

FERMANAGH AND OMAGH DISTRICT COUNCIL

- Minutes of Meeting of:** Council - Annual General Meeting
- Date and Time:** **Monday 23 March 2015 at 7.08 pm**
- Location:** Council Chamber, The Grange, Omagh
- Presiding Councillor:** Councillor Thomas O'Reilly
- Deputy Presiding Councillor:** Councillor Debbie Coyle
- Present:** **Councillors:**
Alex Baird; Rosemary Barton; Mark Buchanan; Glenn Campbell; Sean Clarke; John Coyle; Josephine Deehan; Frankie Donnelly; Joanne Donnelly; Raymond Farrell; Anthony Feely; John Feely; Anne Marie Fitzgerald; Brendan Gallagher; Mary Garrity; Sheamus Greene; Robert Irvine; Tommy Maguire; Sorcha McAnespy; Brian McCaffrey; Stephen McCann; Marty McColgan; Barry McNally; Richie McPhillips; Allan Rainey MBE; Paul Robinson; Patricia Rogers; Rosemarie Shields; Chris Smyth; Bernice Swift; Errol Thompson; Howard Thornton; Victor Warrington; Bert Wilson
- In Attendance:** Chief Executive; Director of Community, Health and Leisure; Director of Corporate Services and Governance; Director of Environment and Place; Director of Regeneration and Planning; Change Manager (Omagh); Committee Administrator
- Apologies:** **Councillors:**
Barry Doherty; Sean Donnelly; Keith Elliott; David Mahon

AGREED: that the Deputy Presiding Councillor take the Chair for the initial nominations to Positions of Responsibility.

1. Nomination of Positions of Responsibility

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

The Chief Executive outlined the proposed procedure in relation to the nomination of 37 positions of responsibility using the d'Hondt methodology which was the default mechanism as outlined in the Local Government Act (NI) 2014 and the timescale associated with the Nominating Officer making a nomination and the nominee accepting the position.

RESOLVED:

That the Council proceeds to appoint the agreed positions of responsibility as outlined in Appendix 1 to Paper A.

Councillors Clarke and McNally entered the meeting at this juncture.

The respective Nominating Officers, namely Councillor McColgan – Sinn Féin; Councillor Baird - UUP; Councillor Deehan – SDLP; Councillor Thompson – DUP; and Councillor Swift – IND, were then requested to make their nominations and these were received and accepted as per the matrix for Allocation of positions of responsibility for Year 1. The Councillor nominated by the Nominating Officers confirmed their acceptance of the nomination in accordance with legislative requirements as outlined in Standing Order 22.

Following nomination of the first position, ie, selection of position A by the Sinn Féin Party, Councillor O'Reilly, who had been nominated and accepted the position of Council Chair Elect for Year 1, signed the Declaration of Acceptance of Office and thanked his Party colleagues for the honour of becoming the first Chair of the new Council with effect from 1 April 2015.

Councillor O'Reilly clarified that as the position of Chair was effective from 1 April 2015, he was chairing the remainder of the meeting in his role as Presiding Councillor and the meeting continued with the allocation of the remaining positions of responsibility.

Councillor Clarke left and re-entered the meeting during the allocation of positions of responsibility 1-4.

Following nomination to the position of Vice-Chair Elect for Year 1, ie, selection of position E by the DUP, Councillor Robinson, who had been nominated and accepted the position, signed the Declaration of Acceptance of Office.

Congratulations were conveyed by members to both Councillors O'Reilly and Robinson on their nominations to the positions of Chair Elect and Vice-Chair Elect of the Council, with effect from 1 April 2015.

NOTED: that the DUP nomination to the position of Member 3 of the Policing and Community Safety Partnership (DD) was amended from Councillor Elliott to Councillor Thompson due to the unavailability of Councillor Elliott to accept the initial nomination.

Councillors Greene and McAnespy left the meeting during consideration of position of responsibility 30.

NOTED: that Councillor Swift did not wish to exercise her choice to take position 36 and requested that the process continue.

RESOLVED: On the proposal of Councillor Deehan, seconded by Councillor McCann that the nominations to the positions of responsibility as outlined in Appendix A to the minutes are adopted.

Congratulations were conveyed by the Presiding Councillor to all those who had accepted the Positions of Responsibility and welcomed the opportunity to work with a strong team of Councillors to address the challenges ahead.

2. Appointment of Members to Committees

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

The Chief Executive advised that the process to be undertaken for the allocation of positions across committees was the default method of Quota Greatest Remainder as outlined in Schedule 2 to the Local Government Act (NI) 2014 and that 13 members were to be appointed to the Planning Committee. He then sought acceptance of the recommendation as outlined in paper B.

RECOMMENDED:

- (i) On the proposal of Councillor Robinson, seconded by Councillor Irvine, that all members of the Council are appointed to the Environmental Services Committee;**
- (ii) On the proposal of Councillor Thompson, seconded by Councillor Warrington, that all members of the Council are appointed to the Regeneration and Community Committee;**
- (iii) On the proposal of Councillor McCaffrey, seconded by Councillor Irvine, that all members of the Council are appointed to the Policy and Resources Committee; and**
- (iv) On the proposal of Councillor J Feely, seconded by Councillor Thornton, that the Council proceeds to appoint 13 members to the Planning Committee.**

The respective Nominating Officers, were then requested to make their nominations and these were received and accepted as outlined below:

Party	Nominee
SF	Councillor McCaffrey Councillor McNally Councillor Maguire Councillor Doherty Councillor Campbell (Chair)
UUP	Councillor Irvine Councillor Rainey Councillor Thornton
SDLP	Councillor J Coyle Councillor J Donnelly Councillor Garrity
DUP	Councillor Robinson Councillor Thompson

Councillors Greene and McAnespy re-entered the meeting at this juncture.

RESOLVED:

On the proposal of Councillor Thompson, seconded by Councillor Baird, that the members outlined above are appointed as members of the Planning Committee for the ensuing term.

3. Appointment to Other Bodies

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

The Chief Executive advised that a list of other appointments was attached as Appendix 1 to Paper C and it was proposed that these appointments were made 'by agreement'. In the event that this was not possible for a particular appointment, the default methodology of d'Hondt would be applied.

RESOLVED:

On the proposal of Councillor Irvine, seconded by Councillor Gallagher that the Council:

- (i) Agrees to appoint members to other bodies on a 'by agreement' basis as outlined in Appendix 1; and**
- (ii) Proceeds to nominate members for the respective appointments.**

The respective Nominating Officers were then requested to make their nominations and these were received as outlined in Appendix B attached.

Councillor J Feely left and re-entered the meeting during nomination to the Fermanagh Youth Council and Omagh Youth Council.

RESOLVED:

On the proposal of Councillor Deehan, seconded by Councillor Thompson, that the nominations to other bodies are approved as outlined in Appendix B to the minutes.

The Chief Executive then advised that in the future, should another position of responsibility arise, this would be allocated by the Council on a sequential basis commencing at position 39 of the list of d'Hondt allocations. In the event of further appointments to other bodies, approval to appoint the positions 'by agreement' would be sought in the first instance, however, if this was not accepted, a separate d'Hondt mechanism would be implemented commencing at position 1.

4. Any Other Business

AGREED: approval for two additional urgent matters to be raised at this juncture of the meeting.

4.1 Apportionment Deed

The Chief Executive advised that at the March Policy and Resources Committee meeting it was recommended that an Apportionment Deed between the Northern Ireland Local Government Officers' Superannuation Committee, Fermanagh and Omagh District Council, Fermanagh District Council and Omagh District Council be signed and sealed. In light of the deadline of 31 March 2015, it was recommended that the Deed is signed, in quadruple, at the Annual meeting.

RESOLVED:

On the proposal of Councillor Rainey, seconded by Councillor Robinson that the Presiding Councillor and Chief Executive sign the Apportionment Deed in quadruple and the Seal of Omagh District Council is affixed to the Deed to comply with the deadline of 31 March 2015.

4.2 Proposed Transfer of Former Erne Hospital Site

The Chief Executive informed members that he proposed to update members on a legal matter that was still subject to contract and that the matter therefore needed to be treated as confidential at this time.

AGREED: on the proposal of Councillor Wilson, seconded by Councillor J Coyle, that the meeting move into committee to deal with the above matter.

Members of the Press and public left the meeting at this juncture.

In declaring an interest, Councillors Campbell and O'Reilly left the meeting at this juncture and Councillor D Coyle took the Chair.

The Chief Executive and Director of Community, Health and Leisure provided an update in relation to the proposed purchase of the former Erne Hospital site in Enniskillen to Fermanagh District Council and the subsequent sale of part of the site to South West College.

Lengthy discussion ensued during which members acknowledged that the information provided was for information only and that any decision in relation to this matter was the responsibility of Fermanagh District Council. It was noted that the outcome of any decision may have a subsequent impact on Fermanagh and Omagh District Council post 1 April 2015 and in this regard members were supportive that options were being examined and that every effort was being made to complete the purchase and subsequent part disposal within the required timelines.

NOTED.

Councillors Clarke, J Feely, Fitzgerald and Garrity left and re-entered and Councillors Robinson and Warrington left the meeting during consideration of the above matter.

AGREED: on the proposal of Councillor Irvine, seconded by Councillor A Feely that the meeting move out of Committee.

At this point the Chief Executive provided a brief summary of the discussion as outlined above.

Councillor O'Reilly re-entered the meeting and retook the Chair. He then thanked everyone for the smooth transition through the course of business considered at the Annual meeting.

The meeting concluded at 8.37 pm.

Signed: _____
Chairman

Signed: _____
Clerk and Chief Executive

Date: _____