

**MINUTES OF MEETING OF DUNGANNON AND SOUTH TYRONE BOROUGH  
COUNCIL HELD ON MONDAY 19 JANUARY 2015 IN THE COUNCIL  
OFFICES, CIRCULAR ROAD, DUNGANNON**

**MEMBERS PRESENT:** In the Chair, Councillor R Burton, Mayor  
  
Councillors Ashton, Brush, F Burton, Cavanagh, Cuddy, Cuthbertson, Donnelly, Gildernew, Gillespie, McGonnell, Molloy, Monteith, Mulligan, O'Neill, Reid, Robinson, Somerville and Varsani

**APOLOGIES:** Councillors Daly and McGuigan  
Mr McClelland, Director of Building Services

**OFFICERS PRESENT:** Mr Burke, Chief Executive (CE)  
Mr Currie, Human Resources Advisor (DHR/OD)  
Mr Frazer, Director of Development (DD)  
Mrs Kerr, Director of Finance (DF)  
Mrs McClements, Director of Environmental Services (DES)  
Mrs Smith, Council Business Manager (CBM)

**IN ATTENDANCE:** Mr Marrion, Senior Planning Officer (SPO)

The meeting started at 7.30 pm

## **1 DECLARATION OF CONFLICT OF INTEREST**

The Mayor reminded members of their responsibility with regard to conflict of interest.

## **2 MAYOR'S COMMENTS**

### **2.1 Condolences**

The Mayor on behalf of the Council expressed the sympathy of the Council to Ms Heather Patterson, Registrar, on the death of her mother and to Councillor Daly on the death of his brother-in-law.

As a mark of respect all stood for a minute's silence.

## **2.2 Congratulations**

The Mayor congratulated the undernoted and said that he would be sending letters from the Council:

Mr Jim Dobson, Director of Dunbia at Granville, who was named Director of the Year by the Institute Of Directors in London beating off competition from across the UK to scoop the prestigious national title. He stated that the Dobson brothers provided a lot of employment in the Dungannon area.

Mr Davy McQuigg from Fivemiletown who received a BEM for his contribution to sport. Mr McQuigg is heavily involved with Fivemiletown United Football Club.

The Livingstone Family who had organised a successful tractor cavalcade which raised in excess of £20,000 in aid of the Children's Hospice.

## **2.3 NI Water – Industrial Dispute**

Members referred to the totally unsatisfactory situation whereby ratepayers in the West of the province have been left without water due to the ongoing industrial action. It was stated that in situations such as this it is the West of the Bann that appears to be disproportionately affected. Members stated that people have a basic right to water and asked that representation is to have this situation resolved.

The CE stated that he would raise the issue with the Minister and NI Water and ask why West of the Bann more affected than others and what action is to be taken to rectify this on a long term basis.

## **3 MINUTES – COUNCIL – 8 DECEMBER 2014**

Proposed by Councillor McGonnell

Seconded by Councillor Reid and

**Resolved** That the minutes of the meeting of the Council held on Monday 8 December 2014, having been printed and circulated, be taken as read and signed as correct.

#### **4 MINUTES – SPECIAL COUNCIL – 9 DECEMBER 2014**

Proposed by Councillor Reid  
Seconded by Councillor Mulligan and

**Resolved** That the minutes of the special meeting of the Council held on Monday 9 December 2014, having been printed and circulated, be taken as read and signed as correct.

#### **5 PLANNING**

Mr Marrion was admitted to the meeting at 7.38 pm and submitted planning schedule dated 10 November 2014 and streamlined planning applications decisions issued 01.11.2014 to 30.11.2014 and 1.12.2014 to 31.12.2014.

##### **5.1 Schedule**

<b>Application No</b>	<b>Applicant</b>	<b>Reason for Deferral</b>
M/2014/0025/F	Ross	Defer for office meeting.
M/2014/0446/O	Herron	Defer for office meeting.
M/2014/0469/F	McCrystal	Application had been withdrawn.
<b>DEFERRED ITEMS</b>		
M/2014/0134/F	Toubkal Ltd	Hold for 7 days, if nothing received then decision will issue.
M/2014/0483/O	Donnelly	Hold for 7 days, if nothing received then decision will issue.
<b>STREAMLINED APPLICATIONS – NOVEMBER AND DECEMBER 2014</b>		
18 approvals issued in November and 38 in December 2014.		
Councillor Robinson declared an interest in application number M/2014/0451/O on the November 2014 streamlined list, did not leave the room.		

Councillor Monteith left at 7.55 pm.

Mr Marrion left at 7.58 pm.

#### **6 RENEWAL OF ENTERTAINMENT LICENCE – PREMISES REF; 1-60**

The Chief Executive stated that the applicant has failed to provide the undernoted:

- 1) Evidence that the legal requirement to place two public notices of the application in the local press;

- 2) Certification that the Fire Alarm System has been tested and in functional order;
- 3) Certification that the Emergency Lighting System has been tested; and
- 4) A Fire Risk Assessment relating to the premises.

The applicant had been invited to make representation to the Council concerning the proposal to refuse the licence but has failed to contact the Council to avail of the opportunity and has not provided the outstanding certification to support the application. It is therefore recommended that the application is refused.

Proposed by Councillor Brush  
Seconded by Councillor Reid and

**Resolved** That the application is refused.

## **7 MATTERS ARISING – COUNCIL**

None.

## **8 MINUTES – STRATEGIC DEVELOPMENT COMMITTEE 15 DECEMBER 2014**

### **8.1 Rural Villages Programme**

Member spoke of this programme and the fact that rate/tax payers being asked to subsidise improvements to outside of properties that are owned by persons who would have the means to carry out this work themselves.

The DD stated that this programme was to enhance villages and did not go into social or wellbeing of owners.

### **8.2 Brocagh Play Park**

Member stated that was of the opinion that this project would be dealt with in this Council term.

The DD stated that project was on reserve list along with others if budget slippage and agreed to bring full report on progress of this to the next meeting.

### **8.3 Newmills Playing Fields**

Member asked if there would be an official function to recognise the handover of the provision of changing facilities at Newmills Playing Fields.

In response the DD stated that he would liaise with staff and the Mayor's office in relation to having official handover.

### **8.4 Free Car Parking**

Members spoke in relation to confusion surrounding free parking in car parks in Dungannon, particularly Castle Hill car park, over the Christmas period and that TransportNI should be asked to waive these penalties.

The CE stated that he had already written to TransportNI and they had agreed to waive the penalties but if members know of anyone that has been affected if they provide this information to officers it can be looked at.

During discussion it was suggested that the first hour in car parks should be free and that the one hour free on street parking should be extended to two hours.

The CE agreed to forward these two points to TransportNI.

### **8.5 Public Realm Phase 1**

The Mayor stated that should issue invite to the DRD Minister Mr Danny Kennedy so he can see at first hand traffic management problems being experienced.

Members spoke of the delay in the completion of the contract and the need to meet with and discuss this with the contractor. Members also spoke of the need for TransportNI to immediately engage with the Council so that when the contract is complete TransportNI will be ready to implement appropriate and necessary changes to alleviate traffic management issues in Market Square. It was suggested that if traffic coming up Irish Street could leave the square via Church Street as well as Scotch Street this would reduce traffic using the car park to enable a left turn into Church Street.

The CE stated that if issue invite to Minister and have meeting with contractor this would send out a strong message to officials of TransportNI.

Proposed by Councillor R Burton  
Seconded by Councillor Molloy and

**Resolved** That invite be issued to the DRD Minister Mr Danny Kennedy to see at first hand traffic management issues in Market Square and that urgent meeting be held with contractor to have scheme completed as soon as possible.

#### **8.6 Nunnery Hill (item 2.4.3)**

In response to query the DD stated that he had met with representatives of Tyrone Somme before Christmas and they were to come back with detailed plans so that a site visit could take place to identify amount of land required.

#### **8.7 McIlwaine Hall, Aughnacloy (item 2.5.2)**

In response to update the DD stated that matter is with the solicitors who are trying to resolve ownership issues prior to transfer of the property to the Council. The Council has agreed that purchase go ahead subject to planning approval.

#### **8.8 Gas to the West (item 3.2.1)**

In response to query it was noted that presentation was item on agenda for Strategic Development Committee meeting.

#### **8.9 Coalisland Christmas Lights (item 3.2.2)**

Member stated that lights were out over the Christmas period and that light on trees at Cornmill were inadequate.

The CE stated that will take issue up with officer concerned and can have discussion at the next committee meeting.

#### **8.10 Adoption of Minutes**

Proposed by Councillor O'Neill  
Seconded by Councillor Brush and

**Resolved** That the minutes of the meeting of the Strategic Development Committee held on Monday 15 December 2014, having been printed and circulated, and subject to Councillor Somerville being recorded as in attendance from 7pm, be taken as read and, where relevant, adopted.

**9 MINUTES – STRATEGIC SERVICE DELIVERY COMMITTEE  
15 DECEMBER 2014**

Proposed by Councillor Somerville  
Seconded by Councillor Robinson and

**Resolved** That the minutes of the meeting of the Strategic Service Delivery Committee held on Monday 15 December 2014, having been printed and circulated, be taken as read and, where relevant, adopted.

**10 MINUTES – STRATEGIC SUPPORT SERVICES COMMITTEE  
15 DECEMBER 2014**

Proposed by Councillor Brush  
Seconded by Councillor McGonnell and

**Resolved** That the minutes of the meeting of the Strategic Support Services Committee held on Monday 15 December 2014, having been printed and circulated, be taken as read and, where relevant, adopted.

**10.1 Borough Status (item 4.1)**

A number of members expressed concern at the probable loss of borough status and asked Dungannon Councillors serving on Mid Ulster District Council to lobby for the retention of Borough Status.

**11 MINUTES – STRATEGIC AUDIT & RISK COMMITTEE  
11 DECEMBER 2014**

Proposed by Councillor McGonnell  
Seconded by Councillor Mulligan and

**Resolved** That the minutes of the meeting of the Strategic Audit & Risk Committee held on Thursday 11 December 2014, having been printed and circulated, be taken as read and, where relevant, adopted.

**12 PAYMENT OF ACCOUNTS**

Councillor Gillespie declared a non-pecuniary interest in payment to Alskea Contracts Ltd and left the meeting at 8.37 pm.

Proposed by Councillor O'Neill  
Seconded by Councillor Mulligan and

**Resolved** That the accounts as presented, list dated 19 January 2015 and euro listing dated December 2014 are noted.

### **13 NOTICE OF MOTION – COUNCILLOR CUTHBERTSON**

In proposing the undernoted notice of motion Councillor Cuthbertson stated that the motion is self-explanatory, was adopted by Mid Ulster District Council and considering that Lord Morrow served for 40 years on this Council felt it right to bring before the Council. He further stated that the Bill has now received Royal Assent.

*'Dungannon & South Tyrone Borough Council congratulates Lord Morrow MLA for Fermanagh & South Tyrone, on successfully steering his Private Members Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Bill through the Legislative Assembly. Recognises the cross party support his Bill received and following Royal Assent expects the PSNI to enforce the new offences and the Departments of Health and Justice to roll out the provisions in the Bill to tackle the scourge of Human Trafficking and Exploitation in Northern Ireland.'*

Councillor Brush seconded the motion, concurred with the remarks made and spoke of the enormity of the task for a private member to produce a bill and bring through the legislative process and hoped that the Bill will be copied by others in the near future.

Members spoke in support of the motion and condemned those who take advantage of vulnerable people.

The motion was put the meeting and unanimously adopted.

Agreed that letter of congratulations is sent to Lord Morrow.

### **14 CONFERENCES/SEMINARS**

#### **14.1 InvestNI , Fast Track to Innovation Seminar, Horizon 2020, the €80 billion RD fund, Hilton Hotel, Belfast, 20 January 2015, mileage**

Noted.

#### **14.2 The Future of Planning in Northern Ireland, Organisation, Growth and Priorities, Central Belfast, 28 January 2015, fee £210, mileage**

Noted.

**14.3 APSE Northern Ireland Seminar, Performance Improvement, are you ready?, 30 January 2015, mileage**

Noted.

**14.4 PPMA in partnership with OPM Learning from Systems Leadership, Body and Soul, London, 10 February 2015, flights, accommodation, subsistence and mileage**

Councillors Donnelly, O'Neill and HR representative to attend.

**14.5 Town Centre Futures, NI, Bangor, 12 February 2015, fee £45, mileage**

Urban and Physical Regeneration Manager to attend.

**14.6 Holiday World Show, Dublin, 23-25 January 2015, entrance fee, subsistence and mileage**

Noted.

**14.7 26<sup>th</sup> Colmcille Winter School, The Future of Local Government in Ireland under the New System, 27 to 28 February 2015, fee €150, subsistence and mileage**

Noted.

**14.8 Cross Border Peace Event, Dublin, 31 January 2015, 1 nights subsistence and mileage**

Director of Development to attend.

**15 MISCELLANEOUS MATTERS**

**Resolved** That the following item be taken in committee.

Press left the meeting at 8.48 pm

**15.1 Capital Re-Profiling**

The DF advised that as part of expenditure controls any contract over £250k has to go to Mid Ulster District Council for approval. The contract for Dungannon Park is to be tabled on Thursday night and to enable this to proceed requires additional funding. The Director recommended that additional funding is allocated and that capital re-

profiling is brought to the next meeting of the Strategic Service Delivery Committee for discussion.

Councillor Cavanagh left at 8.51pm.

Following discussion

Proposed by Councillor Cuthbertson  
Seconded by Councillor Reid and

**Resolved** That additional funding is allocated to the Dungannon Park Scheme, the contract is approved and the capital re-profiling is discussed at the next meeting of the Strategic Support Services Committee.

## **16 OTHER RELEVANT BUSINESS**

The undernoted correspondence having previously been circulated was noted by the Council:

### **16.1 Department for Regional Development**

Letter & map dated 15 December 2014 from TransportNI re: Proposed Disabled Parking Bays at Gallows Hill, Dungannon.

Letter & map dated 17 December 2014 from TransportNI re: Proposed Change to Limited Waiting Restriction at George Street, Dungannon.

Letter & map dated 22 December 2014 from TransportNI re: Proposed Changes to Existing Parking Place Restrictions and Loading Bay, and Introduction of Three New Stretches of Parking Restrictions in the Diamond, Moy.

Letter & map dated 12 January 2015 from TransportNI re: Proposed 40mph Speed Limit at Clonoe, Coalisland and Galbally, Dungannon.

### **16.2 Post Office**

Letter dated 9 December 2014 from Post Office Ltd re: Post Office Community Branch Fund.

Letter dated 15 December 2014 from Regional Network Manager re: Decision – move to new premises & branch moderation of Ballygawley Post Office.

Letter dated 6 January 2015 from Field Change Advisor re: Public Consultation – Branch Re-Opening of Castlecaulfield Post Office.

**17 DURATION OF MEETING**

The meeting was called for 7.30 pm and ended at 9.04 pm.

MAYOR \_\_\_\_\_

CHIEF EXECUTIVE \_\_\_\_\_