

COOKSTOWN DISTRICT COUNCIL

Minutes of proceedings of a **STATUTORY MEETING** of the Council held in the Council Chamber on Tuesday 9 September 2008.

Present:	T Quinn, Vice Chairman
Councillors:	Baker, Cassidy, Clarke, Glasgow MBE, Lees, McAleer, McCartney, McCrea, McGarvey, McGlone Mclvor, McNamee, Molloy, Wilson
Officers:	Clerk/Chief Executive Director of Corporate Services Clerical Officer
Other Representatives	Planning Services Ms S McCracken, Senior Planning Officer

1 APOLOGIES

An apology was received on behalf of Councillor Greer.

2 MINUTES OF STATUTORY MEETING – 1 JULY 2008

The Minutes of the STATUTORY meeting held on 1 July 2008, a copy of which had been previously circulated, were ADOPTED on the proposal of Councillor Glasgow and seconded by Councillor McGarvey.

3 MATTERS ARISING

3.1 Bi-Lingual Road Signs

A letter dated 3 July 2008 was received from Ms L McElhinney, Private Secretary to Conor Murphy, MP, MLA advising that the Department has prepared a draft policy to facilitate the introduction of a range of bi-lingual roads, in response to the European Charter for Regional or Minority Languages.

3.2 Wronki, Poland

The Clerk/Chief Executive tabled a report on the Cookstown Twinning Committee visit to Wronki, Poland from 21 to 24 August 2008.

3.3 Disposal of Land at Conyngham Street, Moneymore

A letter dated 21 July 2008 was received from Roads Service advising that Roads Service would not be purchasing the land at Conyngham Street.

3.4 Community Emergency Response Scheme

The Clerk/Chief Executive referred to the letter dated 30 April 2008 from Northern Health and Social Services Board regarding the development of a Community Emergency Response Scheme for people living in remote areas of Mid-Ulster.

He advised that he had been in contact with the NHSSB and it was AGREED that the councillors from the Drum Manor Ward would meet in order to identify a suitable area and group to pilot this scheme.

4 PLANNING MATTERS

4.1 PPS 14

It was proposed by Councillor McGlone and seconded by Councillor Glasgow that the Clerk/Chief Executive write to the Minister asking for the urgent provision of a revised Draft PPS14 which would comprehensively make provision for all our rural society.

Councillor McGlone stated that the introduction of an effective PPS14 policy would have two major benefits. Firstly it would provide affordable housing in rural areas and secondly it would provide work for a beleaguered construction industry.

4.2 Schedule

Submitted schedule dated 12 August 2008 and 9 September 2008 copies of which had been previously circulated, showing details of the Department's opinion as to how planning applications within the District should be decided.

NEW APPLICATIONS

Ref No	Applicant	Development
I/08/0050/F	R Loughran 70m E Dunamore Road	Dwelling

The Senior Planning Officer agreed to defer this application.

I/08/0092/F	Rea Sound NI Ltd 2 Burnbrae Crescent Cookstown	Apartments
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The Senior Planning Officer agreed to defer this application.

I/08/0168/F	I&E Cameron 95 Moneymore Road Cookstown	Dwelling
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The Senior Planning Officer agreed to defer this application for 1 month

I/08/0249/O	D Jordan 23 Moneyhaw Road Moneymore	Dwelling
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The Senior Planning Officer agreed to defer this application for 1 month

I/08/0291/F	Devlin 35m W The Square Stewartstown	Dwelling
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The Senior Planning Officer agreed to defer this application for 10 days.

I/08/0293/O	E O'Gara 32A Westland Road	Redevelopment
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1 month.

I/08/0436/F	K McDowell 26 Lissan Road Cookstown	Extension
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The Senior Planning Officer agreed to defer this application for 10 days.

I/08/0507/F	D O'Neill 8 Killywoolaghan Road Ardboe	Extension
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The Senior Planning Officer agreed to defer this application for 1 month.

I/08/0517/F	E Taggart 31 Henderson Park Stewartstown	Extension
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The Senior Planning Officer agreed to defer this application for 1 month.

The following applications were deferred until PPS14 had been resolved

I/08/0089/F	D Black	Dwelling
I/08/0234/F	D Crozier	Change of Access
I/08/0237/F	C O'Neill	Dwelling
I/08/0265/F	C Moore	Dwelling
I/08/0313/O	S O'Neill	Dwelling

Applications Deferred from Previous Meeting

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I/07/0702/F	G Gillis 2 Berkley Mews Tullyhogue	Garage
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The Senior Planning Officer agreed to defer this application for 7 days.

**4.3 11.2 The Planning (NI) Order 1991
Appeal Against Enforcement Notice – Mr John McGee**

Council NOTED receipt of a letter dated 22 July 2008 from the Planning Appeals Commission regarding the above.

**4.4 The Planning (NI) Order 1991
Appeal Against Enforcement Notice – Mr Kenneth McClean**

Council NOTED receipt of a letter dated 22 July 2008 from the Planning Appeals Commission regarding the above.

**4.5 The Planning (NI) Order 1991
Appeal Against Enforcement Notice – Mr Fred Wilson**

Council NOTED receipt of a letter dated 29 August 2008 from the Planning Appeals Commission regarding the above.

**4.6 The Planning (NI) Order 1991
Appeal Against Enforcement Notice – Mr Fred Wilson**

Council NOTED receipt of a letter dated 29 August 2008 from the Planning Appeals Commission regarding the above

4.7 Upper Ballinderry River Area of Special Scientific Interest (ASSI)

Council NOTED receipt of a letter dated 27 June 2008 from the Environment & Heritage Service regarding the

4.8 Lough Neagh Area of Special Scientific Interest (ASSI)

Council NOTED receipt of a letter dated 7 July 2008 from the Northern Ireland Environment Agency regarding the above.

4.9 Owenkillew River Area of Special Scientific Interest (ASSI)

Council NOTED receipt of a letter dated 7 July 2008 from the Northern Ireland Environment Agency regarding the above.

4.10 Proposed Beltonanean Wind Farm, Sperrin Mountains, Cookstown

Council NOTED receipt of a letter dated 18 August 2008 from the Consultant Chartered Town Planners regarding the above.

5 CONSULTATIONS

5.1 Woodland's Beacon Centre

A letter dated 28 July 2008 was received from the Woodland's Beacon Centre requesting an opportunity to address the Council regarding the services they offer.

Council AGREED to invite the Woodland's Beacon Centre to a future meeting.

5.2 Reform on the Law of Murder, Manslaughter and Infanticide

Council NOTED receipt of a letter and Consultation on Proposals for Reform of the Law on Murder, Manslaughter and Infanticide dated 28 July 2008 from Northern Ireland Officer regarding the above.

5.3 Committee for Regional Development

A letter dated 24 June 2008 was received from the Committee for Regional Development regarding copying correspondence to them.

Council AGREED to copy any correspondence that was sent to the Department for Regional Development regarding statutory rules to the Committee for Regional Development also.

5.4 Review of Child Protection Inspection Standards

Council NOTED receipt of a letter dated 22 July 2008 and Standards for Child Protection Services from the Department of Health, Social Services and Public Safety regarding the above.

5.5 A29 Cookstown By Pass

Council NOTED receipt of a letter dated 11 July 2008 from Mouchel regarding the above.

5.6 Making It Happen

Council considered an email from SOLACE regarding the proposed

change programme for local government and copy of A Practical Approach and Making It Happen documents and AGREED to support.

The Clerk/Chief Executive AGREED that he would prepare a paper regarding the RPA for the Policy Resources & Services Committee.

5.7 Resources for RPA Implementation

Council considered an email dated 11 August 2008 from John McGillen, Chief Executive, Down District Council regarding resources for RPA implementation.

Council AGREED that funding should be provided by the Department Finance & Personnel to the Local Government RPA Programme.

5.8 2008 Review of Local Government Boundaries

Council NOTED receipt of a letter dated 31 July 2008 from the Local Government Boundaries Commissioner for Northern Ireland giving an update on his appointment and the framework for the review.

5.9 Disabled Parking Bay – Smith Street, Moneymore

Council NOTED receipt of an email dated 19 July 2008 from Roads Services regarding the above.

5.10 Consultation on Provision of Additional Dental Services in Northern Ireland

Council considered the Consultation on Provision of Additional Dental Services in Northern Ireland issued by the Western Health and Social Services Board.

Council whilst welcoming the proposals was of the opinion that the one year contracts should be extended to ensure that dental services were provided under the NHS.

5.11 Accessible Transport Strategy – Action Plan 2007 – 2009

Council NOTED receipt of a letter and Accessible Transport Strategy – Action Plan 2007 – 2009 issued by Department for Regional Development.

5.12 Post Office

Council NOTED receipt of a letter dated from the Post Office Northern Ireland regarding their outreach.

5.13 Post Office, Churchtown Branch, Cookstown

The Clerk/Chief Executive tabled a letter dated 8 September 2008 issued by the Post Office advising that the Outreach Service at 16 Churchtown Road, Cookstown has been closed whilst building work is ongoing.

Councillor McGarvey requested that the Clerk/Chief Executive write to the Post Office informing them that the building work is complete and there is no reason for the closure of this facility.

5.14 Consultation on the Proposed Transmissible Spongiform Encephalopathies (TSE) Regulations (NI) 2008

Council NOTED receipt of a letter dated 4 July 2008 from the Department of Agriculture and Rural Development regarding the above.

5.15 Review of Domestic Rating, Data Sharing Consultation Document

Council NOTED receipt of a letter and Review of Domestic Rating, Data Sharing Consultation Document issued by the Department of Finance and Personnel.

5.16 Review of Domestic Rating, Green Rebates Consultation Document

Council considered a letter and Review of Domestic Rating, Green Rebates Consultation Document issued by the Department of Finance and Personnel.

Council welcomed the initiatives to encourage members of the public to become more energy aware.

5.17 Proposed Amendments to the Dangerous Wild Animals Order (NI) 2004

Council NOTED receipt of a letter dated 4 July 2008 and Proposed Amendments to the Dangerous Wild Animals Order (NI) 2004 issued by the DoE.

5.18 Review of Monetary Limits for Certain Gaming Machine Stakes and Prizes and Associated Social Responsibility Issues

Council NOTED receipt of a letter dated 8 August 2008 from the Department for Social Development regarding an update on the outcome of the above review.

5.19 5 Year Review of the Regional Development Strategy

Council NOTED receipt of a letter dated July 2008 and 5 Year Review of the Regional Development Strategy issued by the Department for Regional Development.

5.20 Lough Neagh Rescue Ltd

Council considered a request by Lough Neagh Rescue Ltd to attend Council to discuss changes in the Emergency Rescue Boat Code.

Council AGREED to invite Lough Neagh Rescue Ltd to a future meeting

5.21 Circular No LG 13/08 Travelling Allowance

Councillor Cassidy declared an interest.

Council NOTED receipt of a circular No LG 13/08 Travelling Allowance issued by the Local Government Policy Division.

**5.22 Northern Ireland Fire & Rescue Service
Update on Replacement Fire Stations & Future Site Search**

Council considered a letter dated 11 July 2008 from the Northern Ireland Fire & Rescue Service seeking possible replacement fire stations sites in the District.

The Clerk/Chief Executive advised members that a number of sites had been identified and forwarded to the Northern Ireland Fire & Rescue Service. He also agreed to copy members with the details of the site.

5.23 The Niamh Louise Foundation

Council considered a request from the Niamh Louise Foundation

seeking permission to address the Council regarding the subject of suicide, its prevention, intervention and post vention services.

Council AGREED to invite the Foundation to a future meeting.

5.24 Contact Youth Counselling

Council considered a letter dated 28 August 2008 from Contact Youth Counselling seeking permission to address and inform the Council on their services.

Council AGREED to invite Contact Youth Counselling to a future meeting

5.25 Magherafelt Area Partnership

Council considered a letter dated 5 September 2008 from Magherafelt Area Partnership seeking permission to address and inform the Council on the Agewell Project which relates to an application to the Big Lottery for funding for older people in Cookstown, Dungannon and Magherafelt.

Council AGREED to invite the Partnership to a future meeting

5.26 Equality Commission for NI – Annual Progress Report

On the proposal of Councillor Cassidy, seconded by Councillor Molloy Council AGREED to the adoption of the Equality Commission for NI – Annual Progress Report 2007/08.

5.27 Pump, Castlefarm Road/North Street, Stewartstown

Council NOTED receipt of a letter dated 20 August 2008 from the NI Environment Agency regarding the above (copy letter enclosed).

6 SEMINARS & CONFERENCES

6.1 National Association of Councillors - AGM

Council AGREED to the attendance of Councillor McAleer at the Annual General Meeting of the National Association of Councillors to be held on Friday 12 and Saturday 13 September 2008 in the Canal Court Hotel, Newry at a cost of £190 per delegate plus accommodation.

6.2 Building Control Convention

Council AGREED to the attendance of Councillors Clarke and Glasgow at the Building Control Convention organised by the Northern Ireland Building Control Group Committee to be held on 13-14 November 2008 in the Radisson Roe Park Hotel, Limivady

6.3 SOLACE Annual Conference

Council AGREED to the attendance of the Clerk/Chief Executive at the SOLACE annual conference to be held on 7-9 October 2008 in Belfast.

6.4 Ecological Footprint Conference & Exhibition

Council NOTED receipt of of the Ecological Footprint Conference & Exhibition to be held on 16 October 2008 in the Armagh City Hotel, Armagh at a cost of £25 per delegate.

6.5 Co-Operation and Integration The Key to Successful Tourism

Council AGREED to the attendance of Councillors Baker, Cassidy, McAleer, McGarvey, McIvor, McNamee and Messrs McCance and McShane at the Co-Operation and Integration The Key to Successful Tourism conference organised by Clare Tourist Council on the 27/29 November 2008 in Falls Hotel, Ennistymon at a cost of €245 per delegate, plus accommodation.

6.6 Newry & Mourne Tourism Conference

Council NOTED receipt of the Newry & Mourne Tourism Conference on the 9/10 October 2008 in Canal Court Hotel, Newry at a cost of £170 per delegate, plus accommodation.

6.7 Investing for Success 2008

Council AGREED to the attendance of Councillor Wilson and the Town Centre Strategy Manager at the Investing for Success 2008 conference organised by Belfast City Council to be held on Tuesday 23 September 2008 in Belfast Waterfront at a cost of £100 per delegate.

6.8 Meeting Aspirations and Need – New Housing Solutions

Council NOTED receipt of the Meeting Aspirations and Need – New Housing Solutions organised by Chartered Institute of Housing to be held on Tuesday 23 September 2008 in Queen's University, Belfast at a cost of £160 per delegate.

6.9 Sustainable Ireland Energy, Environmental & Waste Management Awards

Council AGREED to the attendance of Councillors Greer and McAleer at the Sustainable Ireland Energy, Environmental & Waste Management Awards on the 18 September 2008 in the Ramada Hotel, Belfast.

6.10 NILGA Information systems Strategy Regional Workshop

Council AGREED to the attendance of Councillor McCrea at the NILGA Information systems Strategy Regional Workshop on the 29 September 2008 in the Ramada Hotel, Belfast.

7 PROPERTY LAND & EQUIPMENT

7.1 Lands at Killrisk Estate, Loup (Lands claimed by Patrick McVey)

On the proposal of Councillor Baker seconded by Councillor McAleer it was AGREED to sign the deed of surrender regarding the Lands at Killrisk Estate, Loup (Lands claimed by Patrick McVey).

8 TENDERS

8.2 Scheme of Emergency Financial Assistance – Flooding Incidents

As a result of extremely heavy rainfall recently, the Department of the Environment has activated an emergency payments scheme to help householders hit by severe flooding across Northern Ireland. Individual householders will be eligible for a £1,000 payment where a senior official, e.g. an environmental health officer, has taken immediate action and has obtained evidence that complies with the Scheme and the Department's guidance.

On the proposal of Councillor Wilson, seconded by Councillor McGlone the Council AGREED that financial grant assistance be

offered to the eight dwellings identified below, in accordance with the terms and conditions of the Scheme of Emergency Financial Assistance established under Article 26 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992.

4 Smith Court, Moneymore
33 Derrychrin Road, Coagh
101 Rockdale Road, Dungannon
46 Backlower Road, Killycolpy
15 Church Street, Cookstown
26 Dungannon Road, Cookstown
32 Lisnahall Road, Stewartstown
68 Mullan Road, Coagh

9 RESOLUTIONS FROM COUNCILS AND OTHER BODIES)

Council NOTED the following Resolutions:-

- 9.1** Ards Borough Council – Belfast Telegraph
- 9.2** West Lothian Council – Fuel Duty and Vat Revenues

10 ANY OTHER BUSINESS

10.1 Emergency Plan

It was AGREED that an update on the Emergency Plan would be presented to Councillors at a future Policy Resources & Services meeting.

10.2 Ballinderry Parish Church

The Clerk/Chief Executive advised members that a letter had been received from Ballinderry Parish Church regarding a cross community fundraising Gala Banquet on Friday 7 November 2008 in the Glenavon House Hotel, Cookstown.

It was agreed that the Vice Chair should consider attending the event.

The meeting ended at 9.20 p.m.

Chairman

Clerk/Chief Executive

Date

TABLED FOR INFORMATION

MINUTES

Southern Education & Library Board
11 June 2008

REPORTS

Housing Executive
Corporate Plan 2008/2009 – 2010/2011

Housing Executive
1st Annual Progress Report on Rural Strategy

Northern Ireland Water
Annual Report 2007

Environment Link
- The Sustainable Food Guide

Queens University
- Regulatory Planning for Economic Development in the Countryside – A Pilot Study

University of Ulster
- Trauma, Health & Conflict

Ombudsman
- Annual Report 2007/08

Northern Ireland Audit Office
General Report

Translink
- Annual Review 2007/08

Community Relations Council
- Springfarm shared Neighbourhood

Youth Justice Agency
- Annual Report and Accounts 2007/08

International Fund for Ireland

- Effective Peace Building

Department of Health, Social Services & Public Safety

- Summary of HPSS Expenditure in Northern Ireland 1 April 2006 to 31 March 2007