

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on TUESDAY 15 December 2009 at **6.30 p.m.**

Please note the earlier start time.

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 – 24 November 2009
 - 1.2 Special Meeting – 17 November 2009
 - 1.3 Special Meeting – 24 November 2009
2. Committee Reports (enclosed):
 - 2.1 Leisure and Environment Committee – 1 December 2009
 - 2.2 North West 200 Committee – 2 December 2009
 - 2.2 Planning Committee – 8 December 2009
3. Development Services' Report (enclosed)
4. Technical Services' Report (enclosed)
5. Administrative Services' (Report enclosed)
6. Land & Property Report* (enclosed)
7. Corporate Services' Report (enclosed)

8. Review of Public Administration

- Minutes of the Transition Committee – 26 November 2009 (enclosed for information)
- Transition Committee letter to the Minister of the Environment regarding PricewaterhouseCoopers' Economic Appraisal Report (enclosed for information)
- Causeway Coast & Glens District Council Engagement Strategy (enclosed for information)

9. Notice of Motion

The undernoted Notice of Motion has been submitted by Councillor John Dallat:

“This Council acknowledges the anxiety among parents and teachers of children with special educational needs regarding the future policy outlined in ‘Every School a Good School – the Way Forward for Special Educational Needs’ and calls on the Minister of Education to ensure that the policy brings: clarity around the use of the term ‘inclusion’; no diminution of the present statutory rights of children with special educational needs; early expert diagnosis and effective intervention; a fair balance of responsibility between schools and statutory agencies; and ring-fencing of resources to ensure that children with special educational needs benefit from delegated SEN.”

10. Consultation Documents (List enclosed)

11. Correspondence, including inter alia:

- i Ballymena Borough Council – Erection of a Biomass Energy Plant in Glenavy, Antrim (copy letter dated 5 November 2009 from Anne Donaghy, Town Clerk and Chief Executive enclosed). **Decision required regarding support and delegation.**
- ii Transitional Governance Arrangements for the Education Sector: Education and Library Boards (copy letter dated 8 December 2009 from Minister for Education enclosed). **Decision required regarding nominations.**
- iii Letter received 7 December 2009 from Chief Inspector N Thompson, PSNI regarding NEELB Grounds Maintenance Depot, Lodge Road, Coleraine (enclosed for information).

- iv Electoral Office for Northern Ireland – Proposal to pilot a satellite office in Coleraine from Mid January 2010 (copy Notice to Councillors enclosed)
- v Reports available in Members' Library (List enclosed)

12. Documents for Sealing

Enclosed for Information:

- (1) NILGA Booklet
- (2) Letter dated 20 November 2009 from Department for Social Development regarding Change to Capital Threshold for State Pension Credit/Housing Benefit
- (3) Planning Information

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

To: Each Member of Council.

11 December 2009

COUNCIL MEETING

24th November, 2009.

Present: The Mayor, Councillor S. Gilkinson, in the Chair
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.)	B. Fitzpatrick
D. D. Barbour	D. Harding
J. M. Bradley	N. F. Hillis
O. M. Church (Mrs.)	B. Leonard
A. S. Cole	G. L. McLaughlin
J. J. Dallat	R. A. McPherson
T. J. Deans	A. McQuillan
E. P. Fielding (Mrs.)	

Officers in Attendance: Town Clerk and Chief Executive, Director of Technical Services, Director of Corporate Services, Director of Environmental Health, Acting Director of Leisure Services, Head of Development Services, Head of Performance, Policy and Governance and Administrative Assistant

1.0 WELCOME

The Mayor welcomed Councillor Harding to his first meeting of Council.

2.0 MINUTES

The Minutes of the Special Meeting of 20th October, 2009, Council Meeting of 27th October, 2009, Council Meeting of 3rd November, 2009, Special Meeting of 10th November, 2009 and Special Meeting of 17th November, 2009 were confirmed and signed.

3.0 COMMITTEE REPORTS

3.1 Leisure and Environment Committee

The Chairman, Councillor Cole, moved the adoption of the Leisure and Environment Committee Report; this was duly seconded by Councillor McQuillan.

Matters arising:

3.1.1 Portstewart

It was suggested that sites for possible provision of future community facilities in

Portstewart be investigated.

3.1.2 Beach Lifeguard Report

In response to a member's request, the Acting Director of Leisure Services agreed to bring this Report to Council prior to presentation to the Transition Committee.

3.1.3 Derelict and Dilapidated Buildings

In response to a member's query, the Director of Technical Services confirmed that he was awaiting responses from all councils in the Province in relation to action taken on Article 66 Legislation.

3.1.4 Parking Restrictions – Waterside, Coleraine

In response to a member's query, the Director of Technical Services confirmed he was awaiting a reply from Roads Service on the date of commencement of these parking restrictions.

The Committee Report was agreed subject to the amendment.

3.2 Planning Committee

The Chairman, Councillor McLaughlin, moved the adoption of the Planning Committee Report; this was duly seconded by Alderman Mrs. Hickey.

Matters arising:

3.2.1 Application No. D3 – C/2009/0018/0 – Replacement of 1 no. detached dwelling with 3 no. detached three bedroom dwellings (total of 3 units) at 44 Glenkeen Road, Aghadowey, Coleraine for Mr. R. McCook

In response to a member's query, the Town Clerk and Chief Executive agreed to inquire into any progress on this issue and advise.

3.2.2 Application No 1 – C/2008/0311/F – erection of a concrete batching plant with an associated acoustic barrier and boundary landscaping (amended noise report received) at 45 Craigahulliar Road, Portrush for Cemex (NI) Ltd.

During a period of discussion on this topic, it was proposed by Councillor Ms. Alexander and seconded by Councillor Hillis:

That a letter be sent to the Minister requesting a meeting with Council members for the area along with a delegation of local residents, prior to the office meeting being held.

Councillor McQuillan advised that he had spoken with the Minister who had agreed to meet with community representatives after the office meeting had taken place and before any decision had been made.

Councillor Ms. Alexander, therefore, agreed to withdraw her proposal.

The Committee Report was agreed.

3.3 Policy and Development Committee

The Chairman, Councillor Barbour, moved the adoption of the Policy and Development Committee Report; this was duly seconded by Alderman Mrs. Hickey.

3.3.1 CCTV

It was agreed that this item be considered 'In Committee' at the end of the meeting.

4.0 LETTER DATED 11th NOVEMBER, 2009 FROM BALLYMENA BOROUGH COUNCIL

Read letter (previously supplied) requesting Council's support regarding Castle Tower School, Ballymena.

Agreed:

On the proposal of Councillor Mrs. Church, seconded by Councillor McPherson and agreed unanimously, that Council joins with Ballymena Borough Council in:

- a lobby campaign to the Minister of Education for the new Castle Tower School to be built; and
- seeking immediate action in respect of bringing the condition of the present campuses up to a reasonable standard, until a new building is complete.

5.0 FOR INFORMATION

Members noted the following correspondence (previously supplied).

- (i) Letter dated 26th October, 2009 from University of Ulster regarding Results Report on the Review of Childcare Provision EQIA. This decision was welcomed by Council.
- (ii) Letter dated 4th November, 2009 from Northern Ireland Electricity plc regarding invitation to Visit Control Centre in Craigavon.
- (iii) Letter dated 12th November, 2009 from NILGA regarding Public Transport Reform Consultation Event. A schedule of public events (circulated) was noted.
- (iv) Consultation list. Members were asked to forward any responses to the Head of Performance, Policy and Governance or the Administrative Officer.

6.0 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

1. Cemetery Titles
Grant of Right of Burial - Deeds Register
Nos. 3577 – 3584 inclusive.

Agherton	3
Ballywillan	1
Coleraine	2

Kilrea	-
Portstewart	2

Advanced Deed Register – nil.

SPECIAL MEETING

17th November, 2009.

Convened: To receive presentation from Mr. Colm Donaghy, Chief Executive, Northern Health and Social Care Trust

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

Aldermen

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

Councillors

D. D. Barbour B. Leonard
O. M. Church (Mrs.) G. L. McLaughlin
B. Fitzpatrick R. A. McPherson
N. F. Hillis

Officers in Attendance:

Town Clerk and Chief Executive and Administrative Assistant

Apology: Councillor Mrs. Fielding

The Mayor welcomed Mr. Colm Donaghy, Chief Executive, Dr. Peter Flanagan, Medical Director and Ms. Margaret Mulholland, Head of Communications, Northern Health and Social Care Trust, who were in attendance to make a presentation to Council.

During the presentation the Chief Executive updated Council on the work of the Trust and elaborated on upcoming challenges including:

- Current context – service provision; increase in service demand; reduction in annual allocation under the Comprehensive Spending Review.
- Strategic direction – service focus; care and support in the community; partnership working.
- Performance and sustaining performance challenges.
- Requirements of RPA – 3 Trusts merged to create Northern Trust in April 2007; reduction in management and administration costs and in HR posts.
- Service reform and modernisation – for children, disability, mental health, older people and acute hospital services.
- In-year contingency plan – to achieve £3.5m reduced spend via vacancy controls; goods and services efficiencies; and slippage in service developments.

During the period of discussion which ensued, the representatives answered members' various questions and noted comments.

The Mayor thanked Mr. Donaghy and Dr. Flanagan for a very informative presentation.

SPECIAL MEETING

24th November, 2009.

Convened: To receive presentation from representatives from Roads Service Northern Division

Present: The Mayor, Councillor S. Gilkinson, in the Chair
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.)	B. Fitzpatrick
D. D. Barbour	D. Harding
J. M. Bradley	N. F. Hillis
O. M. Church (Mrs.)	B. Leonard
A. S. Cole	G. L. McLaughlin
J. J. Dallat	R. A. McPherson
T. J. Deans	A. McQuillan
E. P. Fielding (Mrs.)	

Officers in Attendance: Town Clerk and Chief Executive and Administrative Assistant

1.0 WELCOME

The Mayor welcomed Ms. Deidre Mackle, Acting Divisional Roads Manager and Mr. Austin Montgomery, Section Engineer Coleraine, Roads Service, who were in attendance to present the Northern Division Roads Report 2009/2010 (previously supplied).

2.0 RETIREMENT

Members noted that Mr. Jim Beattie, former Divisional Roads Manager, had now retired from Roads Service.

Best wishes were extended to Mr. Beattie for a long and happy retirement.

3.0 ROADS SERVICE - NORTHERN DIVISION - ROADS REPORT 2009/2010

Ms. Mackle outlined the main issues in the report including:

- Network Maintenance
- Footway Resurfacing

- Winter Service – members noted that Tirkeeran Road had been included in the schedule for 2009/10
- Minor Works Schemes
- Strategic Road Improvements

A full discussion ensued on the report during which the representatives answered various members' questions, noted comments and agreed to provide responses to a number of queries.

In response to members' requests, the representatives also agreed to:

- (i) advise Council of any change of senior Roads Service staff; and
- (ii) provide details of the criteria on which Roads Service based the submission to Planning Service, in relation to the batching plant at Craighulliar.

The Mayor thanked the representatives for their comprehensive presentation.

LEISURE AND ENVIRONMENT COMMITTEE

1st December, 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.) (Items 2.1.2 – 7.2)	

Councillors

C. S. Alexander (Ms.)	E. P. Fielding (Mrs.)
D. D. Barbour	B. Fitzpatrick
J. M. Bradley (Items 2.2 – 7.2)	D. Harding
O. M. Church (Mrs.)	B. Leonard
T. J. Deans (Items 3.1 – 7.2)	G. L. McLaughlin (Items 2.1.2 – 7.2)
	R. A. McPherson

Officers in Attendance:

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

Apologies: Councillors Dallat and McQuillan

1.0 WELCOME

The Chairman welcomed everyone to the Meeting.

2.0 TECHNICAL SERVICES' REPORT

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

Matters arising:

2.1 Entertainment Licence

2.1.1 Portstewart Football Club, Mullaghacall, Portstewart

An application for a grant of an Entertainment Licence had been received from Mr. R. Gawne, c/o Portstewart Football Club.

Days and times on which it is intended to provide entertainment:
Monday – Saturday: 7.00 p.m. – 1.00 a.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 Night Safe Coleraine Code of Best Practice 2008;
- All door supervisors employed must be licensed with a scheme recognised by Coleraine Borough Council.

2.2 Single Waste Disposal Authority

The Director of Technical Services updated members on the present position with regard to the establishment of a Single Waste Disposal Authority (SWDA). It was noted that the SWDA workshop had been postponed and Councils would now be invited to a rearranged workshop in February/March 2010.

The Director of Technical Services referred to the following extract from the NWRWMG response to the consultation on the proposed Waste Bill which had been supported by Council:

'The Councils of the NWRWMG do not believe that there is a need for a Single Waste Disposal Authority for Northern Ireland. The Consultation itself recognises the fact that this vehicle could not be in place and will have no impact on the raft of infrastructure procurements currently underway by the three waste management groups. Given the long-term nature of these particular procurements, (twenty-five year contracts), we would pose the question as to function of such an authority.'

The group strongly believes that before any such enabling legislation is considered, the role, function and competencies of the proposed SWDA would need to be clearly defined. Having established this consideration would then need to be given to how this vehicle is resourced and any possible impact on local authority funding. It is clear in our opinion that this proposal would add another layer of bureaucracy without any attending benefits after the conclusion of the current procurement exercises. The creation of a new SWDA would be in total contradiction of the ethos of RPA, i.e stronger local government delivering services locally.'

Following discussion it was proposed by Councillor McPherson, seconded by the Mayor and recommended:

That members attend the workshop and restate the views submitted to the Waste Bill consultation.

2.3 For Information

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

- Building Control;
- DRD Roads Service – Waiting Restrictions/Garvagh;
- Litter Prosecution – Property/Lower Captain Street;
- Chewing Gum Removal from Pavements – New Product;

- Minutes – North West Regional Waste Management Group.

3.0 LEISURE SERVICES' REPORT

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

Matters arising:

3.1 2010 Commonwealth Games – Delhi, India

The above games would take place with more than seventy countries participating in seventeen sports.

The Northern Ireland Commonwealth Games Council (NICGC), a voluntary organization, was raising the necessary funds to meet associated costs and had requested a contribution from Council.

Recommended:

That Council donate £2,000.

3.2 Market Yard Project Board

Reported that the Market Yard was being assessed by a range of funders, including Peace III, and as there was a need to ensure the Board was fully representative additional nominations were sought.

Members on the Board at present are as follows;

Councillor McQuillan (Chair), Alderman Mrs. Black (Vice Chair),
Alderman Creelman, Councillors Mrs. Church and Barbour.

Recommended:

That Aldermen Mrs. Hickey and McClure and Councillors
Fitzpatrick and Leonard also be appointed to the Board.

3.3 For Information

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

- 'Coleraine Christmas Past' Exhibition – Coleraine Town Hall from 25th November, 2009 – 5th January, 2010;
- Events – Christmas Light Ceremonies throughout the Borough;
- Wildcats Activ8 Club;
- NRGIZE Sport & Recreation Club;
- Sport North East Northern Bank Future Champions Sport Academy;
- Coleraine Museum – Hugh Thompson original drawings.

4.0 ENVIRONMENTAL HEALTH REPORT

The Report of the Director of Environmental Health was considered (previously supplied).

Matters arising:

4.1 Safety of Sports (NI) Order 2006 Coleraine Showgrounds

The Director of Environmental Health advised members that the Department of Culture, Arts and Leisure (DCALNI) would implement the remaining Articles within the Safety of Sports (NI) Order 2006 on 31st December, 2009.

As a result of this Coleraine Football Club grounds at the Showgrounds, Ballycastle Road, Coleraine had been designated as the potential capacity was well in excess of 5,000. From 31st December, 2009 Council would have the power to determine the safe capacity and related conditions for admission of spectators to this venue. This would be reflected in a District Council Safety Certificate.

The Director of Environmental Health elaborated on the implications and actions required following designation.

Recommended:

That Council note the impending introduction of this legislation and consider the implications arising there from on the future of the Showgrounds at the Ballycastle Road.

4.2 Horses on Beaches – Draft Management Policy

Consideration was given to the draft Management Policy for Horses on Beaches (previously supplied).

Following discussion it was proposed by Councillor Deans and seconded by Councillor Mrs. Fielding:

That horse fouling on the beaches be taken into consideration.

On being put to the Meeting the proposal was lost, six members voting in favour and nine members voting against.

It was proposed by Councillor Ms. Alexander, seconded by Councillor Fitzpatrick and recommended:

That the draft Management Policy for Horses on Beaches be approved and progressed for equality impact assessment.

4.3 For Information

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

- Outcome of Legal Proceedings:
 - The Private Tenancies (NI) Order 2006;
The Rent (NI) Order 1978;
Defendant: Dempsey.
 - The Dogs (NI) Order 1983 as amended by The Dangerous Dogs (NI) Order 1991;
Defendant: Fleming.
 - The Dogs (NI) Order 1983 as amended by the Dangerous Dogs (NI) Order 1991;
The Litter (Fixed Penalty) Order (NI) 2004;
Defendant: Earwaker.
 - The Dogs (NI) Order 1983 as amended by The Dangerous Dogs (NI) Order 1991;
Defendant: Blair.

5.0 PROPOSED ARRANGEMENTS FOR COUNCIL AND COMMITTEE MEETINGS OVER THE CHRISTMAS PERIOD

The Administrative Services' Report on the proposed rescheduling of Council and Committee Meetings over the Christmas period was considered (previously supplied).

Date	Meeting
Tuesday 15 December 2009	Policy and Development Meeting and Council Meeting combine
Tuesday 22 December 2009	Council Meeting cancelled
Tuesday 05 January 2010	Leisure and Environment Committee postponed
Tuesday 12 January 2010	Leisure and Environment Committee Meeting commences at 6.30 pm followed by the Planning Committee Meeting at 7.30 pm.

Recommended:

That Council adopts the proposed changes to its schedule of meetings for December 2009 and January 2010.

6.0 MATTERS RAISED BY MEMBERS

6.1 Brooks Bar, 21 Park Street, Coleraine

In response to a member's query, with regard to the Entertainments Licence for Brooks Bar, 21 Park Street, Coleraine, the Director of Technical Services would investigate the matter.

6.2 Recycling Facilities

A question was asked regarding the availability of recycling facilities for the disposal of cardboard from shop owners.

The Director of Technical Services advised that cardboard was accepted free of charge at the amenity sites.

6.3 Christmas Tree – Lighting

Reference was made to complaints having been received regarding the lighting on the Christmas tree in Coleraine.

The timing for the lights would be investigated.

NORTH WEST '200' COMMITTEE

02 December 2009

Present:

Alderman

W T Creelman

Councillors

B Fitzpatrick
R A McPherson
D Barbour

**Officers in
Attendance:**

Mr K Doherty, Director of Environmental Health
Mrs. J. Barr, Principal Environmental Health Officer
Ms. M. Mann, Head of Development Services
Mr T Neill, Services Manager
Mr S Purcell, Refuse and Cleansing Manager
Mr Paul Gallagher, Event Co-ordinator

**Also in
Attendance:**

Mr M Whyte, Clerk of the Course, Coleraine & District
Motor Club

Apologies:

Cllr Norman Hillis

1. ELECTION OF CHAIR

It was agreed on the proposal of Councillor McPherson, seconded by Councillor Barbour that Councillor Fitzpatrick be elected as chairperson.

2. VACANCY

In response to a query from Mr Doherty, regarding the Council member vacancy on the Committee, Councillor McPherson stated that this was under discussion and a nomination would be available in due course.

3. DATE OF 2010 EVENT

Mr M Whyte stated that the 2010 date could not be finalised as yet because other race events were not confirmed. He stated that the event might be held the week of the 22 May 2010 but hoped to confirm same by 4 December 2009.

4. ORGANISATIONAL STRUCTURE

Mr Whyte distributed the structure of the Management Team.

It was noted that there had been approximately five meetings to date and that the new structure was working well.

5. ROAD CLOSURE PROPOSALS

Mr Whyte requested that the 2010 event included a one day and one night practice. The proposal was that the roads would close on Thursday from approximately 9.30 until 3pm. Mr Whyte confirmed that the schools on the course were happy to accommodate the request and that they would just close on the required days.

The Provost from the University of Ulster had confirmed that they would also be agreeable to the closure and that exams would be arranged around the event.

Councillor Barbour questioned if Translink would be agreeable and it was noted that contact had been made with Jonathan Miller and no major problems were foreseen.

Mr Doherty questioned if the proposed practice arrangements were to increase safety and it was confirmed as so. It was explained that riders had always preferred a day practice as this would reflect race day conditions and the 2 ½ hour evening practice session was not considered long enough.

Mr Neill informed the Committee that the proposed change would cause substantial work for collections as Thursday was the main collection day for the area. A discussion followed on the matter during which Mr Whyte confirmed that Thursday was the optimum day and Mr Gallagher confirmed that Thursday would be the best day to maximise visitor numbers.

Mr Whyte stated that if a General Election was called on this day there would be no practice. It was noted that an election could be called any time up to 6 weeks before the day by the Prime Minister.

The Road Closure application had to be made by 31 December 2009 and allowed for 3 days maximum. Provision to change to Wednesday would be included in the application.

Mr Whyte wished to consult with the public on the proposal with Council approval and any press statements would need to be issued before Christmas. Responses would be sought from traders and the public. Any advert would need to be dealt with urgently at this stage. Nearer the event a PR campaign would be required probably the 1st or 2nd week of May.

Obtaining the Road Closure Order did not mean it had to be used.

It was agreed on the proposal of Councillor McPherson, seconded by Alderman Creelman that the road closure proposal should be facilitated.

6. OPERATIONAL PROPOSALS

Hospitality

Stonebridge Catering had received the feedback on the 2009 event and were due to submit proposals for 2010. Mr Whyte stated that they were not confirmed as the catering company that would be used.

Trading

There ensued a discussion on DCAL funding and confirmation that a tender advert had been placed in the Chronicle the previous week. 18 requests had been received but only

two companies showed further interest re trading, programmes and car parks. Proposals were required by 18 December 2009.

7. TRANSFER OF COUNCIL LANDS

It was anticipated that the same lands as usual would be requested and it was confirmed that there would be no fun fair at the 2010 event. No action necessary at present.

8. RACE WEEK FESTIVAL

No action by Event team until race date confirmed.

9. ANY OTHER BUSINESS

Mrs Barr stated that some residents had issues regarding numbers of street traders. It was agreed that any further discussion be deferred until Council's street trading officer was in attendance to update the committee.

10. NEXT MEETING

3 February 2010 at 4pm in Bann View Committee Room.

PLANNING COMMITTEE

8th December, 2009.

Present: Councillor G. L. McLaughlin in the Chair

The Mayor, Councillor S. Gilkinson
(Items 2.0 – 6.0)

The Deputy Mayor, Councillor W. A. King

Aldermen

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

D. MClarty
W. J. McClure

Councillors

C. S. Alexander (Ms.)
J. M. Bradley
(Items 2.6 – 6.0)
O. M. Church (Mrs.)
J. J. Dallat
(Items 1.0 – 3.0)
T. J. Deans
(Items 1.0 – 3.0)

E. P. Fielding (Mrs.)
B. Fitzpatrick
D. Harding
N. F. Hillis
B. Leonard
R. A. McPherson
A. McQuillan

Also in Attendance:

Representative from the Planning Service –
Mr. P. Duffy

Officers in Attendance:

Administrative Officer and Administrative Assistant

Apologies:

Councillors Barbour and Cole

1.0 WELCOME

The Chairman welcomed everyone, including members of the public, to the Meeting.

2.0 PLANNING APPLICATIONS

A list of thirty-nine applications was presented for consideration (previously supplied).

Applications Deferred from Previous Meeting

- 2.1 Application No. 1
C/2007/0684/O
Proposed redevelopment of
existing farmyard to provide site for The opinion of the Planning Service was to
refuse.
It was agreed that the application be held

- rural style dwelling within an existing housing cluster between 17 and 19 Liscall Road, Garvagh for Mr. S. Gillan
- for seven days to facilitate further discussions with the applicant.
- 2.2 Application No. 2
C/2007/0784/F
Retention and reinstatement of former dwelling including extension at 83A Ballyclough Road, Bushmills for Mr. A. Patterson
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 2.3 Application No. 3
C/2008/0445/F
Erection of 6 no. one bedroom apartments and 3 no. two bedroom apartments at 1-5 The Crescent, Coleraine for Tara Homes
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 2.4 Application No. 4
C/2009/0018/O
Replacement of 1 no. detached dwelling with 2 no. detached three bedroom dwellings – total of 3 units at 44 Glenkeen Road, Aghadowey, Coleraine for Mr. R. McCook
- The opinion of the Planning Service was to refuse.
- Reported that amended plans had been received and on the request of Mr. Duffy it was agreed that the application be removed from the schedule to facilitate reassessment.
- 2.5 Application No. 5
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 agreed that the application be refused.
- 2.6 Application No. 6
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 approve.
- It was agreed that the application be approved.
- 2.7 Application No. 7
C/2009/0474/F
Proposed amendment to previous planning approval C/2007/1095/F. Amendments to unit no. 3 only – from terraced dwelling into 2 no. one bed apartments at 8 St. Patrick's Avenue, Coleraine for Spacecraft Property Ltd.
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.

New Applications

- 2.8 Application No. 1
C/2008/0227/F
Residential development
comprising of 22 no. apartments
with associated car parking and
landscaping at 38, 40 and 42
Captain Street Lower, Coleraine
for Dreen Properties Ltd.
- The opinion of the Planning Service was to approve.
- Following discussion it was proposed by Councillor Ms. Alexander, seconded by Alderman McClure 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.
- 2.9 Application No. 3
C/2008/0459/F
Proposed redevelopment to
include demolition of existing
dwelling and garages and
provision of 2 no. replacement
dwelling and 1 no. additional
dwelling (3 no. total proposed all
detached) to include incurtilage
driveways, private amenity and
landscaping at 17 and 19
Ballycairn Road, Coleraine for
Prolusk Ltd.
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Ms. Alexander, seconded by Alderman McClarty 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.
- 2.10 Application No. 7
C/2009/0159/F
Proposed 15 apartments
(comprised of 3 detached buildings
of 5 in each) 2 new access to
Ballycairn Road and retention of
existing access at Nos. 4, 6, 8 and
10 Ballycairn Road, Coleraine for
Gillen Developments Ltd.
- The opinion of the Planning Service was to approve.
- Consideration was given to letter dated 24th April, 2009 from Mr. C. Miller (previously supplied).
- Mr. Miller addressed Committee and outlined his objections to the application including change of character and increased density.
- The applicants' agents declined the opportunity to address Committee.
- Following discussion it was proposed by Alderman McClarty, seconded by Councillor McQuillan and agreed that:
1. The application be deferred for one month to facilitate an office meeting on the grounds that all

material planning considerations had not been assessed;

2. FM Planning prepare an opinion on the application prior to the office meeting and that this includes a critical examination of the Planning Service assessment of the previous application for the site vis a vis the current application;
3. A representative from FM Planning attend the office meeting;
4. Council seek a meeting with the Minister of the Environment to discuss Council's serious concerns at the apparent failure by Coleraine Planning Office to apply PPS7 and the draft addendum to PPS7 (Safeguarding the Character of Established Residential Areas) and that FM Planning prepare a case for submission to the Minister.

2.11 Application No. 8 C/2009/0264/F Proposed amendment to residential development previously approved C/2006/1189/F. Change of 6 semi detached units and 2 detached units to provide 10 town houses and 2 semi-detached units adjacent to 91 Station Road, Portstewart for McCloskey & O'Kane

The opinion of the Planning Service was to refuse.

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

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.

As an amendment it was proposed by Councillor Ms. Alexander and seconded by Councillor Bradley:

That Council support a refusal.

On being put to the Meeting the amendment was carried, fourteen members voting in favour and one member voting against.

- 2.12 Application No. 12
C/2009/0443/F
Proposed amendment to
residential development previously
approved C/2006/1189/F change
of 5 town houses sites at 128-132
to provide 9 apartments adjacent
to 91 Station Road, Portstewart for
McCloskey & O’Kane
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan and seconded by the Mayor:
- 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.
- As an amendment it was proposed by Councillor Bradley and seconded by Councillor Ms. Alexander:
- That Council support a refusal.
- On being put to the Meeting the amendment was carried, thirteen members voting in favour and one member voting against.
- 2.13 Application No. 15
C/2009/0537/F
Re-siting and change of house
type from that approved under
C/2006/0016/F to multi
accessibility bungalow and
associated access roadway to
adoptable standards at Knocktarna
Manor (adjacent to 6 Knocktarna
Manor), Coleraine for Landbank
Homes Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty, 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.
- It was noted that amended details had been sent to Roads Service and they were no longer objecting to the application.
- 2.14 Application No. 16
C/2009/0588/O
Proposed detached farm dwelling
and garage 70m south east of 36
Killeague Road, Coleraine for
Mr. and Mrs. J. McFaul
- The opinion of the Planning Service was to refuse.
- It was proposed by the Deputy Mayor, seconded by Councillor Bradley 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.

- 2.15 Application No. 22
C/2009/0625/O
Proposed site for dwelling and detached garage adjacent to 18 Skerry View, Ballymacrea Road, Portrush for Mr. and Mrs. R. J. Kyle
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McPherson, seconded by Alderman Mrs. Black 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.
- 2.16 Application No. 24
C/2009/0633/F
Retention of entrance at 9 Coolderry Lane, Loughan Road, Coleraine for Mr. Gordon
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman Mrs. Black, 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.
- 2.17 Application No. 26
C/2009/0646/F
Change from one detached dwelling to two semi-detached dwellings at 1 Ballywillan Road, Portrush for Mr. J. Hill
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Bradley, 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.
- 2.18 Application No. 29
C/2009/0664/F
Amendment to residential
- The opinion of the Planning Service was to refuse.

development previously approved C/2006/0728/F change from 18 dwellings to provide 24 dwellings (comprising 19 town houses and 2 semi-detached units and 3 detached) adjacent to 91 Station Road, Portstewart for Messrs. McCloskey & O’Kane

It was proposed by Councillor McQuillan and seconded by the Mayor:

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.

As an amendment it was proposed by Councillor Bradley and seconded by Alderman Mrs. Black:

That Council support a refusal.

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

3.0 OFFICE MEETINGS

It was noted that the office meetings would be held on Friday, 8th January, 2010.

4.0 PLANNING APPEAL INFORMATION

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

4.1 Appeals against Enforcement Notices:

Alleged unauthorised access and lane, land at 89A Mettican Road, Garvagh for Mr. Norman McFarlane

Alleged unauthorised use of land for vehicular access, laneway and garden making a material change in the use of the said lands, land at 98A Mettican Road, Garvagh for Mr. Norman McFarlane

The Planning Appeals Commission had received appeals against the above Enforcement Notices and was required to take account of any representations from Council (copy letters dated 19th November, 2009 previously supplied).

It was proposed by Councillor McPherson, seconded by Alderman McClure and agreed:

That Council support the applicant.

4.2 C/2007/1063/F – 3 no. one and a half storey residential town houses at 83 Coleraine Road, Portstewart for Mr. P. Mullan

Members noted the Department’s removal of the second refusal reason and its

intention to impose an access condition. (Copy letter dated 11th November, 2009 from the Coleraine Divisional Planning Office previously supplied).

4.3 Enforcement Appeal – Alleged unauthorised erection of one and a half storey side extension to existing dwelling on land at 138 Curragh Road, Aghadowey for E. M. Skuce

Members noted Planning Appeals Commission's decision letter dated 24th November, 2009 (previously supplied).

5.0 PREPARATORY FORWARD PLANNING WORK TO BE UNDERTAKEN IN ASSOCIATION WITH TRANSITION COMMITTEES PRIOR TO LOCAL GOVERNMENT REORGANISATION

Consideration was given to letter dated 3rd December, 2009 from the Minister of the Environment regarding above (copy circulated to each member).

Following the Strategic Leadership Board Meeting on 16th October, 2009 the Minister had now decided to approach Transition Committees and seek their co-operation in taking forward preparatory forward planning work.

In advance of 2011 the Minister proposed to begin working with the Transition Committees at two levels – baseline data collection in all of the new council areas covering urban and rural housing, industrial development and retail development and a more intensive, detailed engagement in a small number of the new council areas with a view to preparing a pilot preparatory plan study.

The Minister would take forward pilot preparatory studies for local development plans for four new council areas which would permit early assessment of the initial stages of the new development plan system.

It was agreed:

That Council write to the Minister of the Environment requesting that the new Coleraine council area be considered for a pilot study.

6.0 PLANNING APPLICATION NO. C/2008/0311/F CONCRETE BATCHING PLANT 45 CRAIGAHULLIAR ROAD, POTRUSH

The Planning Note, prepared by FM Planning, regarding the above planning application was circulated to each member.

FM Planning suggested that the following consultations/information requests be undertaken to ensure full consideration of all material considerations relating to this application:

- failure to consult with the Geological Survey of Northern Ireland in relation to the development's potential impact upon the ASSI and its geological features;
- failure to consult with NIEA Land and Resource Management in relation to the development's potential impact upon groundwater and the potential for

groundwater contamination;

- failure to consult with Landscape Service in relation to the extent and nature of landscape proposals;
- failure to consult with the Development Plan Team in relation to the proposed development's relationship to the plans and policies of the draft Northern Area Plan;
- failure to request an accurate and complete P1 form.

Following discussion it was agreed:

That the Planning Note prepared by FM Planning be forwarded to the Minister of the Environment for inclusion in the case.