

MAGHERAFELT DISTRICT COUNCIL

Minutes of Proceedings of a Meeting of the General Purpose and Finance Committee of Magherafelt District Council held in the Council Chamber, 50 Ballyronan Road, Magherafelt on Tuesday, 28th November, 2000. The meeting commenced at 7.45 p.m.

Present: T. J. Catherwood (Presiding)

J. Junkin
J. J. Kelly, MLA
Miss K. A. Lagan
P. H. McErlean
Miss M. M. McKenna
R. A. Montgomery

Observer: P. J. Henry
S. O'Brien
G. C. Shiels

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

1. Quotations – Painting of Greenvale Leisure Centre:

Submitted a report on quotations received for the painting of the Greenvale Leisure Centre (Appendix 1).

Mr. Johnston said that the report was compiled and submitted by Mr. Ian Glendinning and is for major painting and decorating work to be undertaken at the Greenvale Leisure Centre. Prior to inviting quotations for this work, Mr. Glendinning asked a number of contractors and the Council's consultants to estimate the cost of this work. They all suggested that the cost would be below £10,000. Based on this information, Mr. Glendinning prepared a detailed specification and in accordance with the Council's policy for work below £10,000, invited four quotations. Mr. Johnston said that Members would be aware from the report that two quotations were returned and that both were higher than the £10,000 estimated. It was however, intended that this work would be completed during the current closure of the Leisure Centre and in view of the circumstances that are associated with this work it was recommended that the Council accept the lowest quotations from Johnston & McCrory, Strabane in the sum of £11,685.00.

It was

PROPOSED by Councillor Miss K. A. Lagan,
Seconded by Councillor J. Junkin, and

RESOLVED: to accept the quotation from Johnston & McCrory, Strabane in the sum of £11,685 for the painting of the Greenvale Leisure Centre.

2. Waste Disposal Site:

Mr. Johnston said that the Council would be aware that the Officers through the Council's Solicitors and the Valuation Officer had been negotiating with Mr. Hudson Steele to purchase the land currently leased from him for use as a waste disposal site. He said that the Council would also be aware that they had been advised that Mr. Steele's Solicitor had submitted to the Council's Solicitors a without prejudice letter stating that Mr. Steele would accept £350,000 and the use of an adjacent farm for a period of five years, to sell the land to the Council. At this time, however, based on a valuation given by the Valuation Office, the Council had authorised that a sum of £250,000 be offered plus the use of the farm. After this meeting it became clear that Mr. Steele would reject this offer. The officers still asked the Council's Solicitor to submit this offer in writing to Mr. Steele's Solicitors. However, in an attempt to resolve this matter every effort would be used to persuade the Council and the Valuation Office to increase the sum of £300,000. Mr Steele would accept this figure as a final agreement figure. The officers made it absolutely clear that this was an officer initiative and was subject to Council and the Valuation Office's approval. Neither of these were guaranteed.

Mr. Steele replied to this letter by getting his estate agent, a Mr. McAllister, to write to the Valuation Office rejecting the officer's proposals. He ignored the Council's Solicitor who had been negotiating with Mr. Steele's Solicitor to this point. The reply, however, arrived on Paddy Gallagher's desk at the Valuation Office when he was off on long term sick leave and the officers were not notified of this rejection until Mr. Johnston happened to meet Mr. Steele on a visit to the Waste Disposal Site. The officers had been waiting on a response from Mr. Steele's Solicitor. The Chief Executive immediately contacted the Valuation Office and instructed them to urgently deal with this letter. They organised a meeting with Mr. Steele's estate agent, only to be advised that Mr. Steele, would not now accept the £350,000 plus the use of the alternative farm. Mr. McAllister then returned to his original suggestion that the figure should be based on a notional royalty per tonne for landfill and had arrived at a sum of £650,000. He implied that there was some flexibility in this figure and invited the Valuation Officer to challenge his assumptions, that is, landfill prices.

The Valuation Officer advised Mr. McAllister that in their opinion based on information given to them, they were merely buying out the land which would otherwise have been returned to Mr. Steele sometime in the future. They were, therefore, operating on agricultural prices. They accepted that land prices in the area were exceptionally high

and also accepted that Mr. Steele had a less viable farm without the subject land. In recognition of these points they indicated that they would not step back from the suggested £300,00 which had been made to Mr. Steele's Solicitor. The figure was not acceptable to Mr. Steele's estate agent.

Following the meeting the Valuation Office advised the officers that they remained confident that the existing lease permitted the Council, lawfully, to continue landfill operations until capacity was exhausted and that the proposed works were the only reasonable means of compliance with the evolving environmental requirements. They did not see that they could increase the current offer, that is £300,000. They also suggested that it was unlikely that agreement could be reached in the short term and doubted whether anything could be gained from further discussion with Mr. McAllister.

Mr. Johnston said that this was the point that negotiations to purchase the site had reached. Regarding the lining work at the site, Mr. Johnston advised that the Chief Executive had stressed the importance of getting the work started as soon as possible in an effort to avoid inclement weather. Mr. Johnston said that they had experienced the worst spell of weather on record and he had to advise that due to this exceptionally heavy rainfall they had not only to suspend work but had considerable difficulty in dealing with water emanating from the site. High powered slurry pumps had to be purchased to recirculate polluted water through the site and had also to employ a private contractor to draw polluted water off the site to be treated in the Department of the Environment's water treatment plants.

Mr. Johnston said that this report brought the Committee up to date with developments at the Waste Disposal Site.

The Members sought clarification on certain issues and this was given by the officers.

It was

PROPOSED by Councillor T. J. Catherwood,
Seconded by Councillor J. Junkin, and

RECOMMENDED: that the Council accept the District Valuers professional opinion and that Mr. Steele be informed through his agent.

3. North-West Region Waste Management Group:

Mr. Johnston referred to a recent report on the North West Group on which the Council was advised. Since that report, two meetings of the North-West Members Group had taken place, that is, the group with Councillor representation. He now wished to advise the Committee on the progress of the group.

As had been reported before there had been some difficulty with the tendering procedure. The initial four Councils had proceeded to the Select List stage and had in fact selected six companies who would be asked to tender. It appeared, that due to the increase from four to eight Councils, it would not be lawfully possible to proceed with these six companies. A new tendering procedure would have to be undertaken from scratch. Mr. Johnston said that this obviously would cause a delay in proceedings.

There had also been certain differences of opinion with the Consultants and as a result of this it had been decided that it was appropriate time wise to terminate this work with the group and appoint new consultants, through a tendering procedure, when required.

Regarding Donegall County Council's position in the group, they had been required by law to prepare and submit a Waste Management Plan to their Environmental Agency in October, 2000. This Plan covered a wide range of waste reduction, composting, recycling, etc. but takes no decision on waste to energy. The Plan said that this option would be reviewed in five years when the overall plan was reviewed. Donegall Council said that they were still committed members of the North-West Group and hoped that in future to converge their plan with the other Councils. The suggestion was that the two plans would not be significantly different.

Mr. Johnston said that there had also been development on the Public Consultation front. It had been agreed that there would be a sequence of events to gauge public opinion. The first would be that all households would receive an information leaflet regarding waste management. A draft of the leaflet had been prepared by the Officers Working Group (Appendix 2) and Mr. Johnston asked that Members give consideration to this document. He said that he felt it was a good initial effort and would be finalized for issue in January, 2001. Mr. Johnston drew attention to Page 3. He said that the cost section was not particularly relevant and should be costed based on a combination of options rather than single costings, for example, landfill was costed as £45 to £65 per tonne but landfilling of all waste was not an option. He felt that this section should be clearer for the public. He asked that Members studied the leaflet and if there were comments they could be made at the next Council meeting.

Mr. Johnston said that the next item of importance was that the Department had proposed setting up an inter-party group forum to discuss waste management on an ongoing basis. This forum would be made up of representatives from all three waste management groups that represented the twenty-six Councils in the Province. It seemed that the Department wanted an officer only forum but the North-West Group had indicated that officers could not take decisions and that they would only take part in the forum if their representation was two members and two officers. Mr. Johnston said that it would appear that the Department had now agreed to their proposal and therefore the North-West Group had nominated the two members and two officers to represent them on the forum. One of the Councillors was Councillor R. A. Montgomery and one of the officers was himself.

Mr. Johnston said that his next comments referred to the first of the North-West Group's meetings which was held in Magherafelt when the Council's request for more

representation on the group from two Councillors to four Councillors was considered. He said that all other Councils through their representatives on the Group, or in writing to the Chief Executive had rejected this proposal. The general comment was the thirty-two Councillors and eight officers (a total of forty) would not be feasible from a working group point of view or for accommodation for meetings.

Finally, Mr. Johnston said that the final item he wished to report on was that it was the Groups intention to ask Mr. Sam Foster, Minister for the Environment, to address the members group regarding waste management issues and in particular the extra £3.5 million that they planned to distribute to District Councils for waste management early in 2001.

Members discussed at length the consultation information leaflet and the layout and Mr. Johnston said that amendments would be made particularly on Page 1 and the Table on Page 3.

Councillor J. Junkin expressed thanks to the Chief Executive for his help and expert advice on the Councillors recent trip to waste management plants in Sweden and Germany.

4. Play Area Refurbishment:

Mr. Johnston reminded that Members that it was Council policy to refurbish four play areas in the Moyola Electoral Area during the current financial year. The play areas were Castledawson, Bellaghy, Gulladuff and Tamlaght. He advised that with the exception of one safety tile at Gulladuff, the programme was complete. Castledawson, Bellaghy and Tamlaght were fully operational with caretakers appointed, that is voluntary caretakers, at all three sites. Gulladuff would become operational when an appropriate caretaker was found. The feedback from Castledawson and Bellaghy was excellent in that there had been no complaints whatsoever. The residents of Tamlaght where there was a smaller play area continued to request more equipment. In their opinion there was insufficient equipment to be functional. Gulladuff was not open so there had been no comments to date.

Councillor Rev. Dr. R. T. Wm. McCrea said that the people from Tamlaght O'Crilly lived on the periphery of the Council's area. They did not enjoy facilities such as those who lived in the main towns and villages of the District. They felt neglected. Councillor Rev. McCrea asked why the Council should leave the play area, only half done. He asked how the Council determined what size the play area should be.

Mr. Johnston explained that the Council had decided to spend £100,000 on play areas during the current financial year. It had decided that four play areas would be provided and that Moyola should be the first area considered. It also resolved that play equipment valued at £26,785 be provided in Bellaghy and Castledawson and that play equipment valued at £14,773 be provided at sites in Tamlaght O'Crilly and Gulladuff.

The Chief Executive explained that the Recreation and Tourist Committee had agreed to recommend to the Council that basketball nets and stands should be supplied to Tamlaght O'Crilly play area.

The Chief Executive further said that ideally it was hoped that Gulladuff Community Association would take care of the new play area at Gulladuff.

Councillor Miss M. M. McKenna requested extra lighting at Bellaghy play area and Mr. Johnston agreed to consider the matter.

5. Play Area Refurbishment – next financial year (2001/02):

Mr. Johnston said that with the completion of this year's programme it was the opportune time to discuss the next phase of the refurbishment programme so that the cost could be included in estimates for 2001/2002. He advised that a considerable number of requests had been received for the refurbishment of the play area at Meadowbank, Magherafelt. However, Mr. Johnston suggested that it might be appropriate to delay a decision on this site until it could be established if the play area at Meadowbank would be moved to a site adjacent to Greenvale Leisure Centre. This would of course be dependent on the Leisure Centre being developed, as recently discussed by the Council. If the development was carried out the appropriate place for a major play area in Magherafelt could well be adjacent to Greenvale Leisure Centre. It was felt that the Magherafelt area already had a leisure centre and other facilities and after concentrating on the Moyola area preference should now be given to the Sperrin area, but it required a Council decision. Mr. Johnston asked the Members to comment on what programme they wished to follow in the year 2001/2002.

The Chief Executive suggested that as decision last year was to spend £100,000 on play areas the sum should be the same for the next financial year.

Mr. Johnston said that if £100,000 was considered to be the sum to be spent on play areas in the next financial year, that is 2001/2002, it would provide possibly four areas with play equipment.

On consideration, it was

PROPOSED by Councillor R. A. Montgomery,
Seconded by Councillor Miss K. A. Lagan, and agreed to

RECOMMEND: as agreed at the Recreation and Tourist Committee Meeting that the budget for play area refurbishment for the next financial year 2001/2002 be £100,000 and that the sites to be refurbished should be in Draperstown, Tobermore, Swatragh and Desertmartin.

6. New Skip Site at Draperstown:

Mr. Johnston said that the matter had been ongoing for a considerable period of time without any progress being made. He advised that most of this delay had been caused by a delay in getting a response from Workspace's Solicitors. Through the Council's Solicitors the officers had asked for certain items in the 999 year lease to be clarified and he advised that most had been agreed on. However, there were still two outstanding issues to be settled dealing with restrictions in Workspace's planning approval for the site. There were problems in that a footpath had not been constructed or clearly defined to and within the site and there is also a matter of a bond that we think Workspace should be responsible for or clarify. It was hoped that both issues would be resolved shortly to allow the sale, or long term lease to be completed. He are also awaiting written approval from the Planning Office to use the site, as a skip site, but there appeared to be a backlog at the Planning Office in issuing approvals. Earlier in the day, Mr. Johnston said a written complaint had been received from the factory next to the site. The owners were objecting to the use of the site and words such as vermin, stench diseases and public perception were used as potential problems. The Council was asked to reconsider its position regarding this skip site. Mr. Johnston said that he had visited this particular factory on two occasions to discuss the matter with the owner. On both occasions he was not available. He felt that if he could talk to him he could perhaps persuade him or reassure him on his concerns. Mr. Johnston said that he would make every effort to speak to the owner before the next Council meeting. He further commented that the Council should continue to plan to use the site for skips.

Councillor Miss K. A. Lagan said that Maghera skip site was located beside business units and was a good example to follow.

Councillor R. A. Montgomery agreed and also spoke of the site in Tobermore where some houses were pretty close and to his knowledge there had only been two complaints within ten years.

Councillor J. Junkin referred to the systems viewed on visits to Sweden and Germany. He said that he had a request to expand the Bellaghy site.

Mr. Johnston said that in future there may only be four skip sites in the District due to investment and the need for them to be controlled skip sites.

The meeting concluded at 8.50 p.m.

CHIEF EXECUTIVE

The Foregoing Minutes are hereby Confirmed.

_____ (Chairman)

_____ (Date)