

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** 24 November 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 Special Meeting – 20 October 2009
 - 1.2 Council Meeting – 27 October 2009
 - 1.3 Council Meeting – 3 November 2009
(Item 16.1) Portrush Regeneration*
 - 1.4 Special Meeting – 10 November 2009
 - 1.5 Special Meeting – 17 November 2009

2. Committee Reports (enclosed):
 - 2.1 Leisure and Environment Committee – 3 November 2009
(Item 9.1) Legal Proceedings*
 - 2.2 Planning Committee – 10 November 2009
 - 2.3 Policy and Development Committee – 17 November 2009
(Item 8.1.1) CCTV*

3. Correspondence, including inter alia:
 - (a) Letter dated 26 October 2009 from University of Ulster regarding Results Report on the Review of Childcare Provision EQIA
 - (b) Letter dated 4 November 2009 from Northern Ireland Electricity plc regarding Invitation to Visit Control Centre in Craigavon
 - (c) Letter dated 11 November 2009 from Ballymena Borough Council regarding Castle Tower School, Ballymena
 - (d) Letter dated 12 November 2009 from NILGA regarding Public Transport Reform Consultation Event
 - (e) Reports available in Members' Library (List enclosed)
4. Consultation List (enclosed)
5. Documents for Sealing

Enclosed for Information:

- (i) NILGA Booklet
- (ii) Planning Information

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

To: Each Member of Council

20 November 2009

SPECIAL MEETING

20th October, 2009.

Convened: To receive presentation from NILGA

Present: 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

D. D. Barbour	E. P. Fielding (Mrs.)
J. M. Bradley	B. Fitzpatrick
O. M. Church (Mrs.)	B. Leonard
A. S. Cole	R. A. McPherson

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

Also in Attendance: Alderman Arnold Hatch, Chairman, Ms. Heather Moorehead, Chief Executive and Ms. Tara Cunningham, Director of Communications and Engagement, NILGA.

1.0 WELCOME

The Mayor welcomed everyone to the Meeting. He extended a special welcome to Alderman Hatch, Ms. Heather Moorehead and Ms. Tara Cunningham, who were in attendance to update members on the work of NILGA.

2.0 NILGA

Consideration was given the NILGA Briefing Paper, 'Letter to Member Councils – March 2009' and Annual Plan (previously supplied).

Alderman Hatch and Ms. Moorehead outlined the work of NILGA over the past year (2008/09) and the proposed schedule of work for the current year (2009/10). They then elaborated on current key issues for the organisation, including an update on the Review of Public Administration (RPA) and the PricewaterhouseCoopers' Report, which was available on the NILGA website.

During a period of discussion, the representatives answered members' questions on various issues.

3.0 SUPERVALU BEST KEPT TOWNS AND VILLAGES AWARDS

Members noted that Council had achieved first place in the following categories of the Supervalu Best Kept Towns and Villages Awards:

- Best Kept Small Town Award for Portstewart.
- Best Kept Large Town Award for Coleraine.

The Mayor congratulated the staff of Parks Department, and all those involved in preparations for the Awards, on achieving the outstanding results.

COUNCIL MEETING

27th October, 2009.

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

Aldermen

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

Councillors

C. S. Alexander (Ms.) E. P. Fielding (Mrs.)
D. D. Barbour B. Fitzpatrick
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

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

Apologies: Aldermen Mrs. Hickey and McClarty and Councillor McQuillan

1.0 WELCOME

The Mayor welcomed Councillor McLaughlin to his first meeting after his recent illness.

2.0 DEATH OF COUNCILLOR MRS. E. A. JOHNSTON

The Mayor referred to the recent death of Councillor Mrs. Johnston and spoke of the faithful and enthusiastic manner in which she had served as Councillor since her election in 1993. Councillor Mrs. Johnston would be sadly missed by her family, fellow Councillors and by the people of the Borough. Members expressed their sympathy by standing in silence.

Members from the various political parties joined the Mayor in expressing condolences and many sincere and moving tributes were paid to the memory of Councillor Mrs. Johnston.

The Town Clerk and Chief Executive expressed condolences on behalf of Council staff.

Mrs. Jean Jefferson, sister of Councillor Mrs. Johnston, had requested that sincere thanks be passed to everyone for their support and especially to Alderman Mrs. Black.

The Mayor thanked everyone for their kind tributes and condolences.

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

That Council adjourn for one week and the Council Meeting be reconvened on a date to be decided by the Town Clerk and Chief Executive.

COLERAINE BOROUGH COUNCIL

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday, 3rd November, 2009 at 6.30 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.)	M. T. Hickey (Mrs.)
W. T. Creelman	W. J. McClure

(Items 5.0 – 16.1)

Councillors

C. S. Alexander (Ms.)	E. P. Fielding (Mrs.)
D. D. Barbour	B. Fitzpatrick
J. M. Bradley	N. F. Hillis
O. M. Church (Mrs.)	B. Leonard
A. S. Cole	G. L. McLaughlin
J. J. Dallat	R. A. McPherson

(Items 3.1 – 16.1)
T. J. Deans

Officers in Attendance:

Town Clerk & Chief Executive, Director of Environmental Health, Director of Technical Services, Director of Corporate Services, Acting Director of Leisure Services, Administrative Officer, Head of Development Services and Administrative Assistant.

1.0 WELCOME

The Mayor welcomed everyone to the meeting.

2.0 MINUTES

The Minutes of the Council Meeting of 22nd September, 2009 and Special Meetings of 22nd and 29th September and 13th October, 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 Mrs. Fielding.

Matters arising:

3.1.1 Horses on Beaches – Summary of Stakeholder Consultation

It was proposed by Councillor Leonard that:

Council proceed with the draft policy on Horses on Beaches, excluding the registration scheme.

It was also proposed by Councillor Leonard that:

Council change the time that horses have to be off all beaches to 11 a.m.

Councillor Ms. Alexander seconded Councillor Leonard's proposal to exclude the registration scheme from the policy.

An amendment was then proposed by Councillor Deans and seconded by Councillor Cole:

That Council authorise the preparation of a draft policy for consultation and equality impact assessment, which was the Officer's recommendation in his previous report, which would then be brought to Council and discussed.

Following a discussion on the preferred time that horses should be off beaches, members generally felt that horses should be off beaches at 11 a.m. It was noted that beach attendants commenced duty at this time so it could be enforced.

The Town Clerk and Chief Executive suggested, if the proposers were agreeable, that the Director of Environmental Health prepare a draft policy, taking into consideration members' views as discussed. The draft policy would be tabled at the next Leisure and Environment Meeting.

All proposals were withdrawn.

Agreed:

That the Director of Environmental Health prepare a draft policy on Horses on Beaches, taking into consideration members' views, for consideration at the next Leisure and Environment Meeting.

3.2 Planning Committee

The Chairman, Alderman McClure moved the adoption of the Planning Committee Report; this was duly seconded by Councillor Fitzpatrick and 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. Black and agreed.

4.0 PORTRUSH REGENERATION

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

5.0 LETTER DATED 6TH OCTOBER, 2009 FROM BALLYMENA BOROUGH COUNCIL – RESOLUTION - BRITISH FORCES POST OFFICES IN MAINLAND EUROPE

Read letter requesting Council support in relation to a resolution made by Ballymena Borough Council regarding the Prime Minister's decision to remove British Forces Post Offices from Mainland Europe by September 2010.

It was agreed that Council support this Resolution.

6.0 LETTER DATED 14TH OCTOBER, 2009 FROM NEWRY & MOURNE DISTRICT COUNCIL – RESOLUTION – IMPLEMENTATION OF THE NI AUTISM BILL

Read letter requesting Council support in relation to a resolution made by Newry and Mourne District Council regarding the Implementation of the NI Autism Bill.

It was agreed that Council support this Resolution.

7.0 DOCUMENTS TABLED

- a) BBC – TV Licensing Annual Review 2008/2009
- b) Youth Justice Magazine – September 2009
- c) Northern Ireland Museums Council – Annual Report 2008/2009
- d) NILGOSC – Annual Report & Accounts 2008/2009
- e) Ballymena Borough Council – Corporate Strategy 2009 - 2010
- f) Economic Outlook & Business Review – September 2009
- g) Health Bytes – Volume 7, Issue 8 – September 2009

8.0 LETTER DATED 25TH SEPTEMBER, 2009 FROM MAJOR GENERAL A. G. DENARO, COLONEL, THE QUEEN'S ROYAL HUSSARS (THE QUEEN'S OWN & ROYAL IRISH

Read letter of thanks for holding a 'return home' event in Coleraine for The Regiment.

9.0 LETTER DATED 6TH OCTOBER, 2009 FROM HEATHER MOOREHEAD, CHIEF EXECUTIVE OF NILGA - AMBULANCE SERVICES

Read letter seeking completion of questionnaire regarding the reconfiguration of ambulance services and the impact on the local community. Members were asked to forward details to the Administrative Officer.

10.0 MINISTER RITCHIE - PUBLIC FORUM - SOCIAL DEVELOPMENT

Members noted that the Minister's public meeting due to take place in Coleraine on Wednesday, 4th November, 2009 had been postponed and would be held on Wednesday, 25th November, 2009 at The Lodge Hotel, Coleraine from 7.00 p.m. – 9.00 p.m.

10.1 Car Park Development Schemes

A member requested an update on the car park development schemes in Coleraine and sought clarification on which department was responsible for them.

The Head of Development Services would provide an update for the Policy and Development meeting.

11.0 THE DRAINAGE COUNCIL FOR NORTHERN IRELAND

Members were advised that the Drainage Council was seeking to appoint two members to represent the interests of the twenty six district councils. Currently, Council is represented by the Deputy Mayor, Councillor King who agreed to be reappointed for a further term. Members were asked to consider an additional representative.

It was proposed by Councillor McQuillan, seconded by Councillor Deans and agreed that:

Councillor Cole be nominated to represent Council on the Drainage Council for Northern Ireland for the term running from 2009 – 2011.

Members noted that nominees would be requested to complete an application form and would be invited for interview before a final decision was made by the Minister.

12.0 ROYAL TOWN PLANNING INSTITUTE - PLANNING THE FUTURE OF LOCAL GOVERNMENT

Members were invited to a Planning Convention on Wednesday, 25th November, 2009 at Belfast City Hall from 9.00 a.m. – 4.30 p.m. Members interested in attending were asked to contact the Administrative Officer.

13.0 A COMMISSIONER FOR OLDER PEOPLE

Members were advised that the First Minister and Deputy First Minister would like to appoint a Commissioner for Older People and a series of meetings would be held throughout Northern Ireland to find out views on what a Commissioner should be able to do about issues that matter to older people. Members interested in attending were asked to contact the Administrative Officer.

14.0 CONSULTATION DOCUMENTS

The following consultation papers had been received and were available for members who wished to consider making a response:

1. Department for Regional Development – Regional Transportation Strategy Review Discussion Document – available at www.drdni.gov.uk

Comments due: 11 December 2009

2. Department of Agriculture & Rural Development – Consultation on the Horse Racing (Charges on Bookmakers) Order (NI) 2010

Comments due: noon on 27 November 2009

3. Northern Ireland Law Commission – Proposals for Land Law Reform: Equality Impact Assessment (EQIA) Consultation Report – available at www.nilawcommission.gov.uk/publications

Comments due: 24 December 2009

4. Department for Regional Development – Proposal for a Donaghadee Harbour Order (Northern Ireland) A Consultation Paper – available at www.drdni.gov.uk

Comments due: 18 December 2009

5. Department for Regional Development – Proposed Airports (Sale of Aircraft) Regulations (Northern Ireland) – A Consultation Paper – available at www.drdni.gov.uk

Comments due: 18 December 2009

6. Utility Regulator – Water & Sewerage Service Price Control 2010 – 2013 Draft Determination Summary Report September 2009

Comments due: 6 November 2009

7. NILGA – Northern Ireland Youth Assembly Consultation

Comments due: 9 November 2009

15.0 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

1. Supplemental Lease and Counterpart Council and the Northern Ireland Library Authority – Lease of Portstewart Library.
2. Licence Agreement 1 Strandmore, Portrush for Mr. W. McKay
3. Cemetery Titles Grant of Right of Burial - Deeds Register Nos. 3565 - 3576

Coleraine	6
Ballywillan	5
Agherton	1
Portstewart	-
Kilrea	-

Advanced Deeds Register - 0241 – 0243

Ballywillan	-
Agherton	-
Coleraine	1
Portstewart	2

SPECIAL MEETING

10th November, 2009.

Convened: To receive a presentation from the Causeway Coast Communities Consortium regarding 'Coastal Communities – Facing the Challenges'

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

Aldermen

E. T. Black (Mrs.) 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
(Item 2.0)	B. Leonard
O. M. Church (Mrs.)	G. L. McLaughlin
A. S. Cole	R. A. McPherson
T. J. Deans	(Item 2.0)

Officers in Attendance:

Director of Environmental Health, Head of Performance, Policy and Governance, Senior Environmental Health Officer and Administrative Assistant

Apologies: The Mayor, Aldermen Creelman and McClarty and Councillors Dallat and McQuillan

1.0 **WELCOME**

The Deputy Mayor welcomed everyone to the Meeting including students from the University of Ulster, Coleraine.

2.0 **'COASTAL COMMUNITIES - FACING THE CHALLENGES'**

The Deputy Mayor welcomed Ms. Clíodhna Rae and Mrs. Yvonne Hamilton from the Causeway Coast Communities Consortium, who were in attendance to address Council on 'Coastal Communities – Facing the Challenges'.

The following Reports, provided by the Consortium, had been previously circulated to each member:

- (a) Balanced Communities Review Group Summary;
- (b) Sample House Occupation Survey for Portstewart.

Ms. Rae elaborated on the advantages gained from the former meetings of the Balanced Communities Review Group and the challenges still to be met.

Other representatives referred to the issues relating to Castlerock, Portballintrae and

Portrush respectively, e.g. derelict sites and abandoned houses.

It was requested that the Balanced Communities Review Group be continued as members of the Group regarded it as a valuable forum for a facilitated exchange of views between all the public stakeholders.

Following a full discussion members expressed the need for an update and the possibility of calling a meeting to consider the way forward.

The Director of Environmental Health advised members that the officers would analyse the issues and bring back an options paper before March 2010.

The Deputy Mayor thanked the representatives for their attendance.

SPECIAL MEETING

17th November, 2009.

Convened: To consider co-option to replace the late Councillor Johnston – Filling of Casual Vacancy

Present: The Mayor, Councillor S. Gilkinson, in the Chair

The Deputy Mayor, Councillor W. A. King

Aldermen

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

Councillors

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

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

Apology: Councillor Mrs. Fielding

In accordance with Section 11 4(B) of the Electoral Law Act (NI) 1972 (as amended), consideration was given to the vacancy which had arisen due to the death of Councillor Elizabeth Anne Johnston.

Agreed:

On the proposal of Councillor Hillis, seconded by Councillor McPherson and with unanimous agreement:

That the vacancy be filled by way of co-option and that Mr. David Harding be duly elected.

LEISURE AND ENVIRONMENT COMMITTEE

3rd November, 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.)	W. J. McClure
W. T. Creelman	(Items 1.0 – 6.0)
M. T. Hickey (Mrs.)	
D. McClarty	
(Items 1.0 – 6.0)	

Councillors

C. S. Alexander (Ms.)	E. P. Fielding (Mrs.)
D. D. Barbour	B. Fitzpatrick
(Items 1.0 – 4.4.3)	N. F. Hillis
J. M. Bradley	B. Leonard
O. M. Church (Mrs.)	G. L. McLaughlin
J. J. Dallat	R. A. McPherson
(Items 1.0 – 4.4.1)	A. McQuillan
T. J. Deans	(Items 1.0 – 4.4.3)
(Items 1.0 – 4.4.1)	

Officers in Attendance:

Director of Technical Services, Director of Environmental Health, Acting Director of Leisure Services, Senior Technical Officer (Items 1.0 – 4.4.3), Chief Building Control Officer (Items 1.0 – 3.0), Principal Building Control Officer (Items 1.0 – 4.4.3) and Administrative Assistant.

1.0 WELCOME

The Chairman welcomed everyone to the meeting.

2.0 BUILDING CONTROL ANNUAL REPORT 2008/2009

Mr. Robert White, Chief Building Control Officer, was in attendance to present the Northern Group Building Control Committee Report to members (previously circulated). He advised that it was his last report, due to retirement, and he paid tribute to the Coleraine Building Control staff, elected members and officers of Council. Mr. White updated members on the work done by the Northern Group Building Control Committee and elaborated on various issues including:

- The Building Control Group System in Northern Ireland
- Northern Group Building Control Committee
- Group Budget
- Building Control Workloads
- Development of the Building Regulations

- Building Control Staff
- Building Practices
- Performance Indicators
- Main Activities during the Year 2008/2009
- Building Control Convention
- The Future of Building Control

The Chairman and members thanked Mr. White for his comprehensive report and wished him well in his retirement.

3.0 TECHNICAL SERVICES REPORT

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

Matters arising:

3.1 DRD Roads Service

3.1.1 Waiting Restrictions – Limavady Road, Bridge Street and Main Street, Garvagh

Consideration was given to information on this topic, as detailed in the report.

Members generally supported Road Service's proposal to introduce the undernoted waiting restrictions in Garvagh:

'No Waiting at Any Time'

(a) <u>Location</u>	<u>Side</u>	<u>Length</u>
Limavady Road	North	From a point 48 metres west of its junction with Main Street for a distance of approximately 54 metres in a westerly direction.
Limavady Road	South	From a point 15 metres west of its junction with Main Street for a distance of approximately 87 metres in a westerly direction.
Bridge Street	North	From a point 15 metres east of its junction with Main Street for a distance of approximately 65 metres in an easterly direction.
Bridge Street	South	From a point 15 metres east of its junction with Main Street for a distance of approximately 67 metres in an easterly direction.

(b) Limited Waiting – 2 hours in any 2 hour period Monday – Friday inclusive - 08.30 to 18.00 Except at junction markings, bus stops and taxi stands

<u>Location</u>	<u>Side</u>	<u>Restriction</u>
Main Street	West	From a point of 21 metres north of its junction with Limavady Road for a distance of approximately 48 metres in northerly direction.

Main Street	East	From a point of 72 metres north of its junction with Limavady Road for a distance of approximately 25 metres in northerly direction.
Main Street	West	From a point of 101 metres north of its junction with Limavady Road for a distance of approximately 34 metres in northerly direction.
Main Street	West	From a point of 15 metres south of its junction with Limavady Road for a distance of approximately 17 metres in southerly direction.
Main Street	West	From a point of 37 metres south of its junction with Limavady Road for a distance of approximately 85 metres in southerly direction.
Main Street	West	From a point of 66 metres south of its junction with Limavady Road for a distance of approximately 21 metres in southerly direction.
Main Street	West	From a point of 92 metres south of its junction with Limavady Road for a distance of approximately 19 metres in southerly direction.
Main Street	East	From a point of 15 metres north of its junction with Bridge Street for a distance of approximately 39 metres in northerly direction.
Main Street	East	From a point of 62 metres north of its junction with Bridge Street for a distance of approximately 62 metres in northerly direction.
Main Street	East	From a point of 13 metres south of its junction with Bridge Street for a distance of approximately 59 metres in southerly direction.
Main Street	East	From a point of 86 metres south of its junction with Bridge Street for a distance of approximately 38 metres in southerly direction.

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

- Bus Stop at Bridge Street
- Abuse of disabled parking bays in Garvagh
- More visible signage for disabled parking bays so the bays are more easily noticed
- Loading/unloading

3.1.2 Motorcycle Parking – Portrush and Portstewart

Consideration was given to Roads Service's proposals to introduce motorcycle parking in Portrush and Portstewart at the following locations:

- Portrush – Kerr Street – adjacent to the Amphitheatre area

- Portstewart – The Crescent – adjacent to the front of the Town Hall

Several members informed Committee that the spaces had already been allocated.

The Director of Technical Services would raise the undernoted concerns with Roads Service:

- The introduction of signage on the other side of the road at The Crescent - 'No Motorbikes'
- Parking restrictions for motorbikes
- Winter months – the availability of cars parking in the spaces

3.1.3 Parking Restrictions – Railway Road and Waterside, Coleraine

Consideration was given to information on this topic, as detailed in the report.

Recommended:

That the waiting time at Railway Road remain at one hour and the waiting time at Waterside be changed to 30 minutes.

3.2 Entertainment Licence

3.2.1 Scott's Bar, 10 Newmarket Street, Coleraine

An application for transfer of an Entertainment Licence had been received from Mr. D. Collins.

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

Monday/Tuesday – Saturday/Sunday 11.30 a.m.-1.00 a.m.
Sunday 12.30 p.m. – Midnight

Recommended:

That a transfer of Entertainment Licence be granted subject to the following special conditions:

- All windows located within the premises shall remain closed and locked during times of entertainment.
- The external walls and roof of the premises shall be capable of providing a sound reduction index of at least 45 dB (A) with respect to the transmission of noise from the interior of the building.
- Suitably silenced ventilation capable, when in operation, of achieving a sound reduction index of at least 26 dB with respect to the transmission of noise from the interior of the premises, to the exterior, shall be provided to the entertainment area.
- The rear fire exit door and door seals shall be capable of achieving a sound reduction index of 26 dB with respect to the transmission of noise from the interior of the premises to the exterior.

- All door supervisors employed within the licensed premises must be registered with a scheme recognised by Coleraine Borough Council.
- All requirements as contained within Night Safe Coleraine Code of Best Practice 2008.

3.3 Building Control

3.3.1 Approvals

Members noted that approval had been granted for 35 applications.

3.3.2 Building Regulations Fees for Insulation of Roof Spaces

Consideration was given to information on this topic, as detailed in the report.

Recommended:

That the work of additional insulation to roof areas in buildings be exempt from Building Regulations Fees.

3.3.3 Mr. Robert White, Chief Building Control Officer

The Mayor advised that there would be a Mayoral Reception for Mr. Robert White, Chief Building Control Officer, to mark his retirement.

3.4 For Information

Members noted information on the undernoted topics, as detailed in the report.

- Entertainment Licence – Garvagh Sports and Social Club
- Litter Prosecution – Mr. L. Crawford, 13 Crocnamac Street, Portrush
- DRD Roads Service – reply to Members' queries
- North West Regional Waste Management Group – Minutes of Sub Committee and Joint Committee meetings held 2nd September, 2009.

4.0 LEISURE SERVICES REPORT

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

Matters arising:

4.1 Requests for Assistance

4.1.1 Coleraine Twinning Association

Recommended:

That Council contribute a grant of £5,250 to Coleraine Twinning Association.

4.1.2 Northern Ireland Special Festival of Pool

A request had been received from the Northern Ireland Special Festival of Pool for financial assistance towards the costs of staging the Northern Ireland Special Festival of Pool at the Lodge Hotel, Coleraine from 16th – 19th November, 2009.

Recommended:

That Council contribute £1,000 to the Northern Ireland Special Festival of Pool.

Members noted that this had been allowed for in the estimates.

4.2 Shared Space – West Bann/Killowen

Consideration was given to information on this topic, as detailed in the report.

Following discussion, the Acting Director of Leisure Services advised he would explore other options, widen the consultation and report back to members.

4.3 Trefoil Guides Centenary Year 2010

Recommended:

That Council provide an elevated flowerbed at Lodge Road Roundabout to celebrate the Trefoil Guides Centenary Year 2010.

4.4 For Information

Members noted information on the undernoted topics, as detailed in the report.

- Events:
 - Commonwealth Queen's Baton - Saturday 14th November, 2009
 - Coleraine Christmas Lights Switch-On – Friday, 27th November, 2009
 - Santa Fun Run – Saturday, 28th November, 2009
- Beach Lifeguard Service
- Area of Outstanding Natural Beauty – Management Plan 2010 – 2020 – Consultation Draft

4.4.1 Beach Lifeguard Report

The Acting Director of Leisure Services advised that a report on the Beach Lifeguard Service would be presented to the Transition Committee in respect to a new Coastal Service in partnership with RNLI.

4.4.2 Dunluce Centre, Portrush

A member requested information on how much it would cost to keep the Dunluce Centre open in the winter months. The Acting Director of Leisure Services would look at costs and report back at a later date.

4.4.3 Portstewart

A member referred to lack of facilities in Portstewart for community use and suggested that consideration be given to possible provision in a future capital programme.

5.0 ENVIRONMENTAL HEALTH REPORT

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

5.1 Legal Proceedings

It was agreed to discuss these proceedings "In Committee" at the end of the meeting.

5.2 Coleraine Borough Council Sustainable Development Strategy

Consideration was given to information on this topic, as detailed in the report.

Recommended:

That Council authorise the undernoted options:

- The draft Sustainable Development Strategy is approved and endorsed.
- An implementation plan is drawn up to give effect to the strategy.
- Discussions are pursued with the three other partner Councils in the Causeway Coast and Glens cluster to "investigate any advantages of early cross cutting interventions".
- A cross departmental working group is set up to manage and performance monitor the implementation plan.
- Performance against the implementation plan is reported to Council on an annual basis as an integral part of the Environmental Health Business Plan.

5.3 For Information

5.3.1 Outcome of Legal Proceedings **The Litter (NI) Order 1994**

Members noted the undernoted details on this topic.

Defendant:	Mr Ian Jinks 37 Knockantern Grove, Coleraine
Offence:	Allowing a dog to foul under Article 4 of The Litter (NI) Order 1994
Result:	Fine £25 Costs £230 Court Fees £22

5.3.2 Environmental Health Mid Year Performance Report

Members noted the Mid Year Performance Report which was attached to the report as Appendix III.

6.0 TOXIC WASTE

A member requested an update on the toxic waste which had been dumped on land belonging to North East Education and Library Board (NEELB) at Lodge Road, Coleraine. The Director of Environmental Health informed members of the background to the issue and confirmed that the removal and decontaminated works had now been completed.

The Mayor reported that he had attended a finance meeting of NEELB and the topic had been discussed. He updated members on the matter and advised that PSNI had made no arrests but that it was unclear as to whether the investigation was complete and what the outcome would be. He suggested that members of the District Policing Partnership raise this with the PSNI and that Council forward a letter to the PSNI.

7.0 BALLYWILLAN CEMETERY

A member requested an update on land at Ballywillan Cemetery. The Acting Director of Leisure Services advised that a meeting had taken place with the landowner with a view to purchasing land adjacent to the cemetery which would extend the cemetery provision. A report would be brought to members when more information was available.

8.0 DERELICT AND DILAPIDATED BUILDINGS

A member requested that Council take action to address derelict and dilapidated buildings in the Borough and referred to Article 66 Legislation. The Director of Technical Services advised that Article 66 was difficult to action but he would look into the matter and report back at a later date.

PLANNING COMMITTEE

10th November, 2009.

Present: Councillor G. L. McLaughlin in the Chair
The Deputy Mayor, Councillor W. A. King

Aldermen

E. T. Black (Mrs.)	M. T. Hickey (Mrs.)
W. T. Creelman	W. J. McClure
(Items 1.0 – 1.12)	(Items 1.0 – 1.12)

Councillors

C. S. Alexander (Ms.)	B. Fitzpatrick
D. D. Barbour	N. F. Hillis
J. M. Bradley	B. Leonard
O. M. Church (Mrs.)	R. A. McPherson
A. S. Cole	A. McQuillan
T. J. Deans	
E. P. Fielding (Mrs.)	
(Items 1.0 – 1.12)	

Also in Attendance: Mr. P. Duffy

Officers in Attendance: Head of Performance, Policy and Governance, Senior Environmental Health Officer and Administrative Assistant

Apologies: The Mayor, Alderman McClarty and Councillor Dallat

1.0 PLANNING APPLICATIONS

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

It was noted that two deferred applications were missing from the planning schedules, due to an administration error, but these would still be presented at the Meeting.

Applications Deferred from Previous Meeting

- | | | |
|-----|--|---|
| 1.1 | <u>Application No. D1</u>
<u>C/2006/0747/F</u>
<u>Proposed new laneway to access</u>
<u>approved dwelling approx. 50m east</u>
<u>of 89 Mettican Road, Garvagh for</u>
<u>Mr. McFarlane</u> | The opinion of the Planning Service was to refuse.

It was proposed by Councillor McPherson, seconded by the Deputy Mayor and unanimously agreed: |
|-----|--|---|

That Council support an

approval.

- 1.2 Application No. D2
C/2007/0230/F
Proposed change of use from
student accommodation to residential
units including alterations to car
parking at Dhu Varren Village,
Portrush (Nos. 1–19, 19A and 20-23)
for Sunnycentre Ltd.
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 1.3 Application No. D3
C/2009/0004/F
Proposed new dwelling and garage
between 60 and 62 Millbank Avenue,
Portstewart for Kimham Ltd.
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 1.4 Application No. D4
C/2009/0018/O
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
- The opinion of the Planning Service was to refuse.
- As members had not received notification about this application it was requested that the application be held until next month.
- Mr. Duffy would discuss the matter with the Divisional Planning Officer.
- 1.5 Application No. D5
C/2009/0061/F
Tennis court for private use
(including eight floodlights and 2.75m
high perimeter fence) at 28 Cranagh
Road, Cranagh Hill, Coleraine for
Mr. and Mrs. Mathewson
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.

New Applications

- 1.6 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.
- The opinion of the Planning Service was to approve.
- Consideration was given to e-mail dated 16th May, 2008 from Ms. A. Taggart and Council objection prepared by FM Planning (previously supplied).
- It was proposed by Alderman McClure, 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.

It was further agreed that representatives from FM Planning and DOE Minerals Branch be requested to attend the Office Meeting

- 1.7 Application No. 2
C/2008/0424/F
Erection of 67 no. apartments and duplex apartments, with partial underground car parking, associated road works and landscaping at 90 Strand Road, Portstewart for Archerfield Developments
- The opinion of the Planning Service was to refuse.
- Members noted the Council objection prepared by FM Planning (previously supplied).
- It was agreed that the application be refused.
- 1.8 Application No. 4
C/2008/0677/F
Demolition of existing bank, restaurant, residential properties and construction of new restaurant, 1 no. retail unit and 18 no. 2 bedroom apartments at Nos. 25, 27 and 29A-29F Eglinton Street, Portrush for K. Bradley
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McPherson, seconded by Councillor Barbour 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.
- 1.9 Application No. 7
C/2009/0085/F
2 no. three bedroom semi-detached dwellings at 155 Main Street, Garvagh for Mr. S. Millar
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Mrs. Church 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.
- 1.10 Application No. 8
C/2009/0215/F
Erection of 2 no. hot food outlets, 3 no. retail units and first floor office accommodation with associated car parking adjacent to 24 Atlantic Court, Atlantic Road, Coleraine for
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Deans, seconded by Alderman McClure and agreed:

Mr. Sweeney

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.

1.11 Application No. 10
C/2009/0354/F
New livestock shed and livestock handling/farmyard area 150m South West of 106 Kinnyglass Road, Macosquin, Coleraine for Mr. A. McCafferty

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.

1.12 Application No. 11
C/2009/0425/F
Demolition of existing buildings and erection of 85 bedroom nursing home at 9-12 Lansdowne Crescent, Portrush for Ashmore Developments Ltd.

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Deans and seconded by Councillor Mrs. Fielding:

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 Alderman Mrs. Hickey:

That Council support a refusal.

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

An office meeting would be held.

1.13 Application No. 17
C/2009/0506/F
Proposed retention of change of use

The opinion of the Planning Service was to refuse.

of domestic garage to hobby workshop at 54 Newmills Road, Coleraine for Mr. M. Currid

It was proposed by Councillor Bradley, seconded by Alderman Mrs. Hickey 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.

1.14 Application No. 18
C/2009/0511/F
Proposed two storey dwelling with detached double garage adjacent to 86 Gorran Road, Garvagh for Mr. D. McKay

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.

1.15 Application No. 19
C/2009/0532/F
Demolition of 65-71 Eglinton Street, Portrush and erection of five storey building (including basement) of 3 no. ground floor shops, parking and utility space and 24 no. 2 bedroom apartments for Mr. P. Crawley

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.

1.16 Application No. 20
C/2009/0544/F
Replacement detached dwelling (amended plans) at 28 Prospect Road, Portstewart for Mr. and Mrs. Smyth

The opinion of the Planning Service was to approve.

It was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Hickey 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.

- 1.17 Application No. 22
C/2009/0563/O
Proposed reinstatement of 2 no. rural
cottages infilling and rounding off
hamlet at Bellemont Road,
Portstewart (adjacent to 9 Roselick
Road) for Mr. H. Lynch

The opinion of the Planning Service was to refuse.

It was proposed by the Deputy Mayor, seconded by Councillor Fitzpatrick 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.

- 1.18 Application No. 27
C/2009/0595/O
Site for two storey dwelling with
integral garage adjacent to 18
Carthall Manor, Coleraine for
Mr. S. Doherty

The opinion of the Planning Service was to approve.

Letters of objection had been circulated to each member.

It was proposed by Councillor Fitzpatrick 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.

As an amendment it was proposed by Councillor McQuillan and seconded by the Deputy Mayor:

That Council support an approval.

On being put to the Meeting the amendment was lost, five members voting in favour and eight members voting against.

An office meeting would be held.

2.0 OFFICE MEETINGS

It was noted that the office meetings would be held on Friday, 4th December, 2009.

**3.0 NORTHERN IRELAND ENVIRONMENT AGENCY -
ADVANCE NOTICE OF LISTING**

Consideration was given to the Northern Ireland Environment Agency's proposed listings (Report previously supplied):

- (i) Dromore House, 88 Coolyvenny Road, Aghadowey;
- (ii) Strawbridge House, 39 Bushfoot Road, Portballintrae.

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

That Council support the proposed listings.

**4.0 PLANNING APPLICATION NO. C/2007/0505
RESIDENTIAL SPA RETREAT - PORTRUSH**

Consideration was given to letter dated 16th October, 2009 from the Planning Service regarding the above planning application.

The Department was conscious of the need to support the tourism industry in the North Coast but in this case the view was that the siting and scale of the proposal would have an unacceptable impact on rural character. The refusal notice would now be issued.

Noted.

POLICY AND DEVELOPMENT COMMITTEE

17th November, 2009.

Present: Councillor D. D. Barbour, 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.) N. F. Hillis
J. M. Bradley B. Leonard
O. M. Church (Mrs.) G. McLaughlin
A. S. Cole R. A. McPherson
B. Fitzpatrick

Officers in Attendance: Town Clerk and Chief Executive; Director of Corporate Services; Head of Development Services; Head of Performance, Policy and Governance; and Administrative Assistant

Apologies: Councillors Dallat and Mrs. Fielding

1.0 CONDOLENCES

The Mayor extended the sympathies of himself and Members to Ms. Bernadette McGuinness on the recent death of her mother, Mrs. Kathleen McGuinness.

2.0 DEVELOPMENT SERVICES' REPORT

The Report of the Head of Development Services was considered (previously supplied).

Matters arising:

2.1 Coleraine District Policing Partnership Report

Consideration was given to information on Coleraine DPP, as contained in the report.

2.1.1 Election of DPP Chair for 2009-2010

Recommended:

That Councillor McPherson be appointed as Chairman for 2009-10.

2.1.2 Vacancy within Membership

Members noted that the Ulster Unionist Party had nominated Councillor King as their representative on Coleraine DPP, following the death of Councillor Mrs. Johnston.

Recommended:

That Council endorse the appointment of Councillor King to Coleraine DPP.

2.2 Peace III Partnership

Committee noted that the Ulster Unionist Party had nominated Councillor Barbour as their representative on the Peace III Partnership.

Recommended:

That Council endorse the appointment of Councillor Barbour to the Peace III Partnership.

2.3 Draft Response to Consultation Paper on Voluntary Advice Services and Location of Area Advice Centres (DSD) 2009

Consideration was given to the draft response paper (previously supplied).

Recommended:

That the draft response paper be adopted.

2.4 Independent Review of Economic Policy – Barnett Review

Consideration was given to Members' comments, as contained in the report, following review of Council's draft response to the Barnett Review at the Policy and Development Committee in October 2009.

Recommended:

That Council adopts the response presented in October 2009 including the additional amendments, as detailed in the report.

2.5 Regional Transportation Strategy Review Discussion Document 2009

Consideration was given to the draft response to this document (previously supplied). Members were asked to submit any comments on the paper to the Head of Development Services by 24th November, 2009 for inclusion in the final response.

Recommended:

That Council endorse the draft response subject to Members' views being included.

2.6 Business Accommodation Review

A Special Workshop of Council to hear the findings of this review, which was being carried out by Grant Thornton and Associates, was requested by Ms. Mann.

Recommended:

That a Special Workshop of Council be convened for January, 2010 to receive a presentation on the Business Accommodation Review.

2.7 CCTV

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

2.8 For Information

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

- (i) East Strand Environmental Improvement Scheme – reported that the announcement on funding was imminent and that Members would be advised when this became available.
- (ii) Regeneration Plans – Diary Date.
- (iii) Coleraine Development Schemes DSD Update.
- (iv) North West 200 Road Closing 2010 Consultation.
- (v) Application for Funding.
- (vi) Council Co-Funded Events.
- (vii) Community Cohesion Strategy.

3.0 CORPORATE SERVICES' REPORT

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

Matters arising:

3.1 Financing of Council Expenditure Prior to RPA Implementation

Consideration was given to draft guidance issued by the Finance and Estates Implementation Group, to aid Councils in their planning for the 2010/2011 financial year (previously supplied).

Recommended:

That Council note the draft guidance and make any comments it sees fit to the Finance and Estates Implementation Group.

3.2 Local Government (Contracts) Regulations (Northern Ireland) 2010

Reported that these draft regulations had now been issued for consultation.

Concerns were expressed that lessons be learned from previous experience of Private Finance Initiative (PFI) and Private Public Partnership (PPP) contracts for provision of services and projects, and that safeguards be incorporated into future schemes.

The Director of Technical Services would be advised of Members' concerns.

Recommended:

That Council welcome the proposed Regulations.

3.3 For Information

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

- i) Financial Statement – Period 6
- ii) Accounts

3.4 Appointments

The following appointments had been made in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection.

Chief Executive's Department

Community Safety Co-ordinator: Orlaith Quinn

Leisure Services' Department

CMS Com Outreach Officer – Job Share: Maria Cagney

4.0 ADMINISTRATIVE SERVICES' REPORT - FORECAST OF KEY COUNCIL EVENTS

Members noted information on key Council events and activities until the end of December 2009, as contained in the report (previously supplied).

5.0 REVIEW OF PUBLIC ADMINISTRATION

5.1 Draft Response to PricewaterhouseCoopers' (PwC) Draft Report: Local Government Service Delivery – Economic Appraisal of options for local government service delivery in its entirety

Consideration was given to this draft response (previously supplied).

The Head of Performance, Policy and Governance presented an overview of the context of the PwC Draft Report and elaborated on the following headline themes:

- (i) The operating model and the 'preferred option' vision.
- (ii) Creation of a regional Business Services Organisation (BSO).
- (iii) Creation of a new Local Government Association (LGA).
- (iv) Enhanced role of the Northern Ireland Audit Office (NIAO).
- (v) The new role of the Northern Ireland Commissioner for Complaints (Ombudsman).

The Director of Corporate Services presented an outline of financial considerations arising from the PwC report and following meetings with NILGA

and between the Association of Local Government Finance Officers (ALGFO) and PwC.

During a period of discussion, Mr. Jackson and Mr. Bell answered members' various questions and noted comments.

Members' comments would be included in the draft response, a copy of which would also be forwarded to NILGA and SOLACE.

6.0 CONSULTATION DOCUMENTS

Information on the following consultation papers had been received (previously supplied).

- (i) Department for Employment and Learning – Employment Relations Policy and Legislation Branch – Consultation on Additional Paternity Leave and Pay (APL&P).

Available at <http://www.delni.gov.uk/index/consultation-zone.htm> .

Comments due: 8th January, 2010.

Comments on this paper could be referred to the Head of Performance, Policy and Governance.

- (ii) Northern Ireland Office Consultation Paper - Filling Casual Vacancies on District Councils (previously supplied).

Comments due: 15th January, 2010.

Recommended:

That responses be submitted on a Party basis.

7.0 GRAFFITI/GUM DISPOSAL

It was noted that a recent news report had cited the trial of a new cleaning machine in Ballymena, with very effective results.

This information would be notified to the Director of Technical Services.