

**MINUTES OF MEETING OF DUNGANNON AND SOUTH TYRONE BOROUGH
COUNCIL HELD ON TUESDAY 3 DECEMBER 2013 IN THE COUNCIL OFFICES,
CIRCULAR ROAD, DUNGANNON**

- MEMBERS PRESENT:** In the Chair, Councillor McGuigan, Mayor
- Councillors Ashton, F Burton, R Burton, Cavanagh, Cuddy, Daly, Donnelly, Gildernew, Gillespie, Hamilton, McGonnell, Molloy, Monteith, Mulligan, O'Neill, Quinn, Reid, Robinson and Varsani
- APOLOGY:** Councillor Brush
- OFFICERS PRESENT:** Mr Burke, Chief Executive (CE)
Mr Currie, Human Resources Advisor (HRA)
Mr Frazer, Director of Development (DD)
Mrs Kerr, Director of Finance (DF)
Mr McClelland, Director of Building Services (DBS)
Mrs McClements, Acting Director of Environmental Services (ADES)
Mrs Hobson, PA to Chief Executive (PA)
- IN ATTENDANCE:** Mr Mark McLaughlin, Acting Senior Planning Officer (ASPO)

The meeting started at 7.30 pm.

1 DECLARATION OF CONFLICT OF INTEREST

The Mayor reminded members of their responsibility with regard to conflict of interest.

Councillor Gildernew declared an interest in the Brantry Bard Cultural Centre.

2 MAYOR'S BUSINESS

2.1 Retirement/Resignation Co-Option of Elected Members

The CE advised that today he had received an email from Councillor Morrow advising of his retirement with immediate effect and that

Clement Cuthbertson had been selected by the DUP to be his replacement. His retirement is in compliance with DUP policy which is, "that those who are members of the Assembly and Council should vacate their Council seats by the end of December 2013". Councillor Morrow also thanked staff at all levels for their assistance over the many years he had been a Councillor and said they always have been very courteous and helpful. He also wished Council every success in the future in particular at a time of change in Local Government.

The Mayor advised that Councillor Donnelly would be standing down shortly.

Members commended Councillor Morrow on his over 40 years' service to the Council many of which were given voluntary, his professionalism, his desire to help those that he represented, he was a source of encouragement and willing to advise his party colleagues, he had a strong character, was passionate, hardworking, straight, honest and direct and wished him every success for the future.

Members referred to Councillor Donnelly and how he was well respected, served the community with distinction, affable, decent, friendly and wished him all the best.

3 MINUTES – COUNCIL – 11 NOVEMBER 2013

Proposed by Councillor McGonnell
Seconded by Councillor Gillespie and

Resolved That the minutes of the meeting of the Council held on Monday 11 November 2013, having been printed and circulated, be taken as read and signed as correct.

4 PLANNING

Mr McLaughlin was admitted to the meeting at 7. 50 pm and submitted planning schedule dated 3 December 2013 and streamlined planning applications decisions issued 01.10.2013 to 31.10.2013.

4.1 Schedule

Application No	Applicant	Reason for Deferral
M/2013/0447/0	Jordan	Defer (cat 5) office meeting
DEFERRED ITEMS		
M/2012/0305/F	Bell	Hold for 10 days for a report to

		come in
M/2013/0047/0	McCaughey	Hold
M/2013/0061/F	Cullen	Removed as reduced scheme submitted
M/2013/0089/0	Campbell	New information submitted, will be brought back to Council
M/2013/0114/0	Givan	Removed as applicant removed log cabin
M/2013/0201/0	Hughes	Agent has asked for it to be held for 5 days for more information
STREAMLINED APPLICATIONS – NOVEMBER 2013		
24 applications, as approvals, had been issued in the month of November.		

Mr McLaughlin wished everyone a happy Christmas and left the meeting at 7.55 pm.

5 MATTERS ARISING – COUNCIL

5.1 Agriculture and Food Seminar – Going for Growth, Dunadry Hotel, Co Antrim 3 December 2013, fee £125 plus vat, mileage.

Councillor R Mulligan had been omitted from list of attendees approved to attend.

5.2 Roads Service

Member referred to the number of accidents at the slip road at Peatlands Park (Junction No 13) and the damage/removal of fence and close proximity to houses with young children. It was agreed that a corporate response be sent to the DRD requesting the need for stronger fencing/barrier at this location.

5.3 Graffiti Removal (item 10.2)

The DBS advised that no update was available as it had not been possible to have a meeting with all 3 Councils in the Cluster.

5.4 Public Realm Scheme (item 8.5 and 16.4)

The DD confirmed that he would have an update regarding Phase 2 for Monday's night Committee meeting.

5.5 Rural Broadband (Item 11.2)

The ACE advised that an update on rural broadband would be provided to the January Committee meeting.

5.6 Dungannon – Position Paper (item 11.3)

Members referred to the Roads Service presentation which had taken place the previous night and the lack of road linkage in and out of Dungannon.

Proposed by Councillor Daly
Seconded by Councillor Gildernew and

Resolved that Council ask for a meeting with the DRD Minister to develop issues from last night's Roads Service presentation.

6 MINUTES – SPECIAL STRATEGIC DEVELOPMENT COMMITTEE 18 NOVEMBER 2013

Councillor Molloy to be added as an attendee.

Proposed by Councillor Molloy
Seconded by Councillor Varsani and

Resolved That the minutes of the special meeting of the Strategic Development Committee held on Monday 18 November 2013, having been printed and circulated, be taken as read and, where relevant, adopted.

Members enquired if any further contact had been made with the Moy Area Community and Development Association and the BMX presentation but highlighted that there were many worthy projects and other groups may ask for support. The CE advised that funding would be discussed at time of budget setting.

7 MINUTES – STRATEGIC DEVELOPMENT COMMITTEE 25 NOVEMBER 2013

Proposed by Councillor Daly
Seconded by Councillor Varsani and

Resolved That the minutes of the meeting of the Strategic Development Committee held on Monday 25 November 2013, having been printed and circulated, be taken as read and, where relevant, adopted.

7.1 Property at Main Street, Coalisland

In response to query regarding what action had taken place regarding the purchase of property at Coalisland at an auction the DD advised that enquiries had been made with DSD re funding but the timescale for a number of practical issues eg valuation, procurement was too tight and Council had no statutory power.

The CE advised that a paper on purchasing land/property to include solicitor/Local Government Advice could be brought to a future meeting to ensure that if opportunities arise in the future Council is not put at risk and powers are clear.

7.2 Car Parking Charges (item 3.1.3)

Minutes referred to Council writing to the Roads Minister expressing concerns raised regarding concessions on car parking and relaxing or suspending the off street parking charges. Member referred to the Public Realm scheme with streets being off limits and under these unique circumstances recognition should be made for disabled, etc.

7.3 Anne Street, Dungannon

Proposed by Councillor Monteith
Seconded by Councillor Molloy and

Resolved that Dungannon town councillors, Dungannon West Renewal, Dungannon Regeneration Partnership, and Dungannon Enterprise Centre meet before Christmas to discuss the possibility of a social economic development project for Anne Street.

7.4 Perry Street, Dungannon

Member referred to properties in Perry Street being on the market and how Council need to be aware of what is happening and any support that Council can offer.

7.5 Coalisland Urban Regeneration

The CE agreed to research who was asked to bring the report regarding the meeting between Council staff and DSD officers regarding Coalisland Regeneration. Members were of the view that the matter was discussed and clearly explained at the meeting between members, officers and DSD held in the Council offices.

7.6 SWARD - Farm Payments (item 4.1)

Member advised that the minute did not reflect the discussion, the query was about approved application under 3.1 farm diversification. The DD advised that an update on same would be provided at the next Committee meeting.

8 MINUTES – STRATEGIC SERVICE DELIVERY COMMITTEE 26 NOVEMBER 2013

Proposed by Councillor Gillespie
Seconded by Councillor F Burton and

Resolved That the minutes of the meeting of the Strategic Service Delivery Committee held on Tuesday 26 November 2013, having been printed and circulated, be taken as read and, where relevant, adopted.

8.1 Noise Complaints Aughnacloy/Ballygawley Road (item 2.4)

The ADES advised that the letter as requested at the SSDC had not been sent as they were awaiting feedback from the Roads Service meeting last night.

Proposed by Councillor Hamilton
Seconded by Councillor F Burton and

Resolved that the ADES send an urgent letter as outlined in the SSDC minutes to Roads Service.

8.2 Street Naming and Numbering (item 3.2)

The DBS advised that the alternative name for the proposed development at Old Caulfield Road, Dungannon was Lisnamonaghan.

Proposed by Councillor Gillespie
Seconded by Councillor Gildernew and

Resolved that Lisnamonaghan be accepted as the new street name for proposed development at Old Caulfield Road, Dungannon.

Councillor Reid and Molloy left the meeting at 8.37 pm and 8.38 pm respectively.

9 MINUTES – STRATEGIC SUPPORT SERVICES COMMITTEE 27 NOVEMBER 2013

Proposed by Councillor O'Neill
Seconded by Councillor Monteith and

Resolved That the minutes of the meeting of the Strategic Support Services Committee held on Wednesday 27 November 2013, having been printed and circulated, be taken as read and, where relevant, adopted.

9.1 Statutory Transition Committee Budget

The CE advised that legal advice had not yet been received in relation to payment of Council's share of the STC budget. Minister Durkan had written to Councils advising that they would be in breach of statute if they choose not to pay. If Council refuses to make such contribution it could be liable for any costs incurred by the Department in recovering the payment, and the issue of surcharge could arise. Delegated powers to be given to the SSSC to deal with STC budget if legal advice received by then.

Councillor O'Neill left the meeting at 8.40 pm.

Members raised concerns about the rising amount of finance to be met by ratepayers for RPA.

9.2 Job Evaluations

In relation to member query it was agreed that the issue of job evaluations and mechanism surrounding same be discussed at the Members Business Group meeting to be held on 18 December 2013.

Councillor Mulligan left the meeting at 8.55 pm

9.3 STC Membership/Chief Executive Appointment

Member requested that it be recorded that the d'hondt system did not give a true reflection on STC membership and there were great concerns about the whole CE appointment process.

10 PAYMENT OF ACCOUNTS

Proposed by Councillor Monteith
Seconded by Councillor McGonnell and

Resolved That the accounts as presented, list dated 3 December 2013 and euro listings dated November 2013 are noted.

11 CONFERENCES/SEMINARS

11.1 25th Colmcille Winter School Conference, Letterkenny, 21-23 February 2014, fee €218, 2 nights subsistence, mileage

Read.

12 MISCELLANEOUS MATTERS

12.1 Unfair Dismissal Claim

The HRA advised that the unfair dismissal claim which had previously been reported to Committee had been heard today and was dismissed.

12.2 Private Morrow in World War One

Member requested that Council officers consider a working group for commemorations in 2014, to include Private Morrow in World War One.

12.3 Craic Theatre

Member advised that had received negative representation about a Psychic show advertised in the local papers and to be held at the Craic Theatre this Friday night and how it was not good for the local community. Member advised as Council was not involved it had no input.

13 OTHER RELEVANT BUSINESS

The undernoted correspondence having previously been circulated was noted by the Council:

13.1 Department for Regional Development

Letter dated 8 November 2013 from Roads Service re. The M1/Trunk Road T3 and M1-M2 Link (Amendment) Order (Northern Ireland) 2013.

Letter dated 19 November 2013 from Roads Service re. Provision of Right Turn Lane at B43 Mullaghmore Road/Tullydraw Road Junction.

13.2 Other Councils

Letter dated 8 November 2013 from Chief Executive, Fermanagh District Council re. Free Car Parking at Hospitals.

Letter dated 13 November 2013 from Chief Executive, Omagh and Strabane District Councils re. Consultation on the Draft Guidance Protocol on Community Benefits Derived from Wind Farms in West Tyrone.

14 GOOD WISHES

Councillor Donnelly wished the Mayor, Deputy Mayor, Directors and all councillors well in the new Council.

15 DURATION OF MEETING

The meeting was called for 7.30 pm and ended at 9.05 pm.

MAYOR _____

CHIEF EXECUTIVE _____