

MAGHERAFELT DISTRICT COUNCIL

Minutes of Proceedings of a Meeting of the Recreation and Tourist Committee of Magherafelt District Council held in the Council Chamber, 50 Ballyronan Road, Magherafelt on Tuesday, 5th September, 2000. The meeting commenced at 7.00 p.m.

Present: P. J. Henry
J. A. McBride
F. J. McKendry
P. McLean
S. O'Brien
G. C. Shiels

Apology: Rev. Dr. R. T. Wm. McCrea, MLA

Observers: T. J. Catherwood (joined the meeting at 7.50 p.m.)
J. Junkin (joined the meeting at 7.45 p.m.)
J. J. Kelly
Miss K. A. Lagan (joined the meeting at 7.25 p.m.)
P. H. McErlean (joined the meeting at 7.25 p.m.)
Miss M.M. McKenna (joined the meeting at 8.10 p.m.)
R. A. Montgomery

Officials Present: J. A. McLaughlin (Chief Executive)
J. J. Tohill (Director of Finance and Administration)
T. J. Johnston (Director of Operations)
S. Henry (Community Relations Officer)
M. G. Browne (Development Officer)
Mrs. A. Junkin (Chief Executive's Secretary)

The Chief Executive read the Notice convening the meeting.

1. Election of Chairman:

It was

PROPOSED by Councillor J. A. McBride,
Seconded by Councillor P. H. McErlean, and

RESOLVED: that Councillor F. J. McKendry be elected Chairman.

Councillor McKendry then took the Chair.

2. Election of Vice-Chairman:

It was

PROPOSED by Councillor P. McLean

That Councillor G. C. Shiels be elected Chairman.

Councillor Shiels declined.

It was

PROPOSED by Councillor J. A. McBride

That Councillor P. McLean be elected Chairman.

Councillor McLean declined.

It was

PROPOSED by Councillor J. A. McBride,
Seconded by Councillor S. O'Brien

That Councillor P. J. Henry be elected.

There being no further nominations the Chairman declared Councillor Henry elected Vice-Chairman.

3. Community Relations Grants:

Submitted report prepared by the Community Relations Officer and copies of applications received for grant-aid under the Community Relations Programme (Appendix 1).

The Community Relations Officer, Mr. Henry, stated that the total grant available was £20,000, 75% was provided by the Community Relations Unit and 25% came from the Council. There were 79 applications this year received compared to 58 applications in 1999. Mr. Henry said that there were nine categories for funding and he was recommending 73 applications.

Senior Citizens – 7 applications all recommended. Mr. Henry said that Senior Citizens groups could apply for very little funding. Their applications were very similar and he had allocated funding by dividing the lump sum for the category by the number of groups that applied. In this category each group was recommended £293 of funding.

Councillor F. J. McKendry declared an interest in the first application from Swatragh Wednesday Club and said that the contact person was his wife.

Women's Groups – 7 applications. Mr. Henry recommended all the applications with the exception of one from Glenullin and District Womens Group. Mr. Henry outlined the application and stated that whilst the application indicated that some eight women's groups were involved in their project, only one was from the Magherafelt District area which was Granaghan Women's Group. A separate application had been received from this Group which was recommended for funding. He therefore, recommended that the application be rejected. Each of the other applicants in this category was being awarded £300.

Councillor P. McLean enquired if the reason for an application being rejected was given to the group involved.

Mr. Henry in reply stated that each group was advised if their application was rejected, and that they could contact him if they wished to.

Playgroups – 10 applications all recommended. Ballyronan Play Group operated from the Cookstown District Council area and Mr. Henry said that 50% of the children came from the Cookstown area and 50% from the Magherafelt area. Accordingly he was recommending that Ballyronan Play Group receive £180.50 (half the amount allocated to each of the other playgroups that applied) and that the other groups be awarded £363.30 each.

Groups Helping People with Impairments – 7 applications. Mr. Henry said that he was recommending all the applications with the exception of Loughshore Driving Company Limited. He explained that this application was rejected as the event was being held outside the Magherafelt District area. It was felt that, if requested, the Council may prefer to give a donation towards the Blind Centre, rather than fund a fundraising event. He recommended that each of the other groups receive funding of 400 each.

Development Associations – 12 applications. Mr. Henry said that he was recommending all the applications for funding of £300 each, with the exception of Loughinsholin Tourism Association. He explained that this was because this group had applied for £3000 for a twinning arrangement under a programme funded by the Magherafelt Area Partnership and was likely to be accepted.

Resident Associations – 3 applications had been received but one from King William III Crescent had been withdrawn. He recommended that the other two applicants each receive £200.

Youth/Sport Groups – 20 applications. Mr. Henry recommended that each applicant receive £248.20 with the exception of Moyola Park Golf Club who were being awarded £210 and Moyola Park Football Club. He explained that the Football Club's application was for capital funding and an application had been made to the Sports Lottery Fund.

It was felt that the very small Community Relations grant would neither make or break this project and that the Community Relations funding should be directed towards the more disadvantaged groups within the District where the funding could make a difference.

The Chief Executive enquired about applications Nos. 59, 60, 61 and 65. He said that the policy was that only clubs that had projects for youth in the past had been funded and he advised that the Council should stick to that policy. He recommended that these applications from Magherafelt Community Badminton Club, Maghera Presbyterian Church Bowling Club, Magherafelt Squash Club and Draperstown Celtic Football Club be excluded.

Councillor G. C. Shiels commented that there was a difference between sports and leisure and bowling, and there were many bowling clubs in the area.

Councillor P. McLean enquired if five applications were omitted would it mean extra funding for the others.

The Chief Executive suggested that it be kept in reserve as there often was late applications which merited some help.

It was

PROPOSED by Councillor P. Henry,
Seconded by Councillor J. A. McBride and agreed to

RECOMMEND: that applications Nos. 59,60, 61 and 65 be rejected.

Drama Groups – 4 applications. Mr. Henry recommended that applications Nos 67-69 be awarded £200 each but that application No.7 from Ballymaguigan Youth Club be awarded £100 as this was a new group and had lower costs.

Others – 9 applications.

The Chief Executive explained that grant could be given to a single identity group if they aspired to be cross community. He said that this matter had been discussed the previous year and that the Council should go with the original criteria. He asked Mr. Henry to read the Community Relations policy which stated that “developing opportunities for local groups to explore cultural, political and religious traditions within their own community. Grant-aid is conditional upon such a venture being part of a programme which will increase their ability to develop inter-community contact. Where no evidence exists to indicate that this activity has taken place or is likely to take place, grant-aid is unlikely to be furnished.”

The Chief Executive advised that this affected applications Nos. 73, 74 and 76.

Councillor P. Henry said that with regard to applications No. 73 - Ballinascreen Comhaltas and No. 76 - Lough Neagh Feis Society if there was no cross-community participation it was not the fault of the organizers. This was not the experience of all Comhaltas groups.

The Chief Executive stated that the matter was a decision for the Committee to take.

Councillor J. J. Kelly said that it was inappropriate to lump all three applications together.

Discussion took place on the work undertaken by Ballinascreen Comhaltas and Lough Neagh Feis Society and whether or not they were cross-community and how it had been established that they failed to attract the other community.

Both the Chief Executive and Community Relations Officer said that they had established their objectives and whether or not they were cross-community by talking to the contacts.

The Chairman then suggested that each application be considered separately.

Councillors P. McLean and G. C. Shiels felt that the applications should not be separated.

Councillor P. J. Henry felt that the applications should be taken separately.

On consideration it was

PROPOSED by Councillor P. Henry,
Seconded by Councillor S. O'Brien and agreed to

RECOMMEND: that application No. 73 – Ballinascreen Comhaltas receive a Community Relations grant of £214.30.

It was

PROPOSED by Councillor P. McLean,
Seconded by Councillor G. C. Shiels, and agreed to

RECOMMEND: that application No.74 – Mid-Ulster Survivors of Terrorism (M.U.S.T.) receive a Community Relations grant of £214.30.

It was

PROPOSED by Councillor S. O'Brien,
Seconded by Councillor J. A. McBride, and agreed to

RECOMMEND: that application No. 76 – Lough Neagh Feis Society received a Community Relations grant of 214.30.

It was

PROPOSED by Councillor S. O'Brien,
Seconded by Councillor P. Henry, and agreed to

RECOMMEND: that the Council adopt the report and approve the contributions as recommended by the officers with the exception of applications Nos. 59, 60, 61 and 65.

4. Millennium Flowerbed at Polepatrick Park/Cemetery:

Mr. Browne advised the Committee that in Spring all the schools in the area had been contacted giving them the opportunity to sponsor the millennium flowerbed at Polepatrick Park/Cemetery. At the end of term they were contacted again but none of the schools had taken part because of other commitments. Businesses in the District were then contacted and there was a more favourable response. The following companies contributed a total of £640.00:

Supervalu, Ballyronan Road, Magherafelt
McKees, 11 Fairhill Road, Maghera
Oaklea Kitchens, 46 Oaklea Road, Ballyronan
Genesis Bread of the World, 31 Aughrim Road, Magherafelt
John J. McNally & Co., 2 Moneymore Road, Magherafelt
Rogers Fencing Systems Ltd., 76 Derrynoid Road, Draperstown
Alan Burns & Co., 17 Meeting Street, Magherafelt

On consideration it was

PROPOSED by Councillor S. O'Brien,
Seconded by Councillor G. C. Shiels, and

RESOLVED: to adopt the report.

Mr. Browne further stated that the Millennium Fitness Challenge at the Greenvale Leisure Centre was now at the half-way stage and to date fifteen people were participating. The challenge finished at the end of September. A full report would be submitted later.

Noted.

5. Making Leisure Facilities available to identified Athletes:

Submitted a request from The Sports Council to subscribe to a national programme by making leisure facilities available free of charge to identified athletes (Appendix 2).

Mr. Johnston explained the background of this correspondence, in that it appeared that this documentation was circulated to all Chief Leisure Service officers in September, 1999, but was not received by the Council until Mr. Hastings was recently contacted by the Sports Council, hence the reason why part of the documentation was out of date. He now wished to address those parts of the documents that dealt with future proposals.

The Sports Council were asking all Councils to make available, free of charge, a number of leisure facilities, mainly swimming pools, health suites and weight rooms, to a number of classified athletes throughout Northern Ireland. It appeared, in the first instance, that the scheme applied to no more than 120 of Northern Ireland's very best athletes, although in a latter part of the document it states that they reserved the right to restrict the number of Card Holders to around 600. Mr. Johnston said that this indicated to him that the Sports Council wanted 600 selected athletes to have free use of most of the facilities at any leisure centre in Northern Ireland. He felt that the Council required to be careful before agreeing to this request. There was the possibility of setting precedents, could the Council justify giving these concessions to one group and not another and was it right to give free use to selected athletes and deny it to others of lesser ability. Mr. Johnston said that the new Section 75 laws on equality would have to be considered. Personally he would be opposed to granting these concessions to a privileged few, however, if was the mind of the Council he would carry out further research on all the points he had raised, particularly the new Section 75 legislation and bring back a further report to Council.

Councillor P. McLean enquired what was the Sports Council's thinking behind this request.

The Chief Executive explained that the Sports Council funded previously capital grants but now were trying to develop world class athletes.

Councillor F. J. McKendry felt that top athletes were the responsibility of the bodies concerned not District Councils.

Mr. Johnston said that the Council could possibly support individual athletes but not 600.

It was

PROPOSED by Councillor S. O'Brien,
Seconded by Councillor P. Henry, and agreed to

RECOMMEND: that the Officer's report be adopted and the Council reject the request from The Sports Council to subscribe to a national programme by making leisure facilities available free of charge to identified athletes.

6. Special Rates for Students using Leisure Facilities:

Mr. Johnston suggested that the issues he had raised in the previous discussion applied to the issue of special rates for students using leisure facilities. He said that they were a select group and asked how the Council would define a student, was it based on the age of a student, did it apply to all students and why not other groups, for example, the unemployed, underpaid, etc. Mr. Johnston believed that the new Section 75 on equality would have to be considered. If it was the decision of the Council to pursue this issues of a student rate, he requested that he be allowed time to further investigate these matters and report back to Council.

Councillor Miss K. A. Lagan said that there was no comparison between students and top athletes. Students, she said, got weighed down with expenses whereas top athletes got good pay.

Councillor P. Henry said that it would be necessary to check out the issue of mature students.

Councillor G. C. Shiels enquired if there were any current special rates at the leisure centre.

Mr. Browne replied advising that there were concessions through annual memberships.

It was

PROPOSED by Councillor P. McLean,
Seconded by Councillor J. A. McBride, and agreed to

RECOMMEND: that Mr. Johnston research the matter of special rates for students using leisure facilities and bring back a report to Council.

7. Fortwilliam Park, Tobermore:

The Director of Operations reminded the Members that the Council leased to Fortwilliam Park, Tobermore from Mr. Hugh Bradley and then sub-leased it to Tobermore United Football Club. Mr. Johnston said that some time ago the Council was asked by Tobermore United Football Club if they could lease Fortwilliam Park directly from the landowner in order to allow it as a private concern to have the opportunity to obtain funding that was not available to the Council, as a Government body. Mr. Johnston pointed out that the Council owned the assets that were on site. These included the changing rooms, recreation hall, and the pitch itself, etc. If Tobermore United Football Club were to lease directly from the landowner they would have to buy these assets from the Council. In order to allow the matter to be considered, Mr. Johnston had the assets valued by the Valuations and Lands Agency. The figure quoted in their reply was £95,000 (Appendix 3).

Mr. Johnston stated that he believed that this figure was much too expensive for the Football Club to consider, but to bring the matter to a conclusion he was seeking permission to advise the Club of these developments and allow them to decide whether or not they wished to continue with the proposal to lease the ground directly from Mr. H. Bradley bearing in mind that they would have to purchase the Council's assets in the sum of £95,000.

On consideration it was

PROPOSED by Councillor P. McLean,
Seconded by Councillor J. A. McBride, and agreed to

RECOMMEND: that Tobermore United Football Club be advised by Mr. Johnston of the position and costs involved in order for them to decide whether or not the Club wished to continue to purchase the lease of Fortwilliam Park, Tobermore directly from the landowners.

8. Public Conveniences:

The Director of Operations said that some time ago the Council had received a request to provide public conveniences in Upperlands by Upperlands Community Group. During discussion it was also mentioned that there had been similar requests for toilets in Bellaghy and Swatragh and it was requested that officers obtained prices and report back to the Council. Three suppliers had been approached and asked to submit quotations.

- (a) **Interpublic** quoted £74,800 for a Type 22 toilet or £94,760 for a Type 31 toilet. The difference was – Type 22 was basically a portacabin type unit and Type 31 was basically a larger brick built unit.
- (b) **Adshel** quoted £50,000 for their smallest building, model 111 which comprised of one room for disabled, one wc and one urinal. A 121 Model would cost £52,000 and it had two wc's instead of one as with the cheapest model.
- (c) **Healthmetic** quoted from £46,000 for their T Box – H/matic EX to £74,000 for their '2000' model. There were fully automatic self-cleaning toilets but they required a manufacturer's maintenance schedule which would cost up to £10,000 per annum.

Mr. Johnston advised that these were estimated prices and could change in a tendering procedure. They did not include the cost of a site/s or services to the toilets, which would be additional costs. In his opinion the overall cost of providing three additional toilets could cost £300,000 - £400,000 and further ongoing costs for maintenance. He felt that a need had to be justified in Upperlands, Bellaghy and Swatragh, and an affordable budget had to be worked out. Mr. Johnston felt that it would be more important to have the Council's present toilets refurbished before any additional ones were provided. However, if the Committee felt that there was a need for the toilets, he suggested that any decision to proceed should be delayed until the estimates were being considered in January or February of next year.

On consideration it was agreed that as there was no case on need for toilets in any of these areas at present.

9. CommuniTy 2002:

Mr. Browne gave a verbal report. He said that CommuniTy 2002 was a company based in the Yorkgate Leisure Complex in Belfast. Previously they had been involved in running Internet Cafes and were now hoping to extend their business.

Mr. Browne said that he had met with Mr. Harold Lismore the company's development Manager. The company proposed to set-up a training suite whereby Internet/computer training and other computer related services could be offered at a competitive price. CommuniTy 2002 was proposing to apply for Lottery funding under the New Opportunities Fund on behalf of the Council and manage and maintain a computer-training suite for a three-year period. CommuniTy 2002 would like to establish a partnership with the Council and by doing so could apply for 100% funding for the running and equipment cost. Mr. Browne said that he had requested a financial projection (Appendix 4).

CommuniTy 2000 required from the Council:

- The provision of suitable space within a leisure or community centre to promote the use of the centre within the local community.

CommuniTy 2002's input:

- To prepare and submit the funding application
- Design, purchase and install a computer network
- Manage and provide marketing for the centre
- Provide and train staff for the centre
- Design and co-ordinate suitable training courses
- Develop local e-commerce partnerships

After the three-year period, CommuniTy 2002's equipment would be owned by the Council and a review of the agreement would take place.

Mr. Browne said that Carrickfergus Borough Council had approved the project.

Mr. Browne felt that this project had merit, but that the proposal in certain areas would compete with the work that local agencies and groups were delivering in the District.

The Chief Executive said that community groups should be encouraged to apply and try to deliver this project.

Councillor J. A. McBride requested that there be a provision for Councillors training in IT and asked that it be considered by the Members' Services Committee.

Councillor F. J. McKendry felt that the provision should be considered for the start of a new Council term.

It was agreed that Mr. Browne go back to CommuNITy 2000 and Workspace (Draperstown) Ltd. and further consider the project.

10. Additional Flowerbeds:

Submitted a report on additional flowerbeds (Appendix 5) requested by Councillors. Mr. Johnston said that it was proposed to provide all the flowerbeds listed and most of the Councillors' requests received up to the deadline had been granted. He was seeking permission to proceed with these additional flowerbeds based on the report.

On consideration it was

PROPOSED by Councillor P. McLean,
Seconded by Councillor P. Henry, and agreed to

RECOMMEND: that the Council adopt the report and proceed with the additional flowerbeds.

11. Right-of-Ways:

Mr. Browne gave an update on the following right-of-ways:

(a) Armour's Lane, Tobermore:

The landowner, Mr. Armour had been consulted and the situation and procedure explained of asserting a right-of-way in accordance with the Access to the Countryside (N.I.) Order 1983. Mr. Browne said that an Assertion form had been let with Mr. Armour for signature.

A letter had been received from Mr. Armour shortly after the meeting stating that he did not recognize this route as a public right-of-way.

Legal advice was sought and in accordance with the guidelines the Council was now preparing a questionnaire to send to selected groups to establish the usage of this route as a public right-of-way. Mr. Browne also advised the meeting that he had received a petition from Tobermore Community Project in support of the route becoming a public right-of-way and the Council's Solicitor suggested that this would not be used as evidence but that the Council must adhere to the proper procedure.

Councillor R. A. Montgomery suggested that the Council take legal advice, and it was

PROPOSED by Councillor P. McLean,
Seconded by Councillor P. Henry, and agreed to

RECOMMEND: that the Council take the advice of the Council's Solicitors and follow the procedures regarding the asserting of this right-of-way.

(b) Desertmartin Old Church:

Mr. Browne reminded Members that both the Northern Ireland Housing Executive and Mr. Samuel Crossett owned this route. The Housing Executive had signed an assertion form but Mr. Crossett had declined. Some weeks ago the Council's Solicitor had written to Mr. Crossett stating that there was overwhelming evidence to indicate that the route in question was a public right-of-way and requesting that he sign the assertion form. There had been no response to this letter. Since then, the Council officers have been told that Mr. Crossett had been in poor health and to pursue this matter legally at this time would be insensitive.

(c) Termoneeny:

Mr. Browne said that he had consulted with Termoneeny Community Group and they had submitted all of the assertion forms from the private landowners. He explained that because part of the route was public highway he would have to consult with The Roads Service to obtain their agreement. The group had also submitted proposed costs for developing the project and totalled £13,750. Further clarification had to be sought on this figure and a detailed report would be submitted to Council.

(d) Slieve Gallion:

Mr. Browne reported that he had consulted with Slieve Gallion Development Association on a number of occasions. This group had identified a route and all the landowners were currently consulting with the landowners to establish if they would sign assertion forms.

Following the establishment of agreement with the landowners a more comprehensive report would be submitted to Council.

(e) Fishing Points – Portglenone Bridge:

Mr. Browne said that he had met with the Chesney family and explained the process of asserting the route on their land as a public right-of-way. They were given an assertion form and asked to complete it. Since then, Mr. Browne said that their Solicitors, Samuel Cumming & Son, Ballymena had requested further information and indicated that Mr. Chesney, his client was not inclined to sign the agreement form.

Mr. Browne said that if any further information became available he would report back to Council.

Noted.

Councillor R. A. Montgomery asked permission to raise the issue of a pony trekking club at Tobermore. He said he had been approached by a Mr. John Johnston on this matter and asked that Mr. Browne check out the details and report back.

12. Restructuring of Magherafelt Arts Advisory Committee:

Mr. Browne explained the need for restructuring the Arts Advisory Committee. He said that there was lack of funding, gaps in representation of all the arts, lack of community involvement, lack of staff and lack of dedicated facilities.

Restructuring had been considered and would give the Committee the opportunity of becoming a trust with charitable status, the opportunity to acquire buildings, namely Bellaghy Bawn, the funding opportunities would be increased, in that short term money could be obtained from Magherafelt Area Partnership and long term funding could be obtained from Magherafelt District Council, Magherafelt Area Partnership, the Lottery, Children in Need and Environment and Heritage Service, etc. There could also be dedicated staff employed to develop the arts. The Arts Council and the Environment and Heritage Service when the matter was discussed were positive in their response.

Mr. Browne said that the new body would have three main tasks:

- Arts management in the Magherafelt District
- Arts development in the Magherafelt District, and
- Arts promotion in the Magherafelt District.

Mr. Browne said that legal advice would be sought on the new body. A person would be employed in the short-term to identify funding and opportunities. It was proposed that the new committee and constitution would be operative on 1st April, 2001 and that more new members would be identified.

The Chief Executive said that the Council did not want the situation where the Environment and Heritage Service would tell the Council how to spend the Council's own money particularly with regards to Bellaghy Bawn.

Councillor G. C. Shiels said that he would like to see an arts presence in Magherafelt.

Councillor Miss M. M. McKenna said that she agreed with Mr. Browne regarding the use of Bellaghy Bawn and that it was not being used to its full potential, but it was not the answer to the arts in that a much bigger centre was required somewhere in the District.

The Chief Executive suggested that the Arts Committee go ahead and prepare a strategy and then the matter could be further discussed by the Council.

13. Traad Park, Ballyronan:

The Chief Executive outlined developments at Traad Park since the Council purchased the site of some 38 acres from Scotts (Toomebridge). It was further proposed that the Council consider purchasing the University of Ulster's Freshwater Laboratory consisting of the centre and some 37 acres of land including a harbour and boathouse. In total this would give the Council a park of some 75 acres. The District Valuer had agreed a value of £250,000 including the harbour and boathouse. There was a possibility of £100,000 grant from the Environment and Heritage Service. The Chief Executive pointed out that there was already an access and car-park and recommended that the Council purchase the research laboratory and the 37 acres of land in the sum of £250,000.

Councillor F. J. McKendry enquired about Mr. Coleman's Golf Course.

The Chief Executive replied that legal correspondence was ongoing.

On consideration, it was

PROPOSED by Councillor S. O'Brien,
Seconded by Councillor J. A. McBride, and agreed to

RECOMMEND: that the Council go ahead and purchase the University of Ulster's freshwater laboratory and grounds at Traad, Ballyronan in the sum of £250,000.

The meeting concluded at 8.45 p.m.

CHIEF EXECUTIVE.

The foregoing Minutes are hereby Confirmed.

_____ (Chairman)

_____ (Date)