

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** the 22<sup>nd</sup> day of September, 2009 at **7.30 p.m.**

R. WILSON,  
Town Clerk and Chief Executive.

Cloonavin,  
66 Portstewart Road,  
COLERAINE.

### A G E N D A

1. Minutes (enclosed):
  - 1.1 Council Meeting – 25<sup>th</sup> August, 2009  
**(Item 12.1.3) Kelvin Project\***
  - 1.2 Special Meeting – 1<sup>st</sup> September, 2009
2. Committee Reports (enclosed):
  - 2.1 Planning Committee – 25<sup>th</sup> August, 2009
  - 2.2 Leisure and Environment Committee – 1<sup>st</sup> September, 2009
  - 2.3 Planning Committee – 8<sup>th</sup> September, 2009  
**(Item No. 6.0)** Reform of the Planning System in Northern Ireland (previously supplied). Mr Peter Fleming of Fleming Mounstephen will be in attendance  
**(Item No. 8.0)** NILGA Planning Reform Consultation Draft Response (previously circulated)
  - 2.4 Policy and Development Committee – 15<sup>th</sup> September, 2009  
**(Item 8.2)** NW 200\*  
**(Item 8.4)** Land & Property\*
3. Technical Services Report (enclosed)

- 4.. Correspondence, including inter alia:
  - (a) Letter dated 2<sup>nd</sup> September, 2009 from Department of the Environment, Local Government Policy Division regarding Advance Notice – Birthday Honours 2010
  - (b) Reports available in Members' Library (List enclosed)
5. Consultation List (enclosed)
6. Documents for Sealing

**Enclosed for Information:**

- (1) Letter dated 21<sup>st</sup> August 2009 from Causeway Coast Arts
- (2) NILGA News – August 2009
- (3) Letter dated 14<sup>th</sup> September 2009 from Firmus Energy
- (4) Northern Ireland Housing Council – Housing Convention Report 'Bridging the Gaps'
- (5) Letter dated 11<sup>th</sup> September 2009 from Utility Regulator regarding UR Information Event on Price Control 2010 to 2013 Draft Determination for NI Water
- (6) Local Government Reform Joint Forum – Joint Communication Bulletin September 2009, Issue 3

**\* Recommended for consideration "In Committee".**

To: Each Member of Council.

18<sup>th</sup> September, 2009

## **COLERAINE BOROUGH COUNCIL**

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday, 25<sup>th</sup> August, 2009 at 5.15 p.m.

**Convened:** As per notice attached

**Present:** The Mayor, Councillor S. Gilkinson, in the Chair  
The Deputy Mayor, Councillor W. A. King

### **Aldermen**

E. T. Black (Mrs.)                      W. J. McClure  
M. T. Hickey (Mrs.)

### **Councillors**

C. S. Alexander (Ms.)                  N. F. Hillis  
O. M. Church (Mrs.)                  R. A. McPherson  
A. S. Cole                                  A. McQuillan  
T. J. Deans

**Officers in Attendance:** Town Clerk and Chief Executive, Director of Technical Services, Director of Corporate Services, Acting Director of Leisure Services, Head of Development Services, Head of Performance, Policy and Governance, Environment Officer (Items 1.0 - 4.2) and Administrative Assistant.

**Apologies:** Councillors Barbour and Fitzpatrick

## **1.0 MINUTES**

The Minutes of the Council Meeting of 28<sup>th</sup> July, 2009 were confirmed and signed.

## **2.0 COMMITTEE REPORT**

### **2.1 Planning Committee**

The Chairman, Councillor King, moved the adoption of the Planning Committee Report; this was duly seconded by Councillor Deans and agreed.

## **3.0 DEVELOPMENT SERVICES REPORT**

Consideration was given to the Report of the Head of Development Services (previously supplied).

### **3.1 Exploring Enterprise Programme**

Members noted information on this programme, as contained in the report.

### **Agreed:**

On the proposal of Councillor McPherson and seconded by Councillor Ms. Alexander, that Council make a contribution of £5,000 to the programme.

### **3.2 Regeneration Audits and Plans**

Members noted information on this topic, as contained in the report.

#### **Agreed:**

On the proposal of Councillor King and seconded by Alderman Mrs. Hickey, that Council form a small steering group to engage with the consultants on the regeneration tenders for Castlerock, Garvagh, Kilrea and Portstewart.

#### **Further agreed:**

On the proposal of Councillor McQuillan and seconded by Alderman McClure, that representation be decided on a d'Hondt basis and that parties notify their nominations to the Town Clerk and Chief Executive.

Members commended the work of staff involved in the regeneration of The Crescent, Portstewart and welcomed the work being carried out on the audit of the four towns/villages.

### **4.0 TECHNICAL SERVICES REPORT**

Consideration was given to the Report of the Director of Technical Services (previously supplied).

#### **4.1 Environmental Policies**

Consideration was given to a number of draft policies on environmental issues (previously supplied) viz:

- (i) Environmental Policy
- (ii) Waste Minimisation Policy
- (iii) Energy Policy
- (iv) Green Transport Policy
- (v) Green Purchasing Policy

During discussion, a proposal made by Councillor McPherson and seconded by Councillor Ms. Alexander in relation to Council reducing the amount of brochures printed on glossy paper, was noted.

#### **Agreed:**

That the policies be adopted.

#### **4.2 Entertainment Licences**

##### **4.2.1 Shenanigans Complex, 78-79 The Promenade, Portstewart**

An application for the renewal of an Entertainment Licence had been received from Mr. S Kher.

Days and times on which it is intended to provide entertainment:

Monday/Tuesday – Thursday/Friday	11.30 am – 1.00 am
Friday/Saturday - Saturday/Sunday	11.30 am – 1.30 am

**Agreed:**

That Council approve renewal of the licence subject to all requirements requested by Council's Licensing Department and the following special conditions:

- All requirements as contained within Nightsafe Coleraine Code of Practice 2008.
- All door supervisors employed to be registered with a scheme recognised by Coleraine Borough Council.
- All electrical sockets that are wired through the traffic light type noise limiter that controls the volume of live music must be clearly and easily identified. Those artists providing live music must be made aware that the identified electrical sockets are the only source of electrical supply for use by live bands and no other electrical sockets are to be used for this purpose.
- The compression noise limiters must be enclosed with an approved appropriate cover with a minimum of two plastic tags being fitted to each side of the covers. All covers / tags to be approved by Coleraine Borough Council's Environmental Health Department. Removal of such covers / tags is forbidden without prior agreement from Council.
- All musical entertainment must be played through the in house PA system incorporating the use of the traffic light type noise limiter for controlling the volume of music generated by live bands. Musical entertainment provided by a DJ must be delivered through the compression type noise limiters located on the ground and first floor.
- All live bands etc must be of maximum two piece band with the use of drums being forbidden.
- All doors and windows located to the rear façade of the building must be closed at 11:00pm, and kept closed for the duration of musical entertainment. Fire escape routes must be kept free from obstruction to allow quick and easy egress from the building.
- A management system must be put in place to ensure that all such conditions are being adhered to and be recorded in an appropriate form to enable Council officers to inspect such records if deemed necessary.

**5.0 LEISURE SERVICES REPORT**

Consideration was given to the Report of the Acting Director of Leisure Services (previously supplied).

**5.1 Garvagh Clydesdale and Vintage Vehicle Club**

Garvagh Clydesdale and Vintage Vehicle Club had requested a donation towards its Annual Show and Parade on 5<sup>th</sup> September, 2009.

**Agreed:**

On the proposal of Councillor McQuillan and seconded by Councillor Cole, that Council contribute £1,300 to the Club.

**5.2 Arcadia – Portrush**

Members noted that the Arcadia franchise was now due for renewal and that a number of enquiries had been received in relation to broadening the service provision of the building and the potential for extending seasonal use. It was,

therefore, proposed to advertise for expressions of interest from private sector enterprises, with the options for suggested development to be extended beyond purely café provision.

In response to a member's question, Mr. Carmichael confirmed that it was also hoped to increase community use of the building.

**Agreed:**

That Council endorse the proposal of the Acting Director of Leisure Services.

A brief would be developed to ensure that future usage had strong linkages to tourism and fitted within the overall objectives of the Portrush Regeneration Strategy.

**6.0 LETTER DATED 7<sup>TH</sup> AUGUST, 2009 FROM ARDS BOROUGH COUNCIL - RESOLUTION - PSNI FULL-TIME RESERVE**

Read letter requesting Council support in relation to a resolution made by Ards Borough Council regarding concerns in relation to the PSNI.

It was proposed by Councillor McQuillan and seconded by Councillor Deans:

That Council forward a letter of support to the relevant people.

It was proposed, as an amendment, by Councillor Ms. Alexander and seconded by Alderman Mrs. Hickey:

That the two issues contained in the letter be voted on individually.

During the ensuing discussion, Alderman Mrs. Hickey withdrew as seconder of the amendment.

**Agreed:**

With ten votes in favour and two against, that the substantive proposal be carried.

**7.0 VOLUNTEERING STRATEGY IN NORTHERN IRELAND - CONSULTATION EVENT**

Read letter from NILGA dated 7<sup>th</sup> August, 2009 advising of a consultation event on 3<sup>rd</sup> September, 2009 in the Corr's Corner Hotel, Newtownabbey and requesting two nominees to attend.

**Agreed:**

On the proposal of Councillor McPherson and seconded by Alderman Mrs. Black, that Councillor King attend the event.

On the proposal of Councillor McQuillan and seconded by Councillor Deans, that Alderman McClure attend the event.

**8.0 RETAIL NI - CONFERENCE**

This conference would take place on 17<sup>th</sup> September, 2009 in the Stormont Hotel, Belfast.

Any members interested in attending were asked to contact the Administrative Officer.

## 9.0 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

1. Contract Heron Brothers Ltd. with Council.  
Garvagh Community Sports Hall.
2. Deed of Mortgage and Charge Coleraine Borough Council and Sport  
Northern Ireland.  
Funding for Garvagh Community Sports  
Hall.
3. Conveyance NIHE to Council – Transfer of Land at  
Kylemore Road, Coleraine
4. Lease Council and NIHE.  
Renewal of Substation Lease at Main  
Street, Portrush.
5. Cemetery Titles Deeds Register Nos. 3551 - 3557  
(inclusive):

Agherton	1
Ballywillan	3
Coleraine	1
Kilrea	-
Portstewart	2

Advanced Deeds Register - Nos. 0239 –  
0240 (inclusive)

Agherton	1
Coleraine	-
Kilrea	-
Portstewart	1

## 10.0 REQUEST FOR WAYLEAVE AGREEMENT - AVX, COLERAINE

A request had been received from Utility Partnership Limited for a wayleave agreement in relation to the proposed installation of a high speed data cable for the benefit of AVX, 5 Hillmans Way Coleraine.

**Agreed:**

That Council grant the necessary permission subject to District Valuer's price, the payment of Council's legal and valuation costs and agreement on proper reinstatement of Council lands.

## 11.0 UNIVERSITY OF ULSTER

In response to members' queries on a number of issues relating to the University of Ulster, the Town Clerk and Chief Executive advised that he would be meeting with the Vice Chancellor of the University and would request information on the following:

- (i) Plans for the site of the former catering college at Portrush;
- (ii) the possibility of an extension to the consultation relating to the closure of the crèche at Coleraine;
- (iii) rumours about the possible closure of the Coleraine campus.

## SPECIAL MEETING

1<sup>st</sup> September, 2009.

**Convened:** To receive presentation from Northern Ireland Environment Agency representative on Water Quality issues on the North Coast.

**Present:** The Mayor, Councillor S. Gilkinson  
The Deputy Mayor, Councillor W. A. King

### **Aldermen**

E. T. Black (Mrs.)	D. McClarty
W. T. Creelman	(Item 2.0)
M. T. Hickey (Mrs.)	W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)	T. J. Deans
(Item 2.0)	E. P. Fielding (Mrs.)
D. D. Barbour	B. Fitzpatrick
O. M. Church (Mrs.)	N. F. Hillis
A. S. Cole	R. A. McPherson

**Officers in Attendance:** Director of Technical Services, Acting Director of Leisure Services and Administrative Assistant

**Apologies:** Councillors Dallat, Mrs. Johnston and McLaughlin

## **1.0 WELCOME**

The Mayor welcomed everyone to the Meeting. He extended a special welcome to Ms. Claire Vincent, Northern Ireland Environment Agency (NIEA) who was in attendance to update members on Water Quality Issues on the North Coast.

## **2.0 WATER QUALITY ISSUES ON THE NORTH COAST**

Ms. Vincent gave a brief overview of Bathing Water Monitoring and explained results (circulated) of water samples taken between 1<sup>st</sup> June and 25<sup>th</sup> August, 2009. She advised that the NIEA was responsible for the Bathing Water Directive Compliance, Monitoring and Assessment and Tidy Northern Ireland was responsible for conferring the Blue Flag Awards. She then elaborated on the following issues:

- Northern Ireland Identified Bathing Water Compliance Summary (1993 – 2008) (circulated)
- Factors in Bathing Water Failures
- New revised Bathing Water Directive

Ms. Vincent answered members' various questions and noted comments.

A member suggested that the poor results for Castlerock could be related to raw sewage which overflows into the River Bann and queried the amount of sewer overflows per year which were allowed into the river compared to the amount of overflows which had been recorded by Coleraine Harbour Commissioners. Ms. Vincent advised she would consult with her colleagues on this matter and report back.

The Mayor thanked Ms. Vincent for her interesting presentation.



- 3.1 Application No. D1  
C/2007/0702/F  
Convert existing barns into a dwelling with mainly internal alterations adjoining 204 Mountsandel Road, Coleraine for Mrs. Baird
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 3.2 Application No. D2  
C/2008/0243/F  
Proposed demolition of existing bed and breakfast to provide 3 no. apartments at 53 Kerr Street, Portrush for Mrs. A. Chambers
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.

### **New Applications**

- 3.3 Application No. 1  
C/2005/1446/F  
Demolition of existing buildings and re-building as public bar, café bar, restaurant and night club at 61-67 Eglinton Street, Portrush for Mr. P. Crawley
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 3.4 Application No. 11  
C/2009/0052/F  
Proposed change of use from art gallery to Indian fast food and take away at 85 The Promenade, Portstewart for Ms. Nazeer
- The opinion of the Planning Service was to approve.
- It was proposed by Alderman Mrs. Hickey and seconded by Councillor Ms. Alexander:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- On being put to the meeting the proposal was carried, nine members voting in favour and no one voting against.
- 3.5 Application No. 13  
C/2009/0147/F  
Proposed extension, alterations and amendments, to partially constructed and previously approved development, to provide a 25 bedroom hotel with associated car parking (amended plans) at 58 Ballyreagh Road, Portrush for Paracin Ltd.
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Ms. Alexander and seconded by Alderman Mrs. Hickey:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not

- been assessed.
- On being put to the meeting the proposal was carried, eight members voting in favour and one member voting against.
- 3.6      Application No. 15  
C/2009/0231/F  
Proposed change of house types, alterations to site layout and alterations to existing private streets determination at former Port Centre site, Glenmanus Road, Portrush – Site Nos. 1 – 11 (inclusive) north-west of Nos. 104, 106, 108 and 110 Coleraine Road, Portrush for Kennedy Entertainments Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by the Deputy Mayor and seconded by Councillor Deans:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- On being put to the meeting the proposal was carried, ten members voting in favour and no one voting against.
- 3.7      Application No. 16  
C/2009/0234/F  
Existing dwelling to be demolished and 2 no. dwellings erected at 29 Hopefield Avenue, Portrush for Mr. B. Thompson
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Hillis and seconded by Councillor McPherson:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- On being put to the meeting the proposal was carried, six members voting in favour and one member voting against.
- 3.8      Application No. 18  
C/2009/0261/F  
Application for the retention of unauthorised foundations. Application to include agricultural shed and underground effluent storage tank opposite 47 Mettican Road, Garvagh for Mr. H. Glass
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan and seconded by Councillor Mrs. Church:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- On being put to the meeting the proposal

- was carried, eight members voting in favour and no one voting against.
- 3.9 Application No. 19  
C/2009/0276/F  
Proposed 5 no. apartments at 36 Causeway Street and 16 Victoria Street, Portrush for Mr. H. Mullan
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman Mrs. Hickey and seconded by Alderman Mrs. Black:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- On being put to the meeting the proposal was carried, five members voting in favour and no one voting against.
- 3.10 Application No. 21  
C/2009/0292/F  
One and a half storey farm dwelling approximately 35m north east of 34 Brone Road, Garvagh for Mr. M. Holmes
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Church, seconded by Councillor McQuillan and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 3.11 Application No. 23  
C/2009/0313/O  
Site for one or one and a half storey dwelling adjacent to 21 Isle Road, Macosquin, Coleraine located 1.4 miles north east of Windyhill Road and 607m south west of Dunhill Road, Coleraine for Mr. A. Kelly
- The opinion of the Planning Service was to refuse.
- It was proposed by the Deputy Mayor, seconded by Councillor McPherson and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 3.12 Application No. 24  
C/2009/0322/F  
Proposed replacement of an existing 1980's bungalow with a pair of semi-detached chalet bungalows at 32 Bushfoot Drive,
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McPherson and seconded by Councillor Deans:

Portballintrae for  
Mr. and Mrs. A. Reilly

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

On being put to the Meeting the proposal was carried, eight members voting in favour and no one voting against.

3.13 Application No. 25  
C/2009/0330/F  
Proposed cottage style single  
storey private dwelling adjacent to  
55c Green Road, Coleraine for  
Mr. R. Moody

The opinion of the Planning Service was to refuse.

It was proposed by the Deputy Mayor and seconded by Councillor Mrs. Church:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

On being put to the Meeting the proposal was carried, ten members voting in favour and no one voting against.

3.14 Application No. 31  
C/2009/0392/F  
Proposed 2 no. 'Barn Style' rural  
infill dwellings 12m west of No. 65  
Sonce Road, Articlave,  
Coleraine for Mr. and Mrs. M.  
Benson

The opinion of the Planning Service was to refuse.

It was proposed by Councillor McQuillan, seconded by the Deputy Mayor and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

3.15 Application No. 33  
C/2009/0445/O  
Proposed infill site for two  
dwellings directly north west of  
83 Moneydig Road, Garvagh for  
Mr. A. Thompson

The opinion of the Planning Service was to refuse.

It was proposed by Councillor McQuillan, seconded by the Deputy Mayor and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning

considerations had not been assessed.

#### **4.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday, 11<sup>th</sup> September, 2009.

#### **5.0 PLANNING APPEALS INFORMATION**

Reported that the Planning Appeals Commission had received appeals against the following enforcement notices:

- (i) Alleged unauthorised use of land for the storage and distribution of oil, the storage of commercial vehicles, the storage of associated materials (portalos, mobile home, prefabricated office building) making a material change in the use of the said lands – land at 82 Gateside Road, Islandmore Upper, Coleraine
- (ii) Alleged unauthorised hard standing mobile home and office building – land at Gateside Road, Islandmore Upper, Coleraine

(Copy letters dated 12th August, 2009 from the Planning Appeals Commission circulated to each member).

Following discussion it was agreed, eleven members voting in favour:

That Council support the appeals.

#### **6.0 NILGA, SOLACE AND DOE PLANNING SERVICE CONSULTATION EVENT - CRIAGAVON CIVIC CENTRE**

Consideration was given to letter dated 31<sup>st</sup> July, 2009 from NILGA advising members of the above event being held on Wednesday, 26<sup>th</sup> August, 2009 (copy previously supplied).

Members interested in attending were asked to contact the Administrative Officer.

#### **7.0 REFORM OF THE PLANNING SYSTEM IN NORTHERN IRELAND - CONSULTATION EVENTS**

Consideration was given to the list of consultation events taking place at venues across Northern Ireland in September 2009 (copy previously supplied).

Members interested in attending the event to be held at the Riverside Theatre, University of Ulster, Coleraine on Monday, 14<sup>th</sup> September, 2009 at 7.30 p.m., should contact the Administrative Officer.

#### **8.0 PLANNING WORKING GROUP**

Reported that a meeting of the Planning Working Group would be held on Wednesday, 30<sup>th</sup> September, 2009.

Members were asked to forward agenda items to the Administrative Officer.

#### **9.0 PLANNING ISSUE RAISED BY MEMBER**

9.1 28 Prospect Road, Portstewart – Reference was made to an application

Enforcement

relating to 28 Prospect Road, Portstewart appearing on the streamlined list when there was an enforcement issue under investigation.

The matter would be raised with the Enforcement Section and the Principal Planning Officer.

# LEISURE AND ENVIRONMENT COMMITTEE

1<sup>st</sup> September, 2009.

**Present:** Councillor A. S. Cole, in the Chair  
The Mayor, Councillor S. Gilkinson  
The Deputy Mayor, Councillor W. A. King

## **Aldermen**

E. T. Black (Mrs.)                      D. McClarty  
W. T. Creelman                         W. J. McClure  
M. T. Hickey (Mrs.)

## **Councillors**

C. S. Alexander (Ms.)                 E. P. Fielding (Mrs.)  
D. D. Barbour                            B. Fitzpatrick  
J. M. Bradley                             N. F. Hillis  
O. M. Church (Mrs.)                    R. A. McPherson  
T. J. Deans

## **Officers in Attendance:**

Director of Technical Services, Director of Environmental Health, Acting Director of Leisure Services, Head of Leisure Services and Administrative Assistant.

**Apologies:** Councillors Dallat, Mrs. Johnston and McLaughlin

### **1.0 WELCOME**

The Chairman welcomed everyone to the meeting.

### **2.0 ELECTION OF VICE CHAIRMAN**

#### **Recommended:**

On the proposal of Councillor Barbour and seconded by Alderman Mrs. Hickey, that Councillor Ms. Alexander be appointed Vice Chairman for the ensuing year.

### **3.0 ENVIRONMENTAL HEALTH REPORT**

It was agreed that the Environmental Health Report be considered at the end of the meeting.

### **4.0 TECHNICAL SERVICES REPORT**

The Report of the Director of Technical Services was considered (previously supplied).

Matters arising:

## **4.1 Entertainment Licences**

### **4.1.1 Portballintrae Village Hall, The Car Park, Beach Road, Portballintrae**

An application for a grant of an Entertainment Licence had been received from Mr. Alex Carmichael, c/o Coleraine Borough Council.

Days and times on which it is intended to provide entertainment:

Monday/Tuesday – Saturday/Sunday 10.00 a.m. – 1.00 a.m.  
Sunday 10.00 a.m. – 11.30 p.m.

#### **Recommended:**

That the Entertainment Licence be granted subject to compliance with NI Fire and Rescue Service recommendations and all other requirements requested by Council's Licensing Department and subject to the following special conditions:

- All requirements as contained within Nightsafe Coleraine Code of Best Practice 2008.
- All Door Supervisors employed must be licensed with a scheme recognised by Coleraine Borough Council.

### **4.1.2 Mustang Sally's, 59 The Promenade, Portstewart**

An application for a grant of an Entertainment Licence had been received from Mr. J. Wylie, c/o Mustang Sally's.

Days and times on which it is intended to provide entertainment:

Monday - Sunday (inclusive) 10.00 a.m. – 11.00 p.m.

#### **Recommended:**

That the Entertainment Licence be granted subject to compliance with NI Fire and Rescue Service recommendations and all other requirements requested by Council's Licensing Department and subject to the following special conditions:

- All requirements as contained within Nightsafe Coleraine Code of Best Practice 2008.
- All Door Supervisors employed must be licensed with a scheme recognised by Coleraine Borough Council.

### **4.1.3 Coleraine Football Club, Members' Club, Ballycastle Road, Coleraine**

An application for a grant of an Entertainment Licence had been received from Mr. D. Brown, c/o Coleraine Football Club.

Days and times on which it is intended to provide entertainment:

Monday to Saturday 11.30 a.m. – 11.30 p.m. (each day) except on such occasions when a late licence has been granted by the PSNI then 11.30 a.m. – 1.00 a.m. next day.  
Sunday 12.30 p.m. – 10.00 p.m.

#### **Recommended:**

That the Entertainment Licence be granted subject to compliance with NI Fire and Rescue Service recommendations and all other requirements requested by Council's Licensing Department and subject to the following special conditions:

- All requirements as contained within Nightsafe Coleraine Code of Best Practice 2008.
- All Door Supervisors employed must be licensed with a scheme recognised by Coleraine Borough Council.

#### **4.1.4 Exodus, 36 Long Commons, Coleraine**

An application for a grant of an Entertainment Licence had been received from Mr. T. Robinson, c/o Exodus.

Days and times on which it is intended to provide entertainment:

Monday/Tuesday – Sunday/Monday 9.00 a.m. – 1.00 a.m.

#### **Recommended:**

That the Entertainment Licence be granted subject to all requirements requested by Council's Licensing Department and subject to the following special conditions:

- All requirements as contained within Nightsafe Coleraine Code of Best Practice 2008.
- All Door Supervisors employed must be licensed with a scheme recognised by Coleraine Borough Council.
- Ground Floor - Nightbase  
Final exit/entrance doors from Nightbase must be unbolted and made available when this area is in use.
- Music Café – Mezzanine Floor  
Provide a clearly defined emergency escape route (minimum 1.5m width) across the mezzanine floor to the spiral stairway.

#### **4.1.5 Kilrea Orange Hall, New Row, Kilrea**

An application for a grant of an Occasional Entertainment Licence, for a maximum of any 14 unspecified days within the licence period of one year, had been received from Mr. N. McQuillan, c/o Kilrea Orange Hall.

Days and times on which it is intended to provide entertainment:

7.00 p.m. – 1.00 a.m.

#### **Recommended:**

That the Occasional Licence be granted subject to the following special conditions:

- All requirements as contained within Nightsafe Coleraine Code of Best Practice 2008.
- All Door Supervisors employed must be licensed with a scheme recognised by Coleraine Borough Council.

## **4.2 DRD ROADS SERVICE**

### **4.2.1 Waiting Restrictions, Coleraine**

Consideration was given to these Waiting Restrictions, as detailed in the report.

#### **Recommended:**

- (a) That Council does not support Road Service's proposed amendment to introduce 30 minute waiting in Railway Road and Waterside areas to apply from 9.00 a.m. – 5.00 p.m.

Members felt that 30 minutes was unreasonable and would allow for little other than parking to pick up with no opportunity to use the retail outlets in these areas.

- (b) That Council supports the undernoted Road Service's proposed amendments:

- Limited waiting 1 hour to apply from 9.00 a.m. – 5.00 p.m.
- No waiting during the working day to apply from 8.00 a.m. – 5.30 p.m.
- Loading bays restriction to apply from 8.00 a.m. – 5.30 p.m.
- No loading restriction on Abbey Street to apply at all times.

The Director of Technical Services would raise the following specific road traffic concerns with Roads Service:

- Approach to traffic lights on Strand Road, Coleraine at Petrol Station - tailbacks;
- Signage required Strand Road, Coleraine when exiting roundabout;
- The need to resynchronise traffic lights at Lodge Road Roundabout;
- Lodge Road roundabout – filter lane;
- The danger caused by motorists who don't indicate when exiting Railway Road, Coleraine to enter Circular Road;
- Ballysally Roundabout – directional markings approaching roundabout from Portrush Road;
- The state of Prospect Road, Portstewart with regards to site traffic generated debris and also weed growth in Gloucester Crescent and surrounding roadways.

### **4.3 For Information**

Members noted information on the following topics, as detailed in the report:

- Craigahulliar Landfill Site – Utilisation of Landfill Gas.
- Building Control.

## **5.0 LEISURE SERVICES REPORT**

The Report of the Acting Director of Leisure Services was considered (previously supplied).

Matters arising:

## 5.1 Tenders – Replacement Parks Van

Following public advertisement for the supply of a Renault Kango DCI+ Van, five tenders had been received, viz:

<b>Firm</b>	<b>Net Cost</b>	<b>VAT</b>	<b>Total Cost</b>	<b>Comments</b>
Donnelly & Taggart Ltd Campsie Industrial Estate Eglington BT47 3DN	£9,895.00	£1,448.25	£11,343.25	October Delivery
Shelbourne Motors 334 Tandragee Road Portadown BT62 3RB	£9,456.00	£1,381.65	£10,837.65	Immediate Delivery
Charles Hurst Renault 547 Antrim Road Newtownabbey BT36 8RG	£9,515.00	£1,391.25	£10,906.25	Immediate Delivery
Rodney Cole Ltd 45 Killymoon Street Cookstown BT80 8JZ	£8,455.00	£1,260.00	£9,715.00	Immediate Delivery
Riverside Renault 1 Riverside Park South Coleraine BT51 3RT	£8,430.00	£1,256.25	£9,686.25	Immediate Delivery

### **Recommended:**

That Council accept the lowest priced tender from Riverside Renault, Coleraine in the sum of £9,686.25 (nine thousand, six hundred and eighty six pounds and twenty-five pence).

## 5.2 Request for Assistance

### 5.2.1 Coleraine Sports Council

A request had been received from Coleraine Sports Council for financial assistance to promote their annual Sports Awards event at the Lodge Hotel, Coleraine on Friday, 6<sup>th</sup> November, 2009.

### **Recommended:**

On the proposal of The Deputy Mayor and seconded by Alderman Creelman, that Council approve a grant of £2,000 to Coleraine Sports Council to assist them with the promotion of their annual Sports Awards event.

In response to a member's query, the Acting Director of Leisure Services advised that Council did not sponsor a presentation cup for this event. A discussion ensued on this topic and the Acting Director of Leisure Services noted members' comments.

## 5.3 For Information

Members noted information on the following topics, as detailed in the report:

- NI International Air Show – Saturday 5<sup>th</sup> and Sunday 6<sup>th</sup> September, 2009.
- Peter Thompson Hall, Castlerock – official opening, Saturday 26<sup>th</sup> September, 2009 at 1.00 p.m.

## **6.0 PORTBALLINTRAE VILLAGE HALL**

In response to a member's query, the Acting Director of Leisure Services advised that the official opening of Portballintrae Village Hall would probably be held in early October.

## **7.0 UNIVERSITY OF ULSTER**

In response to a member's query about a meeting between the Town Clerk and Vice-Chancellor, Professor Richard Barnett, regarding the closure of the University's crèche and matters relating to the former Catering College, the Director of Technical Services advised that any information would be brought to the Policy and Development Committee meeting.

## **8.0 BOROUGH FLORAL DISPLAYS**

Members congratulated those involved with the high standard of floral displays prepared by members of Council's Parks Department. Council's appreciation would be relayed to staff.

## **9.0 PORTSTEWART HARBOUR**

In response to a member's query concerning the security at Portstewart Harbour, the Head of Leisure Services advised that a meeting would be held in Portstewart Town Hall on Thursday, 3<sup>rd</sup> September, 2009 between representatives of boat owners, PSNI and Council.

## **PLANNING COMMITTEE**

**8<sup>th</sup> September, 2009.**

**Present:** Alderman W. J. McClure in the Chair  
The Mayor, Councillor S. Gilkinson  
The Deputy Mayor, Councillor W. H. King  
(Items 1.0 – 5.1)

### **Aldermen**

E. T. Black (Mrs.)  
W. T. Creelman  
M. T. Hickey (Mrs.)

D. McClarty  
(Items 3.0 – 9.0)

### **Councillors**

C. S. Alexander (Ms.)  
O. M. Church (Mrs.)  
J. J. Dallat  
T. J. Deans

E P. Fielding (Mrs.)  
B. Fitzpatrick  
B. Leonard  
R. A. McPherson

**Also in Attendance:** Representative from the Planning Service –  
Mr. P. Duffy

**Officers in Attendance:** Administrative Officer, Principal Environmental Health  
Officer and Administrative Assistant

**Apologies:** Councillors Barbour, Cole, Mrs. Johnston, McLaughlin  
and McQuillan

## **1.0 WELCOME**

Alderman McClure welcomed everyone to the Meeting.

## **2.0 CRAIGMORE LANDFILL SITE**

Consideration was given to the Director of Environmental Health's Report on Craigmore Landfill Site (previously supplied).

The Principal Environmental Health Officer outlined the current proposal for:

- (a) 4 new cells;
- (b) increase the categories of waste permitted on site.

Following discussion it was unanimously agreed:

That Council authorise the Environmental Health Department to:

- (i) Respond to the NIEA consultation regarding technical and engineering issues;

- (ii) Write to Planning Service Headquarters requesting that this issue required a new planning application which would through due process trigger a full consultation process;
- (iii) Write to the Minister for the Environment regarding this issue seeking an assurance that a full planning application would be required.

It was noted that a meeting of the Craigmore Working Party would be held on Friday, 11<sup>th</sup> September, 2009 to facilitate further discussion.

### **3.0 PLANNING APPLICATIONS**

A list of twenty-seven applications was presented for consideration (previously supplied).

#### **Applications Deferred from Previous Meeting**

- |     |                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.1 | <u>Application No. D1</u><br><u>C/2007/0505/O</u><br><u>Residential spa retreat approx. 30m south of 43 Loguestown Road, Portrush for Mr. and Mrs. Mullan</u>                                                            | <p>The opinion of the Planning Service was to refuse.</p> <p>Following discussion it was proposed by Councillor Leonard, seconded by Councillor Ms. Alexander and unanimously agreed:</p> <p style="padding-left: 40px;">That Council support an approval.</p> <p>It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and unanimously agreed:</p> <p style="padding-left: 40px;">That Council write to the Planning Service Headquarters expressing concern regarding existing planning laws and stress that tourism needed a flexible approach.</p> |
| 3.2 | <u>Application No. D2</u><br><u>C/2008/0690/F</u><br><u>To demolish existing 2 no. semi-detached dwellings and replace with 2 no. new semi-detached dwellings at 15 and 17 Prospect Road, Portstewart for Mr. G. Kee</u> | <p>The opinion of the Planning Service was to approve.</p> <p>It was agreed that the application be approved.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 3.3 | <u>Application No. D3</u><br><u>C/2008/0735/F</u><br><u>Traditionally styled balcony to front elevation at 35 Kerr Street, Portrush for Mr. and Mrs. Storey</u>                                                          | <p>The opinion of the Planning Service was to refuse.</p> <p>It was agreed that the application be refused.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 3.4 | <u>Application No. D4</u><br><u>C/2008/0764/F</u>                                                                                                                                                                        | <p>The opinion of the Planning Service was to approve.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

- Regularisation to include additional gable window to townhouse, adjustment of window configuration on apartment block 1, additional unit created in apartment block 1 and private roof terrace to apartment block 77. Additional parking to basement at O'Neill's Caravan Park, Burnside Road, Portstewart for Mr. B. O'Neill
- It was agreed that the application be approved.
- 3.5 Application No. D5  
C/2009/0051/O  
Replacement of existing building with site for traditional rural dwelling under Policy CTY3 of Draft PPS21 opposite No. 81 Moneycarrie Road, Aghadowey for Mr. R. Martin
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 3.6 Application No. D6  
C/2009/0358/F  
Replacement dwelling and garage in lieu of previously approved renovation C/2008/0884/F for Mr. and Mrs. Jackson
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.

### **New Applications**

- 3.7 Application No. 3  
C/2009/0141/A  
Hoarding at 1a and 3 Castlerock Road, Coleraine for Rafferty & Boyle
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman Mrs. Hickey and seconded by Councillor Dallat:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- On being put to the Meeting the proposal was carried, nine members voting in favour and four members voting against.
- 3.8 Application No. 5  
C/2009/0240/O  
Proposed two-storey farm dwelling under Policy CTY 10 of PPS 21 adjacent to farmyard cluster at 42 Temple Road, Garvagh for Mr. M. Mullan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor Leonard and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds

that all material planning considerations had not been assessed.

- 3.9 Application No. 13  
C/2009/0418/F  
4 semi-detached dwellings with  
associated parking to rear of both 7  
Larkhill Road and 1 Westminster  
Park, Portstewart for HTB  
Developments
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 3.10 Application No. 15  
C/2009/0436/F  
Upper storey rear extension and  
raised deck with under storage to  
front at 3 Strandmore, Portrush for  
Mr. M. Quinn
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be deferred for one month to facilitate the submission of amended plans.
- 3.11 Application No. 17  
C/2009/0447/F  
Sun lounge to side of dwelling at  
151 Mill Road, Portstewart for  
Mr. B. Shaw
- The opinion of the Planning Service was to approve.
- Copy letter dated 31<sup>st</sup> August, 2009 from Mr. A. J. Peacock had been circulated to each member.
- Mr. Peacock addressed Committee and highlighted the problems which the extension would cause to his Station Road home.
- Mrs. Shaw addressed Committee and explained the need for extra living accommodation.
- Following discussion it was proposed by Councillor Deans, seconded by The Mayor and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

#### **4.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday, 25<sup>th</sup> September, 2009.

#### **5.0 PLANNING ISSUE RAISED BY MEMBER**

- 5.1 Planning Applications - Streamlining
- Further discussion took place regarding the system of streamlining following an application relating to 28 Prospect Road, Portstewart appearing on a streamlined list when there was an enforcement issue

under investigation.

Mr. Duffy explained that applications were placed on a streamlined list when they were received but could be removed at any time during the planning process.

Some members voiced concern regarding the current system in operation.

It was noted that streamlining would be placed on the agenda for the meeting of the Planning Working Group on 30<sup>th</sup> September, 2009 to facilitate further discussion.

## **6.0 REFORM OF THE PLANNING SYSTEM IN NORTHERN IRELAND**

The Administrative Officer advised members that Mr. Peter Fleming would be in attendance at the Council Meeting to be held on 22<sup>nd</sup> September, 2009 when further consideration would be given to the Draft Response prepared by Fleming Mounstephen Planning (previously supplied).

## **7.0 PLANNING APPEALS INFORMATION**

The Administrative Officer's Report on Planning Appeals had been previously circulated to each member detailing the following:

### **7.1 Application C/2007/0883/F – Retention of timber shed for storage of various equipment associated with horses kept on the site at Dundooan Road, opposite Kiltinny Road junction, Coleraine for Mr. A. McCloy**

The Department had confirmed its reasons for refusal of the above application under the revised Sustainable Development in the Countryside Policy Statement 21. (Copy letter dated 25<sup>th</sup> August, 2009 from the Divisional Planning Office previously supplied).

Following discussion it was proposed by the Mayor, seconded by Councillor Mrs. Fielding and agreed:

That Council support the refusal.

### **7.2 Application C/2007/0257/F – Residential development comprising 47 no. apartments, associated car parking and communal and public open space at 20, 22 and 22a Portstewart Road, Coleraine for O'Kane & Devine Ltd.**

It was noted that the appeal for the above application would be heard by the Informal Hearing procedure and was scheduled for hearing at 11.00 a.m. on 18<sup>th</sup> November, 2009 at Coleraine Town Hall. (Copy letter dated 2<sup>nd</sup> September, 2009 from the Planning Appeals Commission previously supplied).

## **8.0 NILGA PLANNING REFORM CONSULTATION EVENT - INTERIM REPORT**

The above Interim Report was circulated to each member following the consultation event held in Craigavon Civic Centre on Wednesday, 26<sup>th</sup> August,

2009. NILGA sought the support of Council in this matter.

It was agreed:

That Council consider the Interim Report at the September Council Meeting.

## **9.0 PLANNING WORKING GROUP**

The Administrative Officer would arrange another date for the Planning Working Group meeting, scheduled for 30<sup>th</sup> September, 2009, due to holiday commitments.

## **POLICY AND DEVELOPMENT COMMITTEE**

**15<sup>th</sup> September, 2009.**

**Present:** Councillor D. D. Barbour, in the Chair  
The Mayor, Councillor S. Gilkinson  
The Deputy Mayor, Councillor W. A. King

### **Aldermen**

W. T. Creelman                      D. McClarty  
M. T. Hickey (Mrs.)                W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)              B. Fitzpatrick  
J. M. Bradley                        N. F. Hillis  
O. M. Church (Mrs.)                B. Leonard  
A. S. Cole                              R. A. McPherson  
J. J. Dallat                            A. McQuillan  
(Items 1.3 – 8.4)                      (Items 1.7 – 8.4)  
T. J. Deans

**Officers in Attendance:** Town Clerk and Chief Executive, (Items 1.0 – 8.4), Director of Corporate Services, Head of Development Services (Items 1.0 -8.4), Head of Performance, Policy and Governance (Items 1.0 – 8.4), Museums Officer (Items 1.0 – 1.4), Administrative Officer (Items 1.0 – 8.4) and Administrative Assistant

**Apologies:** Alderman Mrs. Black and Cllr. Mrs. Fielding

## **1.0 CORPORATE SERVICES' REPORT**

The Report of the Director of Corporate Services was considered (previously supplied).

Matters arising:

### **1.1 Local Government Finance Bill Consultation**

Consideration was given to this document and the draft response prepared by the Director of Corporate Services.

#### **Recommended:**

That Council endorse the draft response.

### **1.2 Application for Loan Sanctions**

The Director of Corporate Services presented a request for approval of loan sanctions, as set out in the report. During a period of discussion, Mr. Bell confirmed that loans would only be raised for the amount of money necessary for each development.

### **Recommended:**

On the proposal of Councillor McPherson and seconded by Councillor Bradley, that the following loan sanctions be approved:

(i)	Garvagh Sports Hall	£1,830,000
(ii)	Coleraine West Community Centre	£1,930,000
(iii)	Dunluce Centre (new attraction)	£150,000
(iv)	Caravan Parks Refurbishment	£400,000
(v)	Parks Storage Shed	£150,000
(vi)	East Strand Environmental Scheme	£275,000
(vii)	New/Replacement Vehicles	£650,000

### **1.3 Refinancing of Council Loans**

Consideration was given to a letter from NILGA seeking Council's support to lobby the Department on this issue.

During the ensuing discussion, the Director of Corporate Services answered members' various queries and advised that, if successful, Council could save up to £160,000 through refinancing of loans.

#### **Recommended:**

That Council support NILGA's proposal to lobby for funds in respect of refinancing Council loans.

### **1.4 Coleraine Museum Collections Access Officer**

Consideration was given to information on this topic, as contained in the report. In response to a member's query, the Director of Corporate Services confirmed that, as the current holder had been in place for five years on a fixed term contract, it would not be necessary to undertake a recruitment process for this post.

#### **Recommended:**

That Council make permanent the post of Coleraine Museum Collections Access Officer.

### **1.5 Town Clerk & Chief Executive – Probationary Period**

This information would be considered 'In Committee' at the end of the meeting.

### **1.6 For Information**

Members noted information on the following topics, as contained in the report:

- Abstract of Accounts 2008/09 - members commended the work of staff involved in producing the accounts.
- Period 4 (July 2009) Budget Report.
- Accounts for July and August 2009.



In response to a member's concerns, the Head of Development Services agreed that an initial six-month review would be brought before Committee.

### **2.3 Consultation Paper on Social Economy Enterprise Strategy 2009-2011**

Consideration was given to the draft response to this consultation paper.

#### **Recommended:**

Approval of draft response paper on Social Economy Enterprise Strategy.

### **2.4 DARD Rural Development Programme – Contract**

Consideration was given to information on the DARD Rural Development Programme contract, as contained in the report.

#### **Recommended:**

On the proposal of Councillor King and seconded by Councillor Deans:

- (a) that Ballymena Borough Council acts as Administrative Council for the North East Cluster Rural Development Programme.
- (b) that Council agrees to sign Annex 1 – Agreement between Councils forming a Joint Committee.

### **2.5 Request to Erect Plaque – Railway Road, Coleraine**

Consideration was given to a request for the erection of a memorial plaque in Railway Road, as detailed in the report.

#### **Recommended:**

On the proposal of Alderman McClarty and seconded by Councillor Fitzpatrick, that a cross party working group be established to consider this request.

#### **Further recommended:**

On the proposal of Alderman McClarty and seconded by Alderman Mrs. Hickey, that a report on the composition of the group be brought to a future meeting of Council.

## **3.0 LAND AND PROPERTY REPORT**

This item would be considered 'In Committee' at the end of the meeting.

## **4.0 MILITARY 'RETURN HOME' EVENT**

Consideration was given to the report of the Head of Performance, Policy and Governance on the Military 'Return Home' Event on 20<sup>th</sup> September, 2009 (previously supplied).

Members noted that the event would end at 1.30 pm and were asked to confirm their attendance with the Administrative Officer.

## **5.0 REVIEW OF PUBLIC ADMINISTRATION - UPDATE**

### **5.1 Draft Transition Committee Minutes June 2009**

Members noted the draft minutes (previously supplied). These would be presented for ratification at the September meeting of the Transition Committee.

## **6.0 ROYAL TOWN PLANNING INSTITUTE (RTPI) - SEMINARS**

The RTPI, of which Mary Macintyre was Vice Chair, would be holding three seminar events on Planning the Future of Local Government.

The first event, which would address the transfer of functions, would be held in the Guildhall, Londonderry on 5<sup>th</sup> October, 2009, 2.00 pm – 5.00 pm. Any members interested in attending were asked to contact the Administrative officer.

Further seminars would be held in Cookstown and Belfast in November.

## **7.0 PORTRUSH REGENERATION MANAGER**

In response to a member's question, the Head of Development Services advised that interviews for this position would take place shortly.