

COOKSTOWN DISTRICT COUNCIL

Minutes of proceedings of a **STATUTORY MEETING** of the Council held in the Council Chamber on Tuesday 11 September 2007.

Present: I McCrea, Chairman

Councillors: Baker, Cassidy, Clarke, Glasgow MBE, Lees, McAleer
McCartney, McGarvey, McGlone, McIvor, McNamee,
Molloy, Quinn and Wilson

Officers: Clerk/Chief Executive
Director of Corporate Services
Clerical Officer

Other **Planning Services**
Representatives Ms S McCracken, Senior Planning Officer

Vice Chairman, Councillor Molloy took the Chair at the outset of the meeting due to the unavailability of the Chairman, Councillor McCrea.

1 SYMPATHY

At the outset of the meeting Councillor McNamee referred to the recent death of Mrs Annie McAleer, mother of Councillor McAleer and grandmother to Councillor McIvor and the death of Mr Sean McCann, Councillor McAleer's brother-in-law and extended the sympathy of the Council. It was AGREED to forward a letter of sympathy to Councillor McAleer on behalf of the Council.

Councillor Wilson also referred to the recent death of Mr Norman Lindsay, father to Mr Glen Lindsay and extended the sympathy of the Council to the family.

Council also expressed sympathy to the Devlin family, Ardboe, on the sudden death of their young son Patrick who collapsed on a playing pitch on Saturday as he trained with his team members.

2 APOLOGIES

An apology was received on behalf of Councillor Greer.

3 MINUTES OF STATUTORY MEETING – 10 July 2007

3.1 Matters Considered

Item 9.2 Sale of Lands at Pomeroy

The Clerk/Chief Executive advised the meeting that Councillor McGarvey was recorded as both proposing and seconding to approve and seal the sale of lands at Pomeroy to Mr Boyd and requested for the accuracy of the records. It was AGREED that the minutes should read:

On the proposal of Councillor McGarvey and seconded by Councillor Glasgow it was AGREED to approve and seal the sale of lands at Pomeroy to Mr Boyd.

3.2 Adoption of Minutes

Subject to the above amendment the Minutes of the STATUTORY meeting held on 10 July 2007, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor McGarvey and seconded by Councillor Clarke.

4 MATTERS ARISING

4.1 Water Service

The Clerk/Chief Executive tabled a letter dated 7 September 2007 from Northern Ireland Water responding to queries raised by Councillors at the presentation made by Northern Ireland Water on 26 June 2007.

4.2 Dumping of Grass

Councillor Wilson requested a report on the disposal of grass at the amenity sites and Magheraglass Landfill site and if there were any plans to charge for this material.

4.3 Flight of the Earls

Councillor Quinn congratulated staff who organised the Flight of the Earls events on Friday 7 and Saturday 8 September. He stated that it was a most enjoyable and informative evening. He also praised the performance of the Stewartstown Festival Committee.

5 PLANNING MATTERS

5.1 Judicial Review PPS 14

The Clerk/Chief Executive referred to the recent ruling on the PPS14 Judicial Review and tabled a letter dated 7 September 2007 from Mr David Ferguson, Chief Executive, Planning Service. Mr Ferguson advised that until the issue of remedies has been presented to the courts that all decisions on applications which have been determined under draft PPS14 will be withheld.

The Clerk/Chief Executive advised that a letter dated 10 September 2007 from Mrs Suzanne McCracken, Senior Planning Officer had been received advising that following the High Court judgement on draft PPS 14 that Planning Service would be deferring the following applications which appear on tonight's schedule:

Planning Application No	Applicant
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DEFERRED LIST

I/2006/0579/O	K&T Girvan
I/2006/0989/F	K Buchanan
I/2006/1077/F	D Scott
I/2006/1138/F	W McCord
I/2007/0334/F	P O'Hara

NEW APPLICATIONS

I/07/0030/O	R McGarvey
I/07/0094/F	A Porter & G Smith
I/07/0160/O	S McNally
I/07/0276/F	K Campbell
I/07/0291/F	T Lagan
I/07/0336/F	A Patterson
I/07/0343/F	A Neville
I/07/0360/F	E McClean
I/07/0366/F	S Wylie
I/07/0383/F	W Wilkinson
I/07/0442/F	D Weir

LATE ITEMS

I/07/0191/F

D Wilkinson

5.2 Schedule

Submitted schedules dated 14 August and 11 September 2007 copies of which had been previously circulated, showing details of the Department's opinion as to how planning applications within the District should be decided.

DEFERRED APPLICATIONS

Ref No	Applicant	Development
I/06/1232/F	Heron Bros Greenvale Industrial Estate Drum Road Cookstown	Workshops

The Senior Planning Officer agreed to defer this application for 2 weeks.

I/07/0002/F	Cookstown District Council Burn Road Cookstown	Extension to gardens
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It was agreed to refer this application to the Management Board

NEW APPLICATIONS

Ref No	Applicant	Development
I/06/1210/O	M Vance Adjacent to 22 Northland Road Moneymore	Dwelling

Senior Planning Officer agreed to defer this application for an amended plan to be submitted.

I/06/1265/F	M Rea Riverbrook Moneyhaw Road Moneymore	Alterations to layout of housing estate
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillor Cassidy, Road Service

I/07/0074/F	R Wilson 29 Ballymole Road Coagh	Extension
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The Senior Planning Officer agreed to defer this application for one month.

I/07/0109/O	Asset Management Adjacent and South Junction Strifehill/Sandholes Road Cookstown	Development
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors Baker, McGlone

I/07/0229/A	Lissan Coal Co 1 Lissan Road Cookstown	Sign
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors McGarvey, Wilson

I/07/0294/RM	P Cross Opposite Ballyneill Road Ballyronan	Dwelling
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors Baker, McAleer, McGlone, McIvor

I/07/0296/O	G Leonard 30m SW 72 James Street Cookstown	Dwelling
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillors Cassidy, Wilson

I/07/0382/F	SELB Soldiers & Sailors Memorial Hall 33 Urbal Road Coagh	Demolition
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An office meeting was agreed on the grounds that all material planning considerations have not been assessed.

Councillor McCrea

I/07/0413/F	D Howard Rear 90 Church Street Cookstown	Retention of change of use
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The Senior Planning Officer agreed to liaise with Road Service regarding this application.

5.3 SELB Resource Centre

Members referred to the application for the SELB Resource Centre, which had twice previously been turned down on other sites and expressed the view that they hoped that Planning Service would look more favourably on the new application.

It was AGREED that the Clerk/Chief Executive would write to Minister Foster expressing Council's views regarding this application.

6 CONSULTATIONS

6.1 Review of Housing and Health – Towards a Shared Agenda

A letter dated July 2007 and Review of Housing and Health – Towards a Shared Agenda was received from the Housing Executive.

It was AGREED that members would forward their comments to the Clerk/Chief Executive for submission.

6.2 Amendments to Rule 23 (Intimidation Points) of the Housing Selection Scheme

Council NOTED receipt of a letter dated 8 August 2007 and Amendments to Rule 23 (Intimidation Points) of the Housing Selection Scheme issued by the Housing Executive.

6.3 Second Survey of Cookstown District Council Area by Environment & Heritage Service

A letter dated 19 July 2007 was received from the Environment & Heritage Service regarding their intention to take a survey of the historic buildings in the Cookstown District Council Area.

It was AGREED that the Clerk/Chief Executive, Director of Development and Director of Building Control would arrange to meet with representatives of the Environment & Heritage Service to discuss the survey. It was also AGREED that Councillors would be notified of the meeting and invited to attend.

6.4 Sperrin Area of Outstanding Natural Beauty

A letter dated 23 August 2007 was received from the Environment & Heritage Service regarding their intention to review the boundary of the Sperrin Area of Outstanding Natural Beauty.

It was AGREED that the Clerk/Chief Executive, Director of Development would arrange to meet with representatives of the Environment & Heritage Service to discuss the survey. It was also AGREED that Councillors would be notified of the meeting and invited to attend.

6.5 Proposed Penalty Fares (Increase) Order (NI) 2007

Council NOTED receipt of a letter dated 23 August 2007 regarding amending legislation to increase a penalty fare from £10 to £20 to be paid by a person who travels on a bus or train service without paying the proper fare.

6.6 Pelican Crossing- B73 Molesworth Street, Cookstown

Council NOTED receipt of a letter dated 17 July 2007 from Roads Service advising that the proposed pelican crossing at 73 Molesworth Street, Cookstown would not go ahead.

6.7 No Waiting At Any Time – Union Place, Cookstown

Council NOTED receipt of a proposal by Roads Service to introduce a 'No Waiting At Any Time' restriction in Union Place, Cookstown.

6.8 Road Construction & Maintenance

Council NOTED receipt of a letter dated 3 August 2007 from Quarry Products Association regarding road construction and maintenance in Northern Ireland today and the current road maintenance budget.

6.9 BBC Audience Council for Northern Ireland Consultation on Indigenous Minority Languages

A letter dated 28 August 2007 was received from the BBC Trust regarding the BBC Northern Ireland's provision for Irish and Ulster-Scots over the next 3/5 years.

It was NOTED that this matter would be dealt with at political party level.

6.10 Equality Commission – Public Authority Annual Progress Report 2006/07

On the proposal of Councillor Cassidy, seconded by Councillor Quinn it was AGREED to adopt the Council's Public Authority Annual Progress Report 2006/07 to the Equality Commission.

6.11 Strong Local Government – Review of RPA Decisions on Local Government Seeking Council Engagement

The Clerk/Chief Executive briefed members on the draft 'Strong Local Government – Review of RPA Decisions on Local Government Seeking Council Engagement' prepared by NILGA/SOLACE and the Review

being undertaken by the Northern Ireland Executive.

Councillor McGlone expressed the view that it was important that if any roles of responsibility were devolved to councils that they came with the financial backing to enable councils to carry out their duty.

Members also expressed the view that consideration must be given to how much debt each council was in and how this would reflect on amalgamation with new councils.

6.12 Consultation on Amendment to NILGA Consultation

Council NOTED receipt of a letter dated 24 July 2007 from NILGA regarding a review of its consultation and proposed amendments.

6.13 NILGA Update

Council NOTED receipt of the monthly update from NILGA.

6.14 Post Office Closure Programme

A letter dated July 2007 was received from Post Office Ltd regarding the Network Change Programme shortly to be implemented by them.

It was AGREED that a map of the area be prepared indicating the post office sites in the district and those close to the boundaries of the district to enable a response to be made to the proposed programme.

6.15 Post Office Closure Programme

Council NOTED receipt of a letter dated 30 July 2007 from Postwatch Northern Ireland regarding the Network Change Programme.

6.16 Proposed Inshore Fishing (Prohibition of fishing & Fishing Methods (Amendment) Regulations

Council NOTED receipt of a consultation document regarding proposals by DARD for amending the Inshore Fishing (Prohibition of fishing & Fishing Methods (Amendment) Regulations.

6.17 Consultation on Rates Review

It was NOTED that the Rates Review launched by the Minister of Finance and Personnel would be dealt with at political party level.

6.18 DPP Reconstitution & Appointment of New Political Members

It was AGREED to defer this matter to the October Statutory meeting.

7 NOMINATIONS

7.1 The Court of the University of Ulster

Council NOTED receipt of a letter dated 27 July 2007 from the University of Ulster regarding changes which have been made to the Court of the University.

7.2 Cookstown & District Women's Group

A letter dated 11 July 2007 was received from Cookstown & District Women's Group regarding councillors who have been elected to serve on their group.

Councillors Cassidy and Lees AGREED to resign from the Group.

8 SEMINARS & CONFERENCES

8.1 The Chartered Institute of Housing

Council NOTED receipt of a The Chartered Institute of Housing annual conference on the 3/4 October 2007 in Ramada Hotel, Belfast.

8.2 So What About Rural – Taking Rural Seriously

Council AGREED to the attendance of Councillors Glasgow and McGlone at So What About Rural – Taking Rural Seriously Conference organised by Rural Community Network on the 28/29 September 2007 in Silverbirch Hotel, Omagh at a cost of £95p per delegate

8.3 National Association of Councillors Annual General Meeting & Conference

Council AGREED to the attendance of Councillors Glasgow, Greer and McAleer, at the Annual General Meeting & Conference organised by National Association of Councillors on the 5/6 October 2007 in Marine Court Hotel, Bangor at a cost of £175 per delegate.

8.4 Tourism for Changing Lifestyles

Council AGREED to the attendance of Councillors Cassidy, McAleer, McGarvey, McIvor, McNamee and Director of Development at the Tourism for Changing Lifestyles conference organised by Clare Tourist Council on the 22/23 November 2007 in Falls Hotel, Ennistymon at a cost of £170 per delegate, plus accommodation.

8.5 Best Practice in Audit Committees

Council AGREED to the attendance of Councillors Clarke, Lees, Quinn and Wilson at Best Practice in Audit Committees conference on the 1 November 2007 Antrim Civic Centre.

8.6 Tackling Poverty and Social Need in Ireland, North and South

Council NOTED the Tackling Poverty and Social Need in Ireland, North and South conference organised by Confederation of European Councillors on the 3 December 2007 in Killyhevlin Hotel, Enniskillen at a cost of £120 per delegate.

9 PROPERTY LAND & EQUIPMENT

9.1 Land at Station Road/Lurganeden Road, Pomeroy

On the proposal of Councillor McGarvey, seconded by Councillor Molloy it was AGREED to sign contract and deed of conveyance regarding land at Station Road/Lurganeden Road, Pomeroy.

9.2 EI Scheme Burn Road, Cookstown

The Clerk/Chief Executive gave an update on the above scheme which will not now start until 2009/10 following reductions in the DSD budget.

Council also agreed to contribute £39,000 towards the scheme..

10 NOTICE OF MOTION

10.1 To consider the following Notice of Motion in the name of Councillor Wilson

‘That this Council host a civic reception for Cookstown Bowling Club in recognition of them winning the Irish Junior cup.’

Council unanimously adopted the Notice of Motion.

11 ANY OTHER BUSINESS

11.1 All Ireland Champions

Councillor McAleer congratulated the Derry team which recently won the All Ireland Camgoie Championship, some of the girls are from the Cookstown District.

11.2 Place of Approval for Marriages

Council AGREED that the dining room adjacent to the main staircase at first floor level in Hanover House, Coagh is approved for marriages. The maximum number permitted in the room should not exceed 35.

11.3 Book of Honour – War Dead

The Clerk/Chief Executive advised the meeting that the Book of Honour regarding the War Dead in the First and Second World Wars will be launched on the 29 October 2007.

The meeting ended at 8.50 p.m.

Chairman

Clerk/Chief Executive

Date

TABLED FOR INFORMATION

MINUTES

Southern Education & Library Board
9 May 2007

REPORTS

Northern Childcare Partnership
Report on Childcare Issues Affecting Families in Rural Areas

Northern Health & Social Services Board
Investing for Health Report 2006

Northern Health & Social Services Board
Northern Area Children & Young People's Committee
Second Annual Review 2006/07 and Work Plan 2007/08
Local Solutions to Local Need

Ombudsman
Annual Report 2006/07

Electoral Commission
Corporate Plan 2007/08 to 2011/12

Bamford Review of Mental Health & Learning Disability
Report Living Fuller Lives

Community Relations Council
Shared Space