To:

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** the 27th day of October 2009 at **7.30 p.m.**

R. WILSON

Town Clerk and Chief Executive

Cloonavin 66 Portstewart Road COLERAINE

AGENDA

- 1. Minutes (enclosed):
 - 1.1 Council Meeting 22nd September 2009
 - 1.2 Special Meeting 22nd September 2009
 - 1.3 Special Meeting* 29th September 2009
 - 1.4 Special Meeting 13th October 2009
- 2. Committee Reports (enclosed):
 - 2.1 Leisure and Environment Committee 6th October 2009
 (Item 2.2) Horses on Beaches Summary of Stakeholder Consultation
 - 2.2 Planning Committee 13th October 2009
 - 2.3 Policy and Development Committee 20th October 2009
- 3. Portrush Regeneration*

- 4. Correspondence, including inter alia:
 - (a) Letter dated 6th October 2009 from Ballymena Borough Council regarding British Forces Post Offices in Mainland Europe
 - (b) Letter dated 14th October 2009 from Newry & Mourne District Council regarding Implementation of the NI Autism Bill
 - (c) Reports available in Members' Library (List enclosed)
- 5. Consultation List (enclosed)
- 6. Documents for Sealing

Enclosed for Information:

- (i) Letter from Jim Stewart, CBE, Chairman of Northern Health & Social Care Trust regarding the appointment of Colm Donaghy to the post of Chief Executive of the Northern Trust.
- (ii) Neagh Bann News Autumn 2009 Issue 16
- (iii) NI Bureau Newslink Summer Issue 2009
- (iv) Planning Information
- * Recommended for consideration "In Committee"

To: Each Member of Council 23rd October 2009

COLERAINE BOROUGH COUNCIL

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday, 22nd September, 2009 at 7.35 pm.

Convened: As per notice attached

<u>Present</u>: The Mayor, Councillor S. Gilkinson, in the Chair

<u>Aldermen</u>

W. T. Creelman W. J. McClure

Councillors

C. S. Alexander (Ms.) E. P. Fielding (Mrs.)

D. D. Barbour

O. M. Church (Mrs.)

A. S. Cole

T. J. Deans

B. Fitzpatrick

N. F. Hillis

B. Leonard

R. A. McPherson

Officers in Town Clerk and Chief Executive, Director of Environmental Health, Director of Corporate Services, Head of Leisure Services, Head of

Development Services, Head of Performance, Policy and

Governance, Senior Technical Officer, Administrative Officer and

Administrative Assistant.

Apologies: Aldermen Mrs. Black, Mrs. Hickey and McClarty and Councillor

Dallat.

Also in

Attendance: Mr. Peter Fleming, Fleming Mounstephen (Items 1.0 – 2.3)

1.0 MINUTES

The Minutes of the Council Meeting of 25th August, 2009 and the Special Meeting of 1st September, 2009 were confirmed and signed.

Matters arising:

1.1 Council Meeting

1.1.1 Kelvin Project

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

2.0 COMMITTEE REPORTS

2.1 Planning Committee – 25th August, 2009

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

2.2 Leisure and Environment Committee – 1st September, 2009

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

2.3 Planning Committee – 8th September, 2009

The Chairman, Alderman McClure, moved the adoption of the Planning Committee Report; this was duly seconded by Alderman Creelman.

Matters arising:

2.3.1 Reform of the Planning System in Northern Ireland

The Chairman welcomed Mr. Peter Fleming who was in attendance to answer members' questions on the draft response to this DoE consultation paper (previously supplied).

During a period of discussion, Mr. Fleming noted members' comments and clarified various issues. A submission paper from Portstewart Vision/Causeway Coast Communities Consortium in relation to sustainability appraisals was circulated for inclusion in the response.

Agreed:

On the proposal of Councillor McPherson and seconded by Councillor Ms. Alexander, that the draft response be agreed as Council's submission, subject to the inclusion of members' and the Portstewart Vision/Causeway Community Consortium's, comments.

2.3.2 NILGA Planning Reform Consultation Draft Response

Consideration was given to the draft response to this NILGA consultation document (previously supplied).

During a period of discussion and, in response to members' queries, Mr. Fleming confirmed that whilst the general thrust of the NILGA response was similar to Council's, there were minor differences.

Agreed:

On the proposal of Councillor Deans and seconded by Councillor Hillis, that Council's submission be endorsed and that the NILGA submission be taken as read.

The Committee Report was agreed.

2.4 Policy and Development Committee – 15th September, 2009

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

Matters arising:

2.4.1 In Committee

It was agreed that the following items be held 'In Committee' at the end of the meeting:

- (i) NW 200
- (ii) Land and Property

2.4.2 Military 'Return Home' Event

Members commended the Head of Performance, Policy and Governance, and officers involved in the organisation of this event, on the success of the day.

2.4.3 Portrush Regeneration Manager

In response to a member's comments, the Head of Development Services advised that the interview process for this post was underway and that an outcome should shortly result.

During a period of discussion, concern was expressed at the length of time since the last meeting of the Portrush Regeneration Group and that representative Councillors had not received a recent briefing.

Agreed:

That a meeting be convened.

2.4.4 University of Ulster

Members noted that the Northern Ireland Assembly Committee for Employment and Learning at its meeting on 9th September, 2009 had agreed to write to the University of Ulster expressing concerns about the proposal to close the crèche facility and also to request information on the associated Equality Impact Assessment.

Agreed:

That details of any replies to its letter be requested from the Committee for Employment and Learning, prior to the meeting with the Vice-Chancellor and Provost.

2.4.5 Professor Alan Sharp

Members noted that Professor Sharp would shortly be retiring from his position with the University of Ulster.

Agreed:

That a letter be sent to Professor Sharp conveying Council's thanks and best wishes on his upcoming retirement and that a reception be held to mark his retirement.

2.4.6 Appointments

Members noted that the document on the Local Government Reform Vacancy Control System had now been received, for implementation from 1st October, 2009.

3.0 TECHNICAL SERVICES' REPORT

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

3.1 Entertainment Licences

3.1.1 Entertainment Complex, The Playhouse, 47 Main Street, Portrush

An application for the grant of an Entertainment Licence had been received from Mr. A Murphy, AJM Event Management Ltd.

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

Monday/Tuesday – Saturday/Sunday 11.30 am – 1.00 am Sunday 12.30 pm – midnight

Agreed:

That Council approve the grant of the licence for a period of six months in order that Council may monitor the performance of the complex with particular emphasis on management procedures and noise disturbance and subject to compliance with NI Fire & Rescue Service recommendations and all other requirements requested by Council's Licensing Department and the following special conditions:

- All requirements as contained within Nightsafe Coleraine Code of Best Practice 2008.
- All door supervisors employed to be registered with a scheme recognised by Coleraine Borough Council.

4.0 TAR BURN DRAINAGE SCHEME, PORTRUSH

Read letter from Gibson (Banbridge) Ltd., contractors on this scheme, advising that the re-opening of the Parker Avenue road closure at the Ballywillin Road junction, scheduled for 19th/20th September, would be delayed for two to three weeks due to poor ground conditions.

5.0 FOR INFORMATION

Members noted the following correspondence (previously supplied).

- Letter dated 2nd September, 2009 from Department of the Environment, Local Policy Division regarding Advance Notice – Birthday Honours 2010.
- Reports available in Members' Library.
- Consultation list.

6.0 **DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

1. Wayleave Agreement Virgin Media on behalf of AVX,

Coleraine, Hillmans Way, Coleraine.

2. Licence Secretary of State for Communities

and Local Government, Council and

R and N Dormans

MCA Control Room at Unit 10 Gateside Road, Coleraine.

3. Charge Deed Coleraine West Community Centre

Replacement Council to DSD.

4. Cemetery Titles Grant of Right of Burial -

Deeds Register Nos. 3558 - 3564 Advanced Deed Register – Nil

Agherton 1
Ballywillan 3
Coleraine 2
Kilrea Portstewart 1

SPECIAL MEETING

22nd September, 2009.

Convened: To receive presentation from Victim Support NI

Present: The Mayor, Councillor S. Gilkinson

<u>Aldermen</u>

W. J. McClure

Councillors

D. D. Barbour
O. M. Church (Mrs.)
A. S. Cole
B. Fitzpatrick
B. Leonard
R. A. McPherson

T. J. Deans

Officers in

Attendance: Administrative Officer and Administrative Assistant

Apologies: Aldermen Mrs. Black, Mrs. Hickey and McClarty; Councillor

Dallat

1.0 WELCOME

The Mayor welcomed everyone to the Meeting. He extended a special welcome to Ms. Hazel Derby and Ms. Janet Lynn, Ballymena Victim Support, who were in attendance to update members on the work of Victim Support NI.

2.0 VICTIM SUPPORT NI

The representatives outlined the structure of Victim Support NI which was volunteer driven, with an outreach service manned by local volunteers from all areas, providing free and confidential assistance to clients. They then elaborated on the services provided by the organisation:

- Victim support available to anyone who considered themselves to be a victim of crime.
- Witness service providing reassurance and information before, during and after a court case.
- Criminal injuries compensation service free help to make a compensation claim.

The representatives then answered members' questions on the services provided by Victim Support and its role in lobbying and liaison with other bodies.

The Mayor thanked the representatives for their informative presentation.

SPECIAL MEETING

13th October, 2009.

Convened: To receive a presentation from Professor

Richard Barnett, Vice Chancellor and Professor Robert Hutchinson, Provost and

Dean, University of Ulster

Present: The Deputy Mayor, Councillor W. A. King

in the Chair

<u>Aldermen</u>

E. T. Black (Mrs.)

W. T. Creelman

D. McClarty

W. J. McClure

M. T. Hickey (Mrs.)

Councillors

C. S. Alexander (Ms.)
J. M. Bradley
B. Fitzpatrick
O. M. Church (Mrs.)
A. S. Cole
J. Dallat
T. J. Deans
B. Fitzpatrick
N. F. Hillis
B. Leonard
A. McQuillan

Officers in

Attendance: Head of Development Services, Economic Development

Manager and Administrative Assistant

Apologies: The Mayor, Councillors Barbour, Mrs. Fielding,

Mrs. Johnston, McLaughlin and McPherson

1.0 WELCOME

The Chairman welcomed Professors Barnett and Hutchinson who were in attendance to update members on developments at the University of Ulster.

2.0 BRIEFING PAPER

A Briefing Paper, prepared by the Head of Development Services, had been previously circulated to each member.

3.0 PRESENTATION

Professor Barnett updated members on general matters and recent plans and elaborated on various issues including:

- Overall University Highlights;
- National Student Survey;
- Key areas of Teaching Provision at Coleraine;
- Employability examples of courses at Coleraine;

- Popular courses at Coleraine;
- Travel and Tourism Increase in students;
- Major Infrastructure Development at Coleraine including new sports centre costing £7.5m;
- Academic Enterprise including the review of the Business Park potential on Coleraine campus over the coming academic year.

Reference was also made to the review of crèche facilities in order to provide continued support for child care at the University.

The Professors then answered various members' questions. Members again expressed their desire for regular meetings with the University and it was noted that Professor Hutchinson would be formalising links in order to strengthen the commitment to Council and to Coleraine.

The Deputy Mayor thanked the representatives for their informative presentation.

LEISURE AND ENVIRONMENT COMMITTEE

6thOctober, 2009.

Present: Councillor A. S. Cole, in the Chair

The Mayor, Councillor S. Gilkinson

The Deputy Mayor, Councillor W. A. King

<u>Aldermen</u>

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

Councillors

C. S. Alexander (Ms.) E. P. Fielding (Mrs.) (Items 1.0 - 4.5.2)B. Fitzpatrick D. D. Barbour (Items 1.0 - 6.0)N. F. Hillis J. M. Bradley (Items 2.2 - 7.2)B. Leonard O. M. Church (Mrs.) (Items 1.0 - 6.0)J. J. Dallat R. A. McPherson T. J. Deans A. McQuillan (Items 1.0 - 4.5.2)(Items 1.0 - 2.2)

Officers in

Attendance: Director of Environmental Health, Senior Technical Officer,

Head of Leisure Services, Martin Kumbani and Administrative

Assistant.

Apologies: Councillor Mrs. Johnston

1.0 WELCOME

The Chairman welcomed everyone to the meeting.

2.0 ENVIRONMENTAL HEALTH REPORT

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

2.1 Legal Proceedings

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

2.2 Horses on Beaches – Summary of Stakeholder Consultation

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

It was proposed by Councillor Bradley and seconded by Alderman McClarty:

That Council defer making a decision to authorise the preparation of a draft policy for consultation and equality impact assessment until the Council Meeting on 27th October, 2009 to enable members to receive information which Councillor Bradley was in possession of which he felt would help members in making a decision.

A full discussion ensued and the Director of Environmental Health advised that there was a Minute from 1994 detailing times which horses could be on beaches. A member requested that this Minute/current policy also be circulated.

On being put to the meeting, twelve members voted in favour and no members voted against, therefore, the proposal was carried.

Recommended:

That Council defer making a decision to authorise the preparation of a draft policy for consultation and equality impact assessment until the Council Meeting on 27th October, 2009 to enable members to receive information which Councillor Bradley was in possession of which he felt would help members in making a decision.

2.3 <u>Amendment to Approval of Meat Products Establishment under EC Regulation</u> 853/2004

Recommended:

That the existing approval in respect of the following establishment be amended to reflect that the business is now manufacturing additional products, namely cooked smoked and cured pork joints and cuts:

Kabanos Coleraine, 50 Quilly Road, Coleraine

2.4 Chief Environmental Health Officers' Group Focused Food Safety Audit

Consideration was given to this audit, as detailed in the report.

Recommended:

That Council approve the Audit Action Plan, as detailed in Appendix 1 of the report.

2.5 Swine Flu – Update to Members

Consideration was given to this update, as detailed in the report.

Recommended:

- (a) That members continue to support Officers in the preparation of contingencies for service delivery in the event of an escalation of Swine Flu.
- (b) That subject to a satisfactory Memorandum of Understanding, members agree that identified Council premises may be made available for the distribution of antivirals to the Health and Social Care Board.

2.6 For Information

2.6.1 The Public Health (Ireland) Act 1878

Malodour at Seaport Avenue, Portballintrae

Members noted information on this topic as detailed in the report.

2.6.2 Outcome of Legal Proceedings

The Dogs (NI) order 1983 as amended by The Dangerous Dogs (NI) Order 1991

Members noted the undernoted details on this topic.

(a) Defendant: Ms. Anne Rawle

47 Primrose Crescent

Portrush

Offence: Allowing a dog to foul contrary to Article 6 of The Litter (Fixed

Penalty) Order (NI) 2004

Result: Fine £50

Costs £70 Court Fees £19

(b) Defendant: Mr. Thomas Peters

8 Glenarm Avenue

Portrush

Offence: Keeping a dog without a valid licence contrary to Article 17 (1)

of The Dogs (NI) Order 1983

Result: Fine £60 x 3

Costs £70 Court Fees £32

(c) Defendant: Mr. Slaney Hanson

6 Glenarm Avenue

Portrush

Offence: Keeping a dog without a valid licence contrary to Article 17 (1)

of The Dogs (NI) Order 1983

Result: Fine £60 x 5

Costs £70 Court Fees £16

(d) Defendant: Ms. Sabrina Allen

39 Glenmanus Road

Portrush

Offence: Keeping a dog without a valid licence contrary to Article 17 (1)

of The Dogs (NI) Order 1983

Result: Fine £60 x 2

Costs £70 Court Fees £16

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 Coleraine Parking Restrictions

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

Council had previously agreed that Roads Service's proposed reduction in waiting time of 30 minutes instead of 1 hour at Railway Road and Waterside, Coleraine would be too restrictive. The Senior Technical Officer advised that Roads Service had requested Council to reconsider their objection as the change was as a result of a consultation exercise with the shop owners in those areas which revealed a strong support for the introduction of a 30 minute waiting time.

A discussion ensued with some members suggesting that the two areas be dealt with separately as they felt 30 minutes was too restrictive for Railway Road. A member suggested that Roads Service introduce a one month cautionary period.

A member requested a breakdown of the 38 responses to ascertain which areas the results came from.

Recommended:

That a decision be deferred to allow the Senior Technical Officer to obtain more information for the Council Meeting on 27th October, 2009.

3.2 Street Trading

3.2.1 Variation to Mobile Street Trading Licence

An application for a variation to a Mobile Street Trading Licence had been received from Mr. B. Clifford.

Variation to include the addition of the following streets for trading:

- Beresford Avenue, Coleraine
- Mount Street, Coleraine

Commodity sold: Ice Cream, Crisps, Mineral and Confectionery

Recommended:

That the Variation be granted subject to all licence conditions previously issued.

3.3 For Information

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

- North West Regional Waste Management Group Minutes of meetings held 1st July, 2009
- Commonwealth Professional Fellowship Martin Kumbani
- Building Control

3.3.1 Commonwealth Professional Fellowship – Martin Kumbani

The Deputy Mayor extended a warm welcome to Mr. Martin Kumbani, Director of Engineering Services, Zomba City Assembly, who was on a three month scholarship. His main placement would be with Technical Services Department but he would also spend time in the Water Service, DRD Roads Service and NI Fire and Rescue Service.

4.0 **LEISURE SERVICES REPORT**

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

The Head of Leisure Services gave apologies for the Acting Director of Leisure Services.

Matters arising:

4.1 Caravan Parks – 2009 Season

It was agreed to discuss this item "In Committee" at the end of the meeting.

4.2 <u>Tender for Chairs – Peter Thompson Hall, Castlerock and Portballintrae Village</u> <u>Hall</u>

Following public advertisement, the following tenders had been received viz:

FIRM	CASTLEROCK (200) COST	PORTBALLINTRAE (170) COST	STORAGE TROLLEY (7) COST	TOTAL
Workshop (NI) Ltd Belfast	£7,216.00 Virco V188	£6,133.60 Virco V188	£1,718.08	£15,067.68
Stephens Catering Ltd, Broughshane	£6,600.00 Virco	£5,610.00 Virco	£1,390.00 £13,600.00	
Albany DMS Ltd Newtownabbey	£6,200.00 Virco	£5,270.00 Virco	£2,280.00	£13,750.00
	£5,300.00 FOL	£4,505.00 FOL	£1,350.00	£11,155.00
Galgorm Group Ballymena	£4,100.00 Virco	£3,485.00 Virco	£1,494.00	£9,079.00
Heyn Waste Solutions, Belfast	£6,900.00 Restall	£5,865.00 Restall	£2,096.00	£14,861.00
Merlin Industrial Products Ltd	£6,130.00 Virco	£5,210.50 Virco	£1,540.00	£12,880.00
Devon	£7,060.00	£6,001.00	£1,610.00	£14,671.00

	Merlin 2700	Merlin 2700		
Limavady Printing Co	£4,700.00	£3,995.00	£1,248.00	£9,943.00
Ltd, Limavady	Dams	Dams	£1,240.00	
Monk Furniture Ltd	£7,000.00	£5,950.00	£1,401.00	£14,351.00
Cheshire	Virco	Virco	21,401.00	£14,331.00
SPS Ltd, Belfast	£6,200.00	£5,270.00	£1,368.00	£12,838.00
	Virco	Virco	21,300.00	212,030.00
Banner Business	£9,340.00	£7,939.00	£2,172.00 £19,451.00	
Supplies, Belfast	904	904	22,172.00	219,431.00
Woodhouse Ireland	£5,728.00			
Newtownabbey	Sandler	£4,868.80	£1,908.00	£12,504.80
	2 yr guarantee			
Allen Pavitt Contracts	£6,480.00			
Ltd, Devon	Pavitt 8046	£5,508.00	£1,590.00	£13,578.00
	2 yr guarantee			
	£7,880.00			
	Pavitt 9046	£6,698.00	£1,590.00	£14,768.00
	5 yr guarantee			
T J Hall Ltd	£6,014.00	£5,111.90	£1,354.80	£12,480.70
Leicester	Virco	Virco	21,004.00	212,400.70

Recommended:

That Council accept the lowest priced tender to specification from Galgorm Group, Ballymena in the sum of £9,079.00 (nine thousand and seventy nine pounds.

4.3 Charges – Playing Fields

Recommended:

That the following charges be implemented on 1st January, 2010:

	Current	Recommended
	Charge	Charge
Senior Match	£28.00	£32.00
Juvenile Match	£17.00	£18.00
Senior Match (No Facilities)	£20.00	£22.00
Junior Match (No Facilities)	£12.00	£14.00
Senior Training	£22.00	£24.00
Junior Training	£14.00	£15.00
Athletics Track (Meeting)	£60.00	£70.00
Athletics Track (No Equipment)	£17.00	£20.00

A member advised that he had received complaints about the lack of availability of pitches in the area for youth soccer.

Councillor Bradley explained that leagues operated the pitch allocation system to the different teams and lack of communication between leagues may have given rise to the perceived problem.

The Head of Leisure Services advised members that he had received a similar complaint and the matter was currently being investigated.

4.4 Request for Assistance

4.4.1 Lower Bann Partnership

Council has been represented on this Partnership by the Deputy Mayor since it was set up in 2005 and contributed £5,000 per annum up until 31st March, 2009.

A request had been received from Lower Bann Partnership for additional funding of £3,500 up to 31st March, 2010.

It was proposed by the Deputy Mayor and seconded by Alderman McClarty:

That Council contribute a grant of £3,500 up to 31st March 2010 to the Lower Bann Partnership to enable them to continue with their work.

When put to the meeting, ten members voted in favour and no members voted against, therefore, the proposal was carried.

Recommended:

That Council contribute a grant of £3,500 to Lower Bann Partnership to enable them to continue with their work.

Members noted that this amount had not been allowed for in the budget and it would have to be found in the current budget.

4.5 For Information

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

- Market Yard
- Peace III Programme 9b
- Ulster in Bloom Coleraine 1st Place in town category
- Portballintrae Village Hall Official Opening Saturday, 24th October, 2009 at 1.00 p.m. (not 2.00 p.m. as detailed in report)
- Caravan Parks Grading
- Causeway Coast Marathon Saturday, 10th October, 2009
- Halloween Happenings 31st October, 2009
- Christmas Light Switch On Dates

4.5.1 Ulster in Bloom

A member queried the early removal of summer bedding plants by seasonal staff and referred to a request in 2008 that the timing of this work be reconsidered.

The Head of Leisure Services advised the member that this was the optimum time, given the constraints on seasonal staffing spend. He further advised that winter bedding plants were planted at the same time as part of this process.

Following discussion, when some members expressed the view that it would be counterproductive to leave summer plants in situ too long to wither, the Head of Leisure Services agreed to discuss the matter with the Parks Manager and report back to the member who raised the issue.

Recommended:

That the Head of Leisure Services discuss the matter with the Parks Manager and report back to the member.

Members congratulated the Parks staff and Street Cleansing staff for their contribution in keeping the town looking well. Council's appreciation would be relayed to staff.

4.5.2 Portballintrae Village Hall

A member advised that he had been approached by Portballintrae Residents' Association with a view to having their input into the provision of the facility recognised in the wording of the official opening plaque.

The Head of Leisure Services explained that the normal wording on such plaques named the facility, the date and by whom it was officially opened.

A discussion ensued during which members recognised the involvement of the Residents' Association in all stages of this project.

Recommended:

That the Head of Leisure Services enter into discussions with Portballintrae Residents' Association with a view to reaching agreement on wording on the official opening plaque giving recognition to the Association's involvement.

5.0 REPORTING MECHANISM

A member referred to a recent incident in the Waterside area of Coleraine and to a number of meetings held in Stormont in recent weeks and asked what arrangements would be put in place to ensure that members were informed of proceedings.

It was agreed that the Town Clerk and Chief Executive bring a report to Council on 27th October.

6.0 ROPE WALK - NEW COMMUNITY CENTRE

Several members expressed disappointment that members, especially those from Coleraine Central ward, had not been invited to the recent sod cutting ceremony for the new community centre at The Rope Walk, Coleraine, especially when Council had provided funding for it.

Members agreed that on such occasions, consideration should be given to inviting all members.

PLANNING COMMITTEE

13th October, 2009.

Present: Alderman W. J. McClure in the Chair

The Deputy Mayor, Councillor W. H. King

<u>Aldermen</u>

E. T. Black (Mrs.)
(Items 1.0 – 5.1)

W. T. Hickey (Mrs.)

D. McClarty

W. T. Creelman

(Items 1.0 – 5.1)

Councillors

C. S. Alexander (Ms.)
J. M. Bradley
O. M. Church (Mrs.)
A. S. Cole
J. J. Dallat
(Items 1.0 – 4.0)
B. Fitzpatrick
N. F. Hillis
B. Leonard
A. McQuillan

<u>Also in</u>

<u>Attendance</u>: Representatives from the Planning Service –

Mr. P. Duffy and Mr. A. McGreavy

Officers in

Attendance: Administrative Officer, Principal Environmental Health

Officer and Administrative Assistant

Apologies: The Mayor, Councillors Barbour, Mrs Fielding,

Mrs. Johnston, McLaughlin and McPherson

1.0 WELCOME

Alderman McClure welcomed everyone to the Meeting.

2.0 PLANNING APPLICATIONS

A list of sixty-one applications was presented for consideration (previously supplied).

Applications Deferred from Previous Meeting

2.1 <u>Application No. D1</u>

<u>C/2005/0775/O</u>

Site for new dwelling approximately 140m north west of No. 24 Laragh

Road, Swatragh (amended address) for Mr. Dillon

The opinion of the Planning Service was

to refuse.

It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and unanimously agreed:

That Council support an approval.

2.2 Application No. D2 C/2007/0871/O Retirement dwelling and garage 180m south west of 6 Drumbane Road, Garvagh for Mr. and Mrs. J. and E. Quigg

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Dallat and seconded by Alderman Mrs. Hickey:

> That Council support an approval.

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

2.3 Application No. D3 C/2008/0075/F Re-development of 40-42 Kerr Street to provide 8 apartments with associated parking and garden for Gemini Homes

The opinion of the Planning Service was to approve.

It was agreed that the application be approved. Alderman Mrs. Hickey and Councillor Ms. Alexander disagreed with the approval.

2.4 Application No. D4 C/2008/0281/F Retrospective application to retain gate post and gates, levelling of land and hardcore, storage of construction vehicles and materials, erection of floodlights and unauthorised commercial access adjacent to 2 Temple Road, Garvagh for Mr. G. Heaney

The opinion of the Planning Service was to refuse.

It was agreed that the application be deferred for seven days to facilitate further discussion with the applicant.

2.5 Application No. D5 C/2008/0756/A Back illuminated sign fixed to building as per drawing at 55

Glenmanus Road, Portrush for Lidl Northern Ireland Gmbh

Application No. D6 C/2008/0757/F Local foodstore with allocated carparking at 55 Glenmanus Road. Portrush for Lidl Northern Ireland <u>Gmbh</u>

The opinion of the Planning Service was to consent to C/2008/0756/A and approve C/2008/0757/F.

Mr. Glynn Roberts, Northern Ireland Independent Retail Trade Association, addressed Committee on behalf of the objectors. The main objection to the proposal was the anticipated effect on Portrush town centre businesses.

Mr. Mike Burrows, Planning Consultant, addressed Committee on behalf of Lidl Northern Ireland Gmbh.

Following discussion six members voted in favour of the applications being approved and seven members voted against.

2.6 Application No. D7

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 agreed that the application be approved.

2.7 Application No. D8

C/2009/0063/F

Change of use from garage and bedrooms to end of terrace town house at 28 Cloonavin Green,

Coleraine for Mr. and Mrs. B.

McMichael

The opinion of the Planning Service was to approve.

It was agreed that the application be approved.

2.8 Application No. D9
C/2009/1047/F
Proposed extension, alterations and amendments to partially constructed and previously approved development to provide a 25

The opinion of the Planning Service was to approve.

amendments to partially constructe and previously approved development to provide a 25 bedroom hotel with associated car parking (amended plans) at 58 Ballyreagh Road, Portrush for Paracin Ltd. It was agreed that the application be approved.

2.9 Application No. D10
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.

It was agreed that the application be approved.

New Applications

2.10 Application No. 6
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 proposed by Councillor Bradley, 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.

2.11 Application No. 12

C/2009/0071/F

Erection of farm dwelling and detached garage 60m north of 29 Altikeeragh Road, Castlerock for

The opinion of the Planning Service was to refuse.

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

Mr. P. Black

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.

2.12 <u>Application No. 13</u> C/2009/0206/O

Proposed data centre at Dundooan
Road (south of 18 Cromore Road)
Coleraine for Dunluce plc.

The opinion of the Planning Service was to approve.

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

That the application be approved.

2.13 Application No. 16

C/2009/0263/F
Agricultural barn opposite
9 Ballywatt Road, Coleraine for
Mr. A. Purdy

The opinion of the Planning Service was to refuse.

The application had now been withdrawn.

2.14 <u>Application No. 17</u> C/2009/0264/F

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

The opinion of the Planning Service was to refuse.

It was noted that the application had been removed from the schedule to facilitate the assessment of amended plans.

2.15 <u>Application No. 24</u> C/2009/0396/F

Mr. D. Penny

Change of house type from previously approved application
C/2008/0045/F to provide one and a half storey dwelling house with existing out-building to be refurbished in its original location to be used as a garage at 126
Carrowreagh Road, Garvagh for

The opinion of the Planning Service was to refuse.

It was proposed by Councillor McQuillan, seconded by Councillor Cole 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. 31

C/2009/0469/F

Erection of 2 no. dwellings on site for ribbon infill 55m south-west of 17 Glenullin Road, Garvagh for Mr. and Mrs. Burns

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Dallat, 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.

2.17 Application No. 33
C/2009/0474/F
Proposed amendments 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 proposed by Councillor Bradley, seconded by Councillor Ms. Alexander 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. 37
C/2009/0497/F
Demolition of existing buildings and erection of two and a half storey apartment building with 12 no. apartments (8 no. two bed apartments and 4 no. three bed apartments) associated parking and landscaping at 1, 3 and 5 Portrush Road, Coleraine for Mr. J. J.

Butcher

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Deans, seconded by Councillor Cole 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.

2.19 Application No. 38

C/2009/0503/F

Demolition of existing dwelling
house and outbuildings and
construction of 2 no. semi-detached
dwelling houses and associated car
parking at No. 24 Lisnagrot Road,
Kilrea for Ms. J. O'Brien

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Dallat, 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.

2.20 <u>Application No. 44</u> C/2009/0523/F

Retain and renovate existing nonlisted vernacular stone building and change of use to domestic dwelling and provide single storey extension 100m north of 22 Crevolea Road, Aghadowey for Mr. J. Shannon The opinion of the Planning Service was to refuse.

It was proposed by Councillor McQuillan, seconded by Councillor Ms. Alexander 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.

2.21 Application No. 49 C/2009/0565/O Site for housing development adjacent to 15 Strandview Avenue, Portstewart for Messrs O'Neill

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Deans, 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.

2.22 Application No. 50 C/2009/0575/O Proposed infill site for single detached dwelling and garage between 83 and 85 Carthall Road, Coleraine for Mrs. M. CareyBrownlow

The opinion of the Planning Service was to refuse.

The application had now been withdrawn.

3.0 OFFICE MEETINGS

It was noted that the office meetings would be held on Friday, 6th November, 2009.

4.0 CRAIGMORE LANDFILL SITE

The Principal Environmental Health Officer reminded members of the discussion on this matter at the September Planning Committee meeting and reported that Planning Service Headquarters had indicated that it would not be acceptable for the proposals for Craigmore Landfill Site to be considered as a minor amendment to the 2005 planning application for the site and that a full planning application would be required.

Members welcomed the decision, which they felt would allow for a full and open consultation process.

Following further discussion it was proposed by Councillor McQuillan seconded by Councillor Leonard and unanimously agreed:

That Council submit a formal objection to the planning application as part of the consultation process.

It was further proposed by Councillor Dallat, seconded by Councillor Cole and unanimously agreed:

That Council write to the Minister of the Environment to thank him for his intervention in the matter.

5.0 PLANNING APPEALS INFORMATION

The Planning Appeals information as contained in the Report was noted (previously supplied).

5.1 Kiddieland, Portrush

It was noted that a submission had been submitted from the Planning Consultants and Mr. Peter Fleming would represent Council at the Appeal.

6.0 NORTHERN IRELAND ENVIRONMENT AGENCY - ADVANCE NOTICE OF LISTING COASTGUARD PROPERTIES, PORTRUSH

Consideration was given to the Northern Ireland Environment Agency's proposed listings together with letter dated 7th October, 2009 from Mrs. S. Fairon (Report previously supplied):

- (i) Coastguard Station, 130 Main Street, Portrush;
- (ii) Nos. 1-6 Coastguard Cottages, Portrush;
- (iii) Wash-house, adjacent to Nos. 3-6 Coastguard Cottages, Causeway View Lane, Portrush.

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

That Council support the permanent listing of the properties.

7.0 APPLICATION NO. C/2008/0243/F PROPOSED DEMOLITION OF EXISTING BED AND BREAKFAST TO PROVIDE 3 NO. APARTMENTS AT 53 KERR STREET, PORTRUSH

Read letter from the Planning Service advising Council that the decision to grant planning permission had not issued due to a late objection concerning a private 'right of way'.

The Department had now fully investigated the objection and was satisfied that it represented a civil matter. The decision notice granting planning permission

would now issue.

Agreed.

8.0 PLANNING CONFERENCE

Reported that the University of Ulster, in partnership with the Environmental & Planning Law Association for Northern Ireland, had organised a Conference entitled 'Planning in a Difficult Economy' to be held on Wednesday, 2nd December, 2009 at the Stormont Hotel, Belfast.

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

9.0 PATIENT AND CLIENT COUNCIL

Reported that the Patient and Client Council were holding an information event on Monday, 19th October, 2009 from 7.00 p.m. – 9.00 p.m. at the Sandel Centre, Knocklynn Road, Coleraine.

10.0 PLANNING ISSUES RAISED BY MEMBERS

10.1	Gates – Entrances to Housing Developments	Reference was made to the use of gates at the entrances to housing developments.
		Mr. Duffy advised that the Planning Service would not encourage gated developments but would need specific details in order to investigate the matter.
10.2	24 and 26 Princess Street, Portrush	Reference was made to complaints regarding the operation of a hostel and catering business at this address.
		Mr. Duffy stated that this matter was the subject of enforcement.
10.3	West Strand House, Castle Erin, Portrush – Carney Investments	Reference was made to this development.
		M D (

Mr. Duffy advised that the matter was still under investigation and a meeting was taking place on 14th October with the Planning Service.

POLICY AND DEVELOPMENT COMMITTEE

20th October, 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.)

W. T. Creelman

M. T. Hickey (Mrs.)

D. McClarty
(Item 1.0)

W. J. McClure

Councillors

C. S. Alexander (Ms.)
(Item 1.0)

J. M. Bradley

O. M. Church (Mrs.)

A. S. Cole

J. J. Dallat

E. P. Fielding (Mrs.)

B. Fitzpatrick

N. F. Hillis

B. Leonard

R. A. McPherson

A. McQuillan

(Items 1.0 - 9.2.3)

Officers in Attendance:

Town Clerk and Chief Executive; Director of Technical Service (Item 1.0); Director of Environmental Health (Item 1.0); Acting Director of Leisure Services (Item 1.0); Head of Development Services; Head of Performance, Policy and Governance; Finance Officer; Economic Development Manager; Administrative Officer; and Administrative Assistant

Also in Attendance: Mr. Mervyn Whyte and Mr. John Wilson, Coleraine and

District Motor Club (CDMC) (Item 1.0)

1.0 <u>NORTH WEST 200</u>

2.0 DEVELOPMENT SERVICES' REPORT

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

Matters arising:

2.1 <u>Independent Review of Economic Policy (DETI and Invest NI) September</u> 2009

The Economic Development Manager presented an overview of the Review Panel's findings and Council's draft response (Executive Summary previously supplied).

An electronic copy of the document was available on request from Mrs. Williams.

As the Department had agreed a one-day extension to the submission deadline,

members' comments on the document were requested by Mrs. Williams by 30th October, 2009. The comments would then be noted in Council's response, which would be brought to Committee on 17th November, 2009 and submitted to the Department on 18th November, 2009.

2.2 North East Partnership (NEP) – Interreg 2007-2013

Consideration was given to information on the NEP and to recommendations from L'Estrange & Brett Solicitors, as contained in the report.

Recommended:

- a) That Council agree to form a Statutory Joint Committee underpinned by Body Corporate legislation and consolidated by a legally binding Partnership Agreement to enable NEP to perform its role under Interreg IVA.
- b) That Council contribute £2,500 to the NEP for two years 2009/10 and 2010/11 with review as part of RPA.

2.3 For Information

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

- (i) Regeneration Plans and Diary Dates this event would now be held in Flowerfield.
- (ii) Community Cohesion Voluntary Advice Services and Location of Area Advice Centres (DSD).
- (iii) Local Community Fund (LCF).
- (iv) Local Democracy Week (12th-18th October, 2009) Coleraine Youth Council Community Dialogue Event.
- (v) Peace III.
- (vi) Diary Date: Minister Ritchie's Public Forums.

2.4 Gateways to Tomorrow Conference and Project Kelvin

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

3.0 CORPORATE SERVICES' REPORT

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

Matters arising:

3.1 For Information

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

- Sickness Absence Figures from 1st April, 2008 31st March, 2009.
- Rates Estimates 2010/2011.
- Accounts.

3.3 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

Good Relations Officer: Joy Wisener

Tourism Student: Orlaith Meenan

Leisure Services' Department

P/T Receptionist: Sheila Lundy

4.0 <u>ADMINISTRATIVE SERVICES' REPORT - LAND AND PROPERTY</u>

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

5.0 ADMINISTRATIVE SERVICES' REPORT - COUNCIL FORECAST OF EVENTS

Members noted information on key Council events and activities until the end of November 2009, as contained in the report. Members also noted the information supplied by the Head of Development Services regarding the public forum on 4th November, 2009 in the Lodge Hotel, hosted by Minister Ritchie.

5.1 Remembrance Day Representation

It was noted that the main Council ceremony for Remembrance Day would be in Coleraine on Sunday, 8th November, 2009. On a request for nominees to represent Council at ceremonies outside Coleraine, the following nominations were agreed:

Portrush - Councillor Hillis was proposed by Councillor McPherson

and seconded by Councillor Fitzpatrick.

Portstewart - Councillor Mrs. Fielding was proposed by Alderman

McClure and seconded by Councillor Cole.

Kilrea - Councillor Dallat was proposed by Alderman Mrs.

Hickey and seconded by Councillor Fitzpatrick.

Garvagh - Councillor Cole was proposed by Councillor

McQuillan and seconded by Councillor Mrs. Fielding.

Aghadowey - Councillor Mrs. Church was proposed by Councillor

Hillis and seconded by Councillor Fitzpatrick.

Castlerock - The Deputy Mayor was proposed by Councillor

McPherson and seconded by Councillor Mrs. Church.

6.0 REVIEW OF PUBLIC ADMINISTRATION - UPDATE

6.1 Transition Committee – Vision

The Head of Performance, Policy and Governance presented an overview of strategy development and the vision for the new council resulting from four months of work, including two workshops, with elected members and officers from the four constituent councils.

In response to a member's request, an electronic copy of the document would be provided.

7.0 <u>DISABILITY IN LOCAL COUNCILS - APPOINTMENT OF DISABILITY</u> CHAMPIONS

Consideration was given to the Disability Champion Draft Role Specification (Officer and Elected Member) (previously supplied). Members noted that the Head of Performance, Policy and Governance had agreed to take on the officer role of Disability Champion.

Recommended:

On the proposal of Councillor Dallat and seconded by Councillor Bradley, that Alderman Mrs. Hickey be nominated to the Elected Member role of Disability Champion.

8.0 NORTHERN IRELAND BUILDING REGULATIONS ADVISORY COMMITTEE (NIBRAC)

Read letter from the Department of Finance and Personnel advising that a call for applications for public appointment to this Committee would be forthcoming and that application packs could be downloaded from the NIBRAC website.

The address of the website was available on request from the Administrative Officer.