

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** 26 January 2010 at **7.30 p.m.**

R. WILSON

Town Clerk and Chief Executive

Cloonavin  
66 Portstewart Road  
COLERAINE

### A G E N D A

1. Minutes (enclosed):
  - 1.1 Council Meeting – 15 December 2009
  - 1.2 Special Meeting – 19 January 2010
2. Committee Reports (enclosed):
  - 2.1 Leisure and Environment Committee – 12 January 2010
  - 2.2 Planning Committee – 12 January 2010
  - 2.3 Policy and Development Committee – 19 January 2010

**(Item 1.4)** East Strand Environmental Improvement Scheme\*

**(Item 3.2)** Administrative Services' Report – Conferences (enclosed)
3. Notice of Motion

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

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

4. Correspondence, including inter alia:
- (a) Ballymena Borough Council – Notice of Motion regarding Autism Bill (copy letter dated 6 January 2010 from Mrs A Donaghy, Town Clerk & Chief Executive enclosed). **Request for Council support.**
  - (b) Strabane District Council – Notice of Motion regarding EU Regulations on Spreading Slurry (copy letter dated 10 December 2009 from Mr Kieran McGuire, Chairman of Council enclosed). **Request for Council support.**
  - (c) Derry City Council – Review of Winter Gritting Programme (copy letter dated 15 January 2010 from Damien J McMahon LLB, City Secretary & Solicitor enclosed). **Request for Council support.**
  - (d) NILGA – Draft Response to the DRDNI Consultation on Public Transport Reform (copy email from NILGA enclosed). **Decision required regarding Council’s comments on Draft Response.**
  - (e) The Royal Air Forces Association – Re-union Parade and Church Service (copy letter dated 14 December 2009 from John Davies, MBE, Regional Manager/Area Welfare Officer enclosed). **Decision required regarding Council’s attendance.**
  - (f) Department of Enterprise, Trade & Investment – Consultation on Draft Offshore Renewable Energy Proposals – Seminar on Thursday 4 February 2010 from 9.30 am to 2.00 pm in the Park Avenue Hotel, Hollywood Road, Belfast. **Decision required regarding Council’s attendance.**
  - (g) Meeting with Minister Poots – Planning issues. **Agree date and delegation.**
  - (h) Reports available in Members’ Library (List enclosed)
5. Consultation List (enclosed)
6. Documents for Sealing

**Enclosed for Information:**

- i) OFMDFM – Thirteenth Annual Report on Public Appointments
- ii) NILGA Information
- iii) Planning Information
- iv) NDACT News – Issue 7, Winter 2009
- v) NI Bureau – Newslink, Autumn Issue 2009
- vi) Roads Service Magazine – ‘On the Move’, Autumn 2009, Issue No. 10

**\* Recommended for consideration “In Committee”**

To: Each Member of Council

22 January 2010

## COUNCIL MEETING

15<sup>th</sup> December, 2009.

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

### **Aldermen**

E. T. Black (Mrs.) D. McClarty  
W. T. Creelman (Items 1.0 – 8.3)  
W. J. McClure

### **Councillors**

C. S. Alexander (Ms.) B. Fitzpatrick  
D. D. Barbour D. Harding  
J. M. Bradley N. F. Hillis  
O. M. Church (Mrs.) B. Leonard  
A. S. Cole (Items 1.0 – 14.0)  
T. J. Deans R. A. McPherson  
E. P. Fielding (Mrs.) A. McQuillan

**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, Human Resources Manager, Economic Development Manager, Tourism Development Manager (Items 3.1 - 21.0), Regeneration Manager, Transition Committee Manager, Senior Technical Officer (Items 4.1 – 13.0) and Administrative Assistant

**Also in Attendance:** Mrs. A. Millar, Macaulay Wray Solicitors (Item 1.0), Mr. M. Scullion and Mr. P. Westbury, W H Stephens (Item 4.1)

## **1.0 IN COMMITTEE**

It was proposed by Councillor Cole, seconded by Councillor McPherson and agreed:

That the following item be held 'In Committee'.

### **1.1 Legal Matter**

## **2.0 MINUTES**

The Minutes of the Council Meeting of 24<sup>th</sup> November, 2009, Special Meeting of 17<sup>th</sup> November, 2009 and Special Meeting of 24<sup>th</sup> November, 2009 were confirmed and signed.

### **3.0 COMMITTEE REPORTS**

#### **3.1 Leisure and Environment Committee**

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

Matters arising:

##### **3.1.1 Market Yard Project Board**

Concern was expressed at the recommendation to move away from the D'hondt form of representation for this Board and it was proposed by Councillor McQuillan and seconded by Councillor Deans:

That membership of the Board remain as is until D'hondt is re-applied.

Following discussion on the requirements of the Peace III funding body, it was proposed, as an amendment, by Councillor Bradley and seconded by Councillor Barbour:

That Council seeks clarification before making a decision on this issue.

Councillor McQuillan withdrew his proposal in favour of the amendment.

#### **Agreed:**

With twelve votes in favour and six against, that Council seeks clarification before making a decision on this issue.

The Committee Report was agreed subject to the amendment.

#### **3.2 North West '200' Committee**

Councillor Fitzpatrick moved the adoption of the North West '200' Committee Report; this was duly seconded by Councillor McPherson and agreed.

#### **3.3 Planning Committee**

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

Matters arising:

##### **3.3.1 Draft Addendum to Planning Policy Statement 7**

#### **Agreed:**

On the proposal of Councillor Ms. Alexander and seconded by

Councillor King, that Council make a positive response, through its Planning Consultant, in support of this consultation document.

The Committee Report was agreed.

#### **4.0 DEVELOPMENT SERVICES' REPORT**

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

Matters arising:

##### **4.1 Environmental Improvement Schemes**

###### **4.1.1 East Strand**

Mr. Peter Thompson, Tourism Development Manager, outlined proposals for the East Strand development scheme. He then introduced Mr. Michael Scullion and Mr. Pete Westbury, W H Stephens, consultants for the project.

Mr. Westbury detailed the design concepts for the development including access along the promenade, health and safety issues, linkages to the car park, the promenade and the beach, car park layout and condition and quality of the design proposals. Work would be carried out in three stages from March 2010 until the end of 2010.

Mr. Scullion advised that the estimated cost of the project, at this time, was £1.1 million and that work would have to be commenced in March 2010 in order to achieve the spending requirements laid down by DSD as funders.

In response to members' concerns in relation to the cost of the project to Council, the Head of Development Services clarified that it was an expectation of DSD that Council would provide some match funding for the scheme.

###### **Agreed:**

That the East Strand environmental improvement scheme be worked up to full design and specification in preparation for implementation.

###### **4.1.2 West Bay / Town Hall Square**

Consideration was given to information on proposals for an environmental improvement scheme at West Bay / Town Hall Square, as contained in the report.

###### **Agreed:**

That Council proceeds with the preparation of an environmental improvement scheme for the West Bay area, as detailed in the report.

## **4.2 Trade Development Programme**

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

## **4.3 For Information**

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

- Advice Services Funding
- Diary Date – Business Accommodation Study – confirmation on the final date for this meeting would be forthcoming.

## **5.0 TECHNICAL SERVICES' REPORT**

### **5.1 Entertainment Licence**

#### **5.1.1 Brooks Bar, 21 Park Street, Coleraine BT52 1BD**

An application for the grant of an Entertainment Licence had been received from Mr. P. Crawley.

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 approves the grant of the licence subject to no representations being received within the statutory period, no PSNI objections and compliance with any recommendations made by the NI Fire and Rescue Service and Council's Licensing Department, inclusive of the following special conditions:

- The Licensee shall be responsible for ensuring that a competent Manager is present on the premises at all times when entertainment is being held.
- The acoustic noise limiting devices which have been installed into the sound systems on the ground and first floor of the premises must be maintained at the calibrated level as agreed with Council's Environmental Health Department.
- The Licensee shall ensure that persons entering and leaving the premises after 23.00 hours shall do so by the door that faces onto the North Rampart.
- 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.

## **6.0 ADMINISTRATIVE SERVICES' REPORT**

### **6.1 Forecast of key Council events December 2009 – January 2010**

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

## **7.0 CORPORATE SERVICES' REPORT**

Consideration was given to the report of the Director of Corporate Services (previously supplied).

Matters arising:

### **7.1 Report by the Chief Local Government Auditor on Absenteeism in Northern Ireland Councils 2008/09 and recommendation to approve a revised Absence Policy**

Consideration was given to the report of the Chief Local Government Auditor (circulated) alongside Council's revised Absence Policy (previously supplied).

The Human Resources Manager advised that Council was experiencing a year-on-year reduction in absenteeism and that several initiatives to further reduce absenteeism were planned, including:

- A series of training events on recognizing and managing levels of stress.
- Assignment of an HR Officer to each Department to work proactively on managing sickness absence.

Concerns expressed regarding Council's terms of employment and the cost of sickness absence to Council, were answered by the Town Clerk and Chief Executive and the Director of Corporate Services.

The Human Resources Manager noted comments in relation to the revised Absence Policy.

#### **Agreed:**

On the proposal of Councillor McPherson and seconded by Councillor Fitzpatrick, that the revised Absence Policy be approved for implementation.

### **7.2 Coleraine Harbour Commissioners**

Members noted information on two vacancies on Coleraine Harbour Commission, as contained in the report.

#### **Agreed:**

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

- i) that the two vacancies be filled;
- ii) that the Public Appointments process be utilized;

- iii) that the Mayor and Deputy Mayor be included on the interview panel.

### **7.3 For Information**

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

- i) Estimate of rates 2010/11
- ii) Surcharge power of Auditor
- iii) Accounts

### **7.4 Appointments**

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

#### Chief Executive's Department

Regeneration Manager: Alan Jeffers

## **8.0 REVIEW OF PUBLIC ADMINISTRATION**

Consideration was given to the following documents and the contents noted:

- a) Minutes of the Transition Committee – 26<sup>th</sup> November, 2009.
- b) Transition Committee letter to the Minister of the Environment regarding PricewaterhouseCoopers' Economic Appraisal Report.
- c) Causeway Coast & Glens District Council Engagement Strategy.

Members noted that Mr. Stephen McMaw had now taken up the position of Transition Committee Manager.

## **9.0 NOTICE OF MOTION**

The Notice of Motion was deferred to a future meeting due to the absence of the proposer.

## **10.0 CONSULTATION DOCUMENTS**

Details of consultation documents received were noted (previously supplied).

Any member who wished to make a response was asked to contact the Head of Performance, Policy and Governance or the Administrative Officer.

## **11.0 ERECTION OF A BIOMASS ENERGY PLANT IN GLENAVY, ANTRIM**

Read letter dated 5<sup>th</sup> November, 2009 from Ballymena Borough Council requesting Council's support for a meeting with the Minister and a delegation to lobby in favour of this project on economic grounds.



**Agreed:**

- a) On the proposal of Councillor McQuillan and seconded by Councillor Harding, that Council supports Ballymena Borough Council on this issue.
- b) That the Mayor and Councillor Harding represent Council on the delegation.

**12.0 TRANSITIONAL GOVERNANCE ARRANGEMENTS FOR THE EDUCATION SECTOR**

Read letter dated 8<sup>th</sup> December, 2009 from the Minister for Education requesting details of Councillors who would be willing to serve on the Education and Library Board for the area. Members noted that selection to the Board would be subject to an appointments process.

**Agreed:**

That the Mayor and Councillor Barbour be nominated for selection.

**13.0 LETTER FROM PSNI IN RELATION TO NEELB GROUNDS MAINTENANCE DEPOT, LODGE ROAD, COLERAINE**

The response of the PSNI to Council's letter of 1<sup>st</sup> December, 2009, which advised action taken in reaction to an allegation of possible burglary at the above premises, was noted by Council.

**14.0 ELECTORAL OFFICE FOR NORTHERN IRELAND**

Read notice from the Electoral Office for Northern Ireland promoting its schedule of events to be held in Coleraine Library. Noted.

**15.0 NILGA - PUBLIC TRANSPORT REFORM WORKSHOP**

Members were reminded of this event which would take place at Craigavon Civic Centre on 17<sup>th</sup> December, 2009 (details circulated).

**16.0 DOCUMENTS TABLED**

Members noted the list of documents which had been made available in the Members' Library (previously supplied).

**17.0 DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

- |  |   |
|--|---|
| 1. <u>Craigahulliar Landfill Gas Agreement</u> | Council and Drumanakelly Generation Limited   |
| 2. <u>Deed of Partial Surrender</u>            | The Crown Estate Commissioners and Council<br>Bushmills Distillery Outfall at Port Gorm |

3. Assignment Council to Department for Regional Development  
Provision of Parking Bay at Bath Terrace, Portrush

4. Grant of Easement and Licence Council and Bushmills Distillery  
Bayhead Road, Portballintrae

5. Car Loan Agreement Building Control Officer

6. Cemetery Titles Grant of Right of Burial -  
Deeds Register Nos. 3585 - 3589

Agherton 1

Ballywillan 1

Coleraine 2

Kilrea -

Portstewart 1

Advanced Deed Register – nil.

## **SPECIAL MEETING**

**19<sup>th</sup> January, 2010.**

**Convened:** To receive presentation from NEELB Youth Service,  
Coleraine Youth Council

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

### **Aldermen**

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

### **Councillors**

D. D. Barbour                              J. J. Dallat  
J. M. Bradley                                B. Leonard  
O. M. Church (Mrs.)                        R. A. McPherson

**Officers in Attendance:** Town Clerk and Chief Executive, Community Development  
Assistant and Administrative Assistant

**Apologies:** Councillors Mrs. Fielding, Fitzpatrick and King

The Mayor welcomed Mr. Eugene Stewart, NEELB and youth representatives, who were in attendance to address members on the Youth Citizenship Project 2009-2010.

Members noted information on Council's Mobile Youth Consultation and Participation Project with young people from the Borough, through the Community Support Plan. This involved development of an ongoing relationship with NEELB Youth Service to promote Active Citizenship for young people.

J. Coulter and A. McCracken, Coleraine Youth Council, updated members on opportunities for engagement and interaction with local elected representatives, which had taken place to date as part of the Active Citizenship programme. They then presented their feedback from participation in the Local Democracy Week Youth Dialogue event, held in October 2009.

Feedback from this event was also presented by Ms. S. McLaughlin, Sunlea Youth Centre and Ms. A. Kane, Portrush Youth Centre.

A period of dialogue between members and youth representatives followed.

### **Recommended:**

On the proposal of Councillor Barbour and seconded by Alderman McClure, that Council write to the PSNI and Coleraine Chamber of Commerce to encourage them to meet with youth representatives and hear their concerns.

On receiving further information, Alderman Mrs. Hickey withdrew a proposal for a shadow youth council in favour of utilising the structure already in place.

Members noted that dates for planned events over the next few months would be forwarded to them, with an invitation to attend.

The Mayor thanked the representatives for their informative presentation and dialogue and advised that representatives from Sunlea Youth Club would be invited to a reception in the Mayor's Parlour, to acknowledge their work on a local environmental project.

## LEISURE AND ENVIRONMENT COMMITTEE

12<sup>th</sup> January, 2010.

**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.)	M. T. Hickey (Mrs.)
W. T. Creelman (Items 2.3 – 3.3)	W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)	N. F. Hillis
T. J. Deans	B. Leonard
E. P. Fielding (Mrs.)	G. L. McLaughlin
D. Harding	R. A. McPherson

### **Officers in Attendance:**

Town Clerk and Chief Executive, Director of Technical Services, Acting Director of Leisure Services, Causeway Museum Service Officer, Head of Leisure Services, Principal Environmental Health Officer and Senior Environmental Health Officer

**Apologies:** Alderman McClarty, Councillors Barbour, Bradley, Mrs. Church, Dallat, Fitzpatrick and McQuillan

## **1.0 WELCOME**

The Chairman welcomed everyone to the Meeting and extended best wishes for the New Year.

## **2.0 LEISURE SERVICES' REPORT**

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

Matters arising:

## **2.1 Special Olympics Ulster Team 2010 – National Games in Limerick**

As a result of the 2009 regional games three hundred and thirty athletes had qualified to complete in the Special Olympic National Games to be held in Limerick from 9<sup>th</sup> – 13<sup>th</sup> June, 2010. Ten athletes had qualified from Coleraine and the cost of sending each athlete to Limerick would be £708 which would include costs of training, travel,

accommodation and meals. Each athlete, with the assistance of their Club, had undertaken to collect £400 each towards this cost, leaving a shortfall of £308 per athlete. A letter for financial assistance had been received.

**Recommended:**

That Council donate a grant of £1,500.

**2.2 Portrush Harbour – RNLI**

A request had been received from RNLI for reconsideration of their current lifeboat fuelling arrangements at Portrush Harbour. Currently they had a 10,000 lt. underground tank on the North Pier with hose and pumping facilities attached to Council's pump house.

Following their annual inspection they were now seeking Council's permission to decommission their current storage and pumping arrangements and install a stand alone 'Taylor' tank facility beside the pump house.

**Recommended:**

That permission be granted for this season with a review at the end of October 2010.

**2.3 Market Yard Project Board**

Following the Council Meeting on 15<sup>th</sup> December, 2009 clarification had been sought with regard to the requirements of the Special European Union Programmes Body (SEUPB) as follows:

- All funders, including those responsible for PEACE III funding, request information on the Governing Body (Council) and the Steering or Delivery Board (Council Working Group) as per PEACE III 2.1 Application Form sections 1.2 and 3.3.
- A fully representative Delivery/Project Board will strengthen our funding applications including those to PEACE III, where projects are scored and points awarded on the categories of 'Equality' and 'Partnership'
- A fully representative Delivery/Project Board of the communities served by the Market Yard, demonstrates good practice that would be appropriate to a Local Authority Application.

Following discussion it was proposed by Councillor Ms. Alexander, seconded by Councillor Leonard and recommended:

That Council proceed with the nominations proposed at the Committee Meeting held on 1<sup>st</sup> December, 2009.

**2.4 Arcadia, Portrush**

Members noted information provided on the Arcadia, Portrush and the Acting Director of Leisure Services noted members' comments. A report would be presented to Council later in the year when the review of the Recreation Grounds, Portrush (including the Arcadia) had been completed.

### **3.0 MATTERS RAISED BY MEMBERS**

#### **3.1 Derelict Buildings**

In response to a member's query about derelict buildings the Director of Technical Services advised that work was still progressing.

#### **3.2 Manual Workers**

Congratulations and thanks were extended to the manual workers involved in the bin collections, etc. during the severe weather conditions.

The Director of Technical Services would pass on the members' thanks to the manual workers. Mr. Wreath also extended thanks to the public for their patience and understanding whenever it proved difficult to maintain the proper services. It was noted that the majority of late bin collections should be cleared up this week.

#### **3.3 Iced Footpaths**

Reference was made to the problems experienced with the icy conditions and the fact that Council was not responsible for clearing the foothpaths.

With regard to gritting, members suggested that Roads Service review the present policy in order to be more effective during periods of severe weather.

The Director of Technical Services advised members that these issues could be raised when Roads Service representatives were next in attendance.

## **PLANNING COMMITTEE**

**12<sup>th</sup> January, 2010.**

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

### **Aldermen**

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

### **Councillors**

C. S. Alexander (Ms.)	E. P. Fielding (Mrs.)
J. M. Bradley (Items 2.7 – 11.0)	D. Harding
A. S. Cole (Items 1.0 – 2.17)	N. F. Hillis
J. J. Dallat	B. Leonard
T. J. Deans (Items 1.0 – 2.17)	R. A. McPherson
	A. McQuillan (Items 2.2 – 7.3)

### **Also in Attendance:**

Representatives from the Planning Service –  
Mr. P. Duffy and Mr. A. McGreavy

### **Officers in Attendance:**

Administrative Officer, Principal Environmental Health  
Officer, Senior Environmental Health Officer and  
Administrative Assistant

### **Apologies:**

Alderman McClarty, Councillors Barbour, Mrs. Church  
and Fitzpatrick

## **1.0 WELCOME**

The Chairman welcomed everyone to the Meeting and extended best wishes for the New Year.

## **2.0 PLANNING APPLICATIONS**

A list of forty-eight applications was presented for consideration (previously supplied).

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



- |     |  |  |
|-----|--|--|
| 2.1 | <u>Application No. 1</u><br><u>C/2006/0938/F</u><br><u>Proposed construction of 2 no. semi-detached homes and all ancillary site works at 89 Craigmore Road, Ringsend for Mr. and Mrs. McGahon</u>                                       | <p>The opinion of the Planning Service was to approve.</p> <p>It was agreed that the application be approved.</p>  |
| 2.2 | <u>Application No. 2</u><br><u>C/2006/1109/F</u><br><u>Retention of retaining wall and steps as constructed at re-development of 64 Strand Road, Portstewart including revised boundary wall treatments for Mr. B. Lockhart</u>          | <p>The opinion of the Planning Service was to approve.</p> <p>Following discussion it was agreed that the application be approved subject to conditions.</p> <p>Councillors Ms. Alexander and Hillis asked to be recorded as being opposed to the application.</p>                   |
| 2.3 | <u>Application No. 3</u><br><u>C/2007/0954/F</u><br><u>Existing dwelling to be demolished and 6 no. semi-detached and 1 no. detached dwellings to be erected (7 dwellings in total) at 21 Ardreagh Road, Aghadowey for Mr. Patterson</u> | <p>The opinion of the Planning Service was to approve.</p> <p>It was agreed that the application be approved.</p>  |
| 2.4 | <u>Application No. 4</u><br><u>C/2008/0061/F</u><br><u>Redevelopment of site to provide 6 no. one bed apartments and 11 no. two bed apartments at 41 Mountsandel Road, Coleraine for Warke</u>   | <p>The opinion of the Planning Service was to refuse.</p> <p>Following discussion it was agreed that the application be held for seven days to facilitate the submission of additional information.</p> <p>If the information was not received the application would be refused.</p> |
| 2.5 | <u>Application No. 5</u><br><u>C/2008/0081/F</u><br><u>Demolition of existing building and erection of new building to provide 3 no. self-contained apartments at 20 Kerr Street, Portrush for Mr. and Mrs. R. and J. Young</u>          | <p>The opinion of the Planning Service was to approve.</p> <p>It was agreed that the application be approved.</p>  |
| 2.6 | <u>Application No. 6</u><br><u>C/2008/0904/F</u><br><u>Proposed redevelopment of 8 The Crescent, Portstewart to replace previous dwelling with new dwelling over three storeys plus parking and entrance level -</u>                     | <p>The opinion of the Planning Service was to approve.</p> <p>It was agreed that the application be approved.</p>  |

access from The Crescent for  
Mr. and Mrs. J. Cathers

- 2.7      Application No. 7  
C/2009/0330/F  
Proposed cottage style single  
storey private dwelling adjacent to  
55c Green Road, Coleraine for  
Mr. R. Moody
- The opinion of the Planning Service was to approve.  
It was agreed that the application be approved.
- 2.8      Application No. 8  
C/2009/0503/F  
Demolition of existing dwelling  
house and outbuildings and  
construction of 2 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 and seconded by Alderman Mrs. Hickey:
- That Council support an approval.
- On being put to the Meeting the proposal was lost, four members voting in favour and six members voting against.
- 2.9      Application No. 9  
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.
- It was agreed that the application be approved.

**New Applications**

- 2.10      Application No. 1  
C/2007/0171/F  
Apartment development 1 block.  
Block addressing River Bann 'A1':  
2 storey; 8 no. apartments; access  
from Mountsandel Road (red line  
altered on location plan to  
accommodate change in layout) at  
23 Mountsandel Road, Coleraine  
for Kennedy Group Properties
- The opinion of the Planning Service was to approve both applications.
- Following discussion it was proposed by Councillor Bradley and seconded by Alderman Mrs. Hickey:
- That the applications be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- Application No. 2  
C/2007/0172/F  
Apartment development of 4 no.  
blocks comprising 46 no.  
apartments. 2 blocks addressing  
Mountsandel Road (D1-2 storey;  
D2-2.5 storey) and 2 blocks  
addressing the River Bann (A &  
AO-3 storey). Access from  
Mountsandel Road (red line  
altered on location plan to
- It was further agreed that Council request that, following the office meeting, the applications be held pending the outcome of the meeting with the Minister of the Environment regarding the Planning Service's application of PPS7 and the draft Addendum to PPS7.

accommodate change in layout) at  
23 Mountsandel Road, Coleraine  
for Kennedy Group Properties

- 2.11 Application No. 6  
C/2009/0116/F  
Proposed extension to existing  
holiday homes park to provide 92  
no. units at the Golf Links Holiday  
Homes Park, Bushmills Road,  
Portrush for Cloughorr Investments  
Ltd.
- The opinion of the Planning Service was to approve.
- It was proposed by the Mayor and seconded by Alderman McClure:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- On being put to the Meeting the proposal was carried, seven members voting in favour and six members voting against.
- 2.12 Application No. 8  
C/2009/0195/F  
Retrospective planning application  
for a replacement dwelling at Craig  
Vara Cottage, 6 Craig Vara  
Terrace, Portrush for M. & T.  
Scullion
- The opinion of the Planning Service was to refuse both applications.
- Consideration was given to letter of objection dated 16<sup>th</sup> July, 2009 from Mrs. B. E. J. McCay.
- It was proposed by Councillor Leonard and seconded by Alderman Mrs. Hickey:
- That the applications 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 Councillor Ms. Alexander:
- That Council support refusals for both applications.
- Application No. 12  
C/2009/0416/F  
Retrospective planning application  
for demolition of existing shop and  
erection of new shop adjacent to  
6 Craig Vara, Portrush for  
Mr. M. Scullion
- On being put to the Meeting the amendment was carried, fourteen members voting in favour and no one voting against.

- 2.13 Application No. 14  
C/2009/0441/F  
Application to regularise existing as built landscaping and finishes to rear laneway of 5 no. existing dwellings at 51/53 Dhu Varren, Portrush for Mr. and Mrs. McCombe
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Deans, seconded by Alderman McClure and agreed:  
That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.14 Application No. 23  
C/2009/0579/F  
Proposed two storey dwelling on a farm 140m north of 52 Ballyversal Road, Coleraine for Mrs. C. Mullan
- 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.
- 2.15 Application No. 26  
C/2009/0636/O  
Replace dwelling with single storey dwelling and garage and replace non-residential building with one and a half storey dwelling and garage opposite 64 Killeague Road, Coleraine for Mr. E. Watson
- 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.
- 2.16 Application No. 30  
C/2009/0682/F  
Proposed demolition of existing old bungalow and replace with semi-detached townhouses at No. 46 Strand Road, Portstewart for Mr. and Mrs. D. Butler
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 2.17 Application No. 31  
C/2009/0692/O
- The opinion of the Planning Service was to refuse.

Site for proposed farm dwelling and detached double garage 50m south of No. 11 Drumeil Road, Aghadowey, Coleraine for Mr. F. McNicholl

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.

### **3.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday, 5<sup>th</sup> February, 2010.

### **4.0 PLANNING ISSUES RAISED BY MEMBERS**

#### **4.1 Appeal Dates Notified**

Reference was made to the lack of information contained in the Appeal Dates Notified section of the Planning Schedule.

Mr. Duffy would investigate the matter.

#### **4.2 Application No. C/2008/0311/F – Cemex (NI) Ltd.**

Reference was made to the present position regarding the above application. It was noted that no response had been received from the Minister.

### **5.0 DRAFT ADDENDUM AND DRAFT RESPONSE TO PLANNING POLICY STATEMENT 7**

Consideration was given to the Draft Addendum to Planning Policy Statement 7 and the Draft Response prepared by Fleming Mounstephen Planning Consultants (documents previously supplied).

It was agreed:

That the document, prepared by the Planning Consultants, be submitted as Council's response together with members' support for the Addendum to address HMOs in settlements.

### **6.0 EXTENSION OF STREAMLINED SCHEME**

Consideration was given to copy letter dated 9<sup>th</sup> December, 2009 from the Divisional Planning Manager together with report regarding the extension of the Streamlined Scheme (previously supplied).

It was noted that other types of applications, some of which fell into the major category, would be included in the Streamlined Scheme.

Following discussion it was agreed:

That Council agree to extend the types of applications considered under the Streamlined Scheme subject to a further review, in twelve months, on the impact of the changes.

## **7.0 PLANNING APPEALS REPORT**

Consideration was given to the Planning Appeals Report detailing the following (previously supplied):

### **7.1 C/2007/0037/F – Reinstatement of former car repair garage, 25a Islandtasserty Road, Coleraine for Mr. Ryan Stewart**

Members noted the Department's amendments to refusal reasons (copy letter dated 10<sup>th</sup> December, 2009 from the Divisional Planning Officer previously supplied).

### **7.2 Enforcement Appeals:**

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

The above appeals would be heard by Informal Hearing procedure on 11th March, 2010 at 11.00 am in Coleraine Town Hall. Noted.

### **7.3 Application C/2007/0883/F – Retention of Timber Shed for Storage of Various Equipment Associated with Horses Kept on the Site at Dundooan Road, Opposite Kiltinny Road Junction, Coleraine for Mr A McCloy**

Members noted Planning Appeals Commission's decision letter dated 14th December, 2009 (previously supplied).

## **8.0 NORTHERN IRELAND ENVIRONMENT AGENCY - ADVANCE NOTICE OF LISTING**

Consideration was given to the Northern Ireland Environment Agency's proposed listing of the Railway Station Structures, Sea Road, Castlerock (Report previously supplied).

It was agreed:

That Council support the proposed listing.

## **9.0 THE PLANNING SERVICE - CONSULTATION SEMINAR**

Consideration was given to letter dated December 2009 (previously supplied) from Planning Service Headquarters advising members of a Consultation Seminar, in connection with the forthcoming electronic Planning Information for Citizens Solution (ePIC), to be held on Thursday, 21st January, 2010 in the Hilton Hotel, Belfast from 10.00 a.m. – 1.00 p.m.

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

## **10.0 MEETING WITH THE MINISTER OF THE ENVIRONMENT**

Consideration was given to letter dated 4<sup>th</sup> January, 2010 (previously supplied) from the Minister of the Environment in connection with Council's request for a meeting regarding the application of planning policies, in particular relating to Application No. C/2009/0159/F-Ballycairn Road, Coleraine.

The Minister agreed to meet with a Council delegation but did not wish to become involved in applications going through the normal planning and statutory consultation process.

Following discussion it was agreed:

That Council request that a decision on this application be withheld until Council has met with the Minister and fully discussed its concerns on PPS7 and the application of same by the Planning Service.

## **11.0 PLANNING SERVICE - PILOT STUDY**

Consideration was given to letter dated 4<sup>th</sup> January, 2010 (previously supplied) from the Minister of the Environment in response to Council's correspondence regarding being identified for a pilot plan study.

Due to the current resources it was only possible to commence three pilot studies for local development plans within the current business year, with possibly a further pilot study in the following year, after completion of the ongoing Independent Examination for the Banbridge, Newry and Mourne Area Plan.

The Minister was committed to the progressing and adopting of the Northern Area Plan as quickly as possible following resolution of the current legal challenges and regretted that Coleraine could not be included as part of a pilot plan study.

## **POLICY AND DEVELOPMENT COMMITTEE**

**19<sup>th</sup> January, 2010.**

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

### **Aldermen**

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

### **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  
J. J. Dallat                                (Items 1.0 – 8.1)  
T. J. Deans                                A. McQuillan  
D. Harding  
(Items 1.0 – 8.1)

**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 Mrs. Fielding, Fitzpatrick and King

## **1.0 DEVELOPMENT SERVICES' REPORT**

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

Matters arising:

### **1.1 Community Festivals Fund**

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

Concerns were expressed about the need to cut costs in light of the current financial situation.

During the ensuing discussion, the Head of Development Services confirmed that funding offered by the Department of Culture, Arts and Leisure (DCAL) was on a 50/50 match funding basis with Council.

### **Recommended:**

On the proposal of Councillor Bradley, seconded by Councillor McQuillan:



- a) That Council approves the delivery of a Community Festival Fund Small Grants Programme for the period 2010-2011 and match funds the offer of funding from DCAL up to and not exceeding the 2009-2010 allocation of £14,200, subject to letter of offer.
- b) That Council endorses the Community Development Sub Group to undertake the assessment and allocation of applications on behalf of Council as per previous practice.

## **1.2 ISA Surfing Event April 2010**

Consideration was given to a request for financial assistance from the Causeway Coast Surf Club (CCSC) in association with the Irish Surfing Association (ISA), as detailed in the report.

### **Recommended:**

That Council supports the Open Surf Championships on 10<sup>th</sup> and 11<sup>th</sup> April, 2010 at a cost of £2,200.

## **1.3 Age Concern NI and Help the Aged in Northern Ireland**

Consideration was given to a request for Council support from the Programme Director of the Fit for Purpose programme, a partnership project implemented between Help the Aged in NI and Age Concern NI to guide age sector groups through the process of modernisation.

It was noted that, from Spring 2010, Age Concern and Help the Aged would combine to become Age NI.

### **Recommended:**

That Council endorses the approach by Help the Aged in NI and Concern NI.

## **1.4 For Information**

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

- East Strand Environmental Improvement Scheme
- Diary Dates
- Youth Citizenship Programme

## **2.0 CORPORATE SERVICES' REPORT**

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

Matters arising:

### **2.1 Trade Waste Collection Charges**

Members noted information on the options for review of trade waste collection charges for 2010-2011.

**Recommended:**

That Council endorses the proposed charges for 2010/11 viz:

	£
120L bin	1.80
240L bin	2.75
360L bin	3.95
660L bin	6.85
1100L bin	12.90
Bags	1.40
Tape	74.00

The Town Clerk and Chief Executive undertook to respond to a Member's question in relation to fly-tipping and Council's powers.

**2.2 Consultation Paper – Indemnities for Members and Officers**

Consideration was given to the Draft Local Government (Indemnities for Members and Officers) Order (Northern Ireland) 2010 (previously supplied).

**Recommended:**

That Council welcomes the proposed legislation.

**2.3 Accounts**

Members noted that Accounts for December 2009 had been circulated.

In response to a Member's questions, the Finance Officer would be asked to respond directly.

**2.4 Appointment**

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

**Chief Executive's Department**

Neighbourhood Renewal Officer: Claire Crawford.

**3.0 ADMINISTRATIVE SERVICES**

**3.1 Forecast of Key Council Events January – February 2010**

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

**3.2 The Somme Association 2010 Pilgrimages**

Members noted details on the Somme and Gallipoli Pilgrimages, as contained in the report.

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

That Council maintains the link with the Somme Pilgrimage but does not attend the Gallipoli Pilgrimage.

Following discussion, it was proposed as an amendment by Alderman Mrs. Hickey and seconded by Councillor Dallat:

That in light of the current financial situation, all participants contribute 50% of the cost of attendance at conferences.

A member's request for a record of conference attendance for the previous year was noted.

On being put to the Meeting, the amendment was lost with four votes in favour and ten against.

**Recommended:**

With eleven votes in favour and one against, that Council maintain the link with the Somme Pilgrimage but does not attend the Gallipoli Pilgrimage.

It was further recommended that Councillor Gilkinson represents Council at the Somme Pilgrimage.

#### **4.0 REVIEW OF PUBLIC ADMINISTRATION**

##### **4.1 RPA Staff Severance Scheme**

Members noted the Local Government Reform Joint Forum (LGRJF) report on the RPA Staff Severance Scheme for Local Government (previously supplied).

It was noted that, whilst severance schemes for education and health departments had been centrally funded, the scheme for local government may be funded by local government.

**Recommended:**

On the proposal of Councillor Dallat and seconded by Councillor Deans, that Council writes to the Department to contest the proposals for local government funding for this scheme.

#### **5.0 COLERAINE BOROUGH COUNCIL - OUT-OF-HOURS SERVICES**

Reference was made to a recent case where residents, on trying to make out-of-hours contact with dog wardens regarding concerns about abandoned dogs, could get no response from the Council offices.

The Town Clerk and Chief Executive confirmed that emergency contact numbers were available for out-of-hours services. He would look into this case and respond to the Member.

## **6.0 LORETO COLLEGE**

It was noted that Loreto College had achieved awards in several categories of the Young Scientist of the Year Awards.

The Mayor would host a reception to congratulate the entrants.

## **7.0 COLERAINE MARKET**

Concerns were expressed at the lack of partnership working by government departments, in relation to gritting of roads and public areas, during the recent extended period of cold weather.

Following a period of discussion, the Town Clerk and Chief Executive confirmed that liability continued to be a key issue to be resolved. A meeting between Council officers and representatives of Roads Service to discuss how to progress this issue was being arranged.