

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** 23 November 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 – 26 October 2010
  - 1.2 Special Meeting “In Committee” – 8 November 2010
2. Committee Reports (enclosed):
  - 2.1 Leisure and Environment Committee – 2 November 2010
  - 2.2 Planning Committee – 9 November 2010
  - 2.3 Policy and Development Committee – 16 November 2010
3. Correspondence, including inter alia:
  - (a) Current financial and workload related challenges facing the Citizens’ Advice Bureau (CAB) generally and the Newtownards office in particular (copy letter dated 12 November 2010 from Ards Borough Council seeking Council’s support enclosed). **Decision required to issue a letter of support.**
  - (b) Reports available in Members’ Library (List enclosed)
4. Consultation List (enclosed)
5. Documents for Sealing

**Enclosed for Information:**

- a) Letter dated 1 November 2010 from Firmus Energy regarding media launch of natural gas offer to domestic customers in the greater Belfast area.
- b) Letter dated 3 November 2010 from Consumer Focus Post regarding Committee Stage Briefing on Postal Service Bill.
- c) Leaflet from Construction Industry Group – ‘Why is the Construction Industry so Important to Northern Ireland?’
- d) NILGA
  - Weekly Update – Issue 27, 15 November 2010
  - Letter from NILGA to MLAs regarding current budgetary decision making process
  - NILGA Annual Conference & Exhibition - 10 & 11 February 2011, La Mon Hotel & Country Club, Castlereagh
  - News Bulletin, Issue 5 November 2010 – Local Government & 2012

To: Each Member of Council

19 November 2010

## **COUNCIL MEETING**

**26<sup>th</sup> October, 2010.**

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

The Deputy Mayor, Councillor A. S. Cole

### **Aldermen**

E. T. Black (Mrs.)  
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. McLaughlin  
R. A. McPherson  
A. McQuillan

### **Officers in Attendance**

Town Clerk and Chief Executive, Director of Corporate Services, Director of Environmental Health, Director of Technical Services, Head of Performance, Policy and Governance, Head of Development Services, Leisure Services Officer, Administrative Assistant and Receptionist / Clerical Officer

## **1.0 MAYOR'S REMARKS**

The Mayor welcomed everyone to the Meeting.

Members were informed that Coleraine had won the Northern Ireland Amenity Council's Best Kept 2010 Large Town award. The Mayor and Members extended congratulations to the staff of the Technical Services and Leisure Services Departments for their continued good work.

## **2.0 MINUTES**

The Minutes of the Council Meeting of 28<sup>th</sup> September, 2010 were confirmed and signed.

Matters arising:

### **2.1 Market Yard Report**

The Town Clerk and Chief Executive reported on the Museums Service Workshop held on 25<sup>th</sup> September, 2010 at which Members had recommended deferral of a decision on this item until further information could be provided by Officers.

### **Agreed:**

That decision be deferred until further information could be made available

for consideration.

## **2.2 Policy and Development Committee**

Members noted that this item should read “The Chairman, Councillor McPherson, moved the adoption of the Policy and Development Committee Report; this was duly seconded by Alderman Creelman and agreed”.

## **3.0 COMMITTEE REPORTS**

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

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

Matters arising:

#### **3.1.1 Anti-Litter Campaign Proposals for Northern Ireland’s Councils**

The Director of Technical Services advised Members that the Anti-Litter Campaign, run by Tidy NI, would only proceed if at least two-thirds of councils took part. Whilst it was hoped that the Campaign would run, a cheaper alternative would be investigated if it did not.

#### **Agreed:**

After a brief discussion and on the proposal of Councillor McPherson and seconded by Alderman Mrs Black, that Council supports the Campaign.

Members’ comments on the desired impact of the Campaign were noted by the Director of Technical Services, who would pass them to Tidy NI.

The Committee Report was agreed.

### **3.2 Planning Committee**

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

### **3.3 Policy and Development Committee**

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

Matters arising:

#### **3.3.1 Letter dated 13<sup>th</sup> October, 2010 from Minister Poots**

The Town Clerk and Chief Executive advised Members of the interest expressed by councils, both within the Causeway Coast and Glens Cluster and outside, in proceeding with work on collaboration in a voluntary capacity. He requested Council’s approval for Members to continue the work as an approved duty.

Discussion ensued during which Members' various questions were answered by the Town Clerk and Chief Executive and comments noted.

**Agreed:**

That Council designates work to move forward the collaboration agenda as an approved duty for Members.

The Committee Report was agreed.

**4.0 DOCUMENTS TABLED**

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

**5.0 CONSULTATION LIST**

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

Any Member who wished to make comment was asked to contact the Head of Performance, Policy and Governance before the due date for comments as detailed in the report.

**6.0 DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

1. Cemetery Titles

Grant of Right of Burial – Deeds Register  
Nos. 3665 – 3675 inclusive.

Agherton	-
Ballywillan	1
Coleraine	4
Kilrea	1
Portstewart	5

Grant of Right of Burial - Advanced Deeds  
Register No. 0261

Agherton	-
Ballywillan	-
Coleraine	1
Kilrea	-
Portstewart	-

## LEISURE AND ENVIRONMENT COMMITTEE

2<sup>nd</sup> November, 2010.

### Present:

Councillor J. M. Bradley, in the Chair

The Mayor, Councillor N. F. Hillis (Items 2.0 – 8.2)

The Deputy Mayor, Councillor A. S. Cole (Items 2.0 – 8.2)

### Aldermen

E. T. Black (Mrs.)

(Items 2.0 – 8.2)

W. T. Creelman

M. T. Hickey (Mrs.)

(Items 2.0 – 8.2)

D. McClarty

(Items 1.0 – 5.3)

W. J. McClure

### Councillors

C. S. Alexander (Ms.)

D. D. Barbour

O. M. Church (Mrs.)

T. J. Deans

(Items 1.0 – 4.4)

E. P. Fielding (Mrs.)

B. Fitzpatrick

S. Gilkinson

D. Harding

(Items 2.0 – 6.2)

W. A. King

(Items 2.0 – 8.2)

B. Leonard

(Items 1.0 – 6.2)

R. Loftus (Mrs.)

G. L. McLaughlin

R. A. McPherson

A. McQuillan

(Items 4.2 – 8.2)

### Officers in

### Attendance:

Director of Technical Services (Items 3.0 – 8.2), Director of Environmental Health, Interim Director of Leisure Services, Senior Technical Officer (Items 3.0 – 8.0), Principal Building Control Officer (Items 6.1.1 – 8.0), Emergency Planning Officer (Items 1.0 – 8.0) and Administrative Assistant.

## **1.0 WELCOME**

The Chairman welcomed everyone to the meeting.

## **2.0 NI WATER PROGRAMME OF WORKS - ENVIRONMENTAL UPGRADES TO SEWERS, COLERAINE**

Nigel McKee, NI Water Ltd and Dan O'Connor, Atkins Consultants Ltd were in attendance to update members on environmental upgrades to sewers located at Queen Street, Ballycairn Playing Fields (Coleraine Inst.), Anderson Park and Rose Gardens, Millburn Road, Screen Road and Strand Road, Coleraine.

The representatives highlighted various issues and explained that NI Water were responding to the Environmental Regulator (Northern Ireland Environment Agency) to resolve Unsatisfactory Intermittent Discharges (UIDs) in order to avoid prosecution. The UIDs were in locations where the sewer network spills to rivers and

streams during heavy rain and members were advised that the upgrades would mean a substantial improvement and pollution would be reduced.

The representatives answered members' various questions and noted comments after which they withdrew from the meeting.

### **3.0 "IN COMMITTEE"**

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

### **4.0 ENVIRONMENTAL HEALTH REPORT**

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

Matters arising:

#### **4.1 Consultation on Draft Tobacco Control Regulations relating to: Tobacco Displays; Tobacco Product Price Displays; Advertising and Display of Tobacco Products in Specialists Tobacconists; Prohibiting the Sale of Tobacco Products from Vending Machines**

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

A member referred to illegal cigarettes and expressed concern about the unknown contents in them and asked the public to desist purchasing illegal products.

#### **Recommended:**

That Council welcome this consultation opportunity.

A full consultation response would be made on Council's behalf by the department and issues raised by members would be included in the response.

#### **4.2 Emergency Planning – Flood Plan**

The Emergency Planning Co-ordinator was in attendance to update members on the Flood Plan. She gave an overview of the Plan and answered members' various questions and noted comments.

#### **Recommended:**

That Council adopt the Flood Plan and make the necessary resources available for its implementation.

Copies of the Plan would be available in the members' library.

#### **4.3 Update on AVX Ltd, 5 Hillmans Way, Ballycastle Road, Coleraine**

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

#### **Recommended:**

That Council defer consideration of legal proceedings until the final monitoring inspection has been reported to Council.

#### 4.4 For information

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

- Environmental Health Mid Year Performance Report.
- Outcome of Legal Proceedings:

Defendant: Mr. Stacey Barr  
21 Galvally Road  
Portstewart

Offences: Keeping a dog displaying pit bull characteristics contrary to Article 25 of the Dogs (NI) Order 1983.

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

Dog not wearing a collar with name and address of keeper of dog inscribed on the collar or a plate or badge attached to the collar, contrary to Article 31 of the Dogs (NI) Order 1983 and Regulation 6 (1) of the Dogs Licensing and Identification Regulations (NI) 1983.

Result:	Fine	£200
(03/09/10)	Kennelling Costs	£1331
	Court Costs	£28
	Legal Fees	<u>£500</u>
	Total	£2059

A destruction order was placed on the dog.

Further to an appeal lodged on 3<sup>rd</sup> September, 2010 and court case heard on 5<sup>th</sup> October, 2010, the outcome of the appeal was as follows:

Fine	£200
Other parties compensation	£150
Court Costs	<u>£28</u>
Total	£378

A destruction order was placed on the dog.

A discussion ensued about the court case and several members suggested that there should be a panel of people to identify pit bull characteristics.

#### 5.0 LEISURE SERVICES REPORT

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

Matters arising:

#### 5.1 Coleraine Borough Arts Committee – Request for Grant

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



**Recommended:**

That Council contribute £7,500 to Coleraine Borough Arts Committee to assist them with their work and advise them that due to the financial position of the public sector following the Comprehensive Spending Review, and the review of contributions currently being carried out by Internal Audit, the future of this grant may be subject to further review.

Members noted that the amount had been allowed for in the 2010/2011 estimates.

**5.2 Coleraine Sports Council – Request for Grant**

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

**Recommended:**

That Council contribute £8,250 to Coleraine Sports Council to assist them with their work and advise them that due to the financial position of the public sector following the Comprehensive Spending Review, and the review of contributions currently being carried out by Internal Audit, the future of this grant may be subject to further review.

Members noted that the amount had been allowed for in the 2010/2011 estimates.

**5.3 For Information**

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

- Coleraine Sports Awards Evening – Friday, 5<sup>th</sup> November, 2010 – Lodge Hotel

**6.0 TECHNICAL SERVICES REPORT**

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

Matters arising:

**6.1 DRD ROADS SERVICE**

**6.1.1 Brook Street, Coleraine – Additional Road Markings**

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

**Recommended:**

That Council support Roads Service's proposal to introduce wider traffic lanes leading from the junction at Union Street/Brook Street to Circular Road junction.

A member raised concern regarding motorists who failed to signal when leaving Railway Road to enter Circular Road, Coleraine. The Senior Technical Officer would raise this issue with DRD.

**6.1.2 Bridge Street, Kilrea – Zebra Crossing**

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

The undernoted suggestions were made and would be forwarded to DRD:

- The location of the zebra crossing be moved further back from junction;
- Extra zebra crossing required at Maghera Street;
- A review of restrictions on Saturday.

## **6.2 Lansdowne Car Park, Portrush**

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

A full discussion ensued with members generally in favour of DRD's proposal to regulate the open car park area at Lansdowne.

### **Recommended:**

That Council agree in principle to DRD regulating the open car park area but request that they put forward other options rather than their proposal to enclose the parking area with a kerb, footpath, installation of a height barrier and loss of 40 car parking spaces.

## **6.3 Entertainment Licences**

### **6.3.1 Exodus, 36 Long Commons, Coleraine**

An application for grant of an Entertainment Licence had been received from Mr. T. Robinson, c/o Exodus.

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

Monday/Tuesday – Sunday/Monday: 9.00 a.m. – 1.00 a.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 licensed with a scheme recognised by Coleraine Borough Council.
- Ground Floor – Nightbase  
Final exit/entrance doors from Nightbase must be unbolted and made available when this area is in use.
- Music Café – Mezzanine Floor  
Provide and maintain a clearly defined emergency escape route minimum width 1.5m leading from lobby across the mezzanine floor to the spiral stairway.

### **6.3.2 Central Bar, 58-60 Main Street, Garvagh**

An application for grant of an Entertainment Licence had been received from Mr. C. Cassidy.

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

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

Sunday: 12.30 p.m. - midnight

#### **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 licensed with a scheme recognised by Coleraine Borough Council.

### **6.3.3 Ramore Wine Bar, The Harbour, Portrush**

An application for grant of an Entertainment Licence had been received from Mr. G. McAlpin, c/o The Ramore Wine Bar.

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

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

Sunday: 12.30 p.m. - midnight

#### **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 licensed with a scheme recognised by Coleraine Borough Council.

### **6.3.4 Rogues Wine Bar, 54 Kerr Street, Portrush**

An application for transfer of an Entertainment Licence had been received from Mr. I. Taggart, c/o Rogues Wine Bar.

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

Monday/Tuesday – Friday/Saturday: 11.30 a.m. – 1.00 a.m.

Saturday/Sunday: 11.30 a.m. – 1.30 a.m.

Sunday: 12.30 p.m. - midnight

#### **Recommended:**

That a transfer of licence be granted subject to all special conditions 1-3 as included in current Entertainment Licence.

#### **6.4 North West Regional Waste Management Group (NWRWMG)**

##### **6.4.1 Tenders for Services**

###### **Recommended:**

That NWRWMG proceed to advertise and procure the following named services on behalf of Council. The decision on award of each contract would be referred back to individual Councils for approval.

1. Provision for the receipt, transfer, processing and selling to end markets of Kerbside Collected Commingled Dry Recyclables (Duration -3+2) EC Restricted Procedure.
2. Provision of Materials Processing Services for Recycling for Source Segregated Materials from Household Waste & Recycling Centres/Recycling Points & Transfer Stations (Duration -3+2) EC Restricted Procedure.
3. Provision for the Treatment of NWRWMG collected commingled waste from HWRC (one year) EC Open Procedure.
4. Supply of wheeled containers, home compost units and kitchen caddies (annual) EC Open Procedure.
5. Collection and recycling of tyres (Duration -3+1+1) EC Open Procedure.
6. Collection/treatment/disposal oils/paints/etc (Duration -3+1+1) EC Open Procedure.
7. Waste Related Consultancy Services (Duration -3+1+1) EC Open Procedure.

##### **6.4.2 Compost Units**

###### **Recommended:**

That Council distribute 10,000 compost units provided by funding secured through NWRWMG from the Re-Think Waste Fund.

Details of the areas identified as most suitable for garden waste composting would be brought to Council in due course.

##### **6.4.3 NWRWMG Joint Committee**

Members noted the minutes of the NWRWMG Joint Committee Meeting held on 1<sup>st</sup> September, 2010 (previously supplied).

#### **6.5 Ruinous and Dilapidated Buildings**

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

**Recommended:**

That legal proceedings be pursued against one property owner as a test case and Council proceed with a selected site in the three stages as outlined in the report.

**6.6 Building Control**

**6.6.1 Approvals**

Members noted that approval had been granted for 72 applications.

**6.6.2 Cancellation of Plans not Commenced within Three Years**

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

**Recommended:**

That Council enact Article 19 (a) and (b) from 1<sup>st</sup> January, 2011 to correspond with constituent Councils within the Northern Group.

**7.0 LITTER - LONG COMMONS, COLERAINE**

A member queried the litter bin provision at Long Commons, Coleraine. The Director of Technical Services would investigate.

## **PLANNING COMMITTEE**

**9 November, 2010.**

**Present:** Alderman W. J. McClure in the Chair  
The Mayor, Councillor N. F. Hillis (2.15 – 7.0)  
The Deputy Mayor, Councillor A. S. Cole

### **Aldermen**

E. T. Black (Mrs.) (2.11 – 7.0)	M. T. Hickey (Mrs.) (2.13 – 7.0)
W. T. Creelman	D. McClarty

### **Councillors**

C. S. Alexander (Ms.)	W. A. King
D. D. Barbour	B. Leonard
O. M. Church (Mrs.)	(1.0 – 2.15)
T. J. Deans	R. A. Loftus (Mrs.)
E. P. Fielding (Mrs.)	G. L. McLaughlin
B. Fitzpatrick	R. A. McPherson
S. Gilkinson	A. McQuillan
D. Harding (2.12 – 2.15)	

**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 and Clerical Assistant/Receptionist

**Apology:** Councillor Bradley

## **1.0 WELCOME**

The Chairman welcomed everyone to the Meeting including visitors in the public gallery.

## **2.0 PLANNING APPLICATIONS**

A list of 28 applications was presented for consideration (previously supplied).

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

2.1	<u>Application No. 1</u> <u>C/2007/0413/F</u> <u>Erection of farm retirement</u> <u>dwelling and garage, 320 metres</u> <u>South East of 84 Carhill Road,</u> <u>Garvagh for Mr &amp; Mrs</u>	The opinion of the Planning Service was to refuse.  It was agreed that the application be refused.
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McClenaghan

- 2.2 Application No. 2  
C/2008/0116/O  
Infill site for dwelling and garage  
adjacent to 12 Ardina Road,  
Articlave for Mr M Purcell
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 2.3 Application No. 3  
C/2008/0368/O  
Site for storey and half dwelling  
and garage (farm house) adjacent  
to 1 Blagh Road, Blagh, TD,  
Coleraine for Mr J McCollum.
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McPherson, seconded by Alderman Creelman and agreed:
- That Council support an approval.
- 2.4 Application No. 4  
C/2009/0249/O  
Construction of dwelling and  
detached garage 20m south of 178  
Agivey Road, Aghadowey,  
Coleraine for Mr B Dempsey.
- The opinion of the Planning Service was to refuse.
- It was agreed that decision be held for one week to allow the applicant to withdraw the application.
- 2.5 Application No. 5  
C/2009/0433/F  
Proposed housing development of  
11 residential units, comprising of  
9 no. detached dwellings and 2 no.  
semi-detached dwellings to the  
south and east of Glenkeen  
Hollows and Glenkeen Meadows,  
Aghadowey for Mr P McIntyre.
- The opinion of the Planning Service was to approve.
- It was proposed by the Deputy Mayor and seconded by Councillor McQuillan:
- That the application be deferred to allow Council's Planning Consultants to investigate the history of the site with particular reference to the Article 40a Agreement and that the application be referred to the Minister.
- As an amendment, it was proposed by Councillor Mrs. Loftus, and seconded by Alderman Mrs. Hickey:
- That Council support the approval.
- Councillor Cole requested a recorded vote.
- A period of discussion ensued and after a short recess Councillor Cole withdrew his request for a recorded vote.
- On being put to the Meeting the amendment was lost, with 6 members voting for and 9 against. Councillor Leonard asked to be recorded as abstaining.

- The substantive motion, on being put to the meeting, was carried, 9 voting for and 4 against. Councillor Leonard again asked to be recorded as abstaining.
- 2.6 Application No. 6  
C/2009/0588/O  
Proposed detached farm dwelling and garage 70m south east of 36 Killeague Road, Coleraine for Mr & Mrs J McFaul
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 2.7 Application No. 7  
C/2010/0125/F  
Full planning permission in substitution of outline planning permission C/2005/0125/O to erect 1 no. replacement dwelling with retention of existing dwelling as ancillary domestic store at 42 Roselick Road, Portrush Mr S J Kane .
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be refused.
- 2.8 Application No. 8  
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 agreed that the application be held for two weeks to facilitate the submission of further information.
- 2.9 Application No. 9  
C/2010/0176/F  
New dwelling and garage 500m south east of 9 Carragh Road, Bushmills for Mr I McGrotty & Mr M Moss.
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 2.10 Application No. 10  
C/2010/0186/F  
Amended design to previously approved (C/2008/0441/RM) to a one and a half storey dwelling with 7.2m ridge and double garage (detached) 40m east of No. 17 Movenis Hill, Garvagh for Mr E Gibson.
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 2.11 Application No. 11  
C/2010/0195/F  
Siting of new mobile home within the existing curtilage (temporary permission) at 95 Moneybrannon
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor King, seconded by Councillor McPherson and



- Road, Coleraine, BT51 3SL.  
for Mrs S Shaw.
- 2.12 Application No. 12  
C/2010/0229/F  
Demolition of existing detached  
bungalow at 6 Greenmount Park  
and formation of car park over  
entire site to serve adjoining  
supermarket at 3 Greenmount  
Avenue, Coleraine for R & J Foods  
Ltd.
- 2.13 Application No. 13  
C/2010/0237/F  
Two storey front projection to  
dwelling with balcony and porch to  
rear elevation at 36 Glen Road,  
Garvagh for Mrs C Kelly.
- 2.14 Application No. 14  
C/2010/0268/F  
Adaptation and modification of  
existing timber structure on-site to  
provide 3 no. stables and ancillary  
feed storage areas on southern  
side of Dundooan and Kiltinny  
Road junction, Coleraine for Mr A  
McCloy.

agreed.

That Council support an approval.

The opinion of the Planning Service was to refuse.

It was agreed that the application be refused.

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 approve.

It was agreed that the application be approved.

### **New Applications**

- 2.15 Application No. 6  
C/2010/0440/F  
Traditionally styled balcony to front  
elevation at 35 Kerr Street,  
Portrush for Mr & Mrs Storey.
- 2.16 Application No. 7  
C/2010/0444/F  
Three prefabricated units forming  
an office/reception area, a dog  
rescue unit and an isolation unit,  
together with associated parking  
facilities and entrance alteration

The opinion of the Planning Service was to refuse.

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

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

Ms. Maggie Dinsdale-Bobbie from Causeway Coast Dog Rescue gave a brief presentation to Members.

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

- 100m east of Ballymadigan Road, Castlerock for The Causeway Coast Dog Rescue Centre.
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.17 Application No. 8  
C/2010/0462/F  
New dwelling including self contained apartment (part amendment to previous approval C/2008/0456/F) at No. 9 Blackrock Road, Portrush for Mr P McMullan.
- 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.
- 2.18 Application No. 10  
C/2010/0487/F  
Proposed alterations to existing approved dwelling opposite No. 18 Ballyhome Road, Coleraine for Gormley Construction.
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Fitzpatrick, seconded by Councillor Ms. Alexander and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.19 Application No. 11  
C/2010/0490/F  
Proposed single storey dwelling on farm with detached double garage 30m south of No. 51 Moneygran Road, Kilrea - Mr J Gillen
- 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.
- 2.20 Application No. 12  
C/2010/0495/F  
Amendment to extant approval ref: C/2010/0006/F; amendments to floor plans and elevations at 29
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty, seconded by Councillor Fitzpatrick and

Craigahulliar Road, Portrush for Mr J McElderry. agreed:

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

2.21 Application No. 13 C/2010/0510/F – Proposed extension and alterations to dwelling and single garage at front at 21 Coleraine Road, Portrush for Mr & Mrs B Durrant

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.

### **3.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday 10<sup>th</sup> December, 2010.

### **4.0 PLANNING APPEALS INFORMATION**

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

#### **4.1 APPEALS AGAINST ENFORCEMENT NOTICES**

##### **4.1.1 ALLEGED UNAUTHORISED USE OF LAND FOR THE STATIONING OF A MOBILE HOME/TIMBER CABIN MAKING A MATERIAL CHANGE IN THE USE OF THE SAID LANDS. LAND AT NO. 35 DUNBOE ROAD, CASTLEROCK, COLERAINE (MR R GRAHAM)**

Reported that an appeal had been received against the above enforcement notice. At the Planning Committee held on 12 October 2010 Council agreed to support a retrospective planning application.

##### **4.1.2 ALLEGED UNAUTHORISED ERECTION OF PARK HOME/TIMBER DWELLING – 63 BALLYGAWLEY ROAD, AGHADOWEY (MR D J KANE)**

Reported that an appeal had been received against the above enforcement notice.

It was proposed by Councillor King, seconded by Councillor McPherson and agreed the Council forward a letter of support for both appeals.

## **5.0 GENERAL PLANNING ISSUES**

### **5.1 6 CRAIGVARA TERRACE, PORTRUSH**

Mr Duffy confirmed that a new application had been received in respect of this development and that previous enforcement action would be held pending the outcome of the application.

### **5.2 Reference was made to the condition of a listed building at 155 Hopefield Road, Portrush.**

It was proposed by Councillor Ms. Alexander, seconded by Councillor Fitzpatrick and agreed that a letter is sent to the Northern Ireland Environment Agency requesting that the building be secured.

## **POLICY AND DEVELOPMENT COMMITTEE**

**16<sup>th</sup> November, 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	W. J. McClure
M. T. Hickey (Mrs.)	

### **Councillors**

C. S. Alexander (Ms.)	S. Gilkinson
D. D. Barbour	D. Harding
J. M. Bradley	W. A. King
T. J. Deans	R. A. Loftus (Mrs.)
(Items 3.3 – 8.2)	G. L. McLaughlin
B. Fitzpatrick	A. McQuillan

**Officers in Attendance:** Town Clerk and Chief Executive, Director of Corporate Services, Head of Development Services, Head of Performance, Policy and Governance, Portrush Regeneration Manager, Administrative Assistant and Receptionist / Clerical Assistant

**Apologies:** Councillors Mrs. Church and Mrs. Fielding

### **1.0 CONDOLENCES**

The Mayor extended sympathy to the parents, family and friends of Ranger Aaron McCormick who was killed in Afghanistan on Remembrance Sunday, 14<sup>th</sup> November, 2010. He commended the courage of the late Ranger and spoke of the deep grief felt in his home village of Macosquin. Members observed a minute's silence in tribute.

### **2.0 CONGRATULATIONS**

Members noted with pleasure the recent announcement of the engagement and upcoming marriage of HRH Prince William and Ms. Kate Middleton. Best wishes were extended to the happy couple.

### **3.0 DEVELOPMENT SERVICES' REPORT**

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

Matters arising:

### **3.1 Election of DPP Chair for 2010-2011**

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

#### **Recommended:**

On the proposal of Alderman Mrs. Black and seconded by Councillor Fitzpatrick, that Alderman Mrs. Hickey be appointed as Chairman for 2010-2011.

Members were advised that Mrs. P. McQuillan had been re-appointed as Vice-Chairman.

### **3.2 Draft Justice Bill for NI**

Consideration was given to information on the Draft Justice Bill for NI and comments for inclusion in the response, as contained in the report.

Concerns expressed on lack of clarity of funding, accountability and at the conditions contained in the Bill relating to the sale or provision of alcohol at football events and the adverse impact this would have on hospitality at the finals of the Milk Cup, were noted by the Head of Development Services.

#### **Recommended:**

That Council approves the response to the Draft Justice Bill subject to inclusion of Councillors' comments.

### **3.3 Regeneration Plans**

Regeneration Plans for Castlerock, Garavagh, Kilrea and Portstewart had been considered at a Workshop on 11<sup>th</sup> November, 2010.

#### **Recommended:**

On the proposal of Councillor King and seconded by the Deputy Mayor, that Council accepts the Regeneration Plans.

In response to Members' queries the Head of Development Services confirmed that:

- (a) whilst Council would not be the funder for these programmes, Officers would do everything possible to help communities identify funding opportunities;
- (b) a full copy of all reports would be made available to Councillors on request.

### **3.4 EU Funding - NILGA Conference 27<sup>th</sup> October, 2010**

Consideration was given to the report on this event (previously supplied) and the contents noted.

Members' concerns in relation to the difficulties of drawing down funding due to

bureaucracy would be advised to NILGA.

#### **4.0 CORPORATE SERVICES' REPORT**

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

Matters arising:

##### **4.1 Appointment of Director of Leisure and Development**

Nominations were sought for two Members to sit on the selection panel for the post of Director of Leisure and Development.

##### **Recommended:**

Following discussion, that decision be deferred until the Council Meeting on 23<sup>rd</sup> November, 2010 and that a request be put to the Local Government Staff Commission for three Members to be appointed to the selection panel.

##### **4.2 Land and Property Services – Rating Issues**

Consideration was given to information on this topic, as contained in the report. Members noted that the amount owed to LPS by Council had now been revised to approximately £98,000.

In response to a Member's query, the Director of Corporate Services would seek clarification on changes to water rating for businesses and respond to the Member directly.

##### **4.3 For Information**

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

- (i) Update on 2010/11 Estimated Penny Product.
- (ii) 2011/12 Estimated Penny Product.
- (iii) Annual Audit of Accounts.
- (iv) Rating of Vacant Domestic Properties.
- (v) Audit Committee – 3<sup>rd</sup> November, 2010.
- (vi) Accounts for October 2010.

#### **5.0 REVIEW OF PUBLIC ADMINISTRATION**

Reported that Minister Poots would attend a meeting of the Causeway Coast and Glens Transition Committee on 25<sup>th</sup> November, 2010.

#### **6.0 NORTHERN CORRIDOR RAILWAY**

The contents of a letter dated 25<sup>th</sup> October, 2010 from Steven McKee, Department for Regional Development regarding future funding for the Northern Corridor Railway (previously supplied) were noted.

#### **7.0 PORTBALLINTRAIE RESIDENTS' ASSOCIATION**

The Town Clerk and Chief Executive reported that a letter seeking Council's support for an application to Sport NI for funding of £245,000 had been received from Portballintrae Residents' Association. Members noted that, whilst a number of issues would need to be considered by the Land and Property Working Group, the deadline for application was pending.

**Recommended:**

On the proposal of Councillor Fitzpatrick and seconded by Alderman Mrs. Black, that Council supports Portballintrae Residents' Association's application to Sport NI, in principle. subject to more detailed consideration.