

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** 28 September 2010 at **6.30 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 – 24 August 2010
2. Committee Reports (enclosed):
  - 2.1 Planning Committee – 24 August 2010
  - 2.2 Leisure and Environment Committee – 7 September 2010
  - 2.3 Planning Committee – 14 September 2010
  - 2.4 Policy and Development Committee – 21 September 2010

3. Notice of Motion

The undernoted Notice of Motion has been submitted by Councillor Barbour:

“Coleraine Borough Council deplores the 2-year delay in effective intervention by Government towards resolving, on an equitable basis with other UK savers, the problems facing the Presbyterian Mutual Society (PMS); welcomes the Prime Minister’s commitment that the current Government will work with the NI Executive to ensure a just and fair resolution; in particular recognises the continuing distress and hardship of elderly and vulnerable savers; agrees that no Presbyterian Mutual Society saver should be subjected to the indignity of ‘means testing’ and asks Government to immediately set a firm date for final resolution.”

4. Correspondence, including inter alia:
  - (a) Reports available in Members' Library (List enclosed)
5. Consultation List (enclosed)
6. Documents for Sealing
7. Age Concern

Elizabeth Lee, Chairman and Leah Anderson, Service Development Manager, will be in attendance to make a presentation on the work of Age Concern Causeway.

**Enclosed for Information:**

- (1) Letter dated 26 August 2010 from OFMDFM regarding the Presbyterian Mutual Society
- (2) Letter dated 31 August 2010 from Firmus Energy regarding Gas Prices Unchanged in 2010/11
- (3) Letter dated 31 August 2010 from Social Security Agency regarding Winter Fuel Payment: Northern Ireland Awareness Campaign
- (4) Letter dated 7 September 2010 from NI Housing Executive regarding Latent Demand Testing in Macosquin and Aghadowey
- (5) Letter dated 13 September 2010 from Department of Finance and Personnel regarding the introduction of an amendment to the building legislation to make compulsory the fitting of carbon monoxide alarms
- (6) NILGA Press Release dated 13 September 2010
- (7) Letter dated 21 September 2010 from Roads Service regarding Reorganisation of Roads Service Section Offices

To: Each Member of Council

24 September 2010

## **COUNCIL MEETING**

**24<sup>th</sup> August, 2010.**

**Present:** The Mayor, Councillor N. F. Hillis, in the Chair

### **Aldermen**

E. T. Black (Mrs.)	D. McClarty
W. T. Creelman	W. J. McClure
M. T. Hickey (Mrs.)	(Items 1.0 – 5.0)

### **Councillors**

C. S. Alexander (Ms.)	S. Gilkinson
D. D. Barbour	D. Harding
J. M. Bradley	W. A. King
O. M. Church (Mrs.)	R. A. Loftus (Mrs.)
T. J. Deans	G. McLaughlin
E. P. Fielding (Mrs.)	R. A. McPherson
B. Fitzpatrick	A. McQuillan

### **Officers in Attendance:**

Town Clerk and Chief Executive, Director of Technical Services, Director of Corporate Services, Interim Director of Leisure Services, Head of Development Services, Head of Performance, Policy and Governance and Administrative Assistant

## **1.0 MAYOR'S REMARKS**

### **1.1 Condolences**

#### **1.1.1 Tragedy in Castlerock – 3<sup>rd</sup> August, 2010**

The Mayor expressed sadness for the tragedy which occurred in Castlerock as a result of which two young men, Aaron Davidson and Neil McFerran, lost their lives. Letters of sympathy had been sent to the families.

#### **1.1.2 Mr. Jeremy White**

The Mayor expressed condolences to former Mayor Mr. John White and his wife, on the sudden death of their son Jeremy. A letter of sympathy had been sent to Mr. and Mrs. White.

## **2.0 MINUTES**

The Minutes of the Council Meeting of 27<sup>th</sup> July, 2010 were confirmed and signed.

## **3.0 COMMITTEE REPORT**

### **3.1 Planning Committee**

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

## **4.0 DEVELOPMENT SERVICES' REPORT**

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

Matters arising:

### **4.1 Public Art East Strand**

Members noted information on funding for a piece of Public Art at East Strand, Portrush, as contained in the report.

#### **Agreed:**

That the £49,824 funding from the Arts Council of Northern Ireland be accepted and a competition for commission of the piece of Public Art be initiated with a view to completion of the scheme by March 2011, subject to match funding from the Northern Ireland Tourist Board at £50,000.

### **4.2 Portrush Regeneration Group**

Members noted a request for a Councillor representative to sit on the Selection Panel for appointment of private/community representatives to the Portrush Regeneration Group.

#### **Agreed:**

That Councillors Ms. Alexander and Gilkinson be nominated to the Panel.

### **4.3 Causeway Coast and Glens Review**

The Head of Development Services presented an update on contributions made by partner Councils to the Causeway Coast and Glens tourism bodies. Ms. Mann outlined a proposal for collaboration in drawing up a joint terms of reference for review of Causeway Coast and Glens, with Coleraine Borough Council leading on behalf of the partner Councils. Strategic context would be determined in liaison with funding bodies.

It was noted that Causeway Coast and Glens had agreed for up to £600 from each Council contribution to be used to pay for the review.

#### **Agreed:**

That Council works on a joined-up approach with partner Councils, taking into account the issues outlined in the report.

## **5.0 TECHNICAL SERVICES' REPORT**

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

Matters arising:

### **5.1 Carbon Monoxide Detectors**

Members noted that, following the tragic deaths in Castlerock, a number of Councils had indicated their intention to contact Central Government regarding the fitting of carbon monoxide detectors being made mandatory in new works.

**Agreed:**

That a letter be sent to the Office of the First Minister and Deputy First Minister, with copies to Ministers Wilson and Foster, supporting the urgent introduction of legislation in respect of early warnings of carbon monoxide generation.

It was noted that such legislation could be effected by making it a statutory requirement under Building Regulations that carbon monoxide alarms be fitted on new buildings, renovations, fuel appliance replacements, installations etc.

As an interim measure, an information sheet advising the fitting of carbon monoxide detectors within properties was being prepared for inclusion with all Building Control approvals issued by Council.

In response to Members' comments, the Director of Technical Services would investigate which body was responsible for overseeing the work of registered gas fitters. He would also ascertain whether a requirement for carbon monoxide detectors to be fitted could stipulate mains connection and write accordingly.

**6.0 LAND AND PROPERTY REPORT**

**6.1 RNLI**

Consideration was given to information on the proposed lease of the Garage and Lookout sites in Casletrock to RNLI, as contained in the report.

**Agreed:**

That Council grants RNLI a five-year lease of the Garage and Lookout sites in Castlerock at a nominal rent.

**7.0 CARBON MONOXIDE**

Read letters from Newtownabbey Borough Council and Dungannon and South Tyrone Borough Council (previously supplied) requesting support for the introduction of legislation requiring carbon monoxide monitors to be fitted when gas appliances are installed.

**Agreed:**

That Council supports the requests for introduction of this legislation.

**8.0 'KEEP THE POST PUBLIC' COALITION**

Read letter from the Communication Workers' Union dated 12<sup>th</sup> August, 2010 (previously supplied) requesting support for this campaign.

**Agreed:**

That Council support the 'Keep the Post Public' campaign.

**9.0 DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

- |    |                                  |   |
|----|----------------------------------|---|
| 1. | Renewal of Lease                 | Council to Mr. & Mrs. Fullerton – South Pier Café, Portrush.  |
| 2. | Conveyance and Counterpart       | R. Martin Jnr., Ms. A. Anderson and Ulster Bank Ltd. to Council – Lands at Station Square, Eglinton Street, Portrush. |
| 3. | Form of Easement (in triplicate) | Council to W. J. and T. M. E. Harten – Lands at 32 Newmills Road, Coleraine.  |
| 4. | Cemetery Titles                  | Grant of Right of Burial – Deeds Register Nos. 3652 – 3658 inclusive.   |

Agherton	1
Ballywillan	2
Coleraine	2
Kilrea	-
Portstewart	2

#### **10.0 PROJECT MANAGER - DHU-VARREN, PORTRUSH**

Reference was made to public concern over cessation of funding by the Department for Social Development for the post of Project Manager working with the Dhu-Varren Community Action team. Members recognised the serious impact this decision would have on the community and the development work which had taken place within this estate.

Council's support in helping to source additional funding to ensure the continuation of the project until bids could be made for longer term funding, was requested.

The Head of Development Services confirmed that all possible support and information would be given to the Group to assist with lobbying for the continuation of the post.

#### **11.0 BRITAIN IN BLOOM COMPETITION**

Members extended congratulations to the Technical Services and Leisure Services teams involved in preparing the Borough for this competition, results of which would be announced on 29<sup>th</sup> September, 2010.

A suggestion that Dairy Produce Packers be asked to sponsor hanging baskets on the property fence during future summer periods, was noted.

#### **12.0 NILGA - IMPROVEMENT COLLABORATION AND EFFICIENCY PROGRAMME GOVERNANCE CONSULTATION**

Members noted this Consultation document (circulated).

#### **Agreed:**

That authority be delegated to the Leisure and Environment Committee meeting on 6<sup>th</sup> September, 2010 to consider a response to the Consultation.

## PLANNING COMMITTEE

24 August 2010.

**Present:** Alderman W. J. McClure in the Chair  
The Mayor, Councillor N. F. Hillis

### **Aldermen**

E. T. Black (Mrs.)  
M. T. Hickey (Mrs.)  
(Items 3.0 – 9.0)

W. T. Creelman  
D. McClarty

### **Councillors**

C. S. Alexander (Ms.)  
(Items 2.2 – 9.0)  
D. D. Barbour  
J. M. Bradley  
(Items 2.4 – 9.0)  
O. M. Church (Mrs.)  
E. P. Fielding (Mrs.)  
B. Fitzpatrick  
S. Gilkinson

D. Harding  
W. A. King  
(Items 2.10 – 9.0)  
R. A. Loftus (Mrs.)  
G. L. McLaughlin  
R. A. McPherson  
(Items 2.2 – 9.0)  
A. McQuillan  
(Items 3.0 – 9.0)

**Also in Attendance:** Representatives from the Planning Service -  
Mr. P. Duffy and Mr. G. McClelland

**Officers in Attendance:** Principal Administrative Officer and Administrative Assistant

**Apology:** The Deputy Mayor

## **1.0 WELCOME**

The Chairman welcomed everyone to the Meeting.

## **2.0 PLANNING APPLICATIONS**

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

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

- |     |  |  |
|-----|--|--|
| 2.1 | <u>Application No. 1</u><br><u>C/2007/0620/F</u><br><u>Proposed development to provide</u><br><u>3 no. townhouses at 10 Dhu-</u><br><u>Varren Park, Portrush for</u><br><u>Oakgrange Properties Ltd.</u> | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved. |
| 2.2 | <u>Application No. 2</u><br><u>C/2007/0927/O</u><br><u>Single storey dwelling (disabled</u>  | The opinion of the Planning Service was to refuse.   |

- applicant) adjacent and rear of 53 Ballygawley Road, Aghadowey for Mr. P. McLaughlin
- It was agreed that the application be refused.
- 2.3 Application No. 3  
C/2007/0959/O  
Proposed site for 2 no. two storey dwellings and detached garages at Boleran Road, Ringsend, Garvagh (36m south east of 97 Boleran Road) for Mr. D. Mullan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Loftus, seconded by Councillor McLaughlin 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.
- 2.4 Application No. 4  
C/2009/0014/F  
Agricultural storage shed for storing farm machinery, hay and temporary animal shelter 70m north east of No. 121 Agivey Road, Kilrea for Mr. M. McCormack
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Loftus, seconded by Councillor McLaughlin 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.
- 2.5 Application No. 5  
C/2009/0244/O  
Dwelling and garage (infill site) between 34 and 38 Moneygran Road, Kilrea for Mr. S. O'Boyle
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 2.6 Application No. 6  
C/2009/0523/F  
Retain and renovate existing non-listed 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 Ms. Alexander, seconded by Councillor Mrs. Church and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.7 Application No. 7  
C/2009/0588/O
- The opinion of the Planning Service was to refuse.



- Proposed detached farm dwelling and garage 70m south east of 36 Killeague Road, Coleraine for Mr. and Mrs. J. McFaul
- It was proposed by Councillor Mrs. Church, 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.
- 2.8 Application No. 8 C/2009/0692/O  
Site of proposed farm dwelling and detached double garage 50m south of No. 11 Drumeil Road, Aghadowey, Coleraine for Mr. F. McNicholl
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 2.9 Application No. 9 C/2009/0727/O  
New dwelling on a farm 60m north east of 204 Ballycairn Road, Coleraine for Mr. and Mrs. A. McCollum
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 2.10 Application No. 10 C/2009/0743/O  
Proposed site for dwelling and garage 220m south west of 54 Burrenmore Road, Castlerock for Mr. P. Cunning
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman Creelman, seconded by Councillor McPherson and unanimously agreed:
- That Council support an approval.
- 2.11 Application No. 11 C/2009/0780/F  
Development of brown field infill site to provide single split level dwelling and detached garage and associated site works (amended plans, changes to house design) adjacent to No. 9 Craigahulliar Road, Portrush for W. Patterson
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Ms. Alexander and seconded by the Mayor:
- That Council support a refusal.
- On being put to the Meeting the proposal was carried, nine members voting in favour and one member voting against.
- 2.12 Application No. 12 C/2009/0781/F  
Proposed re-design of housing development to supersede approval C/2006/0999/F (house type 10 re-designed from detached
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.

dwelling to semi-detached dwelling) at 111 Grove Road, Swatragh for Mr. B. Diamond

- 2.13      Application No. 13  
C/2010/0002/F  
Proposed new farm dwelling and garage adjacent to 91 Killyvally Road, Garvagh for Mr. R. Armstrong
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.

### **3.0 BRIEFING BY DIVISIONAL PLANNING MANAGER**

The Chairman welcomed Mrs. M. MacIntyre, Divisional Planning Manager, who was in attendance to update members on general planning matters and the Extended Streamlined Consultation Scheme.

Mrs. MacIntyre thanked Council for the invitation and proceeded to update members on the present situation with regard to planning.

It was noted that at the end of the business year 2,696 planning applications (757 in the Coleraine Borough area) had been received, depicting a 4 per cent decrease. With regard to the extended roll out scheme, from 1 February 2010 – 13 August 2010, there had been 210 decisions. There also had been a noticeable reduction in processing time in all sections.

Mrs. MacIntyre advised that the Planning Service was facing a period of financial pressure and that a proposal was currently being implemented to redeploy 271 members of staff across the province. At present the Division had 69 posts in operations which would be reduced by 27 leaving 42 across the two offices.

During the period of discussion which ensued Mrs. MacIntyre answered members' various questions.

The Chairman thanked Mrs. MacIntyre for attending.

### **4.0 NEW APPLICATION**

- 4.1      Application No. 5  
C/2010/0095/O  
Proposed development for residential use at 18-20 Ballynameen Avenue, Garvagh for Mr. R. McFaul
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Mrs. Church and agreed:

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

### **5.0 DEFERRED APPLICATION**

- 5.1      Application No. 2  
C/2007/0927/O
- Councillor McQuillan referred to this application and proposed:

Single storey dwelling (disabled applicant) adjacent and rear of 53 Ballygawley Road, Aghadowey for Mr. P. McLaughlin

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.

The proposal was seconded by Councillor Mrs. Church and was agreed.

## **6.0 NEW APPLICATIONS**

6.1 Application No. 6 C/2010/0209/F  
Single storey farm dwelling 25m north of 36a Killeague Road, Macosquin, Coleraine for Mr. R. Tannahill

The opinion of the Planning Service was to approve.

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

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

As an amendment it was proposed by Councillor McQuillan and seconded by Councillor Harding:

That Council support the approval.

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

6.2 Application No. 9 C/2010/0234/LB  
Proposed replacement of sliding timber sash windows of listed front elevation with new sliding timber sash windows. Proposed replacement of timber casement windows to non-listed side elevations (both) with new timber sliding sash windows. Proposed replacement of casement windows to non-listed rear elevation with new timber casement windows using glazing bars to achieve a six over six pattern at Movanagher School

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Mrs. Loftus, 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.

House, 75-77 Agivey Road, Kilrea  
for Mr. T. Brizzell

- 6.3 Application No. 10  
C/2010/0282/F  
Proposed farm dwelling and garage  
at 36 Leeke Road, Portrush for  
Mr. B. McGee
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Ms. Alexander, 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.
- 6.4 Application No. 11  
C/2010/0295/F  
Demolish dwelling and garage and  
erect 2 no. one and a half storey  
dwellings at 9 and 11 Seahaven  
Park, Portstewart for Maharaganer  
Developments
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty, 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.
- 6.5 Application No. 12  
C/2010/0301/O  
Proposed dwelling on a farm 130m  
west of 57 Drumeil Road,  
Aghadowey for Mr. J. Mitchel
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Loftus, seconded by Councillor McLaughlin 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.
- 6.6 Application No. 13  
C/2010/0316/O  
Proposed traditional rural dwelling  
40m north north west of No. 61  
Killyvally Road, Garvagh for  
Mr. H. Gilmore
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Mrs. Church and agreed:
- That the application be deferred for one month to facilitate an office

meeting on the grounds that all material planning considerations had not been assessed.

## **7.0 OFFICE MEETINGS**

It was noted that the office meetings would be held either on Friday 10 September or Friday 17 September, 2010 subject to confirmation regarding the opening of Garvagh Sports Hall.

## **8.0 PLANNING ISSUES RAISED BY MEMBERS**

### **8.1 88a Causeway Street, Portrush**

Reference was made to the building under construction at the above address not being in accordance with approved plans.

Mr. Duffy would refer the matter to the Enforcement Section for investigation.

### **8.2 Shop Units – Atlantic Road, Portrush**

A member asked if the above shop units were being built in accordance with approved plans.

Mr. Duffy advised that the application would come before Council at a later date.

### **8.3 Building at 4 The Diamond, Portstewart**

Reference was made to the ridge height of the new building at 4 The Diamond, Portstewart.

The Principal Administrative Officer reported that a response had been received from the Divisional Planning Manager advising that no breach of planning control had been identified.

### **8.4 Former Metropole Hotel, Portrush**

Reference was made to the unsightly appearance of the above building.

Mr. Duffy advised that there was a valid planning approval for apartments at this location.

## **9.0 APPLICATION C/2008/0311/F CONCRETE BATCHING PLANT - CRAIGAHULLIAR, PORTRUSH**

Members noted letters dated 2 and 12 August 2010 from the Minister of the Environment regarding the above application.

A Summary Note (prepared by FM Planning) following the Ministerial Meeting held on 23 August, 2010 was circulated to each member. The Minister intended to move the application towards a decision and it was suggested that the formal office meeting, following deferral of the application, be organised for late September with a view to reaching a decision in October 2010.

## LEISURE AND ENVIRONMENT COMMITTEE

7<sup>th</sup> September, 2010.

**Present:** Councillor J. M. Bradley, in the Chair  
The Mayor, Councillor N. F. Hillis  
The Deputy Mayor, Councillor A. S. Cole

### **Aldermen**

W. T. Creelman                      D. McClarty  
M. T. Hickey (Mrs.)                (Items 5.0 – 6.0)

### **Councillors**

D. D. Barbour                      W. A. King  
O. M. Church (Mrs.)                (Items 1.0 – 9.2)  
T. J. Deans                          B. Leonard  
(Items 4.1 – 11.0)                    R. Loftus (Mrs.)  
E. P. Fielding (Mrs.)                (Items 4.0 – 11.0)  
B. Fitzpatrick                      G. L. McLaughlin  
(Items 3.0 – 9.2)                      R. A. McPherson  
S. Gilkinson                        A. McQuillan  
D. Harding                          (Items 3.0 – 9.2)  
(Items 1.0 – 9.1)

### **Officers in Attendance:**

Town Clerk & Chief Executive, Director of Technical Services (Items 3.0 – 11.0), Director of Environmental Health, Interim Director of Leisure Services, Head of Development Services (Items 1.0 – 6.0), Public Relations Manager (Items 1.0 – 6.0) and Administrative Assistant.

**Apology:** Alderman Mrs. Black

### **1.0 WELCOME**

The Chairman welcomed everyone to the meeting.

### **2.0 SYMPATHY**

The Chairman referred to the recent death of Mrs. Sadie Watt, wife of the late Councillor Jim Watt, and extended sympathy to the Watt family. He advised that it was the family's wish that the official opening of the Jim Watt Sports Centre take place as planned on Saturday, 11<sup>th</sup> September, 2010.

### **3.0 ELECTION OF VICE-CHAIRMAN**

#### **Recommended:**

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

#### 4.0 & 5.0 'IN COMMITTEE'

#### 6.0 TRANSLINK ULSTER IN BLOOM AWARDS AND BEST KEPT TOWN COMPETITION

The Mayor advised that Coleraine won the Best Town Award in the Ulster in Bloom competition and Coleraine also won the All Ireland Best Kept Town competition (large urban centre category). He suggested a visit to the Parks Department to see the staff.

#### 7.0 ENVIRONMENTAL HEALTH REPORT

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

#### 7.1 Consultation from Department for Social Development – A New Fuel Poverty Strategy for Northern Ireland

##### **Recommended:**

That Council welcome the consultation opportunity.

Members with issues to be included in Council's response were asked to put them in writing and forward them to the Director of Environmental Health.

#### 7.2 Bye-Laws – Drinking in Public Places Review

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

##### **Recommended:**

That Council authorise the additions/amendments to the Drinking in Public Places bye-laws, as detailed in Appendix 1 of the report, and authorise the forwarding of same to DSD for approval.

#### 7.3 For Information

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

- Audit Reports:
  - Food Standards Agency Audit on Traceability
  - Emergency Planning Audit
- Air Quality Report
- Council Dog Kennelling Service – New Contracted Arrangements
- New Healthy Eating Policy at Council
- Outcome of Legal Proceedings:

(1) Defendant: Mr. Ivor Bolton  
Coleraine Health Foods  
8B Stone Row  
Coleraine

Offences: 4 offences of selling food past the 'Use By' date contrary to Regulation 44(d) of The Food Labelling Regulations (NI) 1996  
1 offence of failure to provide hot water at a wash hand basin under Article 17 (1) of the Food Hygiene Regulations (NI)

Result:	Out of date food fine x 4	£300
	No hot water fine	£75
	Costs	£150
	Court Costs	<u>£16</u>
	Total	£541

(2) Defendant: Ms. Samantha King-Warner  
24 Ballyhackett Road  
Castlerock

Offence: Keeping a dog without a valid licence contrary to Article 17 of  
The Dogs (NI) Order 1983

Result:	No licence fine	£50
	Costs	£70
	Court Costs	<u>£16</u>
	Total	£136

(3) Defendant: Caroline Brundish  
9 Ferryquay Place  
Coleraine

Offence: Keeping a dog without a valid licence contrary to Article 17 of  
The Dogs (NI) Order 1983

Result:	Fine	£100
	Costs	£70
	Court Costs	<u>£32</u>
	Total	£202

(4) Defendant: John Charles McLaughlin  
10 Heatherlea Avenue  
Portstewart

Offence: Allowing a dog to foul contrary to Article 6 of The Litter (Fixed  
Penalty) Order (NI) 2004

Result:	Fine	£50
	Costs	£70
	Court Costs	<u>£19</u>
	Total	£139

## 8.0 TECHNICAL SERVICES REPORT

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

Matters arising:

### 8.1 Entertainment Licences



### **8.1.1 Golf Links Hotel, Bushmills Road, Portrush**

An application for transfer of an Entertainment Licence and variation of licence had been received from Mr. P. Wilson, c/o Golf Links Hotel.

Variation of licence to include the provision of a public contest, match, exhibition or display of:

- (a) Boxing, wrestling, judo, karate or any similar sport
- (b) Billiards, pool, snooker or any similar game
- (c) Darts

Area where it is intended to provide such entertainment:

Lush

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

Monday/Tuesday	11.30 a.m. – 1.00 a.m.
Tuesday/Wednesday	11.30 a.m. – 1.00 a.m.
Wednesday/Thursday	11.30 a.m. – 1.30 a.m.
Thursday/Friday	11.30 a.m. – 1.00 a.m.
Friday/Saturday	11.30 a.m. – 1.30 a.m.
Saturday/Sunday	11.30 a.m. – 1.00 a.m.
Sunday	12.30 p.m. – midnight
Sunday (Lush & Synk)	1.00 a.m. – 2.00 a.m.

#### **Recommended:**

That a transfer of Entertainment Licence with variation be granted subject to all special conditions 1-5 as included in previous licence.

### **8.1.2 The Turn Inn, 33 Main Street, Garvagh**

An application for grant of an Entertainment Licence had been received from Mr. W. Smyth, c/o The Turn Inn.

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

Monday – Saturday: 11.30 a.m. – 11.30 p.m., except on those occasions when a late licence has been granted, 11.30 a.m. – 1.00 a.m.  
Sunday: 12.30 p.m. – 10.00 p.m.

#### **Recommended:**

That an Entertainment Licence be granted subject to the following special conditions:

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

## **8.2 Sustainable Development Implementation Plan**

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

**Recommended:**

That Councillor Barbour and Councillor Gilkinson attend an event organised by NILGA in partnership with the Sustainable Development Division of OFMDFM to populate a Sustainable Development Implementation Plan with Local Government commitments on 28<sup>th</sup> September 2010 from 9.00 a.m. – 1.00 p.m. in Glenavon House Hotel, Cookstown.

**8.3 Salting and Gritting of Footways**

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

**Recommended:**

That Council provide assistance to the Department in line with the agreement but would not indemnify the Department against:

- Death or injury to any persons; or
- Loss or damage to any property.

With regard to the employment of third parties Council would not seek to engage third parties/private sector organisations to assist with this work because of the difficulties of coordinating the work and insurance issues.

**8.5 Building Control**

**8.5.1 Plans for Rejection under Building Regulations**

**Recommended:**

That three applications, as detailed in the report, be rejected under Schedule 2 of the Building Regulations (NI) 2000 due to insufficient information submitted.

Members noted that applicants had until the next Council meeting to submit additional information; otherwise the applications would be rejected.

**9.0 LEISURE SERVICES REPORT**

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

Matters arising:

**9.1 Millburn Community Centre – Pre-School Playgroup Lease**

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

**Recommended:**

On the proposal of Councillor McPherson and seconded by Councillor McQuillan, that Council approve the extension and a letter of support be forwarded to the Department of Education with regard to the Playgroup's funding application and 22 year lease.

## **9.2 Market Yard Report**

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

Following discussion it was proposed by Councillor McQuillan and seconded by Councillor Barbour:

That Council agree with the Interim Director's recommendation, as detailed in the report, with the addition of officers to identify an alternative option should external funding not be secured and report back on that at a later meeting.

On being put to the meeting, the proposal was carried, twelve members voting in favour and three against.

### **Recommended:**

That Council:

- Proceed with procurement process to deliver the Conservation Works by March 2011 in line with external funding requirements.
- Formally withdraw the NITB bid as it is not deliverable within the NITB spend requirements.
- Develop and resubmit a revised PEACE III 2.1 bid for 100% funding for eligible costs as per Option 2 as detailed in the report.
- Officers give full consideration to the adequacy of project management support for all major projects; and that associated costs are built into the scheme where possible.
- Identify an alternative option should external funding not be secured and report back at a later date.

## **10.0 RPA UPDATE - IMPROVEMENT COLLABORATION AND EFFICIENCY PROGRAMME: GOVERNANCE CONSULTATION**

The Town Clerk and Chief Executive updated members on this governance consultation.

### **Recommended:**

That Council support Option 2, as detailed in the report, as the preferred governance structure to underpin the Improvement, Collaboration and Efficiency programme and endorse the operational principles as set out in the NILGA consultation paper.

The Town Clerk and Chief Executive reminded members that authority to make a decision on this item had been delegated to Committee by Council on 24<sup>th</sup> August, 2010.

## **11.0 TOURISM CONFERENCE**

Alderman Mrs. Hickey informed Committee of a Tourism Conference and advised she would forward information regarding it to the Town Clerk and Chief Executive who would ascertain if it was appropriate for the Town Clerk and Chief Executive or other officer to attend.

## PLANNING COMMITTEE

14 September, 2010.

**Present:** Alderman W. J. McClure in the Chair  
The Mayor, Councillor N. F. Hillis  
The Deputy Mayor, Councillor A. S. Cole

### **Aldermen**

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

D. McClarty

### **Councillors**

C. S. Alexander (Mrs.)  
D. D. Barbour  
J. M. Bradley  
(Items 2.2. – 5.0)  
O. M. Church (Mrs.)  
T. J. Deans  
E. P. Fielding (Mrs.)  
B. Fitzpatrick

S. Gilkinson  
D. Harding  
(Items 3.0 – 5.0)  
W. A. King  
R. A. Loftus (Mrs.)  
G. L. McLaughlin  
R. A. McPherson  
A. McQuillan

**Also in Attendance:** Representatives from the Planning Service –  
Mr. P. Duffy and Mr. G. Walker

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

**Apologies:** Alderman Mrs. Black and Councillor Leonard

## **1.0 WELCOME**

The Chairman welcomed everyone to the Meeting.

## **2.0 PLANNING APPLICATIONS**

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

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

- |     |   |   |
|-----|---|---|
| 2.1 | <u>Application No. 1</u><br><u>C/2006/0692/O</u><br><u>Proposed site for one and a half storey farm retirement dwelling at Boleran Road, Garvagh, Coleraine (100m east of 100 Boleran Road) for Mr. D. Mullan</u> | The opinion of the Planning Service was to refuse.<br><br>It was agreed that the application be deferred for one month to facilitate the submission of further information. |
| 2.2 | <u>Application No. 2</u>  | The opinion of the Planning Service was   |

- C/2007/0413/F  
Erection of farm retirement dwelling and garage 320m south east of 84 Carhill Road, Garvagh for Mr. and Mrs. McClenaghan
- 2.3 Application No. 3  
C/2008/0950/F  
Retrospective application for retention of mobile home (seeking temporary planning approval for 6 years) adjacent to 93 Ballinteer Road, Coleraine for Mr. T. Wylie
- 2.4 Application No. 4  
C/2009/0071/F  
Erection of farm dwelling and detached garage 60m north of 29 Altikeeragh Road, Castlerock for Mr. P. Black
- 2.5 Application No. 5  
C/2009/0249/O  
Construction of dwelling and detached garage 20m south of 178 Agivey Road, Aghadowey, Coleraine for Mr. B. Dempsey
- 2.6 Application No. 6  
C/2009/0321/F  
Proposed new equestrian centre under Planning Policy Statement 8 (PPS8) open space, sport and outdoor recreation 400m north west of 40 Ballyrogan Road, Ringsend, Coleraine for Mr. M. O’Kane
- 2.7 Application No. 7  
C/2009/0569/F  
Amendment to extant approval C/2007/1156/F – demolition of existing outbuildings and erection of two and a half storey nursing home with associated car parking and landscaping south of 1-27 Nursery Avenue, Portstewart for Higgins Homes
- 2.8 Application No. 8  
C/2010/0130/F  
Proposed 2 no. steel framed storage sheds for storage of
- to refuse.
- It was agreed that the application be deferred for one month to facilitate the submission of further information or withdrawal.
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Deans, seconded by Councillor Barbour and agreed:
- That Council support an approval.
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be deferred for one month to facilitate the submission of further information.
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be deferred for one month to facilitate the submission of further information.
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be deferred for one month to facilitate the submission of further information.
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan,

electrical products eg. illuminations lighting (farm diversification) at 53 Grove Road, Garvagh for Mr. A. Maybin

seconded by the Deputy Mayor and unanimously agreed:

That Council support an approval.

2.9 Application No. 9 C/2010/0195/F  
Siting of new mobile home within the existing cartilage (temporary permission) at 95 Moneybrannon Road, Coleraine for Mrs. S. Shaw

The opinion of the Planning Service was to refuse.

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

That Council support an approval.

Following discussion it was agreed that the application be deferred for one month to facilitate the submission of further information.

Councillors King and Deans agreed to withdraw the proposal.

### **New Applications**

2.10 Application No. 6 C/2010/0176/F  
New dwelling and garage 500m south east of 9 Carragh Road, Bushmills for Mr. I. McGrotty and Mr. M. Moss

The opinion of the Planning Service was to approve.

It was proposed by Alderman Creelman, 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.

2.11 Application No. 10 C/2010/0388/O  
Dwelling on a farm (rural style dwelling) 166m north east of 17 Hillside Road, Garvagh for Mr. D. Mullan

The opinion of the Planning Service was to refuse.

It was proposed by Councillor McQuillan, seconded by Councillor Mrs. Loftus 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 1 October 2010.

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

#### **4.1 Motor Homes – Lansdowne Car Park, Portrush**

A member asked if the DRD Roads Service required planning permission to enable motor homes to park overnight at Lansdowne Car Park, Portrush.

Mr. Duffy referred to the right of vehicles to use public car parks but with regard to legislation this would have to be confirmed with Roads Service.

#### **4.2 Deferred Applications**

Reference was made to deferred applications and if there was a target time for returning them to Council.

Mr. Duffy advised that deferred applications had to be reassessed and the time taken depended on the current work load and the complexity of the applications. He added that applications were processed in chronological order.

Members were advised to contact Mr. Duffy for updates on any particular application.

### **5.0 THE PLANNING (FEES) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) (S.R. 2010 NO. 294)**

Read letter from the Planning Service Headquarters advising members that the above Regulations were made on 6 September 2010 and would come into operation on 4 October 2010. The effect of the Regulations would be to increase planning fees by approximately 2.9 per cent.

## **POLICY AND DEVELOPMENT COMMITTEE**

**21<sup>st</sup> September, 2010.**

**Present:** Councillor R. A. McPherson, in the Chair

The Mayor, Councillor N. F. Hillis

The Deputy Mayor, Councillor A. S. Cole

### **Aldermen**

E. T. Black (Mrs.)

W. T. Creelman

M. T. Hickey (Mrs.)

(Items 2.0 – 10.0)

D. McClarty

### **Councillors**

C. S. Alexander (Ms.)

(Items 2.0 – 10.0)

D. D. Barbour

O. M. Church (Mrs.)

T. J. Deans

B. Fitzpatrick

S. Gilkinson

D. Harding

B. Leonard

R. A. Loftus (Mrs.)

A. McQuillan

(Items 2.0 – 10.0)

### **Officers in Attendance:**

Town Clerk and Chief Executive, Director of Corporate Services, Head of Performance, Policy and Governance, Economic Development Manager (Items 1.0 – 2.1), Peace III Manager (Items 1.0 - 2.2), Tourism Manager (Items 1.0 – 2.3), Administrative Assistant and Receptionist / Clerical Assistant

### **Apologies:**

Councillors Mrs. Fielding, King and McLaughlin

### **Also in Attendance:**

Mr. Andrew Haley, The Paul Hogarth Company  
(Items 1.0 – 2.1)

## **1.0 CHAIRMAN'S REMARKS**

The Chairman extended best wishes for a speedy recovery to Alderman McClure who had been taken into hospital as an outcome of illness.

## **2.0 DEVELOPMENT SERVICES' REPORT**

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

Matters arising:

### **2.1 Coleraine Masterplan – Update Presentation**

The Chairman welcomed Mr. Andrew Haley, The Paul Hogarth Company, who was in attendance to present an update on the Coleraine Masterplan. Members noted that Mr. William Cameron, DSD, had been unable to attend the meeting due to illness but would be happy to receive questions from Members.

Mr. Haley outlined the process involved in the project and updated Members on progress with activities currently being undertaken including site appraisal,



stakeholder consultation, town centre health check, retail and commercial leisure capacity study, sectoral capacity analysis and review of documents.

A period of discussion ensued during which Mr. Haley answered Members' queries on various issues and advised that it was hoped to launch the Masterplan in July 2011.

The Economic Development Manager noted a Member's question in relation to progress with other Masterplan projects and would pass this to Mr. Cameron at DSD for response.

It was noted that the Stakeholders' Forum would take place on 5<sup>th</sup> October in Coleraine Town Hall and that individual invitations would be forwarded to Members.

## **2.2 Peace III Phase 2 Plan Presentation**

Ms. Patricia McCallion, Peace III Manager, was welcomed to the Meeting. Ms. McCallion presented a summary of the North East Peace III Phase 2 Action Plan 2011 – 2013 (previously supplied) and an outline of progress to date. It was noted that the Action Plan had been ratified by Joint Committee and presented to the six councils in the North East Cluster for endorsement.

During a period of discussion Ms. McCallion answered Members' queries on a variety of issues including good practice, community engagement, faith work, focus of Peace III funding and evaluation of programmes. In response to a question relating to support for the Coleraine Museum project, the Town Clerk and Chief Executive advised that following advice on the original application from SEUPB, a re-submission would be made between October – December 2010.

A Member's query on figures contained in the presentation was noted by the Peace III Manager who would respond to Members.

### **Recommended:**

On the proposal of Councillor Barbour and seconded by Alderman McClarty, that Council endorses the North East Peace III Phase 2 Action Plan 2011 – 2013.

The Peace III Manager was congratulated for work carried out on action programmes to date.

## **2.3 Regional Tourism Delivery**

Members noted that, in tandem with the preparations for drawing up terms of reference for a joint review of Council contributions to regional tourism bodies, liaison with the Northern Ireland Tourist Board and DETI around the ongoing delivery of the Causeway Coast and Glens (CC&G) Tourism Masterplan had also taken place. Two specific issues had arisen from these discussions, as detailed in the report.

During a period of discussion, the Tourism Manager clarified various issues and answered Members' questions. It was noted that the total cost of the review would be £10,000, 50% of which would be funded by the Northern Ireland Tourist Board (NITB). Cost to Council would be in the region of £600.

In response to Members' concerns on this issue, Mr. Thompson suggested that

the Terms of Reference be brought back to Committee for scrutiny when available.

**Recommended:**

On the proposal of Alderman Mrs. Hickey, seconded by the Mayor and with fifteen votes in favour and one against, that the review of regional tourism by the CC&G Councils be expanded in order to address the issues as highlighted in the report.

**3.0 CORPORATE SERVICES' REPORT**

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

Matters arising:

**3.1 Application for Loan Sanctions**

The Director of Corporate Services presented a request for approval of loan sanctions, as set out in the report.

**Recommended:**

That the following loan sanctions be approved:

1)	Kilrea kickabout area	£110,000
2)	Waterworld – slides refurbishment	£20,000
3)	Land purchase – Portrush Station Square	£150,000
4)	New vehicles	£275,000

**3.2 For Information**

Members noted information on the undernoted topics:

- Abstract of Accounts 2009/10
- Financial Statement as at 31<sup>st</sup> July, 2010
- Employers' Pension Contributions
- Introduction of International Financial Reporting Standards (IFRS)
- Minutes of Audit Committee – 29<sup>th</sup> June, 2010
- Accounts for June 2010

**4.0 REVIEW OF PUBLIC ADMINISTRATION**

The Town Clerk and Chief Executive advised that work was continuing at a regional level on Business Cases related to the Improvement, Collaboration and Efficiency Programme.

**5.0 2011 SOMME PILGRIMAGE FOR THE 95<sup>TH</sup> ANNIVERSARY**

Read letter dated 8<sup>th</sup> September, 2010 from The Somme Association (previously supplied) advising that the pilgrimage to commemorate the 95<sup>th</sup> Anniversary of the Battle of the Somme would depart on 28<sup>th</sup> June, 2011 and return on 2<sup>nd</sup> July, 2011.

**Recommended:**

- (1) On the proposal of Councillor Gilkinson, seconded by Councillor McQuillan and with eight votes in favour and four against, that two representatives be

nominated to attend the 2011 Somme Pilgrimage.

(2) That the following Members be nominated:

The Mayor, Councillor Hillis and Alderman Mrs. Hickey.

**6.0 CIPFA ANNUAL CONFERENCE**

Read letter from NILGA advising that the CIPFA Annual Conference 2010 would take place in the Slieve Donard Hotel, Newcastle on 23<sup>rd</sup>/24<sup>th</sup> September, 2010 and inviting up to three elected members to attend as complimentary day delegates.

The letter was marked as read.

**7.0 CONFERENCE: 'MAXIMISING THE IMPACT OF EU FUNDS - ENERGISING GROWTH'**

Read notice (previously supplied) advising that this conference would take place in the Hilton Hotel, Templepatrick on 27<sup>th</sup> October, 2010 and inviting nominations for up to five elected members and officers to attend.

**Recommended:**

That the following Members be nominated:

Councillors Fitzpatrick, Gilkinson, King and Loftus.

Any other Members interested in attending were asked to advise the Town Clerk and Chief Executive.

A request from a Member for feedback from this Conference, was noted.

**8.0 PROPOSED COLERAINE (TRANSFER OF HARBOUR UNDERTAKING) ORDER (NI)**

Members were advised that a public consultation on this proposed legislation had now commenced and would be running in parallel to Council's due diligence checks.

**9.0 CONSULTATION ON INTRODUCTION OF RATING OF VACANT DOMESTIC PROPERTIES**

In response to a Member's question, it was confirmed that Council had previously made submission to the Consultation on the introduction of rating of vacant domestic properties. At the request of the Member, the Town Clerk and Chief Executive would establish what stage the process was at and make a further submission on behalf of Council.

**10.0 OFMDFM CONSULTATION - SCHEDULE OF CONSULTATION EVENTS ON THE PROGRAMME FOR COHESION, SHARING AND INTEGRATION**

Having been overlooked in the original schedule of consultation events, it was noted that a meeting had now been arranged in Coleraine, to take place on 12<sup>th</sup> October, 2010 in the Lodge Hotel, from 7.45-10.00 pm.

Members' disappointment that the meeting had been arranged on the same night on which Council meetings were held, was noted.