

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** 22 November 2011 immediately following the Planning Committee Meeting

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 October 2011
2. Committee Reports (enclosed):
 - 2.1 Leisure & Environment Committee – 1 November 2011
(Item 3.5.2) Entertainment Licence – The York Inn, Portstewart

The applicant and objector have been invited
to address Council
 - 2.2 Policy & Development Committee – 15 November 2011
3. Entertainment Licences (Environmental Services Report enclosed)
4. Correspondence, including inter alia:
 - (a) Rural Community Transport Scheme – Health and Wellbeing Funding (copy letter dated 18 October 2011 from Moyle District Council together with copy letter dated 18 October 2011 from Moyle District Council to the Minister for Health, Social Services and Public Safety enclosed). **Decision required regarding request for Council support.**
 - (b) Letter dated 14 November 2011 from Department for Regional Development regarding train services between Coleraine and Londonderry (copy enclosed).
 - (c) Reports available in Members' Library (List enclosed)

5. Consultation Documents (List enclosed)
6. Documents for Sealing

Enclosed for Information:

- i) Department for Social Development – Concordat between the Voluntary & Community Sector and the Northern Ireland Government

To: Each Member of Council

18 November 2011

COUNCIL MEETING

25th October, 2011.

Present: The Mayor, Alderman J. M. Bradley, in the Chair
The Deputy Mayor, Councillor W. A. King

Aldermen

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

N. F. Hillis
W. J. McClure

Councillors

C. Archibald
D. D. Barbour
Y. Boyle (Ms.)
A. S. Cole
G. Duddy
E. P. Fielding (Mrs.)
M. Fielding
B. Fitzpatrick

D. Harding
R. J. Holmes
R. A. Loftus (Mrs.)
W. McCandless
D. McClarty
G. L. McLaughlin
A. McQuillan

Officers in Attendance: Corporate Director of Environmental Services, Corporate Director of Leisure and Development, Head of Development Services and Administrative Assistant

1.0 MAYOR'S REMARKS

The Mayor welcomed everyone to the Meeting especially the members of the Northern Education and Library Board Coleraine Youth Service's Youth Council, which represented all post-primary schools in the Borough.

2.0 COMMUNITY PHARMACY NI

Members noted Mr. McCaughan, Community Pharmacist, had withdrawn this presentation.

3.0 2011 SUPERVALU BEST KEPT AWARDS

The Mayor announced that Coleraine had been awarded first place in the Large Town category of the 2011 Supervalu Best Kept Awards. The Deputy Mayor reported that he had attended the awards presentation and extended thanks to all those who had contributed to this achievement.

The Mayor, on behalf of Council, would write to Council departments to thank staff for their input.

4.0 MINUTES

The Minutes of the Council Meeting of 27th September, 2011 were confirmed and signed.

5.0 COMMITTEE REPORTS

5.1 Leisure and Environment Committee

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

Matters arising:

5.1.1 Court Case

Agreed:

On the proposal of Councillor McClarty and seconded by Alderman Mrs. Hickey, that this item be deferred to the Leisure and Environment Committee meeting on 1st November, 2011 for decision.

The Committee Report was agreed subject to the amendment.

5.2 Planning Committee

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

5.3 Policy and Development Committee

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

6.0 NILGA ANNUAL CONFERENCE AND EXHIBITION

This Conference would be held on 23rd February, 2012 in the Hilton Hotel, Templepatrick. One guest place would be available for the First Citizen.

It was agreed to defer decision on attendance until the cost for the Conference was available.

7.0 THE SOMME ASSOCIATION BLACK TIE ROYAL GALA DINNER

This Gala Dinner would be held on 23rd November, 2011 in the City Hall, Belfast.

Agreed:

On the proposal of Councillor Barbour and seconded by Councillor McQuillan, that The Mayor attend this dinner.

8.0 DOCUMENTS TABLED

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

9.0 CONSULTATION LIST

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

Any member who wished to make a response was asked to contact the Corporate Director of Environmental Services before the due date for comments as detailed in the report.

10.0 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

- | | | |
|----|---|---|
| 1. | <u>Deed of Surrender</u> (in duplicate) | Council and BTCV – Land at Letterloan Road, Coleraine |
| 2 | <u>Cemetery Titles</u> | Grant of Right of Burial – Deeds Register Nos. 3806 – 3816 inclusive: |
| | | Agherton 1 |
| | | Ballywillan 5 |
| | | Coleraine 2 |
| | | Kilrea 0 |
| | | Portstewart 3 |

LEISURE AND ENVIRONMENT COMMITTEE

1st November, 2011.

Present: Councillor A. S. Cole, in the Chair
The Mayor, J. M. Bradley
The Deputy Mayor, Councillor W. A. King

Aldermen

W. T. Creelman N. F. Hillis
M. T. Hickey (Mrs.) W. J. McClure

Councillors

C. S. Alexander (Ms.) B. Fitzpatrick
(Items 1.0 – 7.1.1) D. Harding
C. Archibald R. J. Holmes
(Items 3.0 – 7.1.3) R. A. Loftus (Mrs.)
D. D. Barbour W. McCandless
Y. Boyle (Ms.) D. McClarty
(Items 1.0 – 3.3) G. L. McLaughlin
E. P. Fielding (Mrs.) A. McQuillan
M. Fielding

Officers in Attendance:

Corporate Director of Environmental Services, Corporate Director of Leisure and Development, Biodiversity Officer (Items 1.0 – 3.6.2) and Administrative Assistant.

Apology: Councillor G. Duddy

1.0 WELCOME

The Chairman welcomed everyone to the meeting.

2.0 "IN COMMITTEE"

It was agreed to discuss items to be heard "In Committee" at the end of the meeting.

3.0 ENVIRONMENTAL SERVICES' REPORT

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

Matters arising:

3.1 Memorandum of Understanding (MoU) – Department of Regional Development (DRD) – Snow Clearance

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

A Memorandum of Understanding between each Council and DRD Roads Service has been drafted regarding the roles of Councils in the removal of snow and ice from town centre footways and pedestrian areas.

The key principles in the MoU include:

- Roads Service will lead the discussions on the schedule of towns and villages to be treated;
- Roads Service will trigger the salting/clearance operation on the basis of weather information and availability of resources;
- Roads Service will provide Council with salt free of charge to treat the footways on the agreed schedule;
- Roads Service will extend its indemnity to Council and their authorised agents;
- Council will undertake to provide staff to assist DRD Roads Service with footway clearance and salt spreading following heavy snowfalls or prolonged freezing;
- Council may delegate its responsibilities under this MoU either wholly or partially to businesses, trading organisations or community groups;
- Council will be responsible for supervising its own staff.

Recommended:

That Council agree the principles of the Memorandum of Understanding with DRD Roads Service and make the necessary resources available to deliver its role.

3.2 River Ridge Recycling (RRR) Pilot Proposal

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

Recommended:

On the proposal of the Deputy Mayor and seconded by Alderman Mrs. Hickey, that Council enter into a pilot arrangement with River Ridge Recycling to segregate 1,000 tonnes of residual waste arisings with all recyclables being retained by River Ridge Recycling and remaining residual waste to be disposed of at Craigahulliar Landfill site subject to Northern Ireland Environment Agency licensing requirements.

3.3 Review of and Consultation on the Identification of Bathing Waters in Northern Ireland 2011

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

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

Recommended:

That Council welcome this consultation opportunity. A full consultation response would be made on Council's behalf and issues raised by members would be included in Council's response.

3.4 Street Trading

Recommended:

That Council grant Mobile Street Trading Licences to the following that were successful in their application to trade as Mobile Street Traders:

Application	Applicant	Commodity
Grant of Licence	Mrs. N. Patterson	Ice Cream and Confectionery
Grant of Licence	Mr. J. N. Dunbar	Ice Cream and Confectionery

3.5 Entertainment Licences

3.5.1 Downhill House, Mussenden Road, Castlerock

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

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

Monday to Sunday: 10.00 a.m. – 12 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.
- A Fire Risk Assessment and Management Plan, to be submitted to Council, pertaining to the main event/events 28 days (minimum) prior to such events taking place.

3.5.2 The York Inn, 2 Station Road, Portstewart

An application for transfer of an Entertainment Licence had been received from Mr. J. Davies, c/o The York Inn.

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

Ground Floor – Front Lounge/Conservatory and Public Bar

First Floor – Piano Bar Restaurant

Monday/Tuesday – Saturday/Sunday 11.30 a.m. – 1.00 a.m.
Sunday 12.30 p.m. - midnight

Recommended:

That the decision be deferred until the Council meeting on 22nd November, 2011 when both the applicant and objector would be given an opportunity to address Council.

3.6 For information

3.6.1 Biodiversity Progress Report – Coleraine, Ballymoney and Limavady Biodiversity Officer

The Biodiversity Officer was in attendance to present a progress report to members. She updated members on her work to date, highlighted various projects and public events and answered members' various questions.

Members congratulated her on her work after which she withdrew from the meeting.

3.6.2 Building Control Report

Members noted information on this item, as detailed in the report.

3.6.3 Outcome of Legal Proceedings

(1) Defendant: Mr. Graham Mullan
Address: 15C Strand Road
Coleraine
Offences: Allowing a dog to foul contrary to Article 4 of The Litter (NI) Order 1994 as amended by The Litter (Fixed Penalty) Order 2004.

Allowing a dog to stray contrary to Article 22 (1) of The Dogs (NI) Order 1983.

The dog was not wearing a collar with the name and address of the keeper inscribed on it or plate attached contrary to Article 31 (2) of The Dogs (NI) Order 1983.

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

Results:	Fine: Straying:	£25.00
	No Licence:	£25.00
	No ID:	£25.00
	Legal Costs:	£70.00
	Court Costs:	£19.00

(2) Defendant: Miss Patricia McIlwaine
Address: 75 Causeway Street
Portrush

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

Results: Fine: £50.00
Legal Costs: £70.00
Court Costs: £48.00

(3) Defendant/Offender: Mrs. J. Davis

Address: 52 Quickthorn Place
Coleraine

Offence: Unlawful disposal of household waste contrary to Article 3 (1) of the Litter (NI) Order 1994.

Result: Conviction

Defendant to pay: Fine: £50.00
Legal Costs: £70.00
Court Costs: £16.00

(4) Test Case – Coleraine Borough Council v Ruskey Properties Ltd

Defendant: Ruskey Properties Ltd

Address: 73 Urbal Road
Coagh
Cookstown

Date of Offence: 9th July 2011

Offence: Failing to carry out the necessary repair works to property at 6 Crocknamack Road, Portrush as specified in the attached Notice issued under Article 66 of the Pollution Control and Local Government (NI) Order 1978.

Results: Fine: £250.00
Costs: £70.00
Court Costs: £16.00

4.0 LEISURE SERVICES' REPORT

The Report of the Corporate Director of Leisure and Development was considered (previously supplied).

Matters arising:

4.1 Coleraine Sports Council – Request for Grant

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

Recommended:

On the proposal of The Deputy Mayor and seconded by Councillor Harding, that Council grant Coleraine Borough Arts Committee £7,425 to assist them with their work.

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

4.2 For Information

Christmas Lights Switch On

Members noted the following dates for the Christmas Lights Switch On:

Friday 25 th November	- Coleraine
Saturday 26 th November	- Portstewart
Friday 2 nd December	- Portrush
Saturday 3 rd December	- Kilrea
Monday 5 th December	- Garvagh
Thursday 8 th December	- Castlerock
Saturday 10 th December	- Portballintrae

5.0 NILGA'S ANNUAL CONFERENCE/EXHIBITION

The Corporate Director of Environmental Services advised members of the NILGA Annual Conference and Exhibition to be held on Thursday, 23rd February, 2012 in the Hilton Hotel, Templepatrick. Members interested in attending were asked to contact the Corporate Director of Environmental Services or the Administrative Officer.

A discussion ensued on this topic and a member requested information be brought to a future meeting on how much it cost Council to have five members on NILGA.

6.0 VACANT PROPERTIES, STRAND ROAD, COLERAINE

A member referred to vacant properties in Strand Road, Coleraine which had been vandalised. The Corporate Director of Environmental Services advised he would investigate the matter.

POLICY AND DEVELOPMENT COMMITTEE

15th November, 2011

Present: Councillor D. D. Barbour, in the Chair
The Mayor, Alderman J. M. Bradley
The Deputy Mayor, Councillor W. A. King

Aldermen

W. T. Creelman
N. F. Hillis

W. J. McClure

Councillors

C. Alexander (Ms.)
C. Archibald
Y. Boyle (Ms.)
A. S. Cole
G. Duddy
E. P. Fielding (Mrs.)
M. Fielding
B. Fitzpatrick

D. Harding
R. J. Holmes
R. A. Loftus (Mrs.)
W. McCandless
D. McClarty
G. L. McLaughlin
A. McQuillan

Officers in Attendance: Town Clerk and Chief Executive, Corporate Director of Leisure and Development, Head of Development Services, Head of Performance, Policy and Governance, Acting Head of Finance, Community Development Manager (Items 1.0 – 2.1), Transition Manager (Items 2.2 – 6.2) and Administrative Assistant

Also in Attendance: Ms. Francis Lundy, Riada Solutions (Items 1.0 – 2.1)

Apology: Alderman Mrs. Hickey

1.0 WELCOME

The Chairman welcomed all present to the meeting.

2.0 DEVELOPMENT SERVICES' REPORT

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

Matters arising:

2.1 Presentation on Coleraine Community Warden Scheme

The Community Development Manager outlined the background to the introduction of the Coleraine Community Warden Scheme. She then presented Ms. Francis Lundy who updated Members on the aims, objectives and operation of the Scheme.

A period of discussion ensued during which Ms. Lundy and the Community Development Manager answered Members' questions.

Members thanked Ms. Lundy for her presentation, following which she withdrew from the meeting.

2.2 East Strand Lighting Scheme

Members noted that the funding application to the Northern Ireland Tourist Board (NITB) for this scheme was now at economic appraisal stage and a letter of offer would depend on match funding of £40,000 being in place.

The Head of Development Services reported that whilst an application for match funding from Landfill Tax would be made there was no certainty on its success and the decision on landfill would not be available within the timescale needed to avail of the NITB funding.

In order to match the funding from NITB, Committee was asked to approve the allocation of £40,000 from Council's existing capital budget, via transfer of funds from the Visitor Servicing budget to the lighting project. This would not increase the capital budget.

During discussion it was proposed by Alderman Hillis and seconded by Councillor Fitzpatrick:

That Council accepts the recommendation to match the NITB funding from the capital budget.

It was proposed as an amendment by Councillor Duddy and seconded by Alderman McClure:

That Council defers this scheme at this time.

Recommended:

Following further discussion and with the agreement of the proposers, that the Head of Development Services provide a more detailed report on this scheme to the November meeting of Council.

2.3 For Information

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

- i) North West '200' Workshop – 24th November, 2011
- ii) Revision of Industrial Development Act 1982: Consultation
- iii) Social Investment Fund
- iv) Portrush and Portstewart Resort Lighting Scheme and Refurbishment of Lansdowne Shelter, Portrush – Public Consultation
- v) Policing and Community Safety Partnership

3.0 ADMINISTRATIVE SERVICES

3.1 For Information

- i) December Meetings - Members noted revised arrangements for Council

and Committee meetings over the Christmas period, as contained in the report.

4.0 FINANCE REPORT

Consideration was given to the Report of the Acting Head of Finance (previously supplied).

4.1 For Information

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

- i) Annual Audit of Accounts
- ii) Local Government Finance Act 2011
- iii) Accounts for October 2011

4.2 Appointments

The following appointments had been made during the period July – October 2011.

Environmental Services' Department

Post	Appointee
Joiner	Paul O'Hara
LGV Driver (2)	William Speers and Alastair King
Refuse Lorry Driver (2)	Ryan Jess and William Boyd
Civic Amenity Attendant (2)	William Hara and Adrian Stockman

Department of Leisure and Development

Post	Appointee
Corporate Director	Richard Baker
Outdoor Recreation Manager	Stephen McCartney

5.0 DUALLING OF A26 FROSSES ROAD

Reference was made to the deferral of the £400 million upgrade of the A5 between Monaghan and Donegal and the opportunity this situation presented for improvements to the A26 Frosses Road to be progressed.

Recommended:

On the proposal of Alderman Hillis and seconded by Councillor Holmes, that Council writes to the Ministers for Finance and Regional Development to lobby for the progression of the dualling of the A26. Also that Moyle and Ballymoney Councils be asked to support the lobbying campaign.