

COOKSTOWN DISTRICT COUNCIL

Minutes of proceedings of a **STATUTORY MEETING** of the Council held in the Council Chamber on Tuesday 9 September 2003.

Present: J McNamee, Esq. Chairman

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

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

Other Representatives **Planning Services**
Mr K McMahon, Senior Planning Officer

1 ADMISSION TO MEETING

In accordance with Standing Order No 7 the Council permitted the following member of the public to the meeting:-

Mr T Quinn

Sponsored by Councillors Cassidy and Wilson.

Mr Quinn entered the meeting at 8.12 p.m.

2 MINUTES OF STATUTORY MEETING – 8 JULY 2003

2.1 Matters Considered

Councillor Campbell stated that he had attended the meeting on the 8 July but that his name had not been recorded in those present.

2.2 Adoption of Minutes

Subject to the above amendment the Minutes of the STATUTORY meeting held on 8 July 2003, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor Glasgow and seconded by Councillor Cassidy.

3 MATTERS ARISING

3.1 Broadband Telecommunications Service for Northern Ireland

Council NOTED receipt of a letter dated 24 July 2003 from the Department of Enterprise, Trade & Investment regarding the above.

3.2 Tax Credit Payments

Council NOTED receipt of a letter dated 8 July 2003 from the Inland Revenue regarding payment of family tax credits.

3.3 Lough Neagh Rescue

A letter was received from Lough Neagh Rescue thanking Council for their financial contribution towards the costs of running the rescue service on the Lough.

3.4 Concessionary Transport for School Children

A letter dated 16 July 2003 was received from the Southern Education & Library Board acknowledging receipt of the Council's views on the effects of withdrawing concessionary transport currently provided by private operators.

3.5 Court House, Cookstown

Councillor Wilson requested the Clerk/Chief Executive write to the appropriate body seeking information on what they intend to do with the Court House now that it is now longer in use and suggesting that it could provide office accommodation for the Department of Health & Social Services, the Rate Collection Agency, or the Health and Safety Executive.

4 MINUTES OF BROADBAND SUB COMMITTEE MEETING – 3 JULY 2003

4.1 Matters Considered

Councillor I McCrea stated that he had submitted his apologies for the meeting on the 3 July but that his name had not been recorded in the apologies.

4.2 Adoption of Minutes

Subject to the above amendment the Minutes of the BROADBAND SUB COMMITTEE meeting held on 3 July 2003, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor Wilson and seconded by Councillor Molloy.

5 MINUTES OF LOUGHRY SUB COMMITTEE MEETING – 12 AUGUST 2003

5.1 Matters Considered

Councillors McAleer and McNamee stated that they had attended the meeting on the 12 August but that their names had not been recorded in those present.

Subject to the above amendment the Minutes of the LOUGHRY SUB COMMITTEE meeting held on 12 August 2003, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor Cassidy and seconded by Councillor I McCrea.

6 MINUTES OF TOWN CENTRE FORUM MEETING – 2 SEPTEMBER 2003

The Minutes of the TOWN CENTRE FORUM meeting held on 2 September 2003, a copy of which had been tabled at the meeting, were ADOPTED on the proposal of Councillor Cassidy and seconded by Councillor McAleer.

7 PLANNING MATTERS

7.1 Planning Schedule

Submitted schedules dated 12 August and 9 September 2003, 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 –

Ref No	Name of Applicant	Development
I/01/0061/F	R Bell Adjacent to 32 Sweep Road Cookstown	Dwelling

It was agreed to defer this application for 2 weeks.

I/02/0155/F	Fearson Bros Opposite 8 Sessiagh Road Tullyhogue Cookstown	Dwellings
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It was agreed to defer this application for 2 weeks.

I/02/0602/O	T McKee Adjacent to 26 Mullinahoe Road Ardboe	Dwelling
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Councillors McAleer and McGlone requested that this application be referred to the Divisional Planning Manager.

I/03/0398/O	A Crooks Approx 130m SE 23 Turnaface Road Feenan Moneymore	Dwelling
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Councillors Baker and McGlone requested that this

application be referred to the Divisional Planning Manager.

NEW APPLICATIONS –

Ref No	Applicant	Development
I/03/0142/F	Martin Opposite 73 Dungannon Road Gallenagh Cookstown	Dwelling

Councillors Glasgow, Parke, Wilson

I/03/0165/O	JJ McKenna 80m NW 29 Corvanaghan Road Cookstown	Dwelling
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Councillors Grimes, McGarvey, Molloy

I/03/0237/O	J Anderson Site 3 Rear 26 Ardtrea Road Cookstown	Dwelling
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Councillors Baker, Glasgow, Greer, A McCrea, McGlone, Parke

I/03/0238/O	J Anderson Site 1 Rear 26 Ardtrea Road Cookstown	Dwelling
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Councillors Baker, Glasgow, Greer, A McCrea, McGlone, Parke

I/03/0239/O	J Anderson Site 2 Rear 26 Ardtrea Road Cookstown	Dwelling
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Councillors Baker, Glasgow, Greer, A McCrea, McGlone, Parke

I/03/0256/O	P Hamill Adjacent to 76 Ballygillen Road Ballinderry	Dwelling
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Councillors Baker, Greer, McGlone, McIvor

I/03/0317/F	D Gordon 70m W 133 Dungannon Road Cookstown	Dwelling
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It was agreed to defer this application for 2 weeks.

I/03/0396/O	B Jeffers 70m SW 58 Killymuck Road Coagh	Dwelling
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Councillors Baker, Greer, A McCrea, McGlone, Parke

I/03/0426/O	P Conlon Adjacent to 28 Clagan Road Churchtown Cookstown	Dwelling
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Councillors McGarvey, Molloy

I/03/0449/O	P Steadman 140m SW 63 Drumenny Road Coagh	Dwelling
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Councillors Baker, McAleer, McGlone, McIvor

I/03/0446/F	U Wilson Glenary Road Cookstown	Dwelling
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Councillors Glasgow, I McCrea, Parke

I/03/0464/F	S Best Rear 28 Oldtown Street Cookstown	Dwelling
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Councillors Cassidy Wilson

I/03/0466/O	E Wallace Adjacent to 89 Newmills Road Donaghey	Dwelling
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Councillors Glasgow, Parke

I/03/0471/O	T Quigley 80m W 19 Loup Road Moneymore	Dwelling
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Councillors Baker, McGarvey, McGlone, Molloy

I/03/0476/O	I Hamilton 75m NE 25 Tirnaskea Road Cookstown	Dwelling
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Councillors Glasgow, Molloy, Parke

I/03/0478/O	J Casey 50m SE 68 Tullnacross Road Cookstown	Dwelling
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Councillors McGarvey, Molloy

I/03/0480/O	F Mullan 120m N 48 Derrycrin Road Coagh	Dwelling
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Councillors Baker, Greer, A McCrea, McGlone, McIvor

I/03/0481/O	R Robinson 50mE 109 Springhill Road Moneymore	Dwelling
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Councillors Baker, Greer, A McCrea, I McCrea, McGlone

I/03/0483/O	M Lawrence Adjacent to & NE 7 Ivy Bank Road Moneymore	Dwelling
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Councillors Greer, Parke

I/03/0487/O	F Nelson Rear 28 Moneymore Road Cookstown	Dwelling
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Councillor Greer

I/03/0490/O	J Anderson 200m W 32 Turnaface Road Moneymore	Dwelling
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Councillors Greer, Wilson

I/03/0500/O	J Crawford Between 38&40 Derrygonigan Road Cookstown	Dwelling
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It was agreed that this application be deferred until ownership of land was agreed.

I/03/0518/O	J Devlin 50m E 2 Loup Road Moneymore	Dwelling
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Councillors Baker, McAleer, McGlone, McIvor

I/03/0520/O	Manor Architects Adjacent to 25 Turnaface Road Moneymore	Dwelling
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Councillor Greer

I/03/0527/F	S McCrory 80m N 84 Clagan Road Cookstown	Dwelling
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Councillor McGarvey

I/03/0534/O	B McGrogan 100m SW 114 Cookstown Road Dungannon	Dwelling
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Councillors Grimes, McNamee, Molloy

I/03/0544/O	M Canavan 30m W 61 Ballynafeagh Road Stewartstown	Dwelling
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Councillors Baker, McAleer, McGlone, McIvor

I/03/0545/F	P O'Neill 260m SW 50 Ballymoyle Road Coagh	Dwelling
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Councillors Baker, McAleer, McGlone, McIvor

I/03/05/0555/O	K Campbell 300m NE 14 Drumad Road Coagh	Dwelling
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Councillors Baker, McAleer, McGlone, McIvor

I/03/0562/O	D Mulholland Adjacent to 31 Shivey Road Rock	Dwelling
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Councillors Cassidy, McGarvey, Molloy

I/03/0565/O	C McCord Opposite 6 Knockadoo Road Cookstown	Dwelling
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Councillors Glasgow, Greer, I McCrea, Parke

I/03/0567/O	T Jebb 50m W 21 Dirnan Road Cookstown	Dwelling
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Councillors McGarvey, Wilson

I/03/0588/F	D Reid 200m S 44 Lurganeden Road Pomeroy	Hen houses
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Councillors Glasgow, Grimes, Parke

I/03/0592/F	M Loughran 320m SW 50 Ballymoyle Road Coagh	Dwelling
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Councillors Baker, McAleer, McGlone, McIvor

I/03/0606/O	KJ McClean 140m SW 34 Annaghquin Road Rock	Dwelling
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Councillors Glasgow, Parke

I/03/0608/O	M Megaw 250m W of junction Brigh/Mountjoy Roads Stewartstown	Dwelling
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Councillors Greer, A McCrea

I/03/0618/O	WJ McCollum Adjacent to 13 Ballygonny Road West Moneymore	Dwelling
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Councillors Baker, I McCrea, McGlone

I/03/0620/F	R Lagan 310m NW 50 Tullydonnell Road Rock	Dwelling
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Councillors Grimes, McGarvey, Molloy

7.2 Modernising Planning Processes – Consultation Paper on the Review of Planning Fees

A letter dated 2 July 2003 and Modernising Planning Processes – Consultation Paper on the Review of Planning Fees was received from Planning Service.

It was AGREED that the Planning Sub Committee be convened to prepare a response to this paper.

7.3 Siting and Design of Radio Telecommunications Equipment

A letter and Consultation Draft Development Control Advice Note DCAN 14 Siting and Design of Radio Telecommunications Equipment was received from Planning Service.

Members AGREED to welcome the document.

7.4 Proposed Extension to ‘Gaslight’ Building at Chapel Street, Cookstown

The Clerk/Chief Executive referred to correspondence received from the Ambassador Group regarding an extension to the ‘Gaslight’ building at Chapel Street, Cookstown, which had been circulated to all Councillors.

8 CONSULTATIONS

8.1 The Reform of Water and Sewerage Services in Northern Ireland

A letter dated 26 June 2003 was received from NIPSA regarding their response to the above.

It was AGREED to write to NIPSA expressing Council’s agreement with their stance.

8.2 Fast Food Outlets

A letter dated 8 July 2003 was received from Mr T Quinn member of the DPP Board regarding opening hours for fast food outlets.

It was AGREED to refer this matter to the Chief Environmental Health Officer for a report to the next Policy Resources & Services Committee meeting.

8.3 Minimum Voting and Candidacy Age

Council NOTED receipt of a consultation paper on Minimum Voting and Candidacy Age issued by the Electoral Commission.

8.4 The Shape of Elections to Come

Council NOTED receipt of a letter and report ‘The Shape of Elections to Come’ from the Electoral Commission.

8.5 Schemes of Emergency Financial Assistance to District Councils

A letter dated 25 July 2003 was received from Local

Government Division regarding Schemes of Emergency Financial Assistance to District Councils.

Council welcomed the proposals in the letter.

8.6 Review of the Current Systems for Making Payments to Members of District Councils

A letter dated 1 August 2003 regarding Review of the Current Systems for Making Payments to Members of District Councils was received from the Local Government Division.

It was AGREED to defer this matter until after the issue had been discussed by the National Association of Councillors.

8.7 Review of Rating Policy: Removal of Industrial Derating/Rating of Vacant Non-Domestic (Commercial) Property – Implications for District Councils

A letter dated 1 August 2003 was received from Local Government Division regarding the above.

Councillor McGlone stated that he was in receipt of correspondence from the Northern Ireland Manufacturing Focus Group who wish to retain the current policy of industrial de rating for manufacturers.

It was AGREED to invite a representative from the Group to address the Council.

8.8 Vehicle Speed Limiters – EU Directives

Council NOTED receipt of a letter dated 15 August 2003 from Department of the Environment Road Safety and Vehicle Standards Division regarding the above.

8.9 Shaping our Future Implementing and Monitoring of the Regional Development Strategy for Northern Ireland 2025

Council NOTED receipt of a copy of the first annual report Shaping our Future Implementing and Monitoring of the Regional Development Strategy for Northern Ireland 2025 issued by the Department for Regional Development.

8.10 Abortion Laws

A letter dated 29 July 2003 was received from The Society for the Protection of Unborn Children regarding judgement of the recent judicial review brought by the Family Planning Association.

It was AGREED to invite a representative from the Society to address the Council.

8.11 Consultation Document on Councillors Allowances

Council NOTED receipt of a letter dated 14 August 2003 from the National Association of Councillors regarding the above.

8.12 Review of the Regulation of Bus Services in Northern Ireland

Council NOTED receipt of a letter dated 11 August 2003 from TAS Partnership Ltd regarding Review of the Regulation of Bus Services in Northern Ireland.

8.13 Road Traffic Regulations Order (NI) 1997 – Loading Bays

Council NOTED receipt of a letter dated 7 August 2003 from Roads Service regarding the above.

8.14 Decriminalised Parking Enforcement in Northern Ireland

A letter and consultation document ‘Decriminalised Parking Enforcement in Northern Ireland’ dated 5 August 2003 was received from Roads Service.

Council AGREED to support the document in principle.

8.15 Windfarms

A letter dated 18 August 2003 was received from Coleraine Borough Council regarding a windfarm at Tunes Plateau.

Council AGREED to support Coleraine Borough Council in their opposition to this particular windfarm.

8.16 Community Midwifery Units

A letter and consultation paper Community Midwifery Units dated 30 June 2003 was received from the Department of Health Social Services & Public Safety.

Council AGREED to defer this matter to the October meeting.

8.17 Post Office Network Reinvention Programme

Council NOTED receipt of a letter dated 21 August 2003 from Royal Mail Group regarding improvements the Post office is making to the Network Reinvention Programme.

8.18 Royal Mail Pay Offer

Council NOTED receipt of a letter dated 27 August 2003 from Royal Mail Group regarding Royal Mail's 18 month 14.5 per cent pay offer.

8.19 DPP Meeting in Public Session

Council NOTED receipt of a copy of first report of DPP Meeting in Public Session.

9 CONFERENCES & SEMINARS

9.1 Climate Change & The Irish Environment

Council NOTED receipt of the Northern Ireland Environment Link Autumn Conference 'Climate Change & The Irish Environment.

9.2 Benedict Kiely Literary Weekend

Council NOTED receipt of the Benedict Kiely Literary Weekend organised by Omagh District Council.

9.3 European Enlargement and Its Effects On Women

Council NOTED receipt of the European Enlargement and Its Effects On Women.

9.4 Annual General Meeting, National Association of Councillors

On the proposal of Councillor McGarvey, seconded by Councillor Parke it was AGREED to the attendance of Councillors McAleer, McGlone and Parke at the Annual General Meeting of the National Association of Councillors Northern Ireland Regional on 3/4 October 2003 in Clandeboye Lodge Hotel, Bangor at a cost of £160 per delegate plus accommodation.

9.5 Annual General Meeting, National Association of Councillors

On the proposal of Councillor McGarvey, seconded by Councillor Parke it was AGREED to the attendance of Councillors McAleer, McGlone and Parke at the Annual General Meeting of the National Association of Councillors on 13/16 November 2003 in Europa Hotel, Belfast at a cost of £293 per delegate plus accommodation.

9.6 Fifth National Environment Cross Border Conference

Council NOTED receipt of the Fifth National Environment Cross Border Conference organised by Dundalk Chamber of.

9.7 The Challenge of Innovation

On the proposal of Councillor Greer, seconded by Councillor Parke it was AGREED to the attendance of Councillor Wilson and the Arts & Cultural Officer at The Challenge of Innovation Conference organised by the Forum for Local Government & The Arts on 6/7 November 2003 in Slieve Donard Hotel, Newcastle at a cost of £205 per delegate plus accommodation.

9.8 Regional Strategic Transport Network Transport Plan

Council AGREED to the attendance of Councillors McGarvey, Molloy, Wilson and the Director of Corporate Services at the at The Regional Strategic Transport Network Transport Plan Conference organised by Department for Regional Development on 16 September 2003 in Glenavon Hotel, Cookstown.

9.9 National Tourism Conference – Technology in Tourism Development

Council AGREED to the attendance of Councillors Baker, Campbell, Cassidy, McAleer, McGarvey, McIvor and McNamee at the National Tourism Conference – Technology in Tourism Development organised by Clare Tourism on 27/29 November 2003 in Falls Hotel, Ennistymon at a cost of £140 per delegate plus accommodation.

9.10 Future Count – Measuring Sustainable Living in Northern Ireland

Council AGREED to the attendance of Councillor A McCrea at the Future Count – Measuring Sustainable Living in Northern Ireland organised by NILGA on 18 September 2003 in Craigavon Civic Centre.

10 TENDERS

10.1 Lough Fea Footpath

A report and recommendation from M J Herron Architect regarding applications received from firms to be included on select list to be invited to tender for the works was tabled at the meeting.

Following public advertisement 13 applications were received from contractors for consideration to be included on the select list.

M P Coleman, Brigh Quarry, Brigh Road, Stewartstown
R J Maxwell & Son Ltd, 99 Kingsway, Dunmurray, Belfast
R & M Greenkeepers, Unit 1, Forrest Industrial Estate, Pomeroy
Scott Landscapes, 124 Moy Road, Portadown
Brian Quinn Contracts, 39 Corvanaghan Road, Cookstown
T D McKane, 35 Ednagee Road, Castlederg
Sean McGlone, 136 Lough Fea Road, Cookstown
R S Greer (contracts) 15 Limekiln Lane, Cookstown
R Hogg & Sons Ltd, 60 Tobermore Road, Magherafelt
Quinn Contracts, 15 Annaghnaboe Road, Coalisland
Hamilton Contracts, 60 Tulyreavy Road, Rock, Dungannon

Graham Construction, Lagan Mills, Dromore
JPM Contracts, 79 Main Street, Dungiven

It was the recommendation of M J Herron, Architect, that the following be included on the select list

M P Coleman, Brigh Quarry, Brigh Road, Stewartstown
R J Maxwell & Son Ltd, 99 Kingsway, Dunmurray, Belfast
T D McKane, 35 Ednagee Road, Castlederg
Sean McGlone, 136 Lough Fea Road, Cookstown
R Hogg & Sons Ltd, 60 Tobermore Road, Magherafelt
Quinn Contracts, 15 Annaghnahee Road, Coalisland
Graham Construction, Lagan Mills, Dromore
JPM Contracts, 79 Main Street, Dungiven

On the proposal of Councillor Cassidy, seconded by Councillor Molloy it was AGREED to accept the report and recommendation of M J Herron, Architect. Councillor Parke and Wilson abstained.

10.2 Purchase of Narrow Access Dumper

Following invitation to tender for the supply and delivery of 1 narrow access dumper for Forthill Cemetery 4 firms requested tender documents. At the close of tender only 1 submission had been received:-

Firm

T McBriar Ltd
Cedarhurst Road, Belfast

On the proposal of Councillor Greer, seconded by Councillor Glasgow it was AGREED to accept the report and recommendation of the Director of Operational Services to award the tender to T McBriar Ltd.

10.3 Play Equipment

Following invitation to tender for the supply and delivery play equipment 4 firms requested tender documents. At the close of tender 4 submissions had been received from

Hays Play Ltd
Holwell Road, Kings Stag, Sturminster, Dorset

Crawford Contracts Ltd
Woodside Road Industrial Estate, Woodside Road, Ballymena

Street Play Leisure Ltd
2/4 Balloo Avenue, Bangor

SMP (Playgrounds) Ltd
Tend Acre Lane, Thorpe, Egham, Surrey

11 RESOLUTIONS FROM COUNCILS AND OTHER BODIES

Resolutions were received from:-

- 11.1** Newry & Mourne District Council – Genetically Modified Seeds
- 11.2** Newry & Mourne District Council – Erection of Telecommunication Equipment
- 11.3** Ballymoney Borough Council –Strategy for Arthritis Care
- 11.4** Derry City Council – Situation in Maghaberry Prison
- 11.5** Ards Borough Council – Solvent Abuse

Council NOTED receipt of the resolutions.

The meeting ended at 8.40 p.m.

Chairman

Clerk/Chief Executive

Date

TABLED FOR INFORMATION

Minutes

Southern Education & Library Board

- 19 June 2003

DPP

- 20 March 2003
- 6 May 2003
- 2 June 2003
- 4 August 2003

Western Group Committee for Building Control

28 May 2003

REPORTS

Department for Regional Development

- Shaping Our Future First Annual Report 2003

Department for Regional Development

- Rural Transport Fund – Annual Review 2002/03

Department for Employment & Learning

- Strategic Plan 2003/2006

Labour Relations Agency

- Annual Review of Performance 2002/03

OFREG

- Customer Services Standards Report 2002/03

Postwatch

- Annual Report 2002/03

Translink

- Group Annual Review 2002/2003

Co-Operation Ireland

- Annual Report 2002

Ordnance Survey of Northern Ireland

- Annual Report & Accounts 2002/03

Planning Appeals Commission

- Bulletin Nos 6 & 7

BBC

- Annual Review 2002/03

NHSU

- Hearing What You Say

Water Service

- Annual Report & Accounts 2002/03

Northern Ireland Human Rights Commission

- Summary of Submissions on a Bill of Rights

Northern Ireland Human Rights Commission

- Human Rights & Victims of Violence

Northern Ireland Human Rights Commission

- Annual Report 2003

Northern Ireland Policing Board

- Publication Scheme

Staff Commission

- Annual Report 2002/03

Community Relations Council

- Council's Response to 'A Shared Future'

Northern Ireland Housing Executive

- Board Report 30 July 2003

Northern Ireland Housing Executive

- Corporate Plan 2003/06 Business Plan 2003/04

Sustainable NI

- Issue 1

Equality Commission

- Corporate Plan 2003/2006

Department for Employment & Learning

- Skills Monitoring Survey 2002

Northern Ireland Water Council

- Report 1999/2002