

# COOKSTOWN DISTRICT COUNCIL

Minutes of proceedings of a **STATUTORY MEETING** of the Council held in the Council Chamber on Tuesday 11 June 2002 following the Annual General Meeting.

**Present:** P McGlone, Esq, Chairman

**Councillors:** Baker, Campbell, Cassidy, Glasgow MBE, Greer, Grimes, McAleer, A McCrea, I McCrea, McGarvey, McIvor, McNamee, Molloy, Parke and Wilson

**Officers** Clerk/Chief Executive  
Finance/Personnel Officer  
Director of Operational Services  
Director of Development  
Chief Building Control Officer  
Clerk's Secretary

**Other** **Planning Services**  
**Representatives** Mr B Johns, Planning Officer

## 1 SUSPENSION OF STANDING ORDERS

The Council on the motion of Councillor Baker, seconded by Councillor McGarvey AGREED to Suspend Standing Orders in order to consider the following Notice of Motion submitted by Councillor McGlone:-

*"That this Council:-*

*Voices its concerns at the recent decision of the Southern Education and Library Board to remove discretionary transport for schoolchildren;*

*Requests an urgent meeting with the Chief Executive and Chairman of the SELB to express our reservations at this decision and to emphasise that the public safety of schoolchildren must be given priority in any decision by the Board."*

The Council AGREED unanimously to adopt the Notice of Motion.

## **1.1 Concessionary Transport**

The Clerk/Chief Executive reported that a letter dated 6 June 2002 had been received from Mrs McClenaghan, Chief Executive Southern Education & Library Board regarding concessionary transport. Mrs McClenaghan was offering to meet with a small deputation from the Council on 12 June at 5.30 p.m. to discuss the matter.

On the proposal of Councillor McGarvey, seconded by Councillor Cassidy it was AGREED that Councillor McGlone attend.

On the proposal of Councillor McIvor, seconded by Councillor Grimes it was AGREED that Councillor McAleer attend.

On the proposal of Councillor Wilson, seconded by Councillor Glasgow it was AGREED that Councillor Parke attend.

The Clerk/Chief Executive was requested to send an Officer to the meeting.

## **2 MINUTES OF STATUTORY MEETING –14 MAY 2002**

The Minutes of the STATUTORY meeting held on 14 May 2002, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor McGarvey and seconded by Councillor Baker.

## **3 MATTERS ARISING**

### **3.1 Cookstown Area Plan 2010**

A letter dated 14 May 2002 was received from Planning Service regarding progress on the Cookstown Area Plan.

### **3.2 Lough Neagh Rescue Ltd**

A letter was received from Lough Neagh Rescue Ltd thanking Council for the donation of £1650.

### **3.3 Book of Condolence, Queen Mother**

A letter dated 20 May 2002 was received from Clarence House thanking members for the Book of Condolence opened following the death of the Queen Mother.

### **3.4 Policing Board**

A letter dated 27 May 2002 was received from the Policing Board acknowledging receipt of response to the Draft Codes of Practice on the exercise of functions by District Policing Partnerships.

### **3.5 Civic Reception**

A letter dated 20 May 2002 was received from Ballinderry Shamrocks thanking members for the Civic Reception held for the Club to mark them winning the All Ireland Club Championship.

## **4 MINUTES OF DEVELOPMENT COMMITTEE – 21 MAY 2002**

The Minutes of the DEVELOPMENT meeting held on 21 May 2002, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor McAleer and seconded by Councillor Baker.

## **5 MINUTES OF POLICY RESOURCES & SERVICES COMMITTEE – 23 APRIL 2002**

### **5.1 Matters Considered**

#### **Item 5 – Minutes of Cemetery Sub Committee – 2 May 2002**

Councillor Wilson stated that he felt that the recommendation to invite members of the town clergy together with the Cemetery Sub Committee and officials to a meeting to consider vehicular access within the cemetery at Forthill was inappropriate.

The Council AGREED to reconvene a meeting of the Cemetery Sub Committee to further discuss the matter.

## **5.2 Adoption of Minutes**

Subject to the above the Minutes of the POLICY RESOURCES & SERVICES COMMITTEE meeting held on 28 May 2002, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor McGarvey and seconded by Councillor Glasgow.

## **6 MINUTES OF VOLUNATRY BODY GRANT AID – 9 MAY 2002**

The Minutes of the VOLUNATRY BODY GRANT AID meeting held on 9 May 2002, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor McGarvey and seconded by Councillor I McCrea.

## **7 PLANNING MATTERS**

### **7.1 Site Meetings**

Councillor Glasgow highlighted the number of outstanding site meetings and requested that efforts be made to clear the backlog.

### **7.2 Planning Schedule**

Submitted schedule dated 11 June 2002, a copy of which had been previously circulated, showing details of the Department's opinion as to how planning applications within the District should be decided.

### **DEFERRED APPLICATIONS –**

<b>Ref No</b>	<b>Name of Applicant</b>	<b>Development</b>
I/01/0471/0	A McBride Adjacent to 13A Killybearn Road Cookstown	Dwelling

**Councillor I McCrea requested a site Meeting with the Divisional Planning Manager.**

## **NEW APPLICATIONS –**

<b>Ref No</b>	<b>Name of Applicant</b>	<b>Development</b>
I/01/0619/F	Chambers 46 Cookstown Road Moneymore	Office & Store

### **Councillors Glasgow, Greer, I McCrea and Parke**

I/01/0725/F	D Glasgow 28 Glenarney Road Cookstown	Change of use
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### **Councillors Glasgow, I McCrea, J McGarvey, Parke and Wilson**

I/01/0797/F	C McVeigh Lands on Ballymulligan Road Loup	Dwellings
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**Councillor McGlone requested that this application be deferred for one month.**

I/02/0027/O	F McGuckin Land West of 69 Ballynafeagh Road Ardboe	Dwelling
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### **Councillors Baker, McAleer, McGlone and McIvor**

I/02/0117/F	PG Loughry 29 Westland Road Cookstown	Garage
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**Councillor Wilson requested a site meeting prior to approval of this application.**

On the proposal of Councillor McNamee, seconded by Councillor McAleer it was proposed that the application be issued with an approval.

Following a show of hands 8 members voted for this proposal and 6 members supported the request for a site meeting.

The Chairman declared that the application should be issued with an approval.

Councillor Wilson wished it to be recorded that he felt that the refusal to grant a site meeting was setting a dangerous precedent and was not in accordance with former policy of the Council.

I/02/0211/O	D Nugent 40m NE of 127 Limehill Road Pomeroy	Dwelling
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**Councillors Grimes, McGarvey and Molloy**

I/02/0230/0	H Hutchinson 100m NW of the junction of 26 Ballyeglish & Ballygrooby Rds Loup	Dwelling
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**Councillors Baker, McAleer, McGlone and McIvor**

I/02/0243/0	K O'Loane 100m E Hillview Cottage Site no 2 Loup Road Moneymore	Dwelling
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**Councillors Baker, McAleer, McGlone and McIvor**

I/02/0245/0	K O'Loane 100m E Hillview Cottage Site no 1 Loup Road Moneymore	Dwelling
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**Councillors Baker, McAleer, McGlone and McIvor**

I/02/0249/0      J Small      Dwelling  
330m NE of  
321 Mill Road  
Cookstown

**Councillors I McCrea, McGarvey and Molloy**

I/02/0252/0      J Knox      Dwelling  
90m S of  
16 Mawillian Road  
Moneymore

**Councillors Greer and I McCrea**

I/02/0253/O      I Graham      Dwelling  
40m S of  
6 Mawilliam Road  
Moneymore

**Councillors Greer and I McCrea**

I/02/0259/0      W Sterling      Dwelling  
Approx 180m NE of  
36 Loup Road  
Moneymore

**Councillors Glasgow and Greer**

I/02/0264/O      I Elliott      Dwelling  
70m SE of  
23 Drumnacross Road  
Cookstown

**Councillors Glasgow and Parke**

I/02/0266/O      KJ McClean      Dwelling  
Approx 80m W  
34 Annaghquinn Road  
Rock

**Councillors Glasgow, Molloy and Parke**

I/02/0271/O      T Mallon      Dwelling

Between  
24/26 Killywoolaghan Road  
Ardboe

**Councillors Baker, McAleer, McGlone and McIvor**

I/02/0275/O	RS Beggs 100m S of 23 Blacktown Road Dungannon	Dwelling
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**Councillors Glasgow and Parke**

I/02/0276/O	S Tracey 30m West of 30a Killucan Road Cookstown	Dwelling
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**Councillors Grimes, McGarvey and Molloy**

I/02/0284/O	B Hamilton 120m S of 14 Shankly Road Stewartstown	Dwelling
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**Councillor Wilson requested that this application be deferred for one month.**

I/02/0287/O	M Quinn 120m W of junction Teebane & Drum Road Cookstown	Dwelling
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**Councillors Glasgow, Grimes, McGarvey, Molloy and Parke**

I/02/0297/O	O McElduff 150m SW of 49 Tullyreavy Road Rock	Dwelling
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**Councillors Grimes, McGarvey and Molloy**



I/02/0314/O

P McKnight  
Adjacent to & East of  
10 Maghadone Road  
Moneymore

Dwelling

**Councillors Baker, Greer, McAleer, McGlone, McIvor  
and Parke**

I/02/0316/O

K Devlin  
Opposite  
3 Drummullan Road  
Moneymore

Dwelling

**Councillors Baker, McAleer, McGlone and McIvor**

### **7.3 Modernising Planning Processes**

Council NOTED receipt of a letter dated 10 May 2002 from Planning Aid for Northern Ireland seeking support in establishing an effective Planning Aid Service.

### **7.4 Planning (General Development) (Amendment) Order (NI) 2002 No 195: Telecommunications**

Council NOTED receipt of a letter dated 30 May 2002 from Planning Service regarding the amendment of the Planning (General Development) Order (NI) 1993.

## **8 CONSULTATIONS**

### **8.1 SWAMP**

A copy of the Executive Summary Final Draft of the Waste Management Plan for District Council Area had been previously circulated.

The Director of Operational Services highlighted areas of the plan and answered queries from members.

Council AGREED to approve the Waste Management Plan and forward to the Department.

## **8.2 Proposed Value For Money Study: People Management In Local Government**

A letter dated 23 May 2002 was received from Local Government Division regarding a value for money study, entitled 'People Management in Local Government' to be carried out by the Local Government Audit Office.

Council AGREED that the Clerk/Chief Executive forward comments to the Department.

## **8.3 Best Value Development**

A letter dated 1 May 2002 was received from Local Government Division regarding Best Value developments and outlining provisions in the Best Value Act, which came into operation on 1 April 2002.

In line with the provisions Council AGREED to participate in a Customer Satisfaction Survey and to contribute equally with other participating Councils towards the overall cost of the project.

## **8.4 Local Government Division – Auditor's Report**

Council NOTED receipt of a letter dated 27 May 2002 and copy of the Auditor's report on the accounts of Cookstown District Council for the financial year ended 31 March 2001.

## **8.5 Local Government (Miscellaneous Provision) Bill**

Council NOTED receipt of Local Government (Miscellaneous Provision) Bill.

## **8.6 Northern Ireland Local Government Officers' Superannuation Committee**

Council NOTED receipt of a letter dated 8 May 2002 from the Local Government Division regarding the appointment of 2 new members for the above committee.

## **8.7 Councillors' Allowances**

Council NOTED receipt of a letter dated 1 May 2002 from

Local Government Division regarding councillors' allowances.

**8.8 Proposed Interim Licence & Modifications To Existing Interim Licences**

Council NOTED receipt of a letter dated 24 May 2002 from Postcomm regarding the above.

**8.9 Proposed Interim Licence for Speedmail International Ltd**

Council NOTED receipt of a letter dated 24 May 2002 from Postcomm regarding the above.

**8.10 Proposed**

Council NOTED receipt of a letter dated 30 May 2002 from Postcomm regarding effective competition.

**8.11 Community Relations**

Councillor McGarvey requested the Director of Development to include the words *'leading to programmes involving both traditions together'* on page 7 at the end of the second paragraph and to change the word *'could'* to *'should'* at the beginning of the final paragraph on page 7.

Councillor Wilson suggested that *'leading to'* be replaced with *'encouraging'*.

It was subsequently AGREED to refer the wording to a future meeting when the Community Relations Officer and Director of Development would advise.

Subject to this the Council AGREED in principle to approve Community Relations Strategy for period April 2002 – March 2003.

**8.12 Car Parking Subsidy for Visitors and Patients at the Royal Hospitals**

A letter dated 21 May 2002 was received from the Royal Hospitals regarding car parking subsidy to staff and visitors.

The Clerk/Chief Executive was requested to send a letter to the Royal Hospitals supporting the retention of the subsidy.

**8.13 Lough Neagh Rescue**

A letter was received from Lough Neagh Rescue seeking permission to come along to a meeting to bring Council up to speed on developments.

Council AGREED to invite Lough Neagh Rescue to a future Development meeting.

**8.14 Consultation on Draft Strategic Plan 2002 - 2006**

Council NOTED receipt of a dated 13 May 2002 from Northern Ireland Human Rights Commission regarding its draft Strategic Plan.

**8.15 Proposed Disabled Parking Bay at 62 Oldtown Street, Cookstown**

Council NOTED receipt of a letter dated 7 May 2002 from Roads Service regarding a proposed disabled parking bay at 62 Oldtown Street, Cookstown.

**8.16 Valuation & Lands Agency – Revision of Charges**

Council NOTED receipt of a letter dated 8 May 2002 from the Valuation & Lands Agency regarding revision in charges for VLA services.

**8.17 Financing Our Future – Public Consultation**

A letter dated 29 May 2002 and consultation document ‘Financing Our Future’ was tabled from the Office of the First Minister and Deputy First Minister regarding public investment.

As part of the consultation procedure public meetings will be held.

On the proposal of Councillor McNamee, seconded by Councillor McIvor it was AGREED that Councillor Molloy would attend the meeting on 27 June 2002 in the Oaklin

House Hotel, Dungannon.

On the proposal of Councillor McGarvey, seconded by Councillor Baker it was AGREED that Councillor McGlone would attend.

On the proposal of Councillor Wilson, seconded by Councillor Glasgow it was AGREED that Councillor Greer would attend.

On the proposal of Councillor I McCrea, seconded by Councillor Greer it was AGREED that Councillor Wilson would attend.

## **9 SEMINARS & CONFERENCES**

### **9.1 Ulster Waterways Group**

On the proposal of Councillor Cassidy, seconded by Councillor Baker Council AGREED to the attendance of Councillor McGarvey at the UWG 5<sup>th</sup> Annual Conference 'Coleraine to Clones' on 27 September 2002 in The Town Hall, Coleraine at a cost of £50 per delegate.

On the proposal of Councillor McNamee, seconded by Councillor McIvor Council AGREED to the attendance of Councillor Campbell.

### **9.2 'Meeting The Challenge of the Public Administration Review**

On the proposal of Councillor McNamee, seconded by Councillor McIvor Council AGREED to the attendance of Councillor Molloy at 'Meeting The Challenge of the Public Administration Review on Thursday 13 June 2002 at the Odyssey, Belfast.

### **9.3 Mapping the Sector**

Council AGREED to the attendance of Councillor McGlone at 'Mapping the Sector' a half day seminar on Monday 24 June 2002 in Craigavon Borough Council.

#### **9.4 Coronary Heart Disease, Stroke and Cancer Programme**

Council NOTED a seminar to be held on 19 June 2002 at the Verbal Arts Centre organised by New Opportunities Fund.

#### **9.5 Northern Health & Social Services Council**

Council retrospectively AGREED to the attendance of Councillor Baker at a Hospital Meeting on 22 May 2002 on behalf of the Northern Health & Social Services Council.

Council also AGREED to the attendance of Councillor Baker at a Training Day for members of the Northern Health & Social Services Council on 26 June 2002.

### **10 PROPERTY LAND & EQUIPMENT**

#### **10.1 Amenity Site Area at Cemetery Road/Greenvale Housing Estate – Sale to the Housing Executive**

On the proposal of Councillor McGarvey, seconded by Councillor Baker it was AGREED to sign and seal Deed of Surrender for the above area.

### **11 FINANCE MATTERS**

#### **11.1 Lough Neagh Rescue**

A letter dated 17 May 2002 was received from the Lough Neagh Rescue seeking financial contribution.

Council AGREED to contribute £1650 for the financial year 2002/03.

#### **11.2 Families Bereaved Through Car Crime**

Council NOTED receipt of a letter from Families Bereaved Through Car Crime seeking financial assistance.

Councillor Campbell left the meeting at 9.30 p.m.

### **12 TENDERS**

#### **12.1 Magheraglass Landfill Site Phase III**

In accordance with decision of Council on 28 May 2002 5 firms were invited to tender. All 5 tenders were returned and opened, in accordance with the approved Tendering Procedure, by the Personnel Officer and Chief Building Control Officer in the presence of Councillor Molloy and resulted as follows:

<b>Firm</b>	<b>Tender</b>
TAL Ltd Hillsborough	£374,681.60
FP McCann Ltd 3 Drumard Road, Magherafelt	£553,495.65
PT McWilliams 114 Carnlea Road, Seskinore, Omagh	£595,000.00
Priority Construction Ltd Clontarf Road, Dublin 3	£687,835.65
Gibson (Banbridge) Ltd Magherally, Banbridge	£669,103.75

The above tenders had been referred to Kirk McClure Morton for a report.

Kirk McClure Morton had asked TAL Ltd for clarification on their figure which was based on using sand from Magerheralgass for the B.E.S, the other tenders allow for the import of suitable material. TAL Ltd were asked to provide a cost in the event that the sand would not be suitable at Magheraglass and hence the revised tender of £411,731.60 was submitted.

It was Kirk McClure Morton's recommendation that the contract be awarded on the basis of the sand having to be imported.

On the proposal of Councillor Glasgow, seconded by Councillor Grimes it was AGREED to accept the report and recommendation of the Chief Building Control Officer to offer the contract to TAL Ltd in the sum of £411,731.60 with

the possibility of using the sand on site for the B.E.S. being investigated and thus reducing cost. An upper limit of expenditure for the contract to be set at £525,000 thus allowing for an additional lining to be undertaken.

## **12.2 Extension to Council Offices**

In accordance with decision of Council on 12 March 2002 a total of 21 firms were invited to tender; 8 for the main contractor; 7 for electrical sub contractor; 6 mechanical sub contractors.

### **Main Contractor – 6 Tenders Returned**

<b>Firm</b>	<b>Price</b>
JB Group 22 Barrack Street, Coalisland	£129,500.00
P&K McKaigue 90 Main Street, Maghera	£153,957.00
A Bradley 213 Shore Road, Ballyronan	£162,500.00
J&M Begley 222 Barony Road, Carrickmore	£164,600.00
Martin & Hamilton 46 Doury Road, Ballymena	£169,473.00
JDC Joinery 4a Flo Road, Cookstown	£178,600.00

### **Electrical Sub Contractor – 7 Tenders Returned**

O'Neill Electrics	£16,571.00
H M Electrics	£19,944.62
M Taggart	£21,683.00
Campbell & Slevin	£22,264.00



Barretts	£23,050.04
Blackbourne	£23,494.15
A Bonar	£24,052.00

#### **Mechanical Contract – 5 Tenders Returned**

A Rankin	£18,561.85
Weir & McQuiston	£18,998.00
T Hanna	£20,048.03
Blackbourne	£20,137.65
P&H Services	£24,929.69

It was the recommendation of Gibson Design that the main contract be awarded to the lowest tender i.e. JB Group.

It was the recommendation of David J Bowman & Associates (Gibson Design's Consultant) that the electrical contract be awarded to H M Electrics, the second lowest tender, as Bowman's felt that O'Neill Electrics had under priced the work. It was also the recommendation of Bowman's that the mechanical contract be awarded to the lowest tender A Rankin.

Robin Gibson was in attendance and following discussion/clarification on the electrical contract it was deemed that O'Neill Electrics were an established firm and that their tender should be accepted.

On the proposal of Councillor McGarvey, seconded by Councillor Grimes it was AGREED that the lowest tender be accepted for the 3 contracts and that the work be awarded to JB Group (£129,500.00) subject to the ratification of the Cost Summary,, O'Neill Electrics (£16,571.00) and A Rankin (£18,561.85)

### **12.3 Recycling Facility at Magheraglass – Appointment of Architect/Consultant**

Following an invitation to four local firms and Kirk McClure Morton (currently undertaking consultancy work at Magheraglass) to submit a fee bid for the work on an ‘all in’ basis tenders were received from

<b>Firm</b>	<b>Tender (%)</b>
Teague & Sally Partnership	4.5%
Gibson Design	12%
Kirk McClure Morton	18%

On the proposal of Councillor McGarvey, seconded by Councillor Grimes it was AGREED to accept the report and recommendation of the Chief Building Control Officer to appoint Teague & Sally Partnership at an ‘all in’ fee equivalent to 4.5% of the cost of the work.

### **12.4 Mid Ulster Sports Complex**

On the proposal of Councillor Baker, seconded by Councillor Cassidy it was AGREED that Councillor McGarvey be nominated to assist in the selection process for the Mid Ulster Sports Complex.

On the proposal of Councillor Molloy, seconded by Councillor Grimes it was AGREED that Councillor McNamee be nominated.

On the proposal of Councillor A McCrea, seconded by Councillor Wilson it was AGREED that Councillor I McCrea be nominated.

On the proposal of Councillor I McCrea, seconded by Councillor Parke it was AGREED that Councillor Wilson be nominated.

### **13 RESOLUTIONS FROM COUNCILS AND OTHER BODIES**

Resolutions were received from:-

**13.1** North Down Borough Council – Landfill Tax Credit Scheme

**13.2** Moyle District Council – Closure of Sellafield

Council NOTED receipt of the resolutions.

### **14 ANY OTHER BUSINESS**

#### **14.1 Annual General Meeting**

It was proposed by Councillor I McCrea that future Annual General Meetings should be commence at an earlier time.

Councillor McAleer left the meeting at 10.22 p.m.

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Chairman

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Clerk/Chief Executive

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Date

Date

## **TABLED FOR INFORMATION**

### **Minutes**

Southern Education & Library Board

- 18 April 2002

Western Group Committee Building Control

- 28 March 2002

### **REPORTS**

Housing Executive

Board Report 24 April 2002

Probation Board for NI

- Business Plan 2002/03
- Corporate Plan 2002/05

Northern Ireland Environmental Link

- Environmental Fact Sheet Issue 2

Fire Authority for Northern Ireland

- Annual Report & Financial Statement 2000/01

Sports Council

- Strategic Plan 2002/07

Rate Collection Agency

- Corporate & Business Plan 2002/05

Civic Forum

Educational Disadvantage A Civic Discussion

Invest NI

Corporate Plan 2002-2005