

## MAGHERAFELT DISTRICT COUNCIL

**Minutes of Proceedings of a Meeting of Magherafelt District Council held in the Council Chamber, 50 Ballyronan Road, Magherafelt on Tuesday, 9 September 2008. The meeting commenced at 7.30 pm.**

### Presiding

Mrs K A McEldowney

### Other Members Present

Mrs E A Forde

P J Bateson

J Campbell

T J Catherwood

J Crawford

Mrs A C Gribbon

P E Groogan

O T Hughes

J F Kerr

Miss K A Lagan

Rev Dr R T Wm McCrea, MP, MLA (joined the meeting at 7.32 pm)

P McLean

J J McPeake

I P Milne

G C Shiels

### Officers Present

J A McLaughlin, (Chief Executive)

J J Tohill (Director of Finance and Administration)

W J Glendinning (Director of Building Control)

T J Johnston (Director of Operations)

M Young (Director of Environmental Health)

Mrs A Junkin (Chief Executive's Secretary)

### Representatives from Other Bodies in Attendance

#### **Help the Aged:**

Mr Seamus Lynch

#### **DoE Planning Service:**

Ms Sandra Adams, Planning Officer

## 1 CONGRATULATIONS

- 1.1 Before the commencement of the meeting, **Councillor J F Kerr** requested that the Council host a Civic Reception for Michael Davitts U14 Camogie Team. He said that they had been crowned All Ireland Champions at the Féile na nGael National Festival held in Offaly from 20-22 June 2008.

1.1.1 On consideration it was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor O T Hughes, and

RESOLVED: that a Civic Reception be given to Michael Davitts U14 Camogie Team on becoming the All Ireland Champions at the Féile na nGael 2008.

**Councillor Rev Dr R T Wm McCrea joined the meeting at 7.32 pm.**

1.2 **Councillor I P Milne** requested that congratulations and a Chairperson's Reception be given to the Smith School of Dancing on becoming the All Ireland U12 "Fairy Reel" winners.

1.2.1 On consideration it was

PROPOSED by Councillor I P Milne  
Seconded by Councillor O T Hughes, and

RESOLVED: that a Chairperson's Reception be given to the Smith School of Dancing on becoming the All Ireland U12 "Fairy Reel" winners.

1.3 **Councillor T J Catherwood** requested that a Civic Reception be given to Mrs Wendy Houvenaghel (nee McLean) from Upperlands, on winning the Silver Medal for Track Cycling in the Women's Individual Pursuit Event at the 2008 Olympic Games in Beijing. He said that for her event time to be just three seconds slower than that of the Gold Medal winner, and to be participating for just two years in the sport was a great achievement and an honour for the District and his Electrical Area of Moyola.

1.3.1 **Councillor Rev Dr R T Wm McCrea** stated that to have an Olympic winner from the District was a great achievement and honour for the District.

1.3.2 **Councillor J F Kerr** said that he was delighted that Wendy has agreed to be an Honorary Member of his local cycling club.

1.3.3 On consideration it was

PROPOSED by Councillor T J Catherwood  
Seconded by Councillor Rev Dr R T Wm McCrea, and

RESOLVED: that the Council host a Civic Reception to mark Mrs Wendy Houvenaghel winning the Silver Medal for Track Cycling in the Women's Individual Pursuit Event at the 2008 Olympic Games in Beijing.

1.4 **Councillor P E Groogan** requested that a message of congratulations be sent to Bancran Tug-of-War Team on winning a bronze medal in the World Tug-of-War Championship.

1.4.1 Members agreed.

## 2 **MINUTES**

- 2.1 **Councillor J Campbell** referred to Page 41 – Notice of Motion - paragraph 21.11 and requested that this paragraph be amended to read “Councillor J Campbell referred to the meeting of the Council in January 2007 at which he first proposed that a grant-aid scheme should be set up to assist local sports clubs. He said that overall this scheme was proving very beneficial particularly the capital grants element. Currently, £160,000 had been allocated of which £120,000 had gone to GAA clubs. He felt, however, that there needed to be an injection of money into the various coaching elements and suggested that the scheme should be freed-up in terms of criteria.”

- 2.2 It was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor P McLean, and

**RESOLVED:** that the Minutes of the Council Meeting held on Tuesday, 9 September 2008 (copy previously circulated to each Member), subject to the above amendment, be taken as read and signed as correct.

## 3 **MATTERS ARISING OUT OF THE MINUTES**

- 3.1 The Chief Executive advised that there were no matters as such arising out of the Minutes. However there were some matters which he wished to bring to the Members attention.
- 3.2 Submitted letter of thanks from Children with Leukaemia for the Council’s support and donation towards the charity’s Amazing Great Children’s Party as well as their vital work.

Noted.

- 3.3 Submitted letter from Roads Service, Western Division regarding the A31 Magherafelt Bypass – Addendum to Environmental Statement which be available for viewing by the general public during the period 15 September to 31 October 2008 in the Council Offices (copy circulated to each Member and a further letter enclosing a copy of the Environmental Statement Notice of Publication which would appear in local papers during the week ending 19 September 2008 (copies circulated to each Member).

Noted.

- 3.4 Submitted letter from the Driver and Vehicle Licensing Agency dated 28 August 2008 advising of a five day exemption from the offence of not displaying a valid vehicle licence (Tax Disc) from 1 September 2008 (copy circulated to each Member).

Noted.

- 3.5 Submitted letter from Ballymena Area Electoral Office dated 27 August 2008 advising that the Electoral Office for Northern Ireland would no longer have an annual canvass.

Instead they would contact the public to encourage registration in various other ways, such as attending events to promote registration and to provide electoral identity cards (copy circulated to each Member).

Noted.

#### 4 **HELP THE AGED – PRESENTATION**

The Chairperson, Councillor Mrs K A McEldowney welcomed Mr Seamus Lynch from Help the Aged, Northern Ireland to the meeting. She explained that Help the Aged had been contacted following the Council's motion condemning the abuse of older people and in recognition of Help the Aged's campaign to Help Stop Elder Abuse.

Mr Lynch thanked the Chairperson and the Council for the opportunity to address the Members on Elder Abuse.

Mr Lynch explained that Elder Abuse occurred when an older person was harmed, mistreated, exploited or neglected by someone they knew and should have been able to trust. He pointed out that most abuse was a crime, and emphasised that one person in ten was abused. However no one had to put up with abuse because help was available. Mr Lynch went on to explain the types of elder abuse, physical, neglect, bullying, sexual and theft. He said that abuse could happen anywhere, in a person's home by those they lived with, or by relatives who visited, in hospitals, care homes, etc. Mr Lynch advised how abuse of an older person could be recognised. He said that people being abused could be very good at covering-up what had happened, but it was important to observe –

- Changes in behaviour
- Changes in appearance
- Changes in lifestyle
- Injuries
- Unusual difficulties with finance
- An over-emphasis on everything being normal
- Seeking attention from numerous people
- Appearing frightened when certain people came into the room
- Appearing to be off food and maybe losing weight.

In conclusion, Mr Lynch said that if abuse was witnessed or suspected it was important to try to help by being open and honest, and to give the person the opportunity to talk. One should never make false promises to them. He said that faced with this situation it was important to ask the person what they wanted to happen, and then explain what you would want to do and why.

The Chairperson opened the meeting for questions and discussion.

**Councillor G C Shiels** said that the presentation came at an opportune time in the light of current news with statistics that 51% of people in care homes had suffered abuse and mentioned some of their possible situations. He said that many patients in care homes had been given sedatives or relaxants just to facilitate staff shortages. He asked how these statistics panned out in nursing and care homes in this Council's District.

Councillor Shields further enquired how Mr Lynch felt about the amalgamation of Age Concern and Help the Aged in the future.

In reply, Mr Lynch said that elder abuse was very sensitive and that although 25% of sons, daughters and other carers were abusers, the remaining 75% were doing good jobs. He also said that many nursing homes provided an extremely caring service and that was the reality of the situation.

Councillor Shields enquired if any research had been carried out in Northern Ireland and in particular the Council's local area.

Mr Lynch revealed that within the Northern Health Board 51 cases of elder abuse had been recorded during the year 2006/07, but there were no specific details for individual areas. He noted that part of the motion previously adopted by the Council, asked the Minister to conduct research into the local situation.

He reminded Members, as he had done in a presentation in Ballymena, to look out for any signs of abuse. If help was required they should telephone Help the Aged Helpline. There was one number for the whole of Northern Ireland – 0808 808 8141.

Regarding amalgamation with Age Concern, Mr Lynch said that this had been a serious decision taken by these organisations which would no doubt improve the services for older people and be the means of pooling resources and advice services.

**Councillor Rev Dr R T Wm McCrea** thanked Mr Lynch for a good presentation. He said that he had to highlight that many families and carers provided an excellent service to the elderly even though it was not an easy task but a responsible one. He felt that any society had a responsibility to look after children and also the elderly. He said that the elderly people in this society had come through "hard times" and society owed them a debt of gratitude. Councillor Rev McCrea said that financial abuse was caused by greed. Properties had come up to a great value and often outweighed the value of their loved one. Many older people had been left in homes lonely and forgotten. Some in hospitals suffered a form of abuse because of the shortage of staff to look after them, or because loved ones were not available to visit them. Some people were being drugged in hospitals and carehomes to make life easy for the carers. The presentation only scratched the surface of the problem. Councillor Rev McCrea said that if Help the Aged and Age Concern felt that amalgamation was in the interests of the elderly he would support it.

Mr Lynch said that Help the Aged's objective was to raise awareness and it was crucial that help was received from others. There was a lack of resources and Government had to take responsibility and not walk away. Mr Lynch said that the previously adopted motion called for elder abuse training and Help the Aged was trying to get such training for every organisation that interacts with the elderly.

**Councillor Miss K A Lagan** referred to the 51 cases last year in the Northern Health Board and asked if there was a breakdown of how many elderly were abused in their own homes or when receiving nursing care.

Mr Lynch replied that this analysis was unavailable.

Councillor Miss Lagan went on to state that often relatives were left to care for elderly members of the family without any help from Social Services and often they were “pushed to the end of their tether”. Elderly in care homes were afraid to complain, if they did it could increase the abuse and it was very difficult to transfer the person to another home. She asked that this be made easier for people.

Mr Lynch said that many families were struggling to find placements for elderly relatives in homes.

Councillor Miss Lagan said that the state pension was just £80 per week and many elderly people had to decide whether to eat or have heat, which in her opinion was cruel. She believed that elder abuse was only part of growing old.

**Councillor J J McPeake** thanked Mr Lynch for his presentation and said that his organisation was doing a very valuable job and noted that raising awareness was only part of Help the Aged work. He asked if Help the Aged provided the elderly with legal advice.

Mr Lynch said whilst they could not provide legal services they helped by pointing people to Solicitors. They were very limited in what they could do legally. He spoke of Comic Relief which had helped to fund different aspects of their work.

**Councillor P J Bateson** suggested that there was a Commissioner for Children and there should also be one for the elderly

Mr Lynch said that he was aware that the Office of the First Minister and Deputy First Minister had said that there would be a Commissioner for the Elderly.

The Chairperson thanked Mr Lynch for his presentation and said that the Council supported all Help the Aged objectives.

**Mr Lynch retired from the meeting at 8.10 pm.**

## 5 **BUILDING CONTROL DEPARTMENT** 210/9/2008

5.1 The Director of Building Control presented the Department’s reports for the period 2 August to 31 August 2008 (copy previously circulated to each Member).

### 5.2 Assessment of Plans Deposited

During this period thirty-six applications had been recommended for approval. A total of one hundred and eighty-four applications required amending by Architects and Agents before granting approval.

5.2.1 Mr Glendinning drew Members’ attention to the applications requiring amendments by agents or architects and sought Members’ approval to reject the applications where the relevant agent or architect had been requested to make arrangements but had failed to do so.

- 5.2.2 **Councillor P McLean** referred to the number of applications to be queried and returned to architects and agents for amending. He said that those agents and architects were given every opportunity to submit the necessary information but played on the good nature of the Council's officers. However, this was a problem not only in Magherafelt but right across Northern Ireland.
- 5.2.3 **Councillor Rev Dr R T Wm McCrea** asked if all agents were failing their clients in this way or if some in particular were constant offenders. He said that if an agent was written to explaining why an application required amending, and they had been paid to act in their client's interests, then they should know how to submit the necessary amendments.
- 5.2.4 Mr Glendinning explained that applicants had already been written to by his department explaining that their applications had been queried with the agent but this did not appear to have had the desired effect. He said that some agents were not up to speed with new developments particularly regarding SAP regulations in relation to carbon emissions.
- 5.2.5 It was

PROPOSED BY Councillor P McLean

Seconded by Councillor Rev Dr R T Wm McCrea, and

RESOLVED: that the Building Control department be authorised to reject applications in situations where agents/architects/applicants had been requested to make amendments but had failed to do so.

### 5.3 Applications for Cancellation and Extension of Time

During this period there were no cancellations and two applicants applied for extensions of time:

MA/2034/0355 – Liam O'Kane, Old Tyane Road, Portglenone for a dwelling and garage

MA/2034/0412 – Stephen McKeown, 15 Carndaisy Road, Moneymore for alterations and improvements to dwelling

- 5.3.1 Mr Glendinning referred to extensions of time for applications and explained that if work had not commenced on an approved application before three years expired, the application could be cancelled. However, at this point, Council policy was to write to the applicant to give them the opportunity of a further year to commence work. If work had not commenced within four years from the date of submission of the plans, the application was automatically cancelled. As such, a policy had been put in place to automatically cancel all applications that had reached the four years expiry period from the original submission date if work had not commenced.

Noted.

### 5.4 Applications for Notices and Regularisations

During the period from 2 August to 31 August 2008 there was one Notice issued.

5.5 During this period forty-two applications had commenced on site and twenty-two applications were found to be complete in accordance with Building Regulations.

5.6 There were fifteen new Postal Numbers and Postcodes issued for private dwellings.

5.7 Property Certificates

There were twenty-eight Property Certificates issued for this period.

5.8 Petroleum Licences

Mr Glendinning referred to a number of premises which had not applied for renewal of petroleum licences and had been brought before Council at the August meeting. He said that no applications for renewal had been made for the following filling stations:

- McGinnis Filling Station - 87 Culnady Road, Upperlands
- Swatragh Day to Day – 17a Kilrea Road, Swatragh
- Crossroads Service Station – 186 Drumagarner Road, Kilrea

Applications had been made for the following filling stations but Electrical Certificates had not been received:

- Stockmans Filling Station – Tobermore
- Straw Service Station – 76 Sixtowns Road, Draperstown
- Diamond Service Station – Draperstown
- Weir's Filling Station – 71 Clady Road, Portglenone
- O'Kane Cars – Hillhead Road, Castledawson

Mr Glendinning stated that the proprietors of these filling stations had been written to advising that applications and electrical certificates had not been received, and still there was no response. He said that from a safety point of view the tanks at these filling stations had petroleum stored in them that was highly explosive. He recommended that the Filling Stations be closed as petroleum spirit was being held on these premises illegally. Mr Glendinning explained that the tanks would be filled with water or permanently filled with foam or concrete. He added that this action had been carried out in the past.

5.8.1 **Councillor P McLean** commented that this issue had been highlighted and the proprietors had been given sufficient time to comply with regulations therefore the Council was duty bound to comply with the Officer's advice.

5.8.2 It was accordingly

PROPOSED by Councillor P McLean  
Seconded by Councillor T J Catherwood, and

RESOLVED: that the Council agreed to issue a seven day letter and if there was no response take action to enforce the closure of the filling stations.



5.9 It was

PROPOSED by Councillor P McLean  
Seconded by Councillor Rev Dr R T Wm McCrea, and

RESOLVED: to adopt the report as submitted.

## 6 **LICENCES/REGISTRATIONS**

### 6.1 **Entertainment Licences:**

Submitted the following applications for Entertainment Licences which were in order and recommended for renewal:

E.47 St Oliver Plunkett's GAC Pavilion  
Mayogall Road, Clady –  
Mr Patrick O'Neill

E.51 An RáDubh  
53 Moneyneena Road, Draperstown –  
Moneyneena & District Development Initiative Ltd

6.1.1 On consideration it was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor P J Bateson, and

RESOLVED: that the applications as submitted be renewed.

6.1.2 The Chief Executive advised that the following application was recommended for granting subject to satisfactory reports being received from Environmental Health and the Fire Authority for a Barn Dance on Friday, 26 September 2008:

OE/3/08 The Barn, 137 Aughrim Road, Magherafelt -  
Mervyn Gregg

6.1.3 On consideration it was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor P J Bateson, and

RESOLVED: that the application as submitted, subject to satisfactory reports being received from Environmental Health and the Fire Authority be approved.

### 6.2 **Street Trading Licences:**

6.2.1 Submitted the following application for a Street Trading Licences which were in order and recommended for granting:

ST.14 Mr Michael McPeake, 19 O'Neill Park, Ballymaguigan  
***Car-park and Lay-by adjacent to Coleraine Road, Maghera***

6.2.2 On consideration it was

PROPOSED by Councillor P McLean  
 Seconded by Councillor Rev Dr R T Wm McCreal, and

RESOLVED: that the application as submitted be granted.

6.2.3 Temporary Street Trading Licence:

Submitted the following applications for Temporary Street Trading Licences in connection with Halloween Fireworks at:

Maghera

T7 Mr Aaron Ferguson, 8a Aghaveagh Road, Coagh

Magherafelt:

T8 Mr Aaron Ferguson, 8a Aghaveagh Road Coagh

6.2.4 On consideration it was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
 Seconded by Councillor J F Kerr, and

RESOLVED: that the application as submitted be allowed.

## 7 **PLANNING SERVICE**

185/9/2008

### 7.1 **New Planning Applications:**

Submitted the Divisional Planning Manager's report dated 9 September 2008 (copy previously circulated to each Member).

H/2001/0559/F – Mr G Crawford  
 Approval.

H/2005/1225/F – F P McCann  
 Approval

H/2006/0489/F – F P McCann Developments Ltd  
 Approval

H/2007/0020/RM – Mr P Dillon  
 Approval

H/2007/0436/LB – Miss B Kennedy  
Consent

H/2007/0818/F – Mr J Heron  
Approval

H/2007/0850/O – Mr S Moffett  
Deferred for an Office Meeting on the request of Councillor Miss K A Lagan. Councillor Miss Lagan handed a letter of submission to the Planning Officer.

H/2007/0932/RM – Mr J Johnston  
Approval

H/2007/0992/O – Mr J Kelly  
Deferred for an Office Meeting on the request of Councillor Miss K A Lagan. Councillor Miss Lagan handed a letter of submission to the Planning Officer.

H/2007/1041/RM – MCG Contracts Ltd  
Approval

H/2007/1068/F – Mr S McCann  
Approval

H/2007/1069/O – Mr C Madden  
Approval.

H/2007/1129/F – Mr & Mrs J Stewart  
Deferred for one month on the request of Councillor I P Milne for additional information. The Planning Officer advised that there was one objection to this application.

H/2007/1130/F – Ulster Engineering Limited  
Approval. The Planning Officer advised that there were four objections to this application.

H/2007/1142/F – M Kane  
Approval

H/2008/0019/F – S McMullan  
Approval

H/2008 /0027/F – Mr J Dorman  
Approval

H/2008/0039/F – Mr Devlin  
Approval

H/2008/0071/O – Mr P Stewart  
Deferred for an Office Meeting on the request of Councillors Rev Dr R T Wm McCrea, J Campbell and G C Shiels. Councillor J Campbell handed a letter of submission to the Planning Officer.

H/2008/0074/F – Mr P Sewart  
Approval

H/2008/0077/F – Mr V McCann  
Approval.

H/2008/0096/F – J Higgins  
Approval

H/2008/0104/RM – Mr J Fullen  
Approval

H/2008/0132/RM – Mr & Mrs M Hatt  
Approval

H/2008/0142/F – Mr W Davidson  
Approval

H/2008/0178/F – Mr S Gillan  
Approval

H/2008/0188/F – Mr P Hughes  
Approval

H/2008/0190/RM – Ms F Bradley  
Approval.

H/2008/0195/O – J & M Booth  
Deferred for an Office Meeting on the request of Councillors G C Shiels, Rev Dr R T Wm McCrea and Mrs E A Forde to discuss satisfactory integration.

H/2008/0220/RM – T Barrett  
Approval

H/2008/0024/F – F Quinn  
Approval

H/2008/0228/F – Mr Duggan  
Approval

H/2008/0240/RM – J McEldowney  
Approval.

H/2007/0250/RM – Mr W Mulholland  
Approval

H/2008/0251/A – Bridge Van Dismantlers  
Deferred for an Office Meeting on the request of Councillor Miss K A Lagan.  
Councillor Miss Lagan handed a letter of submission to the Planning Officer.

H/2008/0252/RM – Mr D Boyd  
Approval

H/2008/0259/RM – Mr V O’Kane  
Approval

H/2008/0270/RM – Mr W J Wallace  
Approval

H/2008/0276/RM – E McAtamney  
Approval

H/2008/0278/RM – W McErlane  
Approval

H/2008/0286/F – Mr P McErlean  
Approval

H/2008/0289/F – Mr S Hamilton  
Approval

H/2008/0292/F – Mr F Caskey  
Approval.

H/2008/0297/A – McAleer & Rushe Ltd  
Approval.

H/2008/0303/F – M Martin  
Approval.

H/2008/0306/O – Mr W Higgins  
Deferred for an Office Meeting on the request of Councillor Rev Dr R T Wm McCrea and the Chairperson, Councillor Mrs K A McEldowney. Councillor Rev McCrea said that a letter of submission would be forwarded to the Planning Officer.

H/2008/0312/RM – C Hilman  
Approval

H/2008/0313/F – P Donnelly  
Approval

H/2008/0320/F – Mr & Mrs M Service  
Approval

H/2008/0321/F – Mr R Fullerton  
Approval

H/2008/0322/F – Mr D O’Neill  
Approval

H/2008/0324/F – D & A Contracts

Deferred for an Office Meeting on the request of Councillor O T Hughes. Councillor Hughes handed a letter of submission to the Planning Officer. The Planning Officer advised that there was one objection to this application.

H/2008/0338/F – Mr M Kelly

Deferred for an Office Meeting on the request of Councillor O T Hughes. Councillor Hughes handed a letter of submission to the Planning Officer.

H/2008/0340/O – NI Housing Executive

Approval

H/2008/0341/O – NI Housing Executive

Approval

H/2008/0343/F – J Nelson

Approval. The Planning Officer advised that there was one objection to this application.

H/2008/0346/F – Mr G McFadden

Approval

H/2008/0350/F - Mr P Mulholland

Approval.

H/2008/0359/O – Mr D Devlin

Deferred for an Office Meeting on the request of Councillor Miss K A Lagan to discuss the issues surrounding replacement.

H/2008/0368/F – Ms A Flemming

Deferred for an Office Meeting on the request of Councillors Rev Dr R T Wm McCrea and G C Shiels. Councillor G C Shiels handed a letter of submission to the Planning Officer.

H/2008/0369/RM – Mr & Mrs Craig

Approval

H/2008/0377/F – Mr M Hyndman

Approval

H/2008/0386/F – The Trustees of Spires Integrated Primary School

Approval

H/2008/0396/F – Mrs R O’Kane

Approval.

H/2008/0400/F – Happy Days Nursery

Approval

H/2008/0401/F – Gran Tots Playgroup

Approval

H/2008/0427/F – R Ditty  
Approval

H/2008/0442/F – Mr C Devlin  
Approval

**Applications Deferred from Previous Meeting:**

H/2005/0814/O – Mr D Jones  
Approval. The Planning Officer advised that there was one objection to this application.

H/2006/0227/O – Miss C McGurk  
Approval

H/2006/0578/O – Highfield Service Station  
Approval. The Planning Officer advised that there were thirty-five objections, one petition of objection and one letter of support for this application.

H/2006/0648/O – Mr L Neeson  
The Planning Officer advised that this application had been withdrawn by the applicant's agent.

H/2006/0742/F – Moyola Precision Engineering Ltd  
Approval. The Planning Officer advised that there was one objection to this application.

H/2007/0081/F – Mr S Conway  
Deferred pending Review of draft Planning Policy Statement 14.

H/2007/0119/F – Mr S Shivers  
Deferred pending Review of draft Planning Policy Statement 14. The Planning Officer advised that there was one objection and one letter of support for this application.

H/2007/0178/F – P Gordon  
Approval.

H/2007/0197/O – Mr E Bradley  
Deferred pending Review of draft Planning Policy Statement 14.

H/2007/0200/F – Mr C McGoldrick  
Approval.

H/2007/0374/F – Mr T Gourley  
Approval.

H/2007/0458/O – Mrs J Hegarty  
Deferred pending Review of draft Planning Policy Statement 14.

H/2007/0543/O – Mr J Watterson  
Refusal. The Planning Officer advised that there had been three objections to this application

H/2007/0767/O – Mr S Lynch

Deferred pending Review of draft Planning Policy Statement 14. The Planning Officer advised that there was one objection to this application.

H/2007/0894/F – Mr S Doyle

Approval.

H/2008/0041/F – P Boyle

Approval

H/2008/0042/F – Mr J Coles

Approval

## 7.2 It was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
Seconded by Councillor J F Kerr, and

RESOLVED: that the Planning Report dated 9 September 2008, subject to the above conditions and amendments, be adopted.

**The Planning Officer retired from the meeting at 8.40 pm.**

## 7.3 Planning Application H/2007/0352/F

Submitted letter from the Divisional Planning Manager dated 14 August 2008 in connection with Planning Application H/2007/0352/F in the name of Ms Rosemary O’Kane for a proposed development of one block of five separate units for individuals with learning difficulties, autism and the elderly in association with the residential home on lands to the rear of 141 Moneysharvin Road, Maghera (copy previously circulated to each Member).

- 7.3.1 The letter intimated that the Department was considering entering into a legal agreement with Rosemary O’Kane and Ulster Bank Limited under Article 40 of the Planning (Northern Ireland) Order 1991 (as amended). The purpose of which was to ensure that the development was retained for individuals with learning difficulties, autism and the elderly and retained as a use under C3 ‘Residential Institutions’ of the Planning (Use Classes) Order (NI) 2004 in association with the residential home at 141 Moneysharvin Road, Maghera and that these units would not be sold-off as individual dwelling houses as described within C1 ‘dwelling houses’ of the Planning (Use Classes) Order (NI) 2004. Under the provisions of the legislation, the Department was required to consult with the District Council before entering into an agreement.



### 7.3.2 On consideration it was

PROPOSED by Councillor Miss K A Lagan  
Seconded by Councillor J F Kerr, and

RESOLVED: that the Council fully supports the Divisional Planning Office in entering into a legal agreement under Article 40 to ensure that these units are used for the purpose described in connection with Planning Application H/2007/0352/F.

- 7.4 Submitted letter from the Divisional Planning Manager advising that in connection with an Article 32 Appeal by Mr F Quinn for a dwelling and garage, 150m South of 6 Gortnaskea Road, Draperstown the Planning Service wished to add another refusal reason to application H/2006/0248/F (copy previously circulated to each Member).

Noted.

- 7.5 Submitted letter from the Divisional Planning Office stating that in connection with a decision notice submitted to the Planning Appeals Commission, the Planning Service wished to amend refusal reason 1 in connection with planning application H/2005/0455/O in the name of Mr G Kelso, Drumlane Road, rear of 1 Main Street, Tamlaght O'Crilly (copy previously circulated to each Member).

Noted.

## 8 **ENVIRONMENTAL HEALTH DEPARTMENT** 196/9/2008

The Director of Environmental Health submitted the report for the month of August 2008 (copy previously circulated to each member). The following matters were brought to the attention of the Council:-

### 8.1 Local Government (Miscellaneous Provisions) (NI) Order 1985

Mr Young reported that letters had been received from residents in Hall Street, Maghera complaining about noise and disturbance in the early hours of the morning particularly at weekends. The complaints suggested the disturbances were associated with takeaway food premises in the town operating late hours. Monitoring of the situation showed that a number of takeaways stayed open late and that there was a generally high level of noise and disturbance in the town.

#### 8.1.1 After discussion regarding the situation, it was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor Miss K A Lagan, and

RESOLVED: that a notice of intention of making a Closing Order be served on the identified takeaway premises to prohibit opening between the hours of 02.00 and 05.00 each day of the week from Tuesday to Sunday and between the hours of 01.30 and 05.00 on Monday.

## 8.2 Oil Stamp Scheme

The launch of the oil fuel stamp scheme was reported with receipts to date in excess of £10,000. Members welcomed the success of the scheme and Councillor Miss K A Lagan thanked officers of the Environmental Health department for work in the launch and administration.

Councillor G. Shiels spoke of the work of the fuel poverty steering group and particularly thanked Councillor Miss Lagan for her work as chair of the group.

Noted.

## 8.3 Article 26 Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992 – Emergency Financial Assistance

The Director of Environmental Health informed Members of the actions of the Environmental Health Department resulting from events of the weekend of 16/17 August which saw some of the heaviest rainfall recorded on ground that was already saturated. This resulted in substantial flooding in areas, particularly those associated with the bursting of the banks of the Moyola River.

8.3.1 Mr Young summarised the scheme made available from Department of the Environment, Northern Ireland to enable District Councils to make an ex-gratia hardship payment of £1,000 to affected householders within the parameters of the scheme.

8.3.2 A copy of the emergency plan had been made available to members and it was reported that no requests had been made to the Council to initiate the plan or to provide emergency rest centres.

8.3.3 **Councillor Rev Dr R T Wm McCrea** stated that this was an emergency for those affected and he felt that the Council should be instrumental in providing a co-ordinated response to the emergency. He also commented that the response across Northern Ireland had been similar to Magherafelt.

8.3.4 Councillor K. Lagan said that it was hard to describe how bad the situation had been and that there had been a lack of information to those affected. She added that the notice of motion tabled for the meeting which called for a review of the emergency plan in the light of recent flooding could be discussed now.

8.3.5 After discussion it was agreed to bring forward Councillor Miss K A Lagan's Notice of Motion.

8.3.6 In accordance with her Notice of Motion, Councillor Miss Lagan proposed:

***“That this Council reviews its Emergency Plan in the light of recent flooding in the District and the impact that it had on many people.”***

The motion was seconded by Councillor Rev Dr R T Wm McCrea.

8.3.7 After full and considerable debate of the motion the Chief Executive summarised the procedures for invoking the Council's Emergency Plan which were basically dependant on the PSNI requesting activation of the emergency arrangements. In this particular case the PSNI had, for whatever reason, had not made a request for the activation of the plan.

8.3.8 On consideration Members agreed that the Chief Executive should arrange to meet with the PSNI, the other emergency services and relevant agencies to review the lessons of the recent floods to ensure that all parties to the Emergency Plan would be fully aware of criteria to be applied when considering whether to trigger the Emergency Plan.

8.3.9 Accordingly it was

PROPOSED by Councillor Miss K A Lagan

Seconded by Councillor Rev Dr R T Wm McCrea, and

RESOLVED: that the motion be adopted and that the Chief Executive arrange a meeting with the various agencies to review the events surrounding the flooding and how future events could be better addressed.

8.4 It was

PROPOSED by Councillor T J Catherwood

Seconded by Councillor J F Kerr, and

RESOLVED: to adopt the remainder of the report, which was for information

## 9 **ADJOURNMENT OF MEETING**

The Chairperson, Councillor Mrs K A McEldowney adjourned the meeting for a comforts break at 9.15 pm.

The Meeting resumed at 9.30 pm.

## 10 **OPERATIONAL SERVICES DEPARTMENT**

322/9/2008

Submitted report by the Director of Operations for the month of August 2008 (copy previously circulated to each Member).

### 10.1 **Development:**

#### 10.1.1 Draft Irish Language Development Plan

It was

PROPOSED by Councillor I P Milne

Seconded by Councillor O T Hughes, and

RESOLVED: that the Draft Irish Language Development Plan be adopted by the Council.

**10.2 Community Relations:**

**10.2.1 Capital Sports Grant – A request for Part Payment from Tobermore United Football Club**

It was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
Seconded by Councillor O T Hughes, and

RESOLVED: that the officers would seek legal opinion regarding Tobermore United Football Club's request for part payment of the grant, and report back to Council.

10.2.2 Mr Johnston advised that he had received correspondence from Tobermore United Football Club which stated that following flooding of their premises on 16 August 2008 it would be of tremendous benefit to the officers if the Council could find a way to allow the monthly rent they paid for the facilities to be suspended until the buildings were fully restored and fit for use.

10.2.3 **Councillor Miss K A Lagan** stated that she had spoken to representatives of the Football Club and was of the opinion that their request was for a deferral of the rent until the premises were fully restored and ready for use.

10.2.4 It was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
Seconded by Councillor G C Shiels, and

RESOLVED: that the Council would defer the rent for a period of three months.

10.2.5 Mr Johnston asked permission to introduce a further request regarding Sports Grant funding.

10.2.6 The Chairperson agreed to this request.

10.2.7 Mr Johnston stated that they had received a request from Bancran Tug-of-War Club for funding in accordance with the sports person/team representative grant aid programme. He advised that this Tug-of-War Club had been selected to represent Northern Ireland at the World Championships in Sweden, from 4 to 7 September 2008, and that funding was requested to assist with the provision of accommodation and travel.

10.2.8 Mr Johnston stated that all documentation had been submitted in accordance with the required procedures and therefore he was recommending that Bancran Tug-of-War Club be awarded £1,000 as a result of this application.

10.2.9 It was

PROPOSED by Councillor P E Groogan  
Seconded by Councillor O T Hughes, and

RESOLVED: that the Council would award Bancran Tug of War Club £1,000 under the Sports Person/Team Representative grant aid programme.

### 10.3 **Technical Services:**

#### 10.3.1 Bus Shelter Application

It was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor J J McPeake, and

RESOLVED: that the Council would erect a bus shelter on private land at the Mayogall Road, Gulladuff, on condition that the landowner signed the consent forms required by Council.

#### 10.3.2 Bi-Lingual Street/Road Nameplates

It was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor J J McPeake, and

RESOLVED: that the Council would survey residents living at the Ballyhagan Road, Ballyknock Road, Coolnasillagh Road, Drumconready Road, Glenshane Manor, Largantogher Park, St Lurach's Gardens, St Lurach's Terrace, Tirkane Court, Tullyheron Road and Mullagmore regarding the erection of bi-lingual street/road nameplates in these areas.

#### 10.3.3 Energy Savings Week 20 – 26 October 2008

It was

PROPOSED by Councillor P McLean  
Seconded by Councillor J F Kerr, and

RESOLVED: that the Council would support the Energy Savings Week, scheduled to take place from 20-26 October 2008.

10.4 All other items were noted by the Council.

10.5 Mr Johnston asked the Chairperson's permission to raise a number of additional items.

10.6 The Chairperson agreed to this request.

#### 10.7 Western Regional Tourism Partnership

Mr Johnston stated that the members would be aware that a copy of the Service Level Agreement issued by the Northern Ireland Tourist Board had been submitted to Council at its meeting of Tuesday 12 August 2008, and that the Council had deferred a decision regarding this matter until further clarification was received from the Northern Ireland Tourist Board.

10.7.1 Mr Johnston stated that a meeting between the member Councils of the Western Regional Tourism Partnership and the Northern Ireland Tourist Board had taken place on Friday 5 September 2008, and at this meeting the Northern Ireland Tourist Board had provided clarification regarding a number of issues. This clarification included a statement that the Northern Ireland Tourist Board would provide the £70,000 funding to the Western Regional Tourism Partnership with no matching funding required from the member Councils.

10.7.2 It was

PROPOSED by Councillor P McLean  
Seconded by Councillor J F Kerr, and

RESOLVED: that the Council agree the Service Level Agreement issued by the Northern Ireland Tourist Board and submitted to Council at its meeting of Tuesday 12 August 2008.

#### 10.8 Ulster Way - Maintenance

Mr Johnston advised that the members would be aware that the Council at its meeting of Tuesday 12 August 2008 had resolved that before deciding on this matter the officers would seek the position of other Councils in respect of the agreement/insurance proposals submitted by the Northern Ireland Environmental Agency, and report back to Council. Mr Johnston stated that the officers had contacted 16 Councils and had been informed that 5 Councils had accepted the proposals without checking with their Insurance Companies, (they were now investigating this matter) 7 were still considering their positions, 2 were of the opinion that as they owned this section of the Ulster Way where it passed through their area insurance was not an issue, and 3 indicated that the Ulster Way did not pass through their areas.

10.8.1 It was

PROPOSED by Councillor T J Catherwood  
Seconded by Councillor Mrs E A Forde, and

RESOLVED: that the Council would not accept the proposed Ulster Way Maintenance Agreement submitted to Council at its meeting of Tuesday 12 August 2008.

#### 10.9 Priority Booking

Mr Johnston advised that he had received correspondence from Maghera Strollers which basically stated that rather than having shared priority booking status with Magherafelt Sky Blues regarding the football pitch at Maghera Leisure Centre they believed that Maghera Strollers should have 'first' priority with any spare capacity being allocated to Magherafelt Sky Blues.

10.9.1 Mr Johnston stated that for the last few years with a substantial number of football teams seeking priority bookings on a limited number of pitches it was not possible to give each team the sole use of a pitch. It was also a fact that to play league football teams were now required to nominate a pitch otherwise they would not be allowed to play league football.

10.9.2 Mr Johnston stated that it was therefore a matter of teams co-ordinating fixtures and allocating pitches according to these fixtures so that each pitch could accommodate more than one team. It was generally accepted that every other week teams played away matches and therefore the pitch was available for use by other teams.

10.9.3 There followed a general discussion regarding this matter with differing views being expressed regarding the status of priority bookings.

10.9.4 It was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
Seconded by Councillor T J Catherwood, and

RESOLVED: that to accommodate all priority booking requests the Council would adhere to the decision taken at its meeting of Tuesday 12 August 2008.

#### 10.10 Off The Wall Drama Group

Mr Johnston stated that the Off The Wall Drama Group, which consisted of young adults with learning disabilities, held weekly meetings in Meadowbank Recreation Centre each Wednesday to improve their ability to socialise with people within their comfort zone. He stated that in the past this group had been funded through the Magherafelt Arts Trust, basically tuition fees, rent for the premises, etc. This year it seemed that rather than seek Arts Trust funding the group were in the process of trying to secure funding through the 'Awards for All' grant aid programme, and were now asking if the Council could fund the group in the interim.

10.10.1 It was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor P J Bateson

RESOLVED: that the Off The Wall Drama Group's request for funding be forwarded to the Magherafelt Arts Trust, for consideration at their next meeting.

10.11 **Councillor J Crawford** asked the Council to consider the removal of the 'shelter' at Castledawson Toilets in order that it could not be used for anti-social behaviour in the area, and therefore allow the toilets to be reopened for public use.

10.11.1 Mr Johnston stated that the members would be aware that the Council at its meeting of Tuesday 12 August 2008 had resolved to remove the toilets at New Row, Castledawson provided two/three business owners would allow the public to use the toilets within their premises. He stated that in accordance with Council's instruction the officers had surveyed eight/nine premises in Castledawson, all of which had refused this request basically because of insurance issues. Mr Johnston stated that on the assumption that this meant the toilets at New Row, Castledawson would remain he fully supported Councillor Crawford's view that the shelter at this site be removed before these toilets could be reopened for public use.

## 10.11.2 It was

PROPOSED by Councillor J Crawford  
 Seconded by Councillor T J Catherwood

RESOLVED: that prior to re-opening Castledawson Public Conveniences the Council would remove the shelter attached to this building.

Councillor Crawford stated that he had been contacted by the Lower Castledawson Community Association regarding the provision of a play area adjacent to the Associations' new Community House, and had accompanied Mr Johnston to a site meeting with the Chairperson of Lower Castledawson Community Association to discuss this matter.

Mr Johnston confirmed that he had attended this meeting and had now received correspondence from the Chairman of the Lower Castledawson Community Association which stated:

- A survey carried out in 2006 concluded that 94% of households expressed a need for a play park within the Parkview and Riverside areas.
- The Community Group, having attained the Community House as well as grant awards and substantial financial contributions from the Housing Executive, were confident that the Group could make a positive contribution to the area.
- The Group could provide a secure area for the play park adjacent to the Community House. The Group had installed CCTV which included night vision and a capacity for 8 additional cameras.
- The Group feel they are best placed for this project as both the toddler and pre-school groups are within close proximity of the Community House.

10.11.3 Mr Johnston stated that the correspondence concluded by asking that the Council meet 50% of the costs incurred in the provision of a play area. On completion the Association would then oversee the insurance, liability and maintenance of the play area, basically the Council would have no further responsibility for the project after its construction.

10.11.4 Mr Johnston reminded the members that the Council had resolved not to consider any new play areas until the restoration of existing play areas was completed, however he suggested that this was an excellent proposal and very worthy of consideration.

## 10.11.5 It was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
 Seconded by Councillor T J Catherwood, and

RESOLVED: that the Council would review this proposal when the current refurbishment programme of play areas had been completed.



10.12 It was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor P McLean, and

RESOLVED: that the report as submitted be adopted.

## 11 **PAYMENT OF ACCOUNTS** 9/2008

11.1 Submitted Statement of Expenditure setting out payments to be made during the month of September 2008 (copy circulated to each Member).

The schedule provided for £653,518.33 out of the Revenue Account and £21,045.80 out of the Capital Account.

11.1.1 On consideration it was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
Seconded by Councillor J F Kerr, and

RESOLVED: to approve the Statement of Accounts as submitted for September 2008.

## 12 **ECONOMIC DEVELOPMENT**

### 12.1 **Local Economic Development 2007-2009**

Submitted report from Magherafelt Area Partnership in connection with Project 207/1 – Local Leadership.

The report stated that a budget of £13,456 was approved by the Council in May 2008 for a six months period commencing on 1 April 2008. This included a £2,124 for work carried out on behalf of the Council by Mr Charlie Monaghan in connection with the new Rural Development Programme and Peace III. The lead-up to these programmes involved more work than originally anticipated including a complete revision of the Peace III strategy for SEUPB and as a result Mr Monaghan, having discussed and agreed the matter with the Chief Executive, continued this work until 31 July 2008. The actual number of days increased from 12 days to 18.5 days and MAP was therefore requesting that the approved budget be increased by £1,150. With this increase the budget for the Local Leadership project would be £14,636.50.

12.1.1 On consideration it was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
Seconded by Councillor T J Catherwood, and

RESOLVED: that the Council increase the original budget approved for the Local Leadership Project (No 207/1) by £1,150 to £14,636.50 to pay for the extra work carried out by Mr Monaghan of Magherafelt Area Partnership on the Rural Development Programme and Peace III.

13 **CONFERENCES AND COURSES**

268/9/2008

Consideration was given to the nomination of delegates to attend the following:

(a) **Creative Industries Event:**

to take place in the Waterfront Hall, Belfast on Wednesday, 17 September 2008, hosted by FLAG (details previously circulated to each Member).

On consideration it was agreed to make the details “read”.

(b) **Best Practice Event:**

to take place on Thursday, 2 October 2008 in The Studio, Waterfront Hall, Belfast on the themes ‘Innovation to public service’ and ‘communicating with employees and customers’ (details previously circulated to each Member).

On consideration it was agreed to mark the details “read”.

(c) **2008 Autumn Seminar – Greystones Town Hall in association with Ards Borough Council and the La Touche Legacy Committee:**

to be held at Charlesland Golf & Country Club Hotel, Greystones, Co Wicklow from Friday, 3 October to Sunday, 5 October 2008 on “The relationship between Local Authorities and the Business Sector – are there lessons to be learned?” (details previously circulated to each Member).

On consideration it was agreed to mark the details “read”.

(d) **Northern Ireland Energy Forum Annual Conference 2008:**

to be held in the Stormont Hotel, Belfast on Thursday, 13 November 2008 (details previously circulated to each Member).

On consideration it was agreed to mark the details “read”.

(e) **National Tourism Conference – Clare Tourism Council:**

to be held at the Falls Hotel, Ennistymon, Co Clare from Thursday, 27 November to Saturday, 29 November 2008 (details previously circulated to each Member).

On consideration it was agreed not to nominate.

14 **CONSULTATION DOCUMENTS**

## 14.1 Submitted the following documents:

(a) Draft for consultation ‘Northern Ireland Children’s Services Plan 2008-2011 including NACYPC Action Plan 2008-09 prepared by the Northern Health and Social Services Board seeking a response by 23 September 2008.

(b) Letter and Consultation Document on the Review of Domestic Rating Green Rebates prepared by the Department of Finance and Personnel seeking comments by 26 September 2008.

(c) Letter and Consultation Report, based on responses to a pre-consultation held last Autumn on options for a Network for Youth, the aim of which will be to strengthen the direct voice of young people in all relevant aspects of government provision prepared by the Department of Education's working group seeking comments by 30 November 2008.

- 14.2 It was agreed that if any Member or party grouping wished to make comments on these documents they should forward them to the Chief Executive who would then arrange to have them sent to the appropriate body.

## 15 **PRESENTATIONS TO COUNCIL**

- 15.1 The Chief Executive advised that in accordance with the Council's resolution on violence against women and the subsequent agreement to invite organisations involved, he suggested that the Council hold a Special Meeting to receive presentations from:

- Paula Jack - Public Prosecution Service
- Martina Hemmings - Women's Aid, Cookstown, and
- Rosemary Magill or Fran O'Boyle - MARAC.

- 15.2 The Chief Executive advised that at a recent meeting the Council had decided to invite Ms Therese Bateson from Magherafelt to discuss the erection of public art work in the centre of Magherafelt.

- 15.3 On consideration it was resolved that the four presentations be made at a Special Meeting to be held on Monday, 29 September 2008 at 7.00 pm.

## 16 **ROADS SERVICE**

279/9/2008

Submitted details of streets adopted by Roads Service under the Private Streets (NI) Order 1980 – Stages 1 & 2 Cahore Road, Draperstown (details previously circulated to each Member).

Noted.

## 17 **NOTICE OF MOTION**

212/9/2008

- 17.1 In accordance with his Notice of Motion, which was deferred from the August Council Meeting, **Councillor J J McPeake** proposed:

***“That this Council recognises the huge social capital contribution made by an Cumann Lúthchleas Gael (GAA) within this Council area and agreed to provide full-time specialist GAA coaching for the youth of the District.”***

17.2 Councillor McPeake said that rather than discuss the motion as currently presented he wished to seek the Chairperson's permission to allow Councillor J F Kerr to bring forward an alternative motion which would seek to amend the existing criteria for the Council's Sports Coaching Grants Scheme and to defer the current motion pending the agreement of an alternative way forward.

17.3 **Councillor J F Kerr** proposed that the Council accept the following motion in principle (copy circulated to each Member):

***"That this Council tasks its officers to develop an improved sports coaching grant scheme which will:***

- 1 reflect the number of registered players in each sport body***
- 2 allow clubs to pool applications through their immediate governing bodies/umbrella groups***
- 3 increase the annual coaching grant budget accordingly."***

17.4 **Councillor Rev Dr R T Wm McCrea** stated that Councillor Kerr's motion was not an amendment and therefore could not be considered in this manner.

## 18 **SUSPENSION OF STANDING ORDERS**

It was

PROPOSED by Councillor J F Kerr

Seconded by Councillor I P Milne

That Standing Orders be suspended.

On a vote being taken, 10 Members voted for, 6 Members abstained. The Chairperson declared that Standing Orders be set aside.

## 19 **NOTICE OF MOTION**

In accordance with his Notice of Motion, it was proposed by Councillor J F Kerr:

***"That this Council tasks its officers to develop an improved sports coaching grant scheme which will:***

- 1 reflect the number of registered players in each sport body***
- 2 allow clubs to pool applications through their immediate governing bodies/umbrella groups***
- 3 increase the annual coaching grant budget accordingly."***

The motion was seconded by Councillor I P Milne

- 19.1 In support of his Notice of Motion, Councillor Kerr stated that he was seeking the Council's agreement in principle as it was his intention that the Council's ultimate policy would allow its Sports Coaching Grants Scheme to take into account the relative number of people participating in each sport, allow the relevant sports governing bodies to co-ordinate common applications and provide an increased overall budget allocation.
- 19.2 **Councillor P McLean** sought clarification as to why the proposed motion referred to the number of registered players as opposed to registered clubs.
- 19.3 Councillor Kerr replied that he was attempting to recognise that clubs with large memberships needed more coaching than those with smaller memberships.
- 19.4 The Chief Executive stated that the proposed policy would perhaps allow the Council an opportunity of developing a policy which would be open to everyone and eliminate the problems associated with the proposal for funding which had been previously submitted to Council.
- 19.5 **Councillor Rev Dr R T Wm McCrea** said that he would defer his consideration of this matter until he had received more detailed proposals from the Officers.
- 19.6 On a vote being taken, 10 Members voted for, 6 Members abstained, voting being by show of hands. The Chairperson declared the motion be carried in principle.

20 **RESUMPTION UNDER STANDING ORDERS**

It was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor I P Milne, and

RESOLVED: that the Council resume under Standing Orders.

**Councillor O T Hughes retired from the meeting at 10.40 pm.**

21 **RESOLUTION TO PROCEED "IN COMMITTEE"**

It was

PROPOSED by Councillor Rev Dr R T Wm McCrea  
Seconded by Councillor T J Catherwood, and

RESOLVED: that the Council proceed "In Committee".

**Council "In Committee"**

22 **NORTH WEST REGION WASTE MANAGEMENT GROUP**

This item was taken “In Committee”.

23 **STAFF MATTERS**

This item was taken “In Committee”.

24 **LEGAL MATTERS**

This item was taken “In Committee”.

25 **RESOLUTION TO PROCEED IN “OPEN COUNCIL”**

It was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor T J Catherwood, and

RESOLVED: that proceedings be resumed in “Open Council”.

**Proceedings in “Open Council”**

It was

PROPOSED by Councillor J F Kerr  
Seconded by Councillor T J Catherwood, and

RESOLVED: that the foregoing proceedings of the Council “In Committee” be and they are hereby approved and adopted.

26 **SEALING OF DOCUMENTS**

There were no items for sealing.

27 **FOR THE INFORMATION OF MEMBERS**

The following items were submitted for the information of Members:-

- (a) Minutes of Meeting of the North Eastern Group Committee Building Control Service held on Wednesday, 4 June 2008.
- (b) Minutes of Meeting of the 345 Meeting of the Northern Ireland Housing Council held on Thursday, 12 June 2008.
- (c) Copy of report on ‘Care of Patients with Malignant Melanoma of Skin in Northern Ireland 2006’ produced by the Northern Ireland Cancer Registry, QUB.

- (d) Copy of 'Eel Express' – September 2008 prepared by the Lough Neagh and Lower Bann Advisory Committees (copy circulated to each Member).
- (e) **Annual Reports:**
  - 1 Invest Northern Ireland 2007-08
  - 2 Northern Health and Social Services Board' 2008

The meeting concluded at 11.20 pm.

CHIEF EXECUTIVE

The foregoing Minutes are hereby Confirmed

\_\_\_\_\_ (Chairman)

\_\_\_\_\_ (Date)