

COOKSTOWN DISTRICT COUNCIL

Minutes of proceedings of a **POLICY RESOURCES & SERVICES COMMITTEE MEETING** of the Council held in the Council Chamber on Tuesday 17 December 2013 immediately following the Development Committee

Present: C Mallaghan, Chairman

Councillors: Clarke, Glasgow MBE, Kelly, Lees, Mayo, McAleer, McCartney, McCrea, McElhone, McFlynn, McNamee, Quinn, Wilson

Officers
Chief Executive (Acting)
Director of Corporate and Operational Services
Director of Environmental Health and Building Control
Head of Waste and Contract Management
Clerk's Secretary

1 APOLOGIES

An apology was received on behalf of Councillor McIvor

2 .DECLARATIONS OF INTEREST

There was no declarations of interest.

3 REPORT OF DIRECTOR OF ENVIRONMENTAL HEALTH & BUILDING CONTROL

A copy of the above report had been previously circulated. The Committee adopted the report together with the following matters contained therein.

3.1 Environmental Health

3.1.1 Food Complaint – Maggot Like Grub In Chicken Fillet Stuffed With Cheese and Wrapped in Bacon (Complaint Ref No 811/FC/13/508)

The Committee RECOMMENDED that a warning letter is issued to both the Manufacturer and Distributer for contraventions of the Food Safety (Northern Ireland) Order 1991..

**3.1.2 Food Complaint – Turkey Portion Allegedly Smelling Off and Discoloured
(Complaint Ref No 811/FC/13/506)**

The Committee RECOMMENDED no further action on this matter.

3.1.3 Collapse of Ornate Stone Fire Place

The Committee RECOMMENDED that Council writes to the Department of Finance and Personnel, who have responsibility for reviewing Building Control Regulations, so as to ensure that such structures are appropriately regulated, to prevent further incidents of this nature in the future.

3.1.4 Consultation on Proposed Wind Farm – 11km North West of Cookstown

The Committee RECOMMENDED that the Strategic Planning Division from Planning Service HQ, be invited to provide a presentation to Council on the proposed wind farm development, 11KM North West of Cookstown.

3.1.5 Complaint re Noise Disturbance – Molesworth Road, Cookstown

The Committee RECOMMENDED no further action on this matter.

3.1.6 Complaint re Phototherapy Units Being Offered for Sale on Line

The Committee RECOMMENDED no further action on this matter

Local Government (Miscellaneous Provisions) (NI) Order 1985: Application for Registration to Carry on the Business of Semi-permanent Skin Colouring, 78 Church Street, Cookstown, BT80 8HX

The Committee RECOMMENDED that Ms Suzanne Donnelly, c/o CK Tanning, at premises located at 78 Church Street, Cookstown, and premises are registered for the carrying on of the business of semi-permanent tattooing subject to compliance with Council Bye-Laws.

3.1.7 Street Trading Act (NI) 2001 – Christmas Eve Trading – Tuesday 24 December 2013

D Montgomery, SD Sports Ltd, 7E Moyola Industrial Estate, Castledawson

W Megaw, 323 Mountjoy Road, Stewartstown

S M Morgan, 34 Church street, Cookstown

C Farquhar, 181 Derrylea Road, Dungannon

J parks, 138 Ardmore Road, Lurgan

P Maclomhair, 20A Cherryville Road, Portadown

P Singh, 10 Chichester Road, Belfast

J Singh, 107 Henderson Park, Belfast

The Committee RECOMMENDED that Temporary Street Trading Licences are issued to the above traders, for the purposes of Trading on Tuesday 24 December 2013, from 8.00 am to 5.30 pm, subject to standard conditions.

3.1.8 Appointment of Environmental Health Technical Officer/Enforcement

The Committee RECOMMENDED Mr Cathal McWilliams is authorised as Environmental Health Technical Officer / Enforcement, to exercise the powers of an Authorised Officer at the discretion of the Director Environmental Health & Building Control, in respect of the following legislative controls and any matters as may be subsequently determined.

The Petroleum Consolidation Act (Northern Ireland) 1929 (as amended)

Petroleum (Transfer of Licenses) Act (Northern Ireland) 1937

The Dangerous Substances and Explosive Atmosphere Regulations (Northern Ireland) 2003

The Clean Neighbourhoods and Environment Act (NI) 2011

The Litter (Northern Ireland) Order 1994

Dogs (Northern Ireland) Order 1983

Local Government (Northern Ireland) Act 1972

Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 and 1992

Pollution Control and Local Government (Northern Ireland) Order 1978

The Street Trading Act (Northern Ireland) 2001

Smoking (Northern Ireland) Order 2006

Anti-Social Behaviour (Northern Ireland) Order 2006
Waste and Contaminated Land (NI) Order 1997
Welfare of Animals Act (NI) 2011.

3.2 Building Control

A copy of the above report had been previously circulated. The Committee adopted the report.

3.2.1 Grant/Renewal of Entertainment Licence

- 14 HJ McCracken, Framer's Rest Bar, 1 Tullynure Road
Tullynure
- 75 W Dallas, Coagh United Football Club, 11 Ballinderry
Bridge Road, Coagh
- 109 P Mulgrew, Roadside Tavern, 36/38 The Square, Boyd's
Farm, Stewartstown
- 134 C Eastwood, Pot Black Snooker Club, 2B Burn Road, Loy,
Cookstown
- 146 M McCrory, Murphys Bar, 64/66 Main Street,
Cavankeeran, Pomeroy
- 158 O Mulligan, Mulligans, 33 Chapel Street, Loy, Cookstown

On the proposal of Councillor Clarke seconded by Councillor Quinn the Committee RECOMMENDED that the above licences are granted for the days and hours as requested.

4 REPORT OF DIRECTOR OF CORPORATE & OPERATIONAL SERVICES

A copy of the above report had been previously circulated. The Committee adopted the report together with the following matters contained therein.

4.1 Landfill Closure/Aftercare

The Committee RECOMMENDED that Council sign the Local Authority Deed Agreement with NIEA to demonstrate financial provision for the closure/aftercare of Magheraglass Landfill Site.

4.2 Surface Water Management

The Committee RECOMMENDED that consultants are appointed via a mini-competition under the SWaMP 2008 Waste Related Services

framework to undertake a feasibility study in relation to future surface water management options at Magheraglass landfill.

4.3 Play Area – Orritor Street

The Committee RECOMMENDED that approval is granted to provide an additional multi-play unit at Orritor Street play area at an approximate cost of £20,000 plus VAT.

4.4 Arrangements for Processing of Waste Electronics and Electrical Equipment (WEEE) and Batteries

The Committee RECOMMENDED that the contract for processing of WEEE/Batteries with ERP UK Ltd is extended from 1 January 2014 to 30 April 2014.

4.5 Refuse Collection Vehicle

The Committee RECOMMENDED that a parallel procurement exercise is run in conjunction with the one being lead by Dungannon and South Tyrone Borough Council for the purchase of a refuse collection vehicle.

4.6 Tenders for Derelict Property Enhancement Scheme Works (Phase 2)

Following public advertisement in the Belfast Telegraph on 1 November 2013 four tenders were received by the return date for Derelict Property Enhancement Scheme Works (Phase 2).

Company	Cost Ex VAT
Barahaven Construction Ltd 194 Washing Bay Road, Coalisland	£35,143.11
Active Maintenance Solutions Ltd Unit 3, 4 Springtown Road, Springtown, Derry	£41,282.40
Construction Services Ireland Ltd Unit 7A, Brownstown business Centre, Portadown	£46,251.28
Totalis Solutions Ltd Grove Street East, Belfast	£54,949.06

The tenders were assessed on 27 November on a two stage basis; first they were subjected to a compliance check for 10 mandatory

requirements, three tenders were declared valid and progressed to the second stage where they were assessed using the pre-agreed Assessment Criteria.

Barahaven Construction Ltd
Construction Services Ireland Ltd
Totalis Solutions Ltd

Two firms were eliminated at stage two as they did not achieve the minimum quality threshold score (of 20 marks)

The Committee AGREED to accept the report and recommendation of the Head of Waste & Contract Management and to award the tender to Construction Services Ireland Ltd at a cost of £46,251.28 plus VAT.

The Committee also AGREED to proceed with the tender immediately.

4.7 Appointment of Architect/Consultant for the Design and Supervision of Health Suite Refurbishment at Cookstown Leisure Centre

Following public advertisement in the Belfast Telegraph on 22 November 2013 two tenders were received by the return date for Appointment of Architect/Consultant for the Design and Supervision of Health Suite Refurbishment at Cookstown Leisure Centre.

Company

R Robinson & Sons, 59 High Street, Ballymoney
MHA, 64/66 Main Street, Coalisland

As stated clearly in the brief tenderers were required to provide, as part of the first stage selection process, evidence of experience in the delivery of at least 2 No. similar projects to a minimum contract value of £200k, completed within the last five years including contract references and photographs.

The tender from MHA failed at stage one as no evidence of contract values, completion dates or photographs were provided and therefore it did not proceed to the second (award) stage. The tender from R Robinson & Sons was deemed satisfactorily to meet the mandatory

requirements and therefore progressed to the second stage where a percentage fee of 9% was tendered.

The Committee AGREED to accept the report and recommendation of the Head of Waste & Contract Management and to award the tender to R Robinson & Sons Ltd on a percentage fee of 9% (of the awarded capital contract cost) to undertake the design and supervision of the health suite refurbishment at Cookstown Leisure Centre.

The Committee also AGREED to proceed with the tender immediately.

4.8 Supply and Installation of Access Control System at Cookstown Leisure Centre

Following public advertisement in the Belfast Telegraph on 22 November 2013 one tender was received by the return date for Supply and Installation of Access Control System at Cookstown Leisure Centre.

Company	Cost Ex VAT
KCC Architectural 20/21A Harbour Court, Heron Road, Belfast	£28,280.00

The tender was assessed on a two-stage basis by David Bell and Ryan Smyth from Operational Services. First the tender was subjected to a compliance check for 10 No. mandatory requirements. The tender submission was declared valid and progressed to the second stage where it was assessed using the pre-agreed Tender Evaluation Assessment Criteria

The Committee AGREED to accept the report and recommendation of the Head of Waste & Contract Management and to award the tender to KCC Architectural at a cost of £28,280.00 plus VAT.

The Committee also AGREED to proceed with the tender immediately.

5 CONSULTATIONS

5.1 Moneymore Post Office

The Committee NOTED receipt of a letter dated 9 December 2013 from the Post Office regarding the proposed move of the Post Office to new premises and branch modernisation.

5.2 Annual Monitoring Report Community Grants

On the proposal of Councillor Glasgow, seconded by Councillor McCrea the Committee RECOMMENDED the adoption of the Annual Monitoring Report Community Grants .

6 SEMINARS & CONFERENCES

6.1 LAMA Spring Seminar

The Committee NOTED receipt of LAMA Spring Seminar on 31 January to 1 February 2014 in Four Seasons Hotel, Monaghan.

6.2 Cross Border Economic Development and the Border Development Zone (BDZ) Concept

The Committee RECOMMENDED the attendance of Councillors Glasgow and McAleer at the Cross Border Economic Development and the Border Development Zone (BDZ) Concept Conference on 30/31 January 2014 in Cavan Crystal Hotel, Cavan organised by ICLRD.

7 FINANCE MATTERS

7.1 Mid Ulster Mail

Councillor Wilson referred to the recent redundancies at the Mid Ulster Mail and requested that Ms Jean Long is invited to meet with Councillors regarding the changes that are being made at the paper and the direct result that these will have on staff.

The Committee RECOMMENDED that this meeting is arranged as early as possible.

7.2 Somme Association

On the proposal of Councillor Wilson, seconded by Councillor Glasgow the Committee RECOMMENDED the renewal of council's yearly subscription to the Somme Association at a cost of £380 plus VAT

7.3 Accounts

On the proposal of Councillor McNamee seconded by Councillor Quinn the Committee APPROVED revenue/capital payments for the month November 2013.

General Revenue	£1,159,539
Capital	£ 251,731

RECEIPTS

The financial statement book of receipt was produced showing the sum which had been received during the month November 2013.

General Revenue	£1,387,036
Capital	£ 50,122

8 ANY OTHER BUSINESS

8.1 Town Centre EI Scheme

The Director of Corporate & Operational Services and the Head of Contracts Management & Operational Services gave members a briefing on the current state of the Cookstown EI Scheme. On the proposal of Councillor McNamee, seconded by Councillor Quinn the Committee RECOMMENDED that the scheme be progressed to full design stage with full planning permission and a PQQ process completed with the select list of contractors obtained.

8.2 Peace III Funding

The Director of Corporate & Operational Services and the Head of Contracts Management & Operational Services briefed members on a likely underspend of up to £800,000 across the Peace III cluster, including Fermanagh. Each council may have £200,000 available to spend on the promotion of Good Relations through the development

of recreational play and play facilities. The Head of Contracts Management & Operational Services identified those projects included in our application submitted by the Head of Community Services. The Committee RECOMMENDED acceptance of this proposal.

8.3 Cookstown High School

On the proposal of Councillor McNamee, seconded by Councillor McCrea the Committee RECOMMENDED a contribution of £1,500 to Cookstown High School for the development of a navigational app for smart phones. The navigational app will be a tool to help mountain cyclists in Davagh Forest and will range from providing information and route guidance on trails to accommodation and other information on the area.

The meeting ended at 8.55 pm.

Chairman

Clerk/Chief Executive

Date