Dillon welcomed Ms Marjorie Trimble and Mr Paul McCormick lay representatives of Unison to the meeting.

Ms Trimble made a presentation to Council emphasising that a number of NHS care homes remain under threat and as another round of consultations commence UNISON feel that it is imperative to address Councils on the matter. Ms Trimble advised that nine homes were listed to close including Roxborough House in Moy and Westlands in Cookstown. Highlighting that the consultation runs until the 2 October 2015 Ms Trimble stated that it was the belief of UNISON if the proposals gained approval from the Minister there would be no NHS residential care provision in the Mid Ulster region.

Councillor Mallaghan left the meeting at 7.16pm

Continuing Ms Trimble stated that the resident of the aforementioned establishments together with their family and friends had made their views abundantly clear but that these had been ignored. Ms Trimble appealed to the elected members to endeavour to stop the blatant disregard of public opinion and call for a stop to the annihilation of NHS provision of residential care within Mid Ulster. Making reference to the previous campaign Ms Trimble stated that the people of Mid Ulster many of whom were sick, frail and elderly had protested at Stormont, addressed the Chamber and HSCB meetings supported by their MLA's, local councillors and the submission of a petition of thousands of signatures. Many people witnessed at first-hand the heart ache being caused when a resident of Westlands had been interviewed on the BBC Nolan Show and told how many residents cried themselves to sleep due to the uncertainty of their future.

Ms Trimble stated that UNISON would continue to fight to save all NHS residential care homes as there was a want, a need and despite a well-managed campaign to secure the demise of the homes there was no alternative provision in the Mid Ulster area for residents and emphasised that this was another move to ensure privatisation. Ms Trimble stated that UNISON would be calling for the non-admissions ban to be lifted from the homes and no less than NHS residential service provision in Cookstown. Concluding Ms Trimble called on Members to fight to save residential care as a service, demand re-investment and accept nothing less than NHS residential care for the people of Cookstown and Mid Ulster and lend their support to 'The Peoples Campaign' to save residential care as a much needed service.

The Chair, Councillor Dillon thanked UNISON representatives for the presentation.

Councillor Mallaghan returned to the meeting at 7.20pm

Councillor McNamee stated that the former Cookstown Council fought to retain Westlands Residential Home in the past, he also expressed concern that in speaking to staff they were on a roller coaster of emotion as they are being 'kept in the dark' and any information they are receiving is from the media. Councillor McNamee further stated that during the last campaign prior to the then Health Minister, Mr Poots stated that Westlands would remain open and staff had been told they would be relocated yet relocation would not be a viable option. Councillor McNamee was emphatic that he would support Westlands campaign.

Councillor Wilson concurred with Councillor McNamee's pledge of support to Westlands and stated that the major issue was the current non-admissions policy and posed the question if it dwindles to one person is it viable to keep Westlands open for one. Continuing Councillor Wilson stated that Westlands also provided the meals for the day centre and if resident numbers drop there would be a question mark over who would look after maintenance and other associated costs. Referring to an announcement concerning a residential home in Bangor Councillor Wilson stated that approximately 96% of those who responded to consultation wanted the home to remain open but it was recommended for closure. Councillor Wilson stated that he was reluctant to create a false hope, that the Trust should be keeping all

those concerned informed and that he would support any moves to retain Westlands residential care.

Councillor Monteith echoing the comments of Councillors Wilson and McNamee stated that the word consultation held no meaning as there was no democratic accountability for the actions of the Trust. Stating that the homes were a vital service and should be retained Councillor Monteith commented that any services that had existed 'west of the Bann' were being depleted.

The Chair, Councillor Dillon thanked Members for their comments and the representatives of UNISON for their presentation following which they withdrew from the meeting at 7.25pm.

C110/15 Receive and consider minutes of matters transacted in "Open Business" at Council meeting held on Thursday 28 May 2015

Councillor McKinney requested a correction at page 14 stating that he did not abstain at the vote but voted against.

Councillor McNamee requested a correction at page 15 stating that Malone had lodged the complaint against Cookstown Rugby Club.

Councillor Kearney thanked Members for the expressions of sympathy in relation in relation to the death of his brother Seamus.

Proposed by Councillor J O'Neill
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Meeting of the Council held on Thursday 28 May 2015 (C89/15 – C99/15 and C106/15), transacted in "Open Business" having been printed and circulated were considered and subject to the foregoing signed as accurate and correct.

C111/15 Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Planning Committee meeting held on Tuesday 2 June 2015

Proposed by Councillor J Shiels
Seconded by Councillor McEldowney and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Monday 2 June 2015 (P46/15 – P57/15 and P65/15) transacted in "Open Business", having been printed and circulated were considered and adopted.

C112/15 Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Policy and Resources meeting held on Monday 4 June 2015

Proposed by Councillor S McGuigan

Seconded by Councillor McLean

Resolved That the Minutes and recommendations of the Policy and Resources Committee meeting held on Monday 4 June 2015, (PR89/15 – PR98/15 and P103/15) transacted in “Open Business”, having been printed and circulated, subject to the foregoing were considered and adopted.

C113/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee meeting held on Tuesday 9 June 2015

Proposed by Councillor McNamee
Seconded by Councillor McFlynn

Resolved That the Minutes and recommendations of the Environment Committee meeting held on Tuesday 9 June 2015, (E84/15- E100/15 and E106/15), transacted in “Open Business”, having been printed and circulated were considered and adopted.

C114/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 11 June 2015

Declaration of Interest

Councillor McFlynn declared an interest with regard to D101/15 Cookstown and District Women’s Group

Councillor Burton stated that as Chair of the Development committee she was aware that there was still a number of requests for deputations outstanding and suggested that a special meeting be held to endeavour to reduce waiting time in order that Council may support organisations.

Proposed by Councillor J Shiels
Seconded by Councillor T Quinn

Resolved That the Minutes and recommendations of the Development Committee meeting held on Thursday 11 June 2015, (D99/15 – D114/15 and D121/15) transacted in “Open Business”, having been printed and circulated, subject to the foregoing were considered and adopted.

C115/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee (Development Plan and Enforcement) meeting held on Tuesday 16 June 2015

Proposed by Councillor Clarke
Seconded by Councillor Gildernew and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Monday 16 June 2015 (P66/15 – P73/15) transacted in “Open Business”, having been printed and circulated were considered and adopted.

C116/15 Conferences and Seminars

The Head of Democratic Services referred to details of the undernoted conferences and sought approval for the attendance of Members and council officers, the payment of attendance fees and associated costs as incurred advising that approval for (vi) and (vii) was retrospective.

- (i) EU Funding Event Roe Valley Arts & Cultural Centre, Limavady Friday 26 June 2015.
- (ii) National Association of Councillors – Devolving Power to the Regions, Lytham St Anne’s Friday 26 June – Sunday 28 June 2015
- (iii) Benedict Kiely Weekend, Omagh’s Literary Festival, Strule Arts Centre, Omagh Friday 11 September – Sunday 13 September 2015
- (iv) Northern Ireland Planning Conference Making Planning Work for People, Baby Grand, Grand Opera House, Belfast Tuesday 29 September 2015 9am – 1pm
- (v) The IRRV Northern Ireland Conference 2015, Malone House, Belfast Thursday 1 October 2015 9.30am -1pm
- (vi) Institute of Historic Building Conservation, Northern Ireland Branch Event, Clifton House, Belfast Thursday 14 May 2015 (retrospective approval)
- (vii) Countdown to Zero: The benefits of Zero Waste & Moving towards it, Now City Hotel, Derry Monday 22 June 2015 (retrospective approval)

Proposed by Councillor Buchanan
Seconded by Councillor McGinley and

Resolved That the attendance of Members and officers, the payment of attendance fees and associated costs as incurred be approved for those in attendance.

C116/15 Street Naming, New Housing Development

The Director of Public Health and Infrastructure advised that the purpose of the report was to provide a street name for a new housing development consisting of 75 dwellings at a site North of 42 Tobermore Road, Magherafelt. The Director advised that the request was received too late for consideration at the June Environment

Committee and that as the developer had made a considerable investment he was keen to market the homes as soon as possible.

The Director of Public Health and Infrastructure advised that the developer had proposed to name the development “The Oaks” Tobermore Road, Magherafelt.

Councillor McPeake stated that the development was most welcome in an area of chronic housing need and asked if the name had linkage with the area and was there any cognisance in incorporating the townland in the address. In response the Director of Public Health and Infrastructure advised that there were oak trees on the site and that the name was in keeping with the location. He further clarified that the developer had suggested a number of options none of which included the townland but in response to Councillor McPeake’s suggestion stated that the developer could be asked to incorporate the townland name.

Proposed by Councillor McPeake
Seconded by Councillor Clarke and

Resolved That the new housing development be named The Oaks, Tobermore Road, Magherafelt with the inclusion of the townland name.

Councillor Monteith stated that he had no desire to delay the approval but that he too had an issue of concern around the loss of townland names and suggested that Council should specify within a policy that townland names are incorporated into street naming as townland names will be lost if they are not. Councillor Monteith suggested that the policy be tightened with this aim.

Proposed by Councillor Monteith
Seconded by Councillor Gildernew and

Resolved That Council incorporate the inclusion of townland names within its street naming policy.

Councillor Wilson stated that he supported the inclusion of townland names but emphasised that the development being discussed was in the centre of a village and that Council should be mindful of delaying the developer marketing the houses. Councillor Monteith clarified that his proposal was in moving forward. Councillor McPeake concurred that he did not wish to delay the developer but felt that incorporating the townland name should not do so.

Councillor Cuthbertson stated that similar discussion had taken place in the Environment Committee at which time it had been stated that it was not always practical to include townland names and developers should not be permitted to take the townland identity.

Councillor Mallaghan stated that it may be useful for Members to be reminded of the policy. The Director of Public Health and Infrastructure stated that the policy could be reviewed and brought back to the Environment Committee.

Councillor Clarke stated that he was involved in the original discussion and that he would reiterate the importance of townlands being maintained in urban areas as the townland names had been removed from electoral registers. Councillor Clarke suggested that in the case being discussed he would suggest The Oaks, townland name, then conclusion of the address.

Councillor G Shiels stated that Council should be mindful of developments with names which could adversely impact commercial selling. Councillor McKinney stated that 'The Oaks' was a good name as there were a number of oak trees in the vicinity.

The Chair, Councillor Dillon advised that neither Councillor Monteith nor Councillor McPeake were proposing to change or delay the name but were asking for the townland name to be included in the address.

Councillor Monteith left the meeting at 7.40pm

C117/15 Delegated Authority for Contract Approvals

The Chief Executive advised that project funding totalling £4.5m had been offered to Council for public realm schemes in Dungannon (£1,790k), Cookstown (£2,288k) and Magherafelt (£590k) and that two contracts for Cookstown and Dungannon were scheduled to close Tuesday 30th June and Wednesday 1 July respectively. The Chief Executive advised that given the stringent time scales there would be financial implications in delaying approval of the contracts until the Council meeting on 23 July and thus recommended that delegated authority to award the Public Realm Contracts for Dungannon and Cookstown towns be given to the Policy and Resources Committee at the meeting on Thursday 9 July 2015.

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan and

Resolved That delegated authority to award the Public Realm Contracts for Dungannon and Cookstown towns be given to the Policy and Resources Committee at the meeting on Thursday 9 July 2015.

C118/15 Approval of Annual Financial Statements for Mid Ulster Council, the three legacy Councils and other associated local government bodies for the year ended 31 March 2015 or such period as is relevant to the local government body

The Lead Finance Officer stated that Members would be aware that at this time of the year the Council submits its accounts to the Local Government Auditor under audit regulations of 2006. The Officer reported that the Audit Committee had met prior to the Council meeting and recommended that Annual Financial Statements for Mid Ulster District Council, the three legacy Councils, Mid Ulster Shadow Council, SWARD and Mid Ulster Cluster for Peace, for the year ended 31 March 2015 or such period as is relevant to the local government body be approved.

The Lead Officer advised that the key matter for council to bear in mind was that the Local Government Auditor would now review the annual statements for consistency and an update would be given prior to the accounts being published on 31 October 2015.

Proposed by Councillor Wilson
Seconded by Councillor B McGuigan and

Resolved That Annual Financial Statements for Mid Ulster District Council, the three legacy Councils, Mid Ulster Shadow Council, SWARD and Mid Ulster Cluster for Peace, for the year ended 31 March 2015 or such period as is relevant to the local government body be approved.

Matter for Information

C119/15 Consultations notified to Mid Ulster council

The previously circulated paper on consultations notified to Mid Ulster District Council was noted.

Proposed by Councillor Sean McGuigan
Seconded by Councillor Wilson and

Resolved That the open consultations contained within the previously circulated report be noted.

C120/15 Consideration of Motions

C120.1/15 Councillor Cuthbertson to move motion

Councillor Cuthbertson in moving the motion stated that there were currently five park and ride facilities in the district and provision of such sites were on the increase. He stated that there had been complaints regarding anti-social behaviour, thefts and even parts of vehicles being stolen at park and ride facilities. Speaking specifically about the facility at Tamnamore he stated that anti-social behaviour was taking place at night and this was impacting on what was a very valuable asset for any area. Concluding Councillor Cuthbertson stated that if the maximum use of the facilities was to be encouraged, especially for car sharing motorists needed to have the assurance their vehicles were safe.

Proposed by Councillor Cuthbertson, and
Seconded by Councillor Forde that

Mid Ulster District Council calls on Transport NI to install CCTV Cameras at all Park and Ride Facilities across the District. These include facilities at Tamnamore, Ballygawley, Castledawson Roundabout and Craigadick, Maghera. Following recent antisocial behaviour, including theft at these facilities and in particular those at Tamnamore and Castledawson

Roundabout, the Council also calls for these areas to be designated as no alcohol zones.

Councillor Molloy stated that he agreed with the sentiment of the motion, was aware of incidents at Tamnamore and emphasised that park and ride facilities were crucial to the infrastructure and encouraged the use of public transport. Councillor Molloy proposed an amendment to the motion on the basis that the Department for Regional Development was dealing with budgetary constraints and the roads were suffering from ill repair and essential work such as sight lines needed to be prioritised.

Responding Councillor Cuthbertson stated that in relation to park and ride facilities, especially those in the planning, the spend was from the capital budget yet if Councillors contact the engineers regarding potholes there is no money for repairs. Councillor Molloy stated that there were more pressing jobs that needed to be carried out and indeed other capital projects that would take precedence over CCTV.

Proposed by Councillor Molloy
Seconded by Councillor McGinley

That the motion be amended to read:

Mid Ulster District Council calls on Transport NI to install CCTV cameras at all Park and Ride facilities across the District after priority works have been completed and budgetary constraints allow. These facilities at Tamnamore, Ballygawley, Castledawson Roundabout and Craigadick, Maghera. Following recent antisocial behaviour, including theft at these facilities and in particular those at Tamnamore and Castledawson, the Council calls for these areas to be designated as no alcohol zones.

Councillor Kearney in supporting the motion stated that he had been contacted frequently about park and ride facilities and at a recent planning meeting it had been suggested that it would be useful to have toilets and a bus shelter included at the facilities.

Councillor McKinney stated that he had spoken to TransportNI and had been assured that with regard to the facility at Castledawson the PSNI had no records of anti-social behaviour and that the sites in general were well used. Stating that although security systems could perhaps help money may well be better spent on the roads and whilst toilet facilities and bus shelters could be requested, Council did need to be practical.

Councillor Wilson stated that the motion was in two parts the first part referring to Transport NI to install CCTV yet now it was being reported that the PSNI say there is no record of antisocial behaviour. The second part of the motion then referring to designated alcohol zones would be Council responsibility.

The Chair, Councillor Dillon stated that it was her understanding that no alcohol could be consumed in a public area. Councillor Cuthbertson stated that signage was required. The Chief Executive stated that a street must be designated under bye-laws for a sign to be erected and also stated that laybys may be different to streets.

The Director of Public Health and Infrastructure stated that the byelaws had transposed from the legacy Councils and going forward Council would have to make new byelaws and there may be some debate with regard to laybys.

Proposed by Councillor Reid
Seconded by Councillor Burton

That byelaws and alcohol zones be brought to the Environment Committee for discussion

Councillor Cuthbertson stated that he did not accept the amendment to the motion. Councillor Forde IN supporting the motion stated that the problem in Castledawson was that CCTV coverage of antisocial behaviour was private and thus could not be used for prosecution. She stated that she had seen the footage of party buses pulling in at all times of the night hoping to use amenities at KFC and when refused urinating behind hedges and cars when families were dining in the restaurant. Councillor Forde stated that if the facility at Castledawson was to be extended it was necessary to be mindful of families using facilities nearby. Supporting the original motion Councillor Forde stated that CCTV was required for the PSNI to bring prosecutions.

The Chair Councillor Dillon clarified that the first amendment was that proposed by Councillor Molloy. Councillor Reid stated that there appeared to be confusion.

The Chief Executive for clarity stated that once an amendment is moved it must be dealt with prior to voting on the original motion.

Councillor Mclean for clarity stated that he was aware that this was not how it had happened at the Council meeting in May when the original motion was voted on first and then the amendment was not considered to be relevant. Continuing Councillor McLean stated that he understood the procedure of dealing with the amendment first but that it was also his understanding it had to be presented to the Chief Executive prior to the meeting.

The Chief Executive stated that an amendment should be produced in writing but could be brought on the night of the meeting and as this was a short amendment and for expediency the Chair had decided to allow it without it being produced in writing.

Councillor McLean stated that this particular motion did not relate to a political issue but in going forward misunderstandings in process could result in a war of words if procedures were not clear.

The Chair, Councillor Dillon requested that Councillor Reid clarify that his earlier suggestion had been a proposal not an amendment.

Councillor Reid clarified that yes it had been a proposal not an amendment with regard to the alcohol zoning section of the motion and if the PSNI could not prosecute without appropriate signage the Environment Committee should then look at a byelaws policy with a report brought as soon as possible.

Resolved That the Environment Committee of Council consider a report on byelaws and alcohol zones

The Chair, Councillor Dillon called for a vote on the amendment

For	20
Against	14

The Chair declared the amendment to the motion carried.

Councillor Cuthbertson stated he felt it was the wrong attitude to approach TransportNI with and further stated that within the motion the proposal put by Councillor Reid was unnecessary as the latter part of the motion dealt with this.

C120.2/15 Councillor McFlynn to move

Councillor McFlynn stated that as Chair of the Environment Committee she was moving the motion and asked all Councillors to support it as everyone was aware it was the tradition of the country to celebrate in great community spirit with a bonfire and whether it was July, August or October it was time to stop burning tyres.

That this council recognises the dangers posed to the public and to the environment by the illegal burning of tyres at bonfires and similar; strongly opposes this activity; and calls on statutory agencies, landowners, the PSNI, and the fire and rescue service to work with this council, in a co-ordinated multi-agency approach to bring this harmful and irresponsible activity to an end.

Councillor McFlynn stated that there are an estimated 1.8 million used tyres generated in Northern Ireland each year and that each time a tyre was changed the dealer charges a levy to dispose of it properly yet many are tipped at the road side and end up on bonfires in July, August and October. Continuing Councillor McFlynn advised that improper disposal of tyres is causing a major threat to people, animals and the environment giving off thick black smoke and 50 different toxic chemicals when burned and seeping into rivers when dumped. Research proves that there are many reasons why tyres should not be burned and those at risk from the pollution range from young children, the elderly, asthma suffers, the pollution also contributes to heart disease and cancer whilst the smoke and chemical damage can persist for days while the bonfires smoulder out. At a recent Environment Committee a presentation on the Eco Schools Programme highlighted that 100% of schools in Mid Ulster are participating and it was noted that the youngest of children are being educated in the importance of protecting the environment.

Concluding Councillor McFlynn stated that she would like to encourage community groups who are preparing bonfires not to accept or put tyres on them. Emphasising that the statutory agencies such as the PSNI and NIFRS along with Council generally know where a bonfire is sited Councillor McFlynn called on them to work together and take a leading role where possible to prevent tyres being burned on bonfires and have this dangerous harmful activity stopped.

Councillor Mallaghan proposed the undernoted amendment:

We welcome that the Minister of the Environment through his Agency the NIEA will bring in appropriate measures which adequately deal with used tyres as the current

system does not rigidly control how suppliers do this. That this Council does not clean up the remains from bonfires from any other property that does not belong to Council. On Council property that is used for bonfires, only suitable materials are used and all other materials such as tyres, rubbish, flags, election posters or effigies of individuals are removed. That this Council seeks to prosecute through its powers anyone who illegally dumps any hazardous materials on public or private lands associated to bonfires.

Councillor Mallaghan stated that Sinn Féin were not opposed to bonfires but that all cultural celebrations should be expressed without danger to others and the main issue was health and public safety. Continuing he stated that as well as July, August and Halloween was also included and that he would urge community groups to be responsible and for environmental health and the PSNI to ensure those breaching laws are prosecuted. For clarity he emphasised that Sinn Féin did not oppose bonfires but wanted them conducted safely and responsibly.

Councillor Wilson stated that the amendment changed the motion substantively and that he was ruled out of tabling an amendment in May for that reason. Responding the Chair, Councillor Dillon said the amendment added to the motion and asked Councillor McFlynn if she was prepared to accept the amendment as an extension to the motion. Councillor McFlynn stated that she was happy to accept the amendment

Councillor McLean concurred with Councillor Wilson's comments but stated that it was the Chair's decision. The Chair, Councillor Dillon emphasised that the amendment added to the motion and did not change it.

Councillor Wilson stated that the UUP support the rights of people to celebrate their culture but did not support the use of tyres on bonfires and advised that the Grand Orange Lodge had issued a press release calling for the removal of tyres. Continuing Councillor Wilson advised that many communities were hosting festivals but that there was wide spread concern that traditions were under threat and that he would appeal to Nationalist not to use the situation as a 'stick to beat unionists' as many were working with communities to establish a way forward. Concluding, he stated that the 11th July night bonfires were part of the Unionist culture and would not go away.

The Chair, Councillor Dillon stated that no one said that bonfires should be stopped but the aim was to ensure all bonfires were safe and that Council did not have to pick up the bill and emphasised that it applied to all bonfires.

Councillor G Shiels stated that it may sound a rare place to start but that if you bought beef it could be traced back to the farm. With this in mind he stated that the authorities dealing with tyres should be able to trace them back to the owner and this would stop unscrupulous people who would not dispose of tyres in the proper way. Councillor G Shiels added that a traceability scheme would eliminate dumping of tyres and suggested that the Council write to the Department of the Environment to ask for such a scheme to be introduced.

Councillor McPeake in seconding the amendment stated that it was aimed at bringing equity as he was aware that farmers have been penalised and the single farm payment jeopardized if they burned hedges out of season. He further stated

that businesses pay hefty fees for disposal of plastic, material and the amendment would bring a level playing field for all.

Councillor Cuddy sought clarity regarding the last sentence of the amendment asking if it referred to any type of material as lots of bits and pieces are placed on bonfires which are largely organised by young people and he would have concern for Council staff. If Council and local representatives work with groups much can be achieved and to remove the tyres would have been a good thing but the amendment may lead to someone dumping for example wood being prosecuted by Council staff.

Councillor McLean expressed concerns regarding the timing of the motion as it was the commencement of the protestant unionist cultural celebrations and stated that the SDLP give the thin edge and Sinn Féin push the extra mile. Councillor McLean stated that the DUP support the issue regarding tyres on bonfires and have worked with groups in their areas to ensure celebrations of the protestant culture are responsible and the safety of people and property paramount. Stating that he would have supported the motion but not the amendment Councillor McLean said that all Members would have been better working within their communities.

Councillor Mallaghan noted that every party agrees that the burning of tyres is hazardous and should cease but because Sinn Féin brought the amendment the unionists would not support it.

Councillor T Quinn stated that he took exception to Councillor McLean's comments with regard to the timing of the motion stating that the SDLP had brought it in good faith as they were concerned about people's health and the environment, that it was neither anti unionist nor anti British and such suggestions would not be helpful in building peace and reconciliation. Continuing he stated that the SDLP would encourage everyone to enjoy and celebrate their culture safely and within the law, he also said that the SDLP were all about building relationships and peace, that the burning of tyres was harmful and the motion was not an attack on anyone's culture. He further urged caution to Members on the use of language and urged the press to pay heed to what they print as the onus was on each Member in the Chamber to build community relations, tolerance and respect.

Councillor Cuthbertson stated that if that was indeed the opinion of Councillor T Quinn he should vote against the amendment.

Councillor McFlynn in concluding stated that in a world that was ever changing Council must decide what is best for the environment, burning tyres is a breach of the clean air order and has been illegal for several years. Tyre dealers must operate under the duty of care regulations and their waste tyres should be stored securely. Councillor McFlynn drew attention to the fact that Minister Durkan had set up a tyre action place to audit the disposal of waste tyres and that he was clear that the NIEA would prosecute people who dispose of tyres irresponsibly. It was further stated that Lafarge cement was carrying out experiments to use tyres as an energy source and that it was hoped in the near future waste tyres would not be a problem. Councillor McFlynn called on all to work collectively to address the problem and a few small changes could have a positive impact on the environment. Wherever the bonfires,

Councillor McFlynn called on communities to supervise them properly, keep everyone safe and above all ensure that tyres are not burned.

The Chair Councillor Dillon called for a vote on the amendment.

For	21
Against	14

The amendment was carried.

Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor Gillespie and

Resolved That items C120/15 to C128/15 be taken in committee.

The press left the meeting at 8.35pm

C129/15 Duration of Meeting

The meeting was called for 7pm and ended at 9.05pm.

CHAIR _____

DATE _____