

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** 22 June 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 – 25 May 2010
  - 1.2 Special Meeting – 25 May 2010
  - 1.3 Annual Meeting – 7 June 2010
  - 1.4 Special Meeting – 8 June 2010
2. Committee Reports (enclosed):
  - 2.1 Leisure and Environment Committee – 1 June 2010
  - 2.2 Planning Committee – 8 June 2010
  - 2.3 Policy and Development Committee – 15 June 2010
3. Northern Ireland Housing Executive – Coleraine District Housing Plan and Local Housing Strategy 2010-2011 (enclosed)

Representatives from the Northern Ireland Housing Executive will be in attendance to present the report.

4. Notice of Motion

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

“This Council agrees to request a detailed briefing from representatives of the North West Regional Waste Management Group (NWRWGM) on the need for a super-dump at Cam Road, Ringsend given the advanced stage of process towards an MBT plant for the NWRWGM which will take all waste from constituent councils from 2013.”

5. Correspondence, including inter alia:

- (a) Health & Safety Executive for Northern Ireland (HSENI) Appointment of Chairperson (copy letter dated 11 May 2010 from Department of Enterprise, Trade & Investment enclosed).
- (b) Post Office Network – Consultation & Communication
  - (i) Copy letter dated 2 June 2010 (enclosed)
  - (ii) Copy letter dated 7 June 2010 regarding Portrush Branch (enclosed)
- (c) Reports available in Members’ Library (List enclosed)

6. Consultation List (enclosed)

7. Documents for Sealing

**Enclosed for Information:**

- i) Letter dated 15 June 2010 from Minister of the Environment to the Speaker of the NI Assembly concerning Local Government Reform.
- ii) Letter dated June 2010 from OFMDFM regarding Council’s support of Strabane District Council’s request for a regulatory framework for oil, solid fuel and LPG.

To: Each Member of Council

18 June 2010



#### 4.1.1 Beach Lifeguard Service 2011

**Agreed:**

On the proposal of Councillor Deans and seconded by Alderman McClarty, that the RNLI be offered the opportunity to take up a collection on the beach during 2010.

#### 4.1.2 Craigmore Landfill Site – Smell

Members were advised that the situation at this site had improved sufficient that the NIEA had now lifted the notice previously served.

#### 4.1.3 Entertainment Licence - The York, Ground Floor and First Floor Restaurant, 2 Station Road, Portstewart

Members noted that the application for a Variation of Licence had been withdrawn by the applicant. The recommendation from Committee that the Transfer of Licence be granted subject to all special conditions included in previous licences, remained.

The Committee Report was agreed subject to the amendments.

### 4.2 Planning Committee

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

### 4.3 Policy and Development Committee

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

Matters arising:

#### 4.3.1 Financial Contribution to Sperrins Tourism Ltd.

Consideration was given to an email request from Sperrins Tourism Ltd. to make a presentation to Council.

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

That decision be deferred to allow a presentation by Sperrins Tourism Ltd.

The Head of Development Services reminded Members of the work carried out by the Causeway Coast and Glens and COLLAGE groups on behalf of Council.

Following a period of discussion, Councillor McQuillan withdrew his proposal in favour of the recommendation from Committee. The Committee Report was, therefore, agreed.

## **5.0 TECHNICAL SERVICES**

### **5.1 Street Trading**

#### **5.1.1 Stationary Street Trading Licence**

Consideration was given to an application for renewal of a licence, as contained in the report.

#### **Agreed:**

That the application be approved.

### **5.2 Entertainment Licence**

#### **5.2.1 Portballintrae Boat Club, The Harbour, Portballintrae**

An application for grant of an Entertainment Licence had been received from Ms. L. Neill.

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

Monday – Saturday: 11.30 am – 11.30 pm, except on those occasions when a late licence has been granted, 11.30 am – 1.00 am.

Sunday: 12.30 pm – 10.00 pm.

#### **Agreed:**

That the Entertainment Licence be granted subject to special conditions as contained in the report.

## **6.0 INVITATION TO CARRICKFERGUS ANNUAL BATTLE OF THE SOMME REMEMBRANCE**

Read letter dated 5<sup>th</sup> May, 2010 (previously supplied) inviting Members to attend this annual event on Sunday 27<sup>th</sup> June, 2010.

#### **Agreed:**

On the proposal of the Mayor and seconded by Alderman McClarty, that the new Mayor attend the ceremony and/or any other Member(s) who so wished.

Any Members interested in attending were asked to contact the Head of Performance, Policy and Governance by 28<sup>th</sup> May, 2010.

## **7.0 DOCUMENTS TABLED**

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

## **8.0 CONSULTATION LIST**

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 before the due date for comments as detailed in the report.

## 9.0 **DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

### 1.0 Cemetery Titles

Grant of Right of Burial - Deeds Register Nos. 3633 – 3638 inclusive.

Agherton	1
Ballywillan	3
Coleraine	1
Kilrea	-
Portstewart	1

Advanced Deeds Register Nos. 0253 – 0254 inclusive.

Agherton	1
Ballywillan	-
Coleraine	1
Portstewart	-

## SPECIAL MEETING

25<sup>th</sup> May, 2010.

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

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

The Deputy Mayor, Councillor W. A. King

### **Aldermen**

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

D. McClarty  
W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)  
D. D. Barbour  
J. M. Bradley  
O. M. Church (Mrs.)  
A. S. Cole  
E. P. Fielding (Mrs.)

D. Harding  
N. F. Hillis  
B. Leonard  
R. A. Loftus (Mrs.)  
G. L. McLaughlin  
R. A. McPherson

**Officers in Attendance:** Director of Technical Services and Administrative Assistant

## **1.0 WELCOME**

The Mayor welcomed Mr. Uel Wilson, Acting Divisional Roads Manager and Mr. Austin Montgomery, Section Engineer Coleraine, who were in attendance to present the Northern Division Roads Report 2010/2011 (previously supplied).

## **2.0 ROADS SERVICE - NORTHERN DIVISION - ROADS REPORT 2010/2011**

Mr. Wilson presented a resume of work carried out in 2009/10 alongside the programme for 2010/11, which covered the following topics:

- Network Maintenance - road and footway resurfacing, surface dressing and treatment and drainage.
- Network Development – minor works and traffic schemes, traffic management, maintenance of structures and street lighting.
- Strategic Road Improvements – major works schemes.

A period of discussion ensued during which the representatives noted comments and answered Members' questions on a variety of issues including winter gritting of roads and town centre; repairing damage to roads; and overnight stays in Lansdowne Road car park.

In response to queries in relation to blue badge parking in the town centre following receipt of a letter of complaint, the representatives agreed to check this out and respond to Members.

The Mayor thanked the representatives for their presentation.

## **ANNUAL MEETING**

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin on Monday 7 June 2010 at 6.30 pm.

**Convened:** As per Notice attached

**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.)	

### **Councillors**

C. S. Alexander (Ms.)	B. Fitzpatrick
D. D. Barbour	D. Harding
J. M. Bradley	B. Leonard
O. M. Church (Mrs.)	R. A. Loftus (Mrs.)
A. S. Cole	G. L. McLaughlin
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, Head of Performance, Policy and Governance, Principal Administrative Officer, Acting PR Manager and Administrative Assistant

## **1.0 OUTGOING MAYOR'S REMARKS**

The outgoing Mayor, Councillor Gilkinson, welcomed members to the meeting.

Councillor Gilkinson reflected on his year in office and the number of official engagements attended. Councillor Gilkinson thanked the outgoing Deputy Mayor, Aldermen, Councillors and staff for their support during his term in office.

Members paid tribute to Councillor Gilkinson for the manner in which he had carried out his official duties.

## **2.0 ELECTION OF MAYOR**

It was proposed by Alderman McClarty, seconded by Alderman McClure and agreed:

That Councillor Hillis be appointed Mayor for 2010/2011.

On taking the Chair, Councillor Hillis signed the formal acceptance of office and thanked Council for their endorsement of him as Mayor.

Members congratulated Councillor Hillis on his appointment.



### **3.0 ELECTION OF DEPUTY MAYOR**

It was proposed by Alderman McClure, seconded by Councillor Mrs. Fielding and agreed:

That Councillor Cole be appointed Deputy Mayor for 2010/2011.

The Mayor congratulated Councillor Cole on his appointment to the post of Deputy Mayor.

### **4.0 CHAIRMEN OF STANDING COMMITTEES**

#### **4.1 Leisure and Environment Committee**

It was proposed by Alderman McClure, seconded by Alderman Creelman and agreed:

That Councillor Bradley be appointed Chairman of the Leisure and Environment Committee for 2010/2011.

#### **4.2 Alderman Mrs. Hickey – Remarks**

At this stage in the proceedings Alderman Mrs. Hickey expressed concern regarding the Chairmen of Committees being elected either from the Ulster Unionist Party or the Democratic Unionist Party.

Following discussion it was proposed by Councillor Deans and seconded by the Deputy Mayor:

That the Mayor proceed to the next business.

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

#### **4.3 Planning Committee**

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

That Alderman McClure be appointed Chairman of the Planning Committee.

#### **4.4 Policy and Development Committee**

It was proposed by Councillor King, seconded by Alderman McClarty and agreed:

That Councillor McPherson be appointed Chairman of the Policy and Development Committee.

### **5.0 APPOINTMENT OF REPRESENTATIVES**

- a. Internal Sub Groups/Working Groups that require balanced representation
- b. Bodies where either membership numbers or make-up is predetermined
- c. External Agencies/Partnerships – Group 1
- d. Local Government Bodies – Group 2

- e. Management Committees and Community Groups – Group 3
- f. Committee Appointments 2010/2011 – Group 4

In accordance with the decision of Council on 26 May 2009, appointments to Groups a; b; c; d; e; f; were rolled forward with the provision that any party could change the name of the Councillor. Agreed.

## **6.0 COMMITTEES - STRUCTURE AND TIMETABLE**

Consideration was given to the Administrative Services' Report on Committees - Structure Timetable (previously supplied).

It was proposed by Councillor Bradley, seconded by Councillor Fitzpatrick and agreed:

That Council and Committee Meetings commence at 6.30 pm.

It was also agreed that the Policy and Development Committee and Council Meeting be combined on 21 December 2010.

## **7.0 ONGOING REPRESENTATION**

With regard to the groups listed in this category the Chief Executive was asked to consider how reporting from these meetings to other members of Council could be improved.

## **SPECIAL MEETING**

**8 June 2010.**

**Convened:** To receive presentation from Northern Regional College (NRC) representatives

**Present:** The Mayor, Councillor N. F. Hillis in the Chair  
The Deputy Mayor, Councillor A. S. Cole  
(Items 2.0 – 3.0)

### **Aldermen**

W. T. Creelman (Item 3.0)	D. McClarty (Items 2.0 – 3.0)
M. T. Hickey (Mrs.)	W. J. McClure

### **Councillors**

J. M. Bradley (Items 2.0 – 3.0)	S. Gilkinson
O. M. Church (Mrs.)	W. A. King
T. J. Deans	B. Leonard
E. P. Fielding (Mrs.)	R. A. Loftus (Mrs.)
B. Fitzpatrick	G. L. McLaughlin
	R. A. McPherson

**Officers in Attendance:** Principal Administrative Officer, Economic Development Manager and Administrative Assistant

**Apologies:** Alderman Mrs. Black, Councillors Barbour and McQuillan

## **1.0 WELCOME**

The Mayor welcomed Mr. Trevor Neilands, Director and Chief Executive and Mr. Ian Houston, Deputy Director of the Northern Regional College, who were in attendance to brief Council on the proposed Business Improvement Plan (consultation document previously supplied).

## **2.0 NORTHERN REGIONAL COLLEGE - BUSINESS IMPROVEMENT PLAN**

Mr. Neilands outlined the history of NRC elaborating on the number of students attending the Coleraine Campus and also the number of students travelling from Coleraine to other campuses. Reference was also made to the following:

- Outreach provision – community groups involved;
- Current business partnerships;
- Current school provision.

Within the Business Improvement Plan it was proposed that the Ballymoney and Coleraine campuses would be replaced by one new build in the Council area.

It was noted that the consultation began on 7 May 2010 and would close on 23 July 2010. The responses would then be considered by the governing body and the final plan agreed on 17 August 2010.

During a period of discussion the representatives answered various members' questions regarding the proposals.

The Mayor thanked the representatives for the very informative presentation.

### **3.0 NOTICE OF MOTION**

The undernoted Notice of Motion was proposed by Councillor Leonard and seconded by Alderman McClarty:

“Given the proposed re-structuring of the Northern Regional College, this Council agrees to totally support (i) the retention of a campus in Coleraine, (ii) any consideration of a new-build complex in the town and (iii) the provision of a comprehensive range of courses at the campus.

Council further agrees to convey this in writing to the Director and Chief Executive of the NRC, the Minister of Employment and Learning and the Assembly's Education and Learning Committee”.

Councillor Leonard spoke to the Motion and requested Council's support.

It was unanimously agreed that Council support the Motion.

It was further agreed that the Economic Development Manager prepare a draft formal response to the Consultation and that Council consult annually with the Northern Regional College.

## LEISURE AND ENVIRONMENT COMMITTEE

1<sup>st</sup> June, 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.)	D. McClarty
W. T. Creelman	W. J. McClure
M. T. Hickey (Mrs.)	(Items 1.0 – 7.0)

### **Councillors**

C. S. Alexander (Ms.) (Items 1.0 – 6.0)	B. Fitzpatrick
D. D. Barbour	N. F. Hillis
J. M. Bradley	R. Loftus (Mrs.)
O. M. Church (Mrs.)	G. L. McLaughlin
T. J. Deans	R. A. McPherson
(Items 1.0 – 7.0)	A. McQuillan
E. P. Fielding (Mrs.)	(Items 3.1.1 – 11.1.6)

### **Officers in Attendance:**

Town Clerk and Chief Executive, Director of Technical Services, Director of Environmental Health, Interim Director of Leisure Services, Leisure Services Officer (Services) (Items 1.0 – 11.0), Senior Technical Officer (Items 3.1.2 - 11.1.6) and Administrative Assistant.

## **1.0 WELCOME**

The Chairman welcomed everyone to the meeting and extended a special welcome to Mr. Peter Appleton, the Interim Director of Leisure Services.

## **2.0 "IN COMMITTEE"**

It was agreed that the "In Committee" items be discussed at the end of the meeting.

## **3.0 ENVIRONMENTAL HEALTH REPORT**

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

Matters arising:

## **3.1 Strategy for Sustainable Development**

### 3.1.1 Council Strategy

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

#### **Recommended:**

That Council approve the following five priority areas in order to achieve a 15% improvement in the overall organisational SAM score:

Strategic integration	-	embedding at service level
	-	measurement and review
	-	capacity building
Internal integration	-	communication
	-	environmental management

### 3.1.2 Borough Strategy

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

#### **Recommended:**

That Council approve the preparation and development of a draft Borough Sustainable Development Strategy, as outlined in the report, for consideration this year.

The Director of Environmental Health answered members' various questions and noted comments.

### 3.2 For Information

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

- North West 200 – Health and Wellbeing Event
- Skills Development – Complimentary Training
- Health and Wellbeing Week – Evaluation Report
- Streetwise – Monday, 7<sup>th</sup> – Friday, 11<sup>th</sup> June, 2010
- Men's Health Week – Monday, 14<sup>th</sup> – Friday, 18<sup>th</sup> June, 2010

#### 3.2.1 Outcome of Legal Proceedings

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

Members noted the undernoted details on this topic.

- (i) Defendant: Justin Purcell  
12 Ardina Road  
Castlerock
- Offences:
- (i) Allowing a dog to stray contrary to Article 22 of The Dogs (NI) Order 1983
  - (ii) The dog was not wearing identification contrary to Article 31 (2) of The Dogs (NI) Order 1983

Result:	Fines	£ 25 x 2
	Costs	£ 70
	Court Costs	£ 19
	Total	£139

(ii) Defendant: Mrs. Alison Cunning  
9 Glenburn Crescent  
Coleraine

Offence: Keeping a dog without a valid licence contrary to Article 17 (1)  
of The Dogs (NI) Order 1983

Result:	Fine	£ 50
	Costs	£ 70
	Court Costs	£ 16
	Total	£136

#### **4.0 TECHNICAL SERVICES REPORT**

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

Matters arising:

#### **4.1 Entertainment Licence**

##### **4.1.1 Garage/Store, 20 Mayoghill Road, Garvagh**

An application for a grant of an Entertainment Licence had been received from Mr. D. McFetridge.

Day and time on which it is intended to provide entertainment:

18<sup>th</sup> June 2010: 7.30 p.m. – 1.00 a.m.

#### **Recommended:**

That the Entertainment Licence be granted subject to 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:

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

#### **4.2 Ruinous and Dilapidated Buildings and Neglected Sites**

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

A discussion ensued and the Director of Technical Services answered members' various questions and noted comments.

**Recommended:**

That the matter be referred to the Property Working Group for the individual buildings involved to be considered and to explore the serving of notices under Article 66 of the Pollution Control and Local Government (NI) Order 1978.

The Director of Technical Services would arrange a meeting.

**4.3 For Information**

**4.3.1 North West Regional Waste Management Group**

The Director of Technical Services updated members on this topic, as detailed in the report.

Members were disappointed to learn that it was proposed to include a condition within the MBT contract that residual waste produced at the MBT plant would be disposed at Craigahulliar, until the site had reached its capacity, at cost price with no element of profit for Council.

A member suggested that before anything was agreed a meeting be arranged to discuss the matter in more detail.

The Director of Technical Services advised that he would arrange a meeting, investigate figures and seek legal advice.

**4.3.2 Litter Prosecution – Article 3 (1) of The Litter (NI) Order 1994**

**Outcome of Legal Proceedings**

Members noted the undernoted details on this topic:

Defendant/Offender: Mrs. A. Kane  
6 Oakvale Park  
Coleraine

Result: Convicted

Defendant to pay: Fine £50  
Legal Costs £70  
Court Costs £16

A discussion ensued about the low level fines for litter offences.

**Recommended:**

On the proposal of Councillor Deans and seconded by Alderman McClure, that Council write to the Justice Minister to ask for an increase of fines for litter offences to reflect the adverse effect of littering in the province.

**4.3.3 Building Control**

Members noted that approval had been granted for 63 applications.



## 5.0 LEISURE SERVICES REPORT

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

Matters arising:

### 5.1 County Londonderry Football Association

#### **Recommended:**

That Council contribute £500 to the County Londonderry Football Association to support preparation for and participation in the 2010 Northern Ireland Milk Cup Football Tournament.

### 5.2 Garvagh Clydesdale and Vintage Vehicle Club

#### **Recommended:**

That Council contribute £1,000 to Garvagh Clydesdale and Vintage Vehicle Club to assist them with promoting the Annual Show and Parade in Garvagh on Saturday 4<sup>th</sup> September, 2010.

### 5.3 Portrush Summer Theatre

#### **Recommended:**

That Council contribute £2,000 to Portrush Summer Theatre to assist them with the promotion of the 2010 season.

### 5.4 For Information

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

- Summer Recreation Programme 2010
- Museums
  - Coleraine Regional Museum at the Market Yard  
**Members noted that an updated report on the project would be presented at a Special Meeting at the end of the month.**
  - Peace III 7a Cultural Connections
  - Hugh Thompson 150<sup>th</sup> Anniversary
- 6<sup>th</sup> Annual Causeway Coast Ford Fair – Sunday, 6<sup>th</sup> June, 2010
- Castlerock Clydesdale Horse Show and Family Fun Day – Saturday, 12<sup>th</sup> June, 2010
- Causeway Coast Triathlon - Sunday 13<sup>th</sup> June, 2010
- Schools Beach Volleyball Competition and Adult Pairs Competition – Friday, 25<sup>th</sup> June and Saturday, 26<sup>th</sup> June, 2010
- Kilwacky Races, Kilrea – Saturday, 26<sup>th</sup> June, 2010
- Guided Walks Programme
- Bike Week – 13<sup>th</sup> – 27<sup>th</sup> June, 2010

**6.0 LETTER FROM EDWIN POOTS, MINISTER OF THE ENVIRONMENT AND NOTE FROM NILGA – PROGRESSING THE DELIVERY OF LOCAL GOVERNMENT REFORM**

Read letter dated 28<sup>th</sup> May, 2010 from Edwin Poots, Minister of the Environment, (circulated) seeking to ascertain if Local Government would fund the full up front cost of implementation.

**Recommended:**

That Council respond by stating that Local Government is not opposed to funding the reform programme, however, a robust business case with more detail is required before a firm commitment could be given.

**7.0 ON-STREET DRINKING BYE-LAWS**

In response to a member's question, the Director of Environmental Health advised that the current bye-laws were being reviewed and revised areas would be brought to Council for approval.

**8.0 TOILETS - THE CRESCENT, PORTSTEWART**

A member advised that he had received complaints regarding the lack of toilet facilities at The Crescent, Portstewart and queried if toilets in the café were for patrons only.

The Leisure Services Officer (Services) advised that there were two toilets for the public and two for the café. He informed members that difficulties could arise at peak times but the main toilets at the Town Hall could also be used. He reported that portaloos could be brought in for large events which would alleviate the problem and better signage for the main toilets could be investigated.

**9.0 MOTOR HOMES - LANSDOWNE, PORTRUSH**

A member requested an update on the parking of motor homes at Lansdowne, Portrush. The Director of Technical Services advised that he contacted Roads Service asking if something could be done in the interim period but he had not received a reply.

The Director of Environmental Health suggested that members may wish to raise the issue again with Roads Service.

**10.0 COLERAINE TWELFTH FESTIVAL 2010**

A member advised that the Causeway Speciality Market was due to be held on Saturday, 10<sup>th</sup> July, 2010 which coincided with events for the Coleraine Twelfth Festival at The Diamond, Coleraine and suggested that the Market be held a week later on 17<sup>th</sup> July, 2010.

The Town Clerk and Chief Executive would investigate the matter.

## PLANNING COMMITTEE

8 June 2010.

**Present:** Councillor 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  
W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)  
J. M. Bradley  
O. M. Church (Mrs.)  
T. J. Deans  
E. P. Fielding (Mrs.)  
B. Fitzpatrick  
S. Gilkinson  
D. Harding

W. A. King  
B. Leonard  
R. A. Loftus (Mrs.)  
G. L. McLaughlin  
R. A. McPherson  
A. McQuillan  
(Items 3.0 – 11.3)

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

**Officers in Attendance:** Principal Administrative Officer, Senior Environmental  
Health Officer and Administrative Assistant

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

### **1.0 WELCOME**

The Chairman welcomed everyone to the Meeting.

### **2.0 ELECTION OF VICE CHAIRMAN**

It was proposed by Councillor Mrs. Church and seconded by Alderman McClarty:

That Councillor King be appointed Vice Chairman.

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

That Councillor Ms. Alexander be appointed Vice Chairman.

On being put to the Meeting Councillor Ms. Alexander received five votes and Councillor King received eleven votes.

### **3.0 DRAFT NORTHERN AREA PLAN - UPDATE**

The Chairman welcomed Miss Heather McSparron and Mrs. Karen Dickson, NAP Team, who were in attendance to update members on the Draft Northern Area Plan.

Miss McSparron elaborated on the independent process including the formal timetable which scheduled the enquiry to commence April/May 2011.

A full discussion ensued when Miss McSparron answered various members' questions including concerns regarding the timescale of the process.

It was agreed that Council's Planning Consultant be requested to update members on Council's submission to the Draft NAP consultation

The Chairman thanked the representatives for attending.

#### **4.0 PLANNING APPLICATIONS**

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

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

- |     |   |  |
|-----|---|--|
| 4.1 | <u>Application No. 1</u><br><u>C/2008/0625/F</u><br><u>Retrospective planning application for road side lay-by approximately 35m in width and 10m in depth and weighbridge on lands to the south of No. 56 Ballinteer Road, Macosquin for J. Christie</u> | The opinion of the Planning Service was to refuse.<br><br>Correspondence dated 4 June 2010 from WYG Planning, Belfast had been circulated to each member.<br><br>It was agreed that the application be removed from the schedule to facilitate reassessment by the Planning Service. |
| 4.2 | <u>Application No. 2</u><br><u>C/2009/0771/F</u><br><u>Single storey rear extension to provide family room at 4 Cairnvale Park, Coleraine for Mr. and Mrs. Robinson</u>   | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.   |
| 4.3 | <u>Application No. 3</u><br><u>C/2009/0803/F</u><br><u>Retention and conversion of stable block for residential use at 22A Atlantic Road, Coleraine for Ms. H. Jackson</u>  | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.   |

##### **New Applications**

- |     |   |   |
|-----|---|---|
| 4.4 | <u>Application No. 4</u><br><u>C/2009/0696/F</u><br><u>Proposed replacement dwelling with attached garage at 42 Drumsaragh Road, Kilrea for Mr. and Mrs. B. McCloskey</u> | The opinion of the Planning Service was to refuse.<br><br>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.
- 4.5      Application No. 7  
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, seconded by Councillor Gilkinson 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.
- 4.6      Application No. 11  
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 refuse.
- It was proposed by the Deputy Mayor, seconded by Councillor Deans 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.
- 4.7      Application No. 13  
C/2010/0083/O  
Site for dwelling beside 24 Creamery Road, Coleraine for Mr. I. Carson
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Bradley, seconded by Councillor McPherson and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 4.8      Application No. 14  
C/2010/0086/F  
Demolition of existing building and construction of three apartments at 17a Bath Terrace, Portrush for McCloskey & O'Kane
- The opinion of the Planning Service was to approve.
- 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.
- 4.9      Application No. 21  
C/2010/0163/F  
Proposed re-orientation of previously approved dwelling (C/2008/0503/RM) and new access drive onto existing lane adjacent to 51 Boleran Road, Garvagh for Mr. M. McKay
- 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.
- 4.10      Application No. 22  
C/2010/0164/F  
Proposed farm dwelling 220m south east of the junction of Coolnasillagh Road and Belraugh Road, Garvagh for Mr. P. McGilligan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Loftus, seconded by Councillor King 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.
- 4.11      Application No. 23  
C/2010/0172/F  
Change of use of existing vacant showroom unit Class A1 (e) to call centre Class B1 (b) and amended car parking layout at 11 Somerset Road, Coleraine for Frazer Kidd & Partners
- The opinion of the Planning Service was to approve.
- It was unanimously agreed that the application be approved.
- 4.12      Application No. 26  
C/2010/0195/F  
Siting of new mobile home within the existing curtilage (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, seconded by Councillor Deans 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.

4.13 Application No. 27  
C/2010/0197/F  
Proposed infill dwelling and garage  
29m south west of 33  
Moneybrannon Road, Aghadowey  
for Mr. M. Benson

The opinion of the Planning Service was to refuse.

It was proposed by Councillor McQuillan, seconded by Councillor Deans 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 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday 2 July 2010.

## **6.0 PLANNING APPEALS INFORMATION**

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

### **6.1 Appeal against Enforcement Notices:**

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

**Alleged unauthorised use of land for a vehicular access, laneway and garden, making a material change in the use of the said lands, land at 89A Mettican Road, Garvagh for Mr. Norman McFarlane**

The above appeals had been heard on 1 April 2010 and members noted the decision of the Planning Appeals Commission.

## **7.0 NORTHERN IRELAND ENVIRONMENT AGENCY** **CRITERIA FOR LISTING - CONSULTATION DOCUMENT** **ON PROPOSED REVISIONS TO ANNEX C OF PLANNING** **POLICY STATEMENT 6**

Consideration was given to the above consultation document (previously supplied). It was noted that responses were to be submitted by 5 July 2010.

Members noted the proposed revisions contained in the consultation document. It was, however, agreed to write to the Northern Ireland Environment Agency urging the consistent and stringent application of the existing legislation and more rigorous enforcement action against offenders.

## **8.0 PPS 21 - SUSTAINABLE DEVELOPMENT IN THE COUNTRYSIDE**

Read letter dated 2 June 2010 from the Planning Service advising members that the

Minister of the Environment had announced the publication of the final version of the new rural planning policy PPS 21 – Sustainable Development in the Countryside (copy circulated to each member). Noted.

## **9.0 NILGA RESPONSE - REFORM OF LOCAL GOVERNMENT**

Letter dated 4 June 2010 from the President of NILGA to the Minister of the Environment, regarding the Reform of Local Government, was circulated to each member for information.

## **10.0 NILGA ENGAGEMENT EVENT**

Reported that a Joint Engagement Event, between NILGA and SOLACE, entitled 'Efficiencies and Improvement – The Way Forward' would be held in the Hilton Hotel, Templepatrick on 16 June 2010 from 10.00 am – 1.00 pm. Invitations had been extended to NILGA Executive members, Chief Executives, three additional members from each Council and Transition Managers.

It was agreed:

That the Mayor, Deputy Mayor and the Vice Chairman attend the Event.

## **11.0 PLANNING ISSUES RAISED BY MEMBERS**

### **11.1 Landfill Site – Craigmore Road, Garvagh**

Reference was made to alleged work being carried out around the perimeter fence at the above landfill site.

It was agreed that the Principal Administrative Officer write to the Enforcement Section of the Planning Service requesting an update on the present position.

### **11.2 Lansdowne Crescent, Portrush Applications C/2006/0941/F – Apartment Development and C/2009/0425/F Nursing Home Development**

#### **Application C/2009/0026/F – Hopefield Avenue, Portrush**

The Principal Administrative Officer was asked to contact the Planning Service with regard to queries, relating to the above applications, which had been raised at the May Planning Committee meeting.

### **11.3 Cemex (NI) Ltd. – Craigahulliar Road, Portrush Application C/2008/0311/F**

The Principal Administrative Officer was asked to write to the Minister of the Environment requesting a response with regard to the above application.



## **POLICY AND DEVELOPMENT COMMITTEE**

**15<sup>th</sup> June, 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.)	D. McClarty
W. T. Creelman	(Items 4.0 – 13.3.1)
M. T. Hickey (Mrs.)	W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)	B. Fitzpatrick
(Items 4.2 – 13.3.1)	(Items 1.0 – 3.2 and 3.4 – 13.3.1)
D. D. Barbour	S. Gilkinson
J. M Bradley	D. Harding
O. M. Church (Mrs.)	(Items 4.0 – 13.1.1)
T. J. Deans	W. A. King
E. P. Fielding (Mrs.)	R. A. Loftus (Mrs.)
	G. L. McLaughlin

### **Officers in Attendance:**

Town Clerk and Chief Executive, Director of Corporate Services, Head of Development Services, Head of Performance, Policy and Governance, Economic Development Manager (Items 1.0 – 4.0), Leisure Services Officer, Portrush Regeneration Manager (Items 1.0 – 4.0), Principal Administrative Officer (Items 1.0 – 3.0), Senior Technical Officer (Items 6.0 – 12.0), Economic Development Officer (Items 1.0 – 4.0) and Administrative Assistant

### **Also in Attendance:**

Mr. John Lindsay, Macaulay Wray Solicitors (Items 1.0 – 3.1)

## **1.0 CHAIRMAN'S REMARKS**

The Chairman welcomed everyone to the meeting and thanked his party colleagues for his nomination as Chairman of the Policy and Development Committee.

## **2.0 ELECTION OF VICE CHAIRMAN**

It was proposed by Alderman McClure and seconded by Councillor Mrs. Fielding:

That Councillor Gilkinson be elected Vice Chairman.

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

That Councillor Fitzpatrick be elected Vice Chairman.

On being put to the meeting, Councillor Gilkinson received nine votes and Councillor Fitzpatrick received four votes.

**Recommended:**

That Councillor Gilkinson be elected Vice Chairman of the Policy and Development Committee.

**3.0 LAND AND PROPERTY**

It was proposed by Alderman Mrs. Black, seconded by Councillor Mrs. Church and agreed:

That Land and Property items be considered 'In Committee'.

**4.0 DEVELOPMENT SERVICES' REPORT**

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

Matters arising:

**4.1 Economic Development Presentation**

The Economic Development Manager presented an update on the work of the unit over the past year and outlined current challenges and objectives in relation to the environment, the Corporate Plan, economic strategy and current activities. Committee also noted lobbying activities being carried out.

A period of discussion ensued during which, in response to Members' concerns in relation to resources, the Town Clerk and Chief Executive advised that he would be taking Members' comments on a variety of departmental issues in due course.

Members' suggestions for an update on economic development to be provided on a six-monthly basis, a sub-committee of Members to be established and mentoring provision to be included in programmes, were noted.

Members expressed appreciation of the work being carried out within the Economic Development department.

**Recommended:**

- (i) That specialist assistance be sought to help with the preparation of a new five-year Economic Development Plan. Members noted that a budget of up to £10,000 for this exercise had already been accounted for in this year's budget.
- (ii) That Council proceeds with the procurement of this series of Think Big programmes at a cost of £171,548.
- (iii) That Council approves £2,000 towards cross-council economic development activity for 2010-2014.
- (iv) That Council participates in the North East Partnership Interreg IV Business Improvement Districts project and, subject to legal advice, enters into a partnership agreement with Ballymena Borough Council to avail of the Interreg funding.

- (v) That Council approves the Exploring Enterprise Programme at a cost of £5,000.

#### **4.1 West Bay Environmental Improvement Scheme**

Consideration was given to information on this topic, including two options for progressing work at the Kart track project, as detailed in the report.

##### **Recommended:**

On the proposal of The Mayor and seconded by Councillor Gilkinson, that Council proceeds at risk with the detailed design work as outlined.

A period of discussion ensued during which Members' questions were answered by the Head of Development Services and the Portrush Regeneration Manager. In response to Members' requests, Ms. Mann confirmed that a breakdown of costs and expected funding for each phase of the programme would be made available in due course.

#### **4.2 For Information**

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

- Community Safety Partnership – Action Plan 2010/11.
- Community Development Small Grants Programmes.
- Consultations for Peace III Phase 2 Action Plan 2011-2013.
- Regeneration Plans.

### **5.0 LEISURE SERVICES' REPORT**

#### **5.1 Talks and Tours 2010**

A request had been received from the University of Ulster for a contribution towards this project.

##### **Recommended:**

That Council contributes £800 to Talks and Tours 2010.

### **6.0 CORPORATE SERVICES' REPORT**

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

Matters arising:

#### **6.1 For Information**

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

- Freedom of Information Act – Annual Review.
- VAT Refund.
- Penny Product Finalisation.
- Members' Mileage Allowances.
- Accounts.

## **7.0 TECHNICAL SERVICES' REPORT**

### **7.1 Entertainment Licences**

#### **7.1.1 Charly's Restaurant, 34 Newbridge Road, Coleraine**

An application for transfer of an Entertainment Licence had been received from Ms. L. Coulter.

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

Monday/Tuesday – Saturday/Sunday: 11.30 a.m. - 1.00 a.m.

Sunday: 12.30 p.m. – Midnight

#### **Recommended:**

That transfer of Entertainment Licence be granted subject to compliance with any recommendations made by Council's Licensing Department and the following special conditions:

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

#### **7.1.2 Christ Church Parish Hall, Main Street, Castlerock**

An application for an Entertainment Licence had been received from Rev. D. Matchett.

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

Monday – Saturday: 11.30 a.m. - 1.00 a.m.

#### **Recommended:**

That an Entertainment Licence be granted subject to compliance with any recommendations made by Council's Licensing Department and the following special conditions:

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

## **8.0 REVIEW OF PUBLIC ADMINISTRATION (RPA)**

Official notification of information reported in the press was awaited by the Town Clerk and Chief Executive. A report would be brought to Council when more information became available.

Disappointment at the outcome achieved following the long period of preparatory work by Council Members, officers and staff, was expressed by a number of Members.

## **9.0 ADMINISTRATIVE SERVICES**

### **9.1 Council Forecast of Events June – July 2010**

Consideration was given to information on key Council events and activities, as contained in the report (previously supplied).

Details of the Itinerary for the Raising of the Armed Forces Day Flag were noted; Members planning to attend the event were asked to be at Coleraine Town Hall for 10.15 am on 21<sup>st</sup> June, 2010.

The Head of Performance, Policy and Governance acknowledged the help of Mr. James Butler, on placement with Council from The Princes Trust, in producing the Forecast.

## **10.0 APPOINTMENT TO NORTH-EASTERN EDUCATION & LIBRARY BOARD (NEELB)**

Read letter from the Department of Education informing Council that neither of the nominations previously made for appointment to the NEELB had been deemed suitable and requesting two further nominations.

During a period of discussion, Members expressed annoyance at the terminology used in the letter. In response to Members' queries the Town Clerk and Chief Executive advised that the only additional information received had related to the criteria to be met viz Corporate Governance and Educational Services. He further advised that he understood the post was subject to a public appointments procedure, recommendations on which were put before the Minister.

### **Recommended:**

On the proposal of The Mayor and seconded by Alderman McClure, that the original nominations be resubmitted.

On the proposal of Councillor McLaughlin and seconded by Councillor Mrs. Loftus, that Alderman Mrs. Hickey also be nominated.

Further, that a letter be forwarded to the Department objecting strongly to the terminology used in its communication to Council.

Members noted that any requests for further information should be pursued individually.

## **11.0 PROPOSED TRANSFER OF COLERAINE HARBOUR**

Consideration was given to a letter from the Department for Regional Development (DRD), Ports and Public Transport Division, in relation to the future ownership of Coleraine Harbour (circulated).

A period of debate ensued during which reference was made to the need for careful consideration of this topic before any commitment would be made. The work of Coleraine Harbour Commission over the past two years was acknowledged.

**Recommended:**

- (i) With eighteen votes in favour and none against, that Council agrees in principle, subject to due diligence checks and review of harbour affairs, that ownership of Coleraine Harbour be transferred to Council.
- (ii) Council confirms that it is content for this issue now to be taken forward in the manner and within the timescale proposed, that is to say consultation on the issue to begin as soon as possible with a view to an Order in Council being made by the current Assembly.

A suggestion that a working group be convened to look at this issue was noted.

**12.0 DAL DOC**

Members noted that previous reports that the Dal Doc service was to move out of Causeway Hospital, had been misleading. Now renamed Dalriada Urgent Care, the service would continue to be provided from the hospital premises. A regular afternoon training session undertaken by the provider would, however, be carried out from different premises.