

FERMANAGH AND OMAGH DISTRICT COUNCIL

Minutes of Meeting of:	Council
Date and Time:	Tuesday 2 February 2016 at 7.04 pm
Location:	Council Chamber, The Townhall, Enniskillen
Chairman:	Councillor Thomas O'Reilly
Vice Chairman:	Councillor Paul Robinson
Present:	<p>Councillors: Alex Baird; Rosemary Barton; Mark Buchanan; Glenn Campbell; Sean Clarke; Debbie Coyle; John Coyle; Barry Doherty; Frankie Donnelly; Joanne Donnelly; Sean Donnelly; Keith Elliott; Raymond Farrell; Anthony Feely; John Feely; Anne Marie Fitzgerald; Brendan Gallagher; Mary Garrity; Sheamus Greene; Robert Irvine; Tommy Maguire; David Mahon; SORCHA McAnespy; Brian McCaffrey; Stephen McCann; Marty McColgan; Barry McNally; Richie McPhillips; Allan Rainey MBE; Patricia Rogers; Rosemarie Shields; Chris Smyth; Bernice Swift; Errol Thompson; Howard Thornton; Victor Warrington; Bert Wilson</p>
In Attendance:	Chief Executive; Director of Community, Health and Leisure; Director of Corporate Services and Governance; Director of Regeneration and Planning; Director of Environment and Place; Head of Policy and Strategic Services; Head of Democratic and Customer Services; Senior Democratic Services Officer
Apology:	<p>Councillor: Josephine Deehan</p>

Consideration of Agenda Items

RESOLVED:

On the proposal of Councillor McNally, seconded by Councillor Swift, that Agenda items 11 and 12 are considered following Agenda item 4 to allow the delegation present in the public gallery to leave as soon as possible due to poor weather conditions.

Councillors Campbell and A Feely entered the meeting at this juncture.

1. Minutes of Council Meeting held on 5 January 2016

NOTED: that Paper A had been issued with the agenda.

RESOLVED:

On the proposal of Councillor Thompson, seconded by Councillor Clarke, that the minutes of the meeting held on 5 January 2016 be taken as read and signed as correct.

2. Declarations of Interest

Declarations of Interest were conveyed by Members as follows:

- Item 8.1 - Refresher Planning training events - Councillor McCaffrey
- Item 10.1 - Capital Grant Aid funding application from Ederney St Joseph's GAA - Councillor Thornton
- Item 15.2 - Report on recommendations for Grant Aid 2015/16 Round 3 - PCSP and Large Festivals funding - Councillor Thornton
- Item 16 - Report on draft consultation response to NILGA on 'Developing a Programme for Local Government 2016-2020' - Councillor Baird

3. Matters Arising

3.1 Flooding Incidents – Page 3, Item 5.1

Reference was made to the need for funding to be directed to address areas which flood on a regular basis with particular reference made to the Boho and Tullyhommon areas.

In response the Chief Executive provided the following update:

- Representations had been made to the First Minister and Deputy First Minister and the Minister for Agriculture and Rural Development regarding recent flooding incidents;
- In accordance with the OFMDFM Protocol, a review of the wider flooding issue would be carried out, however, there was no indication of the timescale required to complete this process;
- The Minister for Regional Development had allocated some funding towards remedial works required following the recent flooding;
- In relation to the Fermanagh and Omagh District Council area, priority had been given to addressing three roads affected in East Fermanagh;
- Any excess funding may be directed towards addressing drainage issues at Boho, Tullyhommon and the entrance to the Translink Bus Depot in Enniskillen;
- Issues affecting Boho and Tullyhommon could be raised with Rivers Agency representatives during the forthcoming presentation;
- There would be merit in combining the presentation from Rivers Agency with the visit to Cathaleen's Fall and Cliff;

- All recommendations contained in the 2009 Fermanagh Flooding taskforce report had been addressed with the exception of the education programme. A review carried out in response to one of the recommendations had concluded that there was limited scope to address the main constraints of water flow which was as a result of narrow channels at Belleek and Enniskillen;
- Rivers Agency would present its findings on the Feasibility Study for Flood Migration Measures in Omagh on 10 May 2016 at 5.00 pm in the Grange;
- Indicative costs to carry out a basic desktop assessment on the economic impact that the recent flooding has had on County Fermanagh would be in the region of £15,000-20,000 with a sample consultation of those affected estimated to cost an additional 50-100%; and
- The draft Terms of Reference for the engagement of Consultants to carry out the review would be presented to the Regeneration and Community Committee in February.

Councillors Buchanan and Garrity entered and Councillors J Donnelly, Shields and Warrington left and re-entered the meeting during consideration of the above matter.

RESOLVED:

On the proposal of Councillor Swift, seconded by Councillor McPhillips, that representations are made to:

- TransportNI requesting that information regarding indicative costs for remedial work to three particular roads in East Fermanagh, identified as priority cases following recent flooding incidents, is shared with the Council; and**
- The Minister for Regional Development highlighting the need for further funding to be provided to address areas which flood on a regular basis.**

RESOLVED:

On the proposal of Councillor Barton, seconded by Councillor Swift, that:

- The presentation by Rivers Agency on water management levels forms part of the visit to the Electricity Supply Board facilities at Cathaleen's Fall and Cliff; and**
- Rivers Agency is advised that Members also wish to discuss flooding on a wider perspective including at Boho and Tullyhommon.**

3.2 PSNI – Establishment of a Local Policing Team and Neighbourhood Policing Team Model – Page 6, Item 5.2

Concerns were conveyed by Members regarding the increase in burglaries across the area which had resulted in local people having to patrol car parks during church services and community events. Members commented on the fear the incidents had created in local communities particularly among older and vulnerable people and they felt that senior PSNI Officers needed to address the constraints on resources which have led to a poor police presence on the ground. Reference was also made to the onus on people to take personal action to minimise the risk of

being burgled. It was suggested that further consideration is given to this issue at the next meeting of the Policing and Community Safety Partnership.

Some Members then provided an update on the recent meeting held with ACC Martin at PSNI Headquarters and advised that there had been an indication at the meeting that further consideration would be given to providing funding for CCTV projects in the Council area.

RESOLVED:

On the proposal of Councillor Farrell, seconded by Councillor Elliott, that representations are made to the local Chief Inspector PSNI, expressing concerns at the increase in burglaries and requesting a more visible police presence on the ground.

Councillors Buchanan, J Donnelly and Fitzgerald left and re-entered the meeting during the above discussions.

3.3 Closure of Day Care Facilities – Page 6, Item 5.4

NOTED: that a letter dated 20 January 2016 from the Department of Health, Social Services and Public Safety regarding Elected Representatives attending meetings held in relation to the closure of day care centres had been issued with the agenda.

The Chief Executive outlined details of email correspondence received on 28 January 2016 from the Department of Health, Social Services and Public Safety regarding the proposed closure of day care facilities in the Council area and he undertook to circulate this to Members for information.

Discussion ensued during which Members expressed the view that mixed messages were being received from the various bodies involved in making a decision on the matter. Concern was expressed that under usage and running costs were being used as criteria to close facilities. It was also felt that the diminution of these front line services was only the start of reducing service provision in rural areas.

Members requested that DUP Members bring to the attention of Minister Hamilton the Council's concerns that he may not always be fully informed on reasons for taking closure decisions taken under delegated authority as some of those stated publicly do not always appear in reports.

RESOLVED:

On the proposal of Councillor McCaffrey, seconded by Councillor McCann, that representations are made to the Minister for Health, Social Services and Public Safety requesting clarification on the criteria being used to advance the closure of day care centres.

Councillor Farrell left and re-entered the meeting during consideration of the above matter.

3.4 Minister for Social Development's decision not to proceed with the Regeneration Bill – Page 6, Item 5.3

A Member advised that the new Minister for Social Development, Lord Morrow MLA had indicated that the transfer of functions to Local Government would proceed which was to be welcomed.

NOTED.

Councillor Smyth left and re-entered the meeting during consideration of the above matter.

3.5 Promotion of Safe Routes to School - Page 7, Item 5.5

In response to a Member's query, the Chief Executive advised that Mr Mullholland had agreed to liaise with his colleagues in the Education Authority regarding the relevant person to attend a meeting with Council Members to discuss the Safe Route to Schools' Protocol.

NOTED.

Councillor McColgan left the meeting at this juncture.

3.6 WHSCT Response to Consultation on Creamery House, Kesh – Page 8 Item 5.8

NOTED: that a letter dated 13 January 2016 from the Department of Health, Social Services and Public Safety and a letter dated 15 January 2016 from the Western Health and Social Care Trust regarding the proposed closure of Creamery House, Kesh had been issued with the agenda.

CONTENTS NOTED.

3.7 Membership of Working Group to consider Council support for Remembering and Commemoration Events in 2016 – Page 11, Item 9.4

The Chief Executive advised that following the postponement of the Good Relations workshop scheduled for 5.00pm the following day, a Member had requested that the meeting of the Remembering and Commemoration Events in 2016 Working Group be moved from 3.00pm to 5.00pm as Members would be attending a further meeting at 7.00pm.

RESOLVED:

On the proposal of Councillor Rogers, seconded by Councillor Thompson that the next meeting of the Remembering and Commemoration Events in

2016 Working Group is rescheduled to 5.00pm on Wednesday 3 February 2016.

Councillor McColgan re-entered the meeting at this juncture.

4. Report of Policy & Resources Committee held on 13 January 2016

NOTED: that Paper F had been issued with the agenda.

A Member requested that further consideration was given to Item 3.8.2 - Quinn's Corner Carrickmore before adoption of the recommendation by the Council.

RESOLVED:

On the proposal of Councillor F Donnelly, seconded by Councillor McCann, that the report of the Policy & Resources Committee be approved and adopted with the exception of Item 3.8.2.

Councillor McColgan left and re-entered the meeting during consideration of the above report.

5. Matters Arising

5.1 Quinn's Corner Carrickmore – Page 7, Item 3.8.2

The Chief Executive advised that two items had arisen since the previous discussions on the above matter:

- Receipt of a legal opinion regarding the Council's responsibility for maintenance of the site; and
- Representations received in response to the recommendation of the Policy & Resources Committee before the Council for ratification.

With regards to the latter point, the Chief Executive commented on the level of public interest shown via social media and telephone calls received in recent days advising that the key messages conveyed were opposition to the Policy and Resources Committee's recommendation; the view that public ownership of the site would hinder much needed development in the area; and support for the area to be regenerated with particular reference to housing. He added that this issue had also been featured in the Tyrone Herald edition dated 1 February 2016.

In relation to comments conveyed via the facebook campaign regarding the lack of community consultation, the Chief Executive advised that for the Council this matter was considered in the context that when the initial public realm scheme was brought forward it was on the understanding that ownership of the land would transfer to the appropriate Department, ie the Department of the Environment. There was also agreement at that stage that the Council would maintain the land. Subsequently, it had transpired that the formal legal transfer of the land had not

taken place and when the Council had sought legal advice regarding the Council formalising the agreement, the advice was that the Council could not successfully make claim for ownership as it was only responsible for site maintenance, however, this did not preclude the Department for Social Development (DSD), which now assumed responsibility for the regeneration service and functions, from investigating the potential for them to establish rights to the property. The Chief Executive then advised that the current situation was that the Departmental Solicitors office had contacted the Council to say that before they would take any further action they required the Council to indicate that it was willing to accept the transfer of the land and maintain it if DSD was successful in establishing rights to the property. To this end the Council had considered the matter in relation to formalising the original agreement and therefore had not carried out any public consultation process. In concluding, the Chief Executive advised that if DSD pursued a claim to formalise the transfer of the land, at this stage there was no indication if that would be successful. At this stage it appeared that DSD had no interest in the property and unless the Council indicated a willingness to accept a transfer of the property the Department may not pursue the matter any further.

In supporting the views conveyed by the local community, Councillor McNally proposed and Councillor Fitzgerald seconded that the Council does not pursue bringing the land into public interest and advises the Department for Social Development accordingly. Councillor Shields requested that a recorded vote be taken and asked if any update had been received on the legal position.

In response to Members' comments, the Chief Executive advised that:

- In relation to the legal opinion the first opinion concluded that the Council could not successfully make claim for ownership independent of any other body. The second opinion concluded that if DSD successfully secured rights to the land and transferred it to the Council there would be no legal comeback on the Council;
- He understood the arrangement to formally transfer the land to public ownership would have been part of the arrangement to be put in place in support of the funding being made available;
- The pertinent issue for consideration was that the legal conveyance process to transfer the land to public ownership had not been concluded and a decision was required as to whether the Council was willing to take ownership of the land if DSD was successful in obtaining legal title;
- The update provided in relation to public interest on the matter was shared for information purposes;
- No calls or messages had been received from the community conveying support for the transfer of the land to public ownership;
- Costs incurred to maintain the site were not to hand; and
- Based on advice received it would be irresponsible and a risk to the Council for it to stop maintaining the land at this stage. If the Council decided not to pursue any future interest in the land via DSD then the Council would advise interested parties that the matter was not being pursued further and the Council would take the appropriate steps to extricate itself from its current responsibility for maintaining the site.

Councillor McNally's proposal was then put to the meeting and voting took place as follows:

FOR (17)	AGAINST	ABSTAINED (21)
G Campbell		A Baird
S Clarke		R Barton
D Coyle		M Buchanan
B Doherty		J Coyle
F Donnelly		J Donnelly
S Donnelly		K Elliott
A Feely		R Farrell
J Feely		B Gallagher
A Fitzgerald		M Garrity
S Greene		D Mahon
T Maguire		R McPhillips
S McAnespy		A G Rainey
B McCaffrey		P Robinson
S McCann		P Rogers
M McColgan		R Shields
B McNally		C Smyth
T O'Reilly		B Swift
		E Thompson
		H Thornton
		V Warrington
		B Wilson

Councillor Fitzgerald left the meeting before completion of the recording of the above vote.

RESOLVED:

By the majority of votes cast that the Council does not pursue bringing the land into public interest and advises the Department for Social Development accordingly.

NOTED: that the current landowner would be advised that the Council had no further interest in the property and that the Council would take the appropriate action to cease maintenance of the property.

Members then commented on the outcome of the vote and expressed contrasting views regarding potential surcharges against Members as a result of the decision

taken and the level of obscurity around the issue in terms of DSD being able to secure legal title to the land. It was felt that this matter should have been addressed during the period of the legacy Council. In response to a Member's comments the Chief Executive advised that the potential to compile an inventory of properties maintained by the Council but not in the Council's ownership would be investigated.

Councillors Doherty, F Donnelly and Elliott left and re-entered and Councillors Campbell, McCann and McNally left the meeting during the above discussions. Councillor A Feely left at this juncture.

NOTED.

5.2 Co-Operation Ireland's Community Planning / Spatial Planning Seminar – Page 18, Item 5.9

NOTED: that no further nominations were received to attend the above seminar.

5.3 Review of Council Policy – Page 19, Item 7.2

In response to a Member's query regarding the potential to review a policy after a period of 3 months, the Chief Executive advised that in order to allow time for a policy to become embedded a period of 6 months would be more beneficial.

RESOLVED:

On the proposal of Councillor Thornton, seconded by Councillor Baird, that a review of the Clean Neighbourhoods Policy is carried out following a period of 6 months from its inception.

Councillor McCann re-entered the meeting at this juncture.

6. Report of Environmental Services Committee meeting held on 6 January 2016

NOTED: that Paper B had been issued with the agenda.

RESOLVED:

On the proposal of Councillor Gallagher, seconded by Councillor Thornton, that the report of the Environmental Services Committee be approved and adopted.

Councillor A Feely re-entered the meeting at this juncture.

7. Matters Arising

7.1 Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 2015 – Page 5, Item 4.3

In response to a Member's query, the Chief Executive advised that the recommendation to make representations to the Department of Regional Development regarding concerns on the current length of time taken to process Blue Badge applications would now be actioned following adoption of the minutes.

NOTED.

8. Report of Regeneration & Community Committee held on 12 January 2016

NOTED: that Paper C had been issued with the agenda.

RESOLVED:

On the proposal of Councillor Thompson, seconded by Councillor Warrington, that the report of the Regeneration and Community Committee be approved and adopted.

Councillor Shields left the meeting at this juncture.

9. Matters Arising

9.1 Mobile Infrastructure Project – Page 3, Item 3.3

Requested by a Member that the letters to be sent to the Department of Culture, Media and Sport and the Department of Enterprise, Trade and Investment would express in the strongest possible terms the Council's dissatisfaction at the failure of the Mobile Infrastructure Project in the Council area.

NOTED.

Councillor Campbell re-entered and left, Councillors D Coyle, Greene, McColgan, McPhillips and Warrington left and Councillor J Donnelly left and re-entered the meeting during discussions on the above matter.

9.2 Enforcement of Parking Restrictions at the Strule Arts Centre – Page 14 – Item 4.12

The Chief Executive advised that the issue of illegal parking at the Strule Arts Centre needed to be addressed as a matter of urgency on the grounds of Health and Safety. The Director of Community, Health and Leisure then outlined a proposed course of action as follows. In the interim to resolve the problem a

Council representative would notify offenders for a number of weeks of the risk of enforcement action being taken. Additionally, the Council would proceed to appoint a parking control and enforcement contractor to enforce parking restrictions and advertisements would be placed in the local press highlighting these actions.

Councillor Irvine entered and Councillors Fitzgerald and Warrington re-entered the meeting at this juncture.

Proposed by Councillor Elliott, seconded by Councillor Rogers, that parking enforcement commenced with immediate effect.

Discussion ensued during which Members made the following points:

- It was essential that business owners were able to gain access to the rear of their properties;
- A lead in period was required to ensure that people were adequately notified of the enforcement procedures in place;
- The legality of recording details of recurrent offenders should be examined;
- Given the seriousness of the situation, enforcement actions should commence immediately; and
- A 'clamped' vehicle would not help improve access to the building.

In response, the Chief Executive and Director of Community, Health and Leisure advised that a vehicle causing an obstruction during an emergency would be removed by whatever means available; Council Officers were aware of persistent offenders; Council staff had been verbally abused by some offenders when approached; and the recommendations outlined related to the management of the issue in the interim period prior to carrying out consultation with neighbouring property owners to identify a permanent solution.

Councillor J Donnelly left, Councillors Clarke, J Coyle, Doherty and Rogers left and re-entered and Councillors D Coyle, Greene, McColgan, McNally and McPhillips re-entered the meeting during the above discussions.

Councillor Elliott then amended his proposal to incorporate public awareness being undertaken consecutively with the immediate implementation of enforcement action.

Councillor Elliott's amended proposal was then put to the meeting and voting took place as follows:

FOR: 19 Votes

AGAINST: 17 Votes

RESOLVED:

By the majority of votes cast that:

- (i) **The Council appoints a parking control and enforcement contractor to enforce parking restrictions at the Strule Arts Centre with immediate effect;**
- (ii) **A Council representative is on site for a period of two weeks to advise offenders that they are illegally parked and at risk of enforcement action being taken; and**

- (iii) **Members of the Public are notified of these actions through placing an advertisement in the local press.**

9.3 Refresher Planning Training Events – Page 20, Item 6.5

The Director of Regeneration and Planning advised that a refresher training event on the Single Planning Policy Statement and Local Development Plan had been held in the Grange, Omagh on Monday 1 February and that a training event on Development Management was scheduled for Monday 8 February in the Townhall, Enniskillen commencing at 10.00 am.

NOTED.

Councillor J Feely and McCaffrey left the meeting at this juncture.

9.4 The Irish Open 2017 – Page 20, Item 6.3

In response to Members' comments the Chief Executive advised he had no new information in relation to the Irish Open 2017 and indicated that the area had demonstrated its ability to hold significant events and that it was still expected that the event would go ahead as scheduled.

NOTED.

Councillors Fitzgerald and Thornton left and Councillor Mahon left and re-entered the meeting during discussions on the above matter.

10. Report of Special Regeneration & Community Committee held on 13 January 2016

NOTED: that Paper D had been issued with the agenda.

RESOLVED:

On the proposal of Councillor Wilson, seconded by Councillor Thompson, that the report of the Special Regeneration and Community Committee be approved and adopted.

11. Matters Arising

11.1 Capital Grant Aid Funding Application - Ederney St Joseph's GAA

NOTED: that Paper E had been issued with the agenda.

The Director of Regeneration and Planning advised that in the cross checking of capital grant aid applications received, it had become apparent that a valid and complete application from Ederney St Joseph's GAA had been omitted from the

report submitted to the Special Meeting of the Regeneration and Community Committee on 13 January 2016. She then recommended that the Council approves the award of £8,909 based on the information outlined in Paper E.

RESOLVED:

On the proposal of Councillor Gallagher, seconded by Councillor McCann, that the Council approves the award of £8,909 capital grant to Ederney St Joseph's GAA.

Councillor J Feely re-entered the meeting at this juncture.

12. Report of Planning Committee held on 20 January 2016

NOTED: that Paper G had been issued with the agenda.

RESOLVED:

On the proposal of Councillor J Coyle, seconded by Councillor Rainey, that the report of the Planning Committee be taken as read.

Councillor Farrell left the meeting during consideration of the above report.

13. Matters Arising

13.1 Fermanagh and Omagh District Council's Statement of Community Involvement – Page 10, Item 10

NOTED: that a copy of the Council's Statement of Community Involvement had been issued with the agenda.

The Director of Regeneration and Planning advised that under the Planning Act 2011, the Council was required to publish a Statement of Community Involvement (SCI) and that this document outlined how the Council proposed to engage with the community and stakeholders in exercising its planning functions, both in the preparation of the New Local Development Plan and in undertaking the development management and enforcement functions. The SCI must be approved by Council and agreed by the Department of the Environment.

RESOLVED:

On the proposal of Councillor Irvine, seconded by Councillor Thompson, approval of the Statement of Community Involvement which would be submitted to the Department of the Environment for agreement.

Councillors Farrell and Fitzgerald re-entered the meeting at this juncture.

14. Delegation of Council Powers

RESOLVED:

On the proposal of Councillor Irvine, seconded by Councillor Mahon, that Council Powers are conferred to the following Committees in February to consider the matters outlined:

- (i) **Environmental Services Committee:**
 - Report on Better Management and Control of Bonfires
- (ii) **Regeneration and Community Committee:**
 - Report on Recommendations for Grant Aid 2015/16 Round 3 – PCSP and Large Festivals funding;
 - Update Report on West End Community Centre;
 - Tourism NI - Year of Food and Drink 2016 Initiative;
 - Report on the extension of the Public Health Agency contract beyond 31 March 2016 for the provision of the Fermanagh Active Living Project and the Omagh Physical Activity Referral Programme; and
 - Business Improvement District proposal for Enniskillen

15. Draft Consultation Response to NILGA on ‘Developing a Programme for Local Government 2016-2020’

NOTED: that Paper H had been issued with the agenda.

In view of the expressed Declaration of Interest, Councillor Baird left the meeting at this juncture.

The Chief Executive outlined the purpose of the consultation paper and advised that the Council’s draft response was broadly supportive of the recommendations made by the Northern Ireland Local Government Association (NILGA) in developing a Programme for Local Government to aid in the collective working of both central and local government.

RESOLVED:

On the proposal of Councillor McColgan, seconded by Councillor Irvine, approval of the draft response to the Consultation on “Developing a Programme for Local Government 2016-2020’ as outlined in Appendix 1 of Paper H.

Councillor Baird re-entered the meeting at this juncture.

16. Correspondence

16.1 Provision of Fibre Optic Broadband Provision in the West

NOTED: that a letter dated 19 January 2016 from British Telecom and a letter dated 21 January 2016 from the Department of Enterprise, Trade and Investment

(DETI) regarding the provision of fibre optic broadband provision in the West had been issued with the agenda.

Members expressed the view that the response received from BT did not address the issues raised by the Council and made no specific reference to provision in the West which had been the subject of the Council's correspondence. Members then commented on the following points:

- The OFCOM report indicated that broadband coverage was extremely poor within the Council area;
- Poor broadband provision impacted on the local economy and required some people to avail of internet services through their public library;
- A commitment had been given in the Republic of Ireland that all premises would have superfast broadband by 2010; and
- Clarification was required regarding the figures supplied by BT and DETI in terms of Next Generation Access coverage and broadband speeds.

In response to a query regarding the two projects supported in the Fermanagh and South Tyrone area through the Northern Ireland Broadband Fund, the Chief Executive advised that clarification may be obtained via the web link outlined in the Department's letter.

RESOLVED:

On the proposal of Councillor Swift, seconded by Councillor McCann, that the Council makes further representations to British Telecom and the Department of Enterprise, Trade and Investment on the lack of provision of fibre optic broadband in the West.

Councillor Thornton re-entered, Councillor Doherty left and Councillor S Donnelly left and re-entered the meeting during consideration of the above matter.

16.2 Department of Enterprise Trade and Investment - Mineral Development Act (NI) 1969

NOTED: that a letter dated 20 January 2016 from the Department of Enterprise Trade and Investment regarding an application from Koza Ltd for Mineral Prospecting Rights under the Mineral Development Act (NI) 1969 had been issued with the agenda.

The Chief Executive advised that while the licence to investigate the presence of minerals would apply to a site primarily located within the Mid Ulster Council area the Cregganconroe area was located within Fermanagh and Omagh District Council area.

RESOLVED:

On the proposal of Councillor Fitzgerald, seconded by Councillor McNally that the above correspondence is further considered at the February meeting of the Regeneration and Community Committee.

Councillor Maguire left the meeting at this juncture.

16.3 Land and Property Services - Tyrone County Hospital Site

NOTED: that a letter dated 20 January 2016 from Land and Property Services regarding the sale of the Tyrone County Hospital site had been issued with the agenda together with additional information regarding the disposal procedures for surplus land.

The Chief Executive advised that all public sector bodies were provided with the opportunity to acquire publicly owned land earmarked for disposal before disposal on the open market is considered. He explained that at the Senior Management Team Meeting, Officers were of the view that the Council had no particular need for this site.

CONTENTS NOTED.

16.4 Post Office Ltd – Belleek and Creggan Post Offices

NOTED: that a letter dated 13 January 2016 regarding changes to Belleek Post Office and a letter dated 21 January 2016 regarding changes to Creggan Post Office had been issued with the agenda.

CONTENTS NOTED.

16.5 Tourism Northern Ireland - Development of a Tourism Strategy for Northern Ireland to 2025

NOTED: that details of the Tourism Northern Ireland events regarding the 'Development of a Tourism Strategy for Northern Ireland to 2025' had been issued with the agenda.

Disappointment was conveyed that none of the workshops were to be held in County Tyrone.

RESOLVED:

Approval for Councillors Baird, Barton, Clarke, J Coyle, McAnespy, McCann, O'Reilly, Robinson, Swift, Thompson and Wilson to attend the Tourism Northern Ireland event to be held in the Enniskillen Hotel on 9 February 2016.

16.6 Supporting Victims of Sexual Crime Regional Conference

NOTED: that details of a regional conference 'Supporting Victims of Sexual Crime' to be held in St Columb's Park House, Derry/Londonderry on 5 February 2016 had been issued with the agenda.

CONTENTS NOTED.

16.7 Translink Political Stakeholder Update Event for Omagh Public Transport

NOTED: that details of a Translink political stakeholder update event for Omagh public transport to be held in Omagh bus station on 12 February 2016 had been issued with the agenda.

RESOLVED:

On the proposal of Councillor Irvine, seconded by Councillor Thompson, approval for Omagh based Councillors to attend the above event to be held in Omagh Bus Depot on 12 February 2016 at 10.30 am.

16.8 Action Mental Health Summit

NOTED: that details of an Action Mental Health Summit to be held in Stormont Hotel, Belfast on 24 February 2016 had been issued with the agenda.

The Chief Executive advised that the event was free and the cost of travel would be approximately £100.00.

RESOLVED:

Approval for Councillors D Coyle, J Coyle, Farrell, McAnespy, McCann, Smyth and Warrington to attend the above event in the Stormont Hotel, Belfast on 24 February 2016.

16.9 University of Ulster and Positive Futures Joint Conference

TABLED: details of workshops being held between 15 and 17 February 2016 in relation to providing support to people with learning disabilities transitioning into older age.

The Chief Executive advised that the events were free and the cost of travel would be approximately £100.00.

RESOLVED:

Approval for:

- (i) Councillors Barton and Warrington to attend the workshop in Portadown on 15 February 2016;**
- (ii) Councillor Fitzgerald to attend the workshop in Derry / Londonderry on 17 February 2016; and**
- (iii) Councillors McNally and Rogers to attend one of the workshops, subject to confirmation of their availability.**

Councillors Doherty and McCaffrey re-entered and Councillor F Donnelly left the meeting at this juncture.

17. Motion

17.1 Provision of Defibrillators across the Council's Public Estate

Proposed by Councillors Campbell, Clarke, F Donnelly, S Donnelly, Fitzgerald, McCann, McColgan and McNally the following motion of which due notice had been given:

That this Council agrees to:

- Review and where appropriate, remedy its provision of defibrillators across its entire public estate to ensure no gaps exist in adequate service provision. This needs to include our leisure facilities, Council offices, Community Centres and areas of high public footfall;
- Undertake a programme of training for staff who have daily contact with the public in the use of Defibrillators and CPR; and
- The Council Chairperson in his civic role being requested to bring together charities and campaign groups working in this field along with local Chamber of Commerce Reps and other key stakeholders to shape an action plan for adequate provision of PADs (Publically Accessed Defibrillators) in town centre locations alongside provision in shopping centres and highly populated areas.

In proposing the motion Councillor McColgan provided information regarding the projected survival rate of a person suffering a cardiac arrest with and without the use of a defibrillator; the support conveyed by the Northern Ireland Assembly for a feasibility study on the provision of defibrillators to be carried out; and the use of a defibrillator not being restricted to trained personnel. He then called for the Council to enhance current provision across the Council area through implementing the proposals outlined in the motion. In seconding the motion Councillor Fitzgerald spoke of the benefits of effectively using a defibrillator and providing CPR when professional medical help was more than 5 minutes away from the scene.

Discussion ensued during which Members unanimously supported the motion and made reference to the presence of such equipment in their area. Reference was also made to the high rate of ischemic heart disease in the country; community groups actively fundraising to purchase and maintain defibrillators; the need to encourage training in the use of the equipment and providing CPR as witnessed in other countries, such as the United States of America and Norway; and the work carried out by the Chest, Heart and Stroke association in raising awareness of the issue.

A Member suggested that there would be merit in carrying out a mapping exercise to highlight the location of defibrillators within the district; the age of the equipment and the person or group responsible for its maintenance. Another Member added that the use of an App to distribute this information would prove useful. It was also suggested that consideration be given to supporting a local manufacturer of defibrillators if the Council decided to tender for such equipment.

RESOLVED: Unanimously adoption of the above motion.

Councillor Wilson left and Councillor Clarke left, re-entered and left again during consideration of the above motion.

18. Any Other Relevant Business

18.1 Additional Item for Delegation of Council Powers

The Director of Community, Health and Leisure requested that given the close proximity of some events which the Council may wish to support , Council Powers be conferred to the Regeneration and Community Committee to consider a report from the Remembering and Commemorating Events in 2016 Working Group.

RESOLVED:

On the proposal of Councillor McColgan, seconded by Councillor Fitzgerald that Council powers are conferred to the Regeneration and Community Committee in February to consider a report from the Remembering and Commemorating Events in 2016 Working Group.

Councillor Rainey left the meeting at this juncture.

18.2 Delivery of Post Primary Transfer Results

NOTED: the delay for some children in receiving notification of their post primary transfer results and the anxiety this generated for the young people.

The meeting concluded at 10.17 pm.

Signed: _____
Chairman

Signed: _____
Clerk and Chief Executive

Date: _____