

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on TUESDAY the 18<sup>th</sup> day of December, 2007 at **6.30 p.m.**

D. WREATH,

Acting Town Clerk and Chief Executive.

Cloonavin,  
66 Portstewart Road,  
COLERAINE.

### A G E N D A

1. Minutes (enclosed):
  - 1.1 Special Meeting "In Committee" – 22<sup>nd</sup> November, 2007\*
  - 1.2 Council Meeting – 27<sup>th</sup> November, 2007
2. Committee Reports (enclosed):
  - 2.1 Leisure and Environment Committee – 4<sup>th</sup> December, 2007
  - 2.2 Planning Committee – 11<sup>th</sup> December, 2007
3. Leisure Services Report (enclosed)
4. Corporate Services Report (enclosed)
5. Development Services Report (enclosed)
6. Technical Services Report (enclosed)
7. Land and Property Report\* (enclosed)
8. Council/Committees – Business Management (Report enclosed)
9. The undernoted Notice of Motion has been submitted by Councillor B. Leonard:

"To ensure the maximum public confidence of the Borough's rate-payers and those beyond, this Council calls on the Minister of the Environment, Arlene Foster, to ensure that the new local government councils

established under the Review of Public Administration are obliged by statute to abide by the principles and practice of power-sharing, equality and proportionality.”

10. Consultation Document (List enclosed)
11. NILGA Annual Conference & Exhibition 2008 – ‘The Challenge of Change’ - The Millennium Forum, Derry/Londonderry – 7<sup>th</sup> and 8<sup>th</sup> February, 2008
12. Correspondence
13. Documents for Sealing

**Enclosed for Information:**

- (1) Delegation to Northern Ireland Fire and Rescue Service (NIFRS) – Update Report
- (2) Minutes of the Northern Health and Social Services Council dated 7<sup>th</sup> November, 2007
- (3) NILGA Monthly Update – November 2007
- (4) Letter dated 19<sup>th</sup> November, 2007 regarding the establishment of the Board for Mental Health and Learning Disability along with a copy of terms of reference and press release
- (5) Sustainable NI – Strategic Plan – 2008 – 2011
- (6) Help the Aged in Northern Ireland – Impact Report 2007

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

To: Each Member of Council.

14<sup>th</sup> December, 2007.

## **COUNCIL MEETING**

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday 27<sup>th</sup> November, 2007.

**Convened:** As per Notice attached

**Present:** The Mayor, Councillor J. M. Bradley, in the Chair (from Item 2.0)

The Deputy Mayor, Councillor E. A. Johnston (Mrs.), in the Chair (for Item 1.0)

### **Aldermen**

E. T. Black (Mrs.)  
W. T. Creelman  
(Items 1.0 – 10.0)

M. T. Hickey (Mrs.)  
W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)  
D. D. Barbour  
O. M. Church (Mrs.)  
J. J. Dallat  
(Items 1.0 – 10.0)  
T. J. Deans  
E. P. Fielding (Mrs.)  
(Items 1.0 – 10.0)

B. Fitzpatrick  
S. Gilkinson  
N. F. Hillis  
W. A. King  
B. Leonard  
G. L. McLaughlin  
R. A. McPherson

### **Officers in Attendance:**

Acting Town Clerk and Chief Executive, Director of Corporate Services, Director of Environmental Health, Director of Leisure Services, Head of Administrative Services, Senior Technical Officer and Administrative Assistant

### **Also in Attendance:**

Mr. Jim Beattie, Divisional Roads Manager and Mr. Roy Johnston, Section Engineer, Department for Regional Development - Roads Service

**Apology:** Councillor Cole

## **1.0 DEPARTMENT FOR REGIONAL DEVELOPMENT - ROADS SERVICE**

The Chairman welcomed Mr. Beattie and Mr. Johnston who were in attendance to present the Roads Report 2007/2008.

Mr. Beattie spoke to the report, then answered a number of members' questions and noted various points which he would follow up together with the query sheets returned by members.

Members noted that the results of the survey and modelling of the traffic system in Coleraine had concluded that there were no major issues and that there were, therefore,

no firm proposals for change to the current system of traffic movement. In response to members' queries, Mr. Beattie confirmed that representatives from Roads Service would be happy to meet with members to discuss the survey and modelling methodology results.

Mr. Beattie then responded to members' queries and concerns in relation to disabled parking provision and the role of traffic attendants.

After a period of discussion, the Chairman thanked Messrs. Beattie and Johnston for attending, following which they withdrew.

## **2.0 MINUTES**

The Minutes of the Council Meeting of 23<sup>rd</sup> October, 2007 were confirmed and signed.

In response to a member's query, Councillor Fitzpatrick confirmed that he would circulate documentation received at the Association of Irish Festival Events Conference.

## **3.0 COMMITTEE REPORTS**

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

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

Matters arising:

#### **3.1.1 Coleraine Borough Houses in Multiple Occupation (Item 3.4.1)**

Members noted that The Mayor, Aldermen McClarty and McClure, and Councillors Ms. Alexander, Dallat and McQuillan would meet with the Minister on 10<sup>th</sup> January, 2008.

#### **3.1.2 North West Regional Waste Management Group**

The Draft Memorandum of Understanding and associated Rules had been circulated.

#### **3.1.3 Twinning Grant (Item 5.2)**

Members expressed interest in website access to information about the twinning link with La Roche, either on Council's website or via a link from Council's website.

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 Fitzpatrick.

Matters arising:

#### **3.2.1 Office Meeting - Retrospective Request**

Councillor Ms. Alexander made a retrospective request for an office meeting for a planning application, details to be advised.

This request would be put to Planning Service.

3.2.2 Planning Applications  
Nos. C/2005/0637/E  
and C/2007/0041/F  
(Item 6.3)

It was noted that Alderman Mrs. Hickey and Councillor Ms. Alexander had not yet received feedback from Planning Service on these applications, as previously requested. This would be brought to the attention of Planning Service.

The Committee Report was agreed subject to the amendment.

3.3 Policy and Development  
Committee

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

Matters arising:

3.3.1 Thanks

Councillor Mrs. Johnston thanked members for their words of sympathy on the death of her aunt.

Noted.

The Committee Report was agreed.

**4.0 NORTHERN IRELAND SPECIAL**  
**FESTIVAL OF POOL**

Consideration was given to a request from the organisers of this event for financial assistance and it was agreed:

That Council support the event to a maximum of £1,000, on receipt of audited accounts etc.

Further, that the Mayor host a reception for Ms. Valerie Taggart, current World and European Women's Champion and for Mr. Paddy Reid.

**5.0 LAND AND PROPERTY**

Consideration was given to the Report of the Head of Administrative Services on Land and Property (previously supplied).

Matters arising:

5.1 Harbour Place, Portstewart

A request had been received from a developer at this location for Council to allocate the proposed development parking space in Harbour Place car park.

Agreed:

That Council decline this request.

5.2 Empire Mining

Council had received notification from DETI of a request from Empire Mining for the issue of a prospecting licence to cover an area of land between Portstewart and Portballintrae.

Consideration was given to the recommendation of the Head of Administrative Services' that Council respond to this request in a similar manner as to that of the previous Lohnroe application and write to DETI listing its concerns in respect of prospecting in the Borough, with particular emphasis on the potential for adverse impact on tourism in the area.

During the ensuing discussion it was proposed by Councillor Dallat and seconded by Councillor Hillis:

That Council write to the Department making clear its opposition to mining in the area in question.

It was then proposed, as an amendment, by Councillor McPherson and seconded by Councillor Fitzpatrick:

That Council adopt the recommendation of the Head of Administrative Services.

On being put to the meeting, the amendment was lost with seven votes for and eight votes against.

The proposal was, therefore, carried.

### 5.3 'In Committee'

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

## 6.0 LETTER FROM BALLYMENA BOROUGH COUNCIL - RESOLUTION SUPPORTING THE ROYAL BRITISH LEGION

Consideration was given to a letter dated 12<sup>th</sup> November, 2007 from Ballymena Borough Council (previously supplied) advising of a Resolution passed by it in support of the Royal British Legion.

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

That Council write to Ballymena Borough Council in support of the content of the letter.

## 7.0 DRAFT PROGRAMME FOR GOVERNMENT - DRAFT BUDGET AND DRAFT INVESTMENT STRATEGY - CONSULTATION EVENT

Read notification inviting all members to a Consultation Event to be held in the Guild Hall, Londonderry on 29<sup>th</sup> November, 2007.

Any members interested in attending were asked to contact the Administrative Officer.

## **8.0 NORTHERN IRELAND COUNCIL FOR ETHNIC MINORITIES**

Read letter inviting members to the 10<sup>th</sup> Annual Human Rights and Equality Conference to be held in the Wellington Park Hotel, Belfast on 6<sup>th</sup> December, 2007.

Any members interested in attending were asked to contact the Administrative Officer.

## **9.0 DOCUMENTS TABLED**

- (i) Audit Committee Institute Northern Ireland Issue 4.
- (ii) Workers' Educational Association Annual Report 2006/2007.
- (iii) Northern Ireland Court Service – Civil Fee Guide for Court Users.
- (iv) Citizens' Advice Bureau Annual Report 2006/2007.
- (v) Criminal Justice Inspection Northern Ireland – Enforcement in the DoE.
- (vi) NILGA Annual Report and Accounts 2006/2007.
- (vii) Northern Ireland Policing Board – Third Human Rights Annual Report.
- (viii) Youth Justice Agency Newsletter.
- (ix) Agenda NI – Informing Northern Ireland's Decision Makers.
- (x) Sustainable Ireland.
- (xi) Western Health and Social Services Board – Opportunities to Engage.
- (xii) Northern Ireland Federation of Housing Associations – Perspective on Social Housing (POSH).

Members' concerns regarding the lack of necessity for production of costly reports by numerous organisations, were noted.

## **10.0 CONSULTATION LIST**

The following consultation papers had been received and were available for members who wished to consider making a response:

1. Department for Regional Development – Accessible Transport Strategy Action Plan 2007-2009

Comments due: 4<sup>th</sup> January, 2008

2. Department for Employment and Learning -

- (i) Curriculum Provision in Further Education Colleges
- (ii) Review of Higher Education in Further Education, including

## Foundation Degrees

Comments due: 7<sup>th</sup> January, 2008

3. Probation Board for Northern Ireland – Corporate Plan 2008-2011

Comments due: 11<sup>th</sup> January, 2008

4. Driver and Vehicle Licensing Agency – Trial of Smart Card Provisional Driving Licences

Comments due: 11<sup>th</sup> January, 2008

5. The Electoral Office for Northern Ireland – Consultation on Equality Screening

Comments due: 11<sup>th</sup> January, 2008

6. Department of Education – Consultation with Schools on a Possible Change to the Local Management of Schools Common Funding Formula

Comments due: 16<sup>th</sup> January, 2008

### **11.0 DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

- 11.1 Transfer Council to DRD Roads Service – Land at Ballywillan Road, Portrush

- 11.2 Cemetery Titles Grant of Right of Burial - Deeds Register Nos. 3367 - 3375

Coleraine	5
Ballywillan	1
Agherton	1
Portstewart	2
Kilrea	-

- 11.3 Car Loan Agreement Coleraine Borough Council with Mr. W. J. Elder, Senior Technical Officer



# LEISURE AND ENVIRONMENT COMMITTEE

4<sup>th</sup> December, 2007.

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

The Deputy Mayor, Councillor E. A. Johnston (Mrs.)

## **Aldermen**

E. T. Black (Mrs.) (Items 1.0 – 5.2.1)	M. T. Hickey (Mrs.) D. McClarty (Items 1.0 - 5.2.1)
W. T. Creelman (Items 1.0 – 3.5.2)	W. J. McClure

## **Councillors**

C. S. Alexander (Ms.) (Items 1.0 – 5.2.1)	B. Fitzpatrick (Items 1.0 – 11.0)
D. D. Barbour (Items 1.0 – 9.0)	S. Gilkinson N. F. Hillis (Items 1.0 – 5.1.1)
O. M. Church (Mrs.) (Items 1.0 – 3.5.2)	W. A. King B. Leonard
J. J. Dallat (Items 1.0 – 9.0)	G. L. McLaughlin (Items 3.2 – 15.1.2)
T. J. Deans (Items 3.2 – 11.0)	A. McQuillan
E. P. Fielding (Mrs.) (Items 1.0 – 3.5.2)	

## **Officers in Attendance:**

Acting Town Clerk and Chief Executive, Director of Leisure Services, Director of Environmental Health, Environmental Health Officer (Items 1.0 – 3.2), Head of Administrative Services, Senior Technical Officer, Leisure Services Officer (Services) (Items 1.0 – 5.2.1), Leisure Services Officer (Facilities) (Items 1.0 – 4.5.1), Principal Building Control Officer (Items 3.2 – 11.0) and Administrative Assistant

**Apology:** The Mayor, Councillor Bradley

## **1.0 WELCOME**

The Chairman welcomed everyone to the meeting and extended a special welcome to Mrs. Geraldine Fleming of the Northern Health and Social Care Trust (N.H.S.C.T.)

## **2.0 COUNCILLOR SAM COLE**

Alderman McClure informed members that Councillor Cole had gone through his operation and was in Intensive Care. It was agreed to send him a letter wishing him well.

## **3.0 ENVIRONMENTAL HEALTH REPORT**

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

Matters arising:

3.1 Legal Proceedings -  
The Pollution Control and  
Local Government (N.I.)  
Order 1978

It was agreed to discuss these proceedings  
“In Committee” at the end of the meeting.

3.2 Vulnerable Isolated  
Persons (V.I.P.)

The Director of Environmental Health gave  
a brief update on this scheme.

Mrs. Geraldine Fleming, Assistant Director of  
Physical Health and Disability with the  
N.H.S.C.T., was in attendance to give a  
presentation on the Causeway V.I.P. Scheme.

Mrs. Fleming updated members on the Scheme  
and elaborated on various issues including:

- The reasons for developing a security  
equipment scheme
- Who the scheme is aimed at
- The project structure
- Pilot outcomes and evaluation
- Equipment costs
- Partner's support

Mrs. Fleming then appealed to Council for  
funding support and answered members’  
various questions, confirming that match  
funding was being sought from Ballymoney and  
Moyle Councils.

Following a period of discussion, it was  
proposed by Councillor Leonard, seconded by  
the Deputy Mayor and agreed:

That Council agree in principle to provide  
funding of £5,000 per annum for  
three years.

The Chairman thanked Mrs. Fleming for her  
informative presentation after which she  
withdrew.

3.3 Consultation Documents

3.3.1 Review of Drinking in  
Public Places Bye-Laws

Consideration was given to these bye-laws,  
as detailed in the report.

Following a period of discussion it was  
proposed by Councillor Ms. Alexander and  
seconded by Councillor Hillis:

That Council support the introduction of  
the new powers but that the offence of  
‘drinking in designated areas’ be  
retained. The discretion regarding

proceedings to be vested in the enforcing authorities, this discretion to be informed by guidance issued verbally.

When put to the meeting, eleven voted in favour with four against, therefore the proposal was carried.

A member requested that a car park at Circular Road, Coleraine, which is used by people consuming alcohol, be considered for the designated areas list.

### 3.3.2 Minimum Age of Sale of Tobacco Products

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

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

That Council support the raising of the minimum age for the sale of tobacco products to 18 years.

## 3.4 Fuel Poverty

### 3.4.1 Proposed Budget Realignment

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

Following a period of discussion, it was proposed by Councillor Dallat and seconded by Alderman McClarty:

That Council support Environmental Health's recommendation to write to Mrs. Ritchie, Minister for Department for Social Development, but also write to the Minister for Finance and Personnel and to the office of the First Minister and Deputy First Minister to request that the funding allocations to projects designed to combat fuel poverty are maintained at 2007/2008 levels.

An amendment was then proposed by Councillor Deans and seconded by Councillor McQuillan:

That Council support Environmental Health's recommendation to write to Mrs. Ritchie, Minister for Department for Social Development to request that the funding allocations to projects designed to combat fuel poverty are maintained at 2007/2008 levels.

On the request of a recorded vote, members voted on the amendment thus:

**For:** Aldermen Creelman and McClure, Councillors Deans, Mrs. Fielding, Gilkinson, Leonard and McQuillan (7)

**Against:** Aldermen Mrs. Black, Mrs. Hickey and McClarty, Councillors Barbour, Mrs. Church, Dallat, Fitzpatrick, Hillis, Mrs. Johnston, King, McLaughlin and McPherson (12)

The amendment was, therefore, lost by twelve votes for and seven votes against.

The proposal was then put to the meeting and the members voted thus:

**For:** Aldermen Mrs. Black, Mrs. Hickey and McClarty, Councillors Barbour, Mrs. Church, Dallat, Fitzpatrick, Hillis, Mrs. Johnston, King, McLaughlin and McPherson (12)

**Against:** Aldermen Creelman and McClure, Councillors Deans, Mrs. Fielding, Gilkinson, Leonard and McQuillan (7)

The proposal was, therefore, carried by twelve votes for and seven votes against .

3.4.2 Coleraine Fuel Stamp Scheme

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

3.5 For Information

3.5.1 Outcome of Legal Proceedings The Dogs (N.I.) Order 1983 as amended by The Dangerous Dogs (N.I.) Order 1991 The Litter (N.I.) Order 1994 as amended

Members noted the undernoted details regarding this topic.

(1) Defendant: Mr. A. Gibson  
30 Springvale  
Moneymore  
Magherafelt

Offences: Dog attacking a person  
No identification  
Allowing a dog to foul

Result:	Attack	£50 fine
	No Identification	£50 fine
	Fouling	£200 fine
	Costs	£86

3.5.2 Northern Ireland  
Noise Report

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

**4.0 LEISURE SERVICES REPORT**

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

Matters arising:

4.1 Coleraine Showgrounds

The Director of Leisure Services updated members on Coleraine Showgrounds. An options report with indicative costings would be available in late December and it was agreed that a special meeting of Council be held in January 2008 to consider the options and to decide on the way forward.

4.2 Coleraine Museum

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

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

That Council accept the proposed staffing structure in principle, subject to the Market Yard project being successful.

It was noted that the new regional museum had been costed accordingly in the Capital Programme.

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

That Council extend the Collections Access Assistant's contract for another twelve months.

4.3 Garvagh Multi-Purpose  
Kickabout Area

Members noted that the Department for Regional Development had agreed to lease Council a portion of Bridge Street Car Park to develop the Kickabout Area. The District Valuer had recommended a rent of £1,000 per year.

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

That Council draw up the necessary legal papers.

#### 4.4 Requests for Financial Assistance

##### 4.4.1 Coleraine Academical Institution

Alderman McClarty declared an interest in this topic.

A request had been received from Coleraine Academical Institution for financial assistance to help send a team of students and two members of staff to Malaysia to compete in the F.U.G.A. Schools World Championship. The school was the first from Europe to win the competition and wished to travel to Malaysia to defend its position in March 2008.

It was proposed by Councillor Deans and seconded by Alderman Mrs. Black:

That Council recommend a grant of £1,500 to Coleraine Academical Institution.

An amendment was then proposed by Councillor Mrs. Johnston and seconded by Councillor Barbour:

That Council recommend a grant of £2,500 to Coleraine Academical Institution.

On being put to the meeting, the amendment was carried by nine in favour and one against.

##### 4.4.2 Coleraine Borough Arts Committee

Council is recommended to approve a grant of £8,000 to Coleraine Borough Arts Committee. The amount had been provided for in the estimates.

#### 4.5 For Information

##### 4.5.1 Christmas Opening – Coleraine Leisure Centre and Waterworld

Members noted the opening/closing hours for Coleraine Leisure Centre and Waterworld as detailed in the report.

### 5.0 **TECHNICAL SERVICES REPORT**

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

Matters arising:

#### 5.1 D.R.D. Roads Service

##### 5.1.1 Waiting Restrictions – Portstewart and Portrush and Review of Waiting Restrictions – Portrush

It was agreed to defer consideration until a full set of maps was made available to support a holistic view of waiting restrictions in both towns.

## 5.2 For Information

### 5.2.1 Waste Management – Memorandum of Understanding (MoU)

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

That Council accept the MoU and associated Rules which relate to a joint venture between the North West Region Waste Management Group and the Southern Waste Management Partnership.

On being put to the meeting, eight members voted in favour and five voted against, therefore the proposal was carried.

### 5.3 New Beverage Carton (Juice Carton) Recycling Scheme

Members noted that Council in conjunction with Tetra Pak Ltd. and the carton industry body A.C.E. U.K. (Alliance for Beverage Cartons and the Environment) would be launching a new beverage carton recycling scheme in Coleraine, Portrush, Kilrea, Garvagh and Castlerock.

## 5.4 Building Control

### 5.4.1 Approvals

Members noted that approval had been granted for 50 applications.

## 6.0 **NOTICE OF MOTION SUBMITTED BY COUNCILLOR LEONARD**

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

“This Council expresses grave concern that, after two extensive consultative processes based on guarantees within the St. Andrew’s Agreement, the Assembly has given no legislative provision for the protection of Irish speakers in this Borough and beyond.”

On being put to the meeting, the motion was lost with five votes in favour and seven votes against.

## 7.0 **GAELECTRIC DEVELOPMENTS LTD. – PROPOSED WIND FARM DEVELOPMENT**

Members noted that as part of the consultation process for the proposed wind farm at land located between Limavady and Coleraine, Gaelectric would be holding a public exhibition event on Thursday 6<sup>th</sup> December, 2007 at 3.30 p.m. and 7.00 p.m. at the Bushtown Hotel, 283 Drumcroone Road, Coleraine.

## 8.0 **LANDFILL SITE**

Members noted that Mr. Lavery would be addressing the Policy and Development Committee Meeting on 15<sup>th</sup> January, 2008 about the Craigmores Road site.

## 9.0 **COLERAINE BOROUGH HOUSES IN MULTIPLE OCCUPATION SUBJECT PLAN 2016**

Members noted that a meeting had been arranged with Arlene Foster, Minister of the Environment on 6<sup>th</sup> February, 2008 at 12 noon at her office to discuss concerns which members had regarding Houses in Multiple Occupation.

#### **10.0 DOCUMENT TABLED**

(1) The Network – Sustrans Report - Issue 6, Autumn 2007.

#### **11.0 N.E.E.L.B. YOUTH SERVICE**

A member requested that Council invite Mrs. Deirdre Bradley, Area Youth Officer of the N.E.E.L.B. Youth Service to make a presentation to Council.

#### **12.0 FUTURE PRESENTATIONS TO COUNCIL**

The Head of Administrative Services informed members that the schedule of presentations to be made to Council over the next months was quite demanding. It was agreed that the list would be discussed at the next Policy and Development Committee meeting and members could decide how best to accommodate them.

#### **13.0 LETTERLOAN COMPOSTING FACILITY**

Several members had received complaints about the irregular opening hours of the Letterloan Composting Facility which is run by the Conservation Volunteers. The Acting Town Clerk and Chief Executive would investigate.

#### **14.0 COLERAINE YOUTH COUNCIL AND COLERAINE YOUTH FORUM**

A member suggested that both groups should be amalgamated. It was noted that the Head of Development Services and the Community Relations Officer were reviewing the overlap of the two bodies.



## PLANNING COMMITTEE

11<sup>th</sup> December, 2007.

### Present:

Alderman W. J. McClure in the Chair

The Mayor, Councillor J. M. Bradley

The Deputy Mayor, Councillor E. A. Johnston (Mrs.)

### Aldermen

E. T. Black (Mrs.)  
(Items 1.0 – 7.1)  
W. T. Creelman

M. T. Hickey (Mrs.)  
D. McClarty  
(Items 3.13 – 11.0)

### Councillors

C. S. Alexander (Ms.)  
D. D. Barbour  
(Items 1.0 – 11.0)  
O. M. Church (Mrs.)  
J. J. Dallat  
T. J. Deans  
(Items 1.0 – 7.1)  
E. P. Fielding (Mrs.)  
(Items 3.2 – 13.0)

B. Fitzpatrick  
(Items 3.3 – 13.0)  
S. Gilkinson  
N. F. Hillis  
(Items 3.6 – 7.1)  
W. A. King  
B. Leonard  
R. A. McPherson  
A. McQuillan

### Also in

#### Attendance:

Representatives from the Planning Service –  
Mr. P. Duffy and Mr. W. McIlmoyle

### Officers in

#### Attendance:

Administrative Officer, Head of Development Services,  
Principal Environmental Health Officer and Administrative  
Assistant

### Apologies:

Councillors Cole and McLaughlin

## **1.0 WELCOME**

The Chairman welcomed everyone to the Meeting including Mr. Michael Whitely from Ohio who had been involved in the establishment of The Phoenix Peace Fountain in Anderson Park, Coleraine.

## **2.0 SYMPATHY**

On behalf of Council the Mayor extended deepest sympathy to Alderman McClure on the recent death of his son.

Alderman McClure thanked everyone for the expressions of sympathy received and also thanked those who had attended the funeral.

## **3.0 PLANNING APPLICATIONS**

A list of one hundred and twenty-six applications was presented for consideration

(previously supplied).

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

- |     |   |  |
|-----|---|--|
| 3.1 | <u>Application No. D1</u><br><u>C/2005/0523/RM</u><br><u>New two storey dwelling and garage adjacent to 161 Carrowreagh Road, Garvagh for Mr. Wilson</u>  | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.   |
| 3.2 | <u>Application No. D2</u><br><u>C/2005/1400/F</u><br><u>8 no. three and a half storey apartments with ridge level at same height as existing building at 15 High Road, Portstewart for Mr. C. Mulvenna</u>                                    | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.   |
| 3.3 | <u>Application No. D3</u><br><u>C/2006/0517/F</u><br><u>Residential development including 13 no. terraced dwellings, associated car parking and amenity space at Nos. 43, 45, 47 and 49 Mounstandel Road, Coleraine for Mr. S. Sweeney</u>    | The opinion of the Planning Service was to approve.<br><br>Following discussion it was proposed by the Mayor, seconded by Councillor Ms. Alexander and unanimously agreed:<br><br>That Council object to the approval. |
| 3.4 | <u>Application No. D4</u><br><u>C/2006/0536/F</u><br><u>Replacement dwelling with integral garage and store at 7 O'Hara Drive, Portstewart for M. Nicholl</u>   | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.   |
| 3.5 | <u>Application No. D5</u><br><u>C/2006/0950/F</u><br><u>1 no. semi-detached block, two and a half storey, at 26 Coleraine Road, Portrush for Mrs. K. Tracey</u>   | The opinion of the Planning Service was to refuse.<br><br>It was agreed that the application be refused.   |
| 3.6 | <u>Application No. D6</u><br><u>C/2006/1161/F</u><br><u>Proposed replacement two storey dwelling with detached double garage at 75 Mussenden Road, Castlerock for Mr. S. Hanna</u>  | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.   |
| 3.7 | <u>Application No. D7</u><br><u>C/2007/0018/F</u><br><u>Residential development comprising twenty-five townhouses with access from Coleraine Road at 57, 59 and 61 Coleraine Road and 1-3 Glenvale Park, Portrush for Hanna Quality Homes</u> | The opinion of the Planning Service was to refuse.<br><br>It was agreed that the application be refused.   |

## New Applications

- 3.8      Application No. 3  
C/2006/0630/F  
4 no. semi-detached dwellings with  
associated parking at 4 Cherry  
Park, Castleroe, Coleraine for  
Mr. G. McCann
- It was noted that this application should have been on the deferred list.
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor McQuillan, seconded by Councillor Ms. Alexander and unanimously agreed:
- That the application be refused.
- 3.9      Application No. 4  
C/2006/0642/O  
Proposed retirement dwelling and  
garage at 12 Hall Road, Coleraine  
for Mr. H. J. Currie
- The opinion of the Planning Service was to refuse.
- It was proposed by the Mayor, seconded by the Deputy Mayor and unanimously 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.
- 3.10     Application No. 5  
C/2006/0788/F  
Residential development including  
18 no. apartments and 3 no.  
terraced dwellings to include  
associated car parking at 17 Main  
Street, Castlerock for  
S. & P. McLaughlin
- The opinion of the Planning Service was to approve.
- Consideration was given to letter of objection dated 7<sup>th</sup> August, 2007 from Ms. Helen McMullan (previously supplied).
- It was proposed by Councillor King, seconded by Councillor McQuillan 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.
- It was further proposed by Councillor Deans, seconded by Councillor Fitzpatrick and agreed:
- That professional advice be sought from BDP Planning.

- 3.11 Application No. 6  
C/2006/0796/F  
Change of use from café to hot  
food takeaway at 2 Waterside,  
Coleraine for Mr. G. Heaney
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be deferred for one month to facilitate the consideration of additional information by the Planning Service.
- 3.12 Application No. 7  
C/2006/0919/O  
Erection of dwelling and detached  
garage 240m NNW of 47 Blakes  
Road, Macosquin for Mr. S. Henry
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor King, seconded by Alderman Mrs. Black 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.
- 3.13 Application No. 11  
C/2006/1126/F  
Proposed workshop and store to  
existing engineering works at 158  
Castleroe Road, Coleraine for Roe  
Engineering
- The opinion of the Planning Service was to refuse.
- It was proposed by the Mayor, seconded by Alderman McClarty 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.
- 3.14 Application No. 14  
C/2006/1187/F  
Temporary mobile home for two  
years at rear yard of No. 18  
Crevolea Road, Blackhill,  
Coleraine for Mr. D. Monahan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Alderman Creelman 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.
- 3.15 Application No. 18  
C/2007/0160/A  
Advertising and directional sign for  
Richard Patterson Motors opposite
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs.

9 Agivey Road, Kilrea for  
Mr. R. Patterson

Church, seconded by Councillor  
McQuillan 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.

It was further proposed by Councillor Ms.  
Alexander, seconded by Councillor Dallat  
and agreed:

That Council write to the  
Minister of the Environment  
requesting that the policy  
for road signage for rural  
businesses be reviewed.

3.16 Application No. 23  
C/2007/0255/O  
Proposed domestic dwelling at  
rear garden of 98 Ballyrashane  
Road, Coleraine for  
Mr. A. McCreadie

The opinion of the Planning Service was  
to refuse.

It was proposed by the Mayor, 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.

3.17 Application No. 32  
C/2007/0336/F  
One and a half storey rear  
extension and internal alterations  
to dwelling at 6 West Drive,  
Portstewart for Mr. C. Lee

The opinion of the Planning Service was  
to refuse.

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

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

3.18 Application No. 33  
C/2007/0360/F  
Proposed variation of condition No.  
5 of outline permission  
C/2005/0303/O, to increase ridge  
height from 5.5 metres to 7.0  
metres, 180 metres north east of

The opinion of the Planning Service was  
to refuse.

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

- 32 Coolyvenny Road, Coleraine for Mr. Pollock
- 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.
- 3.19 Application No. 34 C/2007/0376/F  
Proposed retirement dwelling and detached garage at site 270m east of 80 Newmills Road, Coleraine for Mr. W. Kirk
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty, seconded by the Mayor 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.
- 3.20 Application No. 37 C/2007/0418/F  
Proposed variation of conditions No. 3 and 6 of previously approved application C/2005/1293/O to enable an extension of the approved ridge height from 6.5m to 7.5m and an increase in floor area from 150m<sup>2</sup> to 200m<sup>2</sup> 140m south of 84 Grove Road, Swatragh for Mr. B. McKeefry
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 3.21 Application No. 39 C/2007/0433/F  
Erection of 2 no. two storey dwellings with associated car parking and private amenity space at 27 Seafield Park, Portstewart for Mrs. M. McLaughlin
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Black and agreed:
- That Council support the refusal.
- 3.22 Application No. 43 C/2007/0465/F  
Retrospective application for vehicle repairs premises adjacent to No. 54a Gateside Road, Coleraine for Mr. Millar
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Deans, seconded by Councillor Dallat 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.
- 3.23 Application No. 44  
C/2007/0475/O  
Infill site for dwelling and garage adjacent to 39 Kiltinny Road, Portstewart for Mr. and Mrs. J. McLaughlin
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Gilkinson, 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.
- 3.24 Application No. 47  
C/2007/0505/O  
Residential spa retreat approximately 30m south of 43 Logestown Road, Portrush for Mr. and Mrs. Mullan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Ms. Alexander, seconded by Alderman McClarty 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.
- 3.25 Application No. 51  
C/2007/0522/F  
Proposed redevelopment of site to include 12 no. two and a half storey apartments: 8 no. four storey apartments: 10 no. two storey townhouses: 2 no. two storey detached and roadway for private streets determination at 93 and 95 Strand Road, Coleraine (access off Laurel Hill) for Northbrook Business Park Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty and seconded by Alderman Mrs. Hickey:
- That the application be deferred for one month to facilitate the submission of amended plans otherwise the application would be refused.
- As an amendment it was proposed by Councillor Ms. Alexander and seconded by Councillor Gilkinson:
- That Council support the refusal.
- The amendment was put to the Meeting and on a request for a recorded vote the

members voted thus:

**For:** The Mayor  
Aldermen Creelman and  
McClure  
Councillors Ms. Alexander,  
Barbour, Deans,  
Mrs. Fielding, Gilkinson  
and McQuillan (9)

**Against:** The Deputy Mayor  
Aldermen Mrs. Black,  
Mrs. Hickey and McClarty  
Councillors Mrs. Church,  
Dallat, Fitzpatrick, Hillis,  
King, Leonard and  
McPherson (11)

The amendment was lost, nine members voting in favour and eleven members voting against.

The substantive motion was then put to the Meeting and on a request for a recorded vote the members voted thus:

**For:** The Deputy Mayor  
Alderman Mrs. Black,  
Mrs. Hickey and McClarty  
Councillors Mrs. Church,  
Dallat, Fitzpatrick, Hillis,  
King, Leonard and  
McPherson (11)

**Against:** The Mayor  
Aldermen Creelman and  
McClure  
Councillors Ms. Alexander,  
Barbour, Deans,  
Mrs. Fielding, Gilkinson  
and McQuillan (9)

The substantive motion was carried, eleven members voting in favour and nine members voting against.

3.26 Application No. 53  
C/2007/0530/O  
Proposed infill site for dwelling and  
garage adjacent to 15 Tirkeeran  
Road, Garvagh for Mr. D. Heaney

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Dallat, seconded by Councillor Leonard 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.
- 3.27 Application No. 54  
C/2007/0531/O  
Proposed extension to existing storage yard to provide builders storage shed and associated access works 200m south west of St. Patrick's Primary School, Churchtown Road, Garvagh for Heaney Developments Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor Leonard 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.
- 3.28 Application No. 60  
C/2007/0589/F  
Demolition of existing single storey dwelling with construction of 3 no. two storey houses with associated parking and private amenity to rear of 4 Ashfield Drive, Portstewart for MAM Developments
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 3.29 Application No. 68  
C/2007/0649/O  
Proposed infill dwelling at 25 Moneygran Road, Kilrea for Shivenside Developments Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor Mrs. Church and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 3.30 Application No. 69  
C/2007/0674/F  
New dwelling adjacent to 1027 Windyhall Park, Coleraine for Burns Properties Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by the Mayor, seconded by Councillor McQuillan and agreed:
- That Council support the refusal.
- 3.31 Application No. 88  
C/2007/0762/F  
Replacement of a single dwelling with two semi detached dwellings, landscaped garden and associated
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.

parking at 11 Seaview Drive,  
Tullaghmurry East, Portstewart for  
Sunny Centre Ltd.

- 3.32 Application No. 103  
C/2007/0815/O  
Proposed infill site for dwelling and  
associated access between 70 and  
72 Moneydig Road, Moneydig,  
Garvagh, Coleraine for  
Mr. M. Stewart
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, 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.
- 3.33 Application No. 106  
C/2007/0840/F  
Erection of replacement dwelling  
and garage at 152 Castleroe  
Road, Coleraine for Mr. and Mrs.  
Creelman
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, 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.
- 3.34 Application No. 114  
C/2007/0935/F  
Proposed single garage  
(retrospective) at Ballygellagh  
Village, Portstewart for  
MAM Developments Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty and seconded by Councillor Leonard:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- As an amendment it was proposed by Councillor Ms. Alexander and seconded by the Mayor:
- That Council support the refusal.
- On being put to the Meeting the amendment was carried, eleven members

voting in favour and six members voting against.

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

##### **4.1 Portballintrae Community Hall**

In relation to the grant application concern was expressed at the delay in issuing an opinion for the proposed Community Hall in Portballintrae.

Mr. Duffy advised that clearance was still awaited from the Environment and Heritage Service. He also advised that the Divisional Planning Manager had written to Council stating that the application should be listed on the schedule for January, 2008.

Following discussion it was agreed:

That the Administrative Officer forward an Email to the Environment and Heritage Service reminding them of the urgency of the matter.

##### **4.2 PPS12**

Mr. Duffy explained the policy regarding applications for development in gardens.

##### **4.3 Gateside Road, Coleraine**

It was noted that an application had been received for the site of Farm Fed Chickens.

##### **4.4 Draft Northern Area Plan**

An update was requested on the Draft Northern Area Plan.

Mr. Duffy advised that there was no update from last month but he would discuss the matter with Mr. Meenagh and report to the January Planning Committee Meeting.

##### **4.5 Protected Routes**

Mr. Duffy advised that Gateside Road, Coleraine was not a protected route but would confirm about Cloyfin Road, Coleraine.

#### **5.0 OFFICE MEETINGS**

It was noted that due to the Christmas Holidays the date for the office meetings would be confirmed at the January Planning Committee Meeting to be held on 8<sup>th</sup> January, 2008.

#### **6.0 PLANNING WORKING GROUP**

Consideration was given to the Report on the Planning Working Group Meeting held on 15<sup>th</sup> November, 2007 (previously supplied).

Matters arising:

6.1 Article 37 of the Planning (NI) Order – Completion Order

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

That Council formally request that the Planning Service serve an Article 37 Completion Order on the applicant for the former Strand Hotel site in Portstewart.

6.2 Planning Committee Meetings

It was proposed by the Mayor, seconded by Councillor McPherson and unanimously agreed:

That the Planning Committee Meetings continue to be held in the evening apart from exceptional circumstances.

**7.0 'IN COMMITTEE'**

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

That the following item be heard "In Committee".

**8.0 GENERAL PLANNING ISSUES**

8.1 C/2005/0637/F  
22 Seaview Drive, Portstewart

Reported that approval had been issued in May, 2006.

It was noted that the query was regarding the ridge height. Mr. Duffy would forward details to Enforcement.

8.2 C/2007/0041/F  
36 Seafield Park, Portstewart

Reported that information was still awaited from the Agent regarding amendments which had been requested on 4<sup>th</sup> December, 2007.

8.3 Nos. 1-7 Kerr Street, Portrush  
for Kennedy Holdings Ltd.

Reported that this application was still under consideration. No recommendation had been made to the Group Meeting.

8.4 45 Coleraine Road, Portrush

An update was requested on the issue of enforcement.

8.5 Former Hospital Site

The Principal Environmental Health Officer advised that the draft decision had not contained Environmental Health concerns about noise and land contamination which had only been included as an informative. Mr. Duffy was asked to ensure that Environmental Health comments be incorporated into the planning approval.

Mr. Duffy reported that the decision had not yet been issued and advice had been taken re conditions. The matter was ongoing and the Environmental Health Department would be kept informed.

8.6 Former Hospital Site – Rats and Vandalism

Concern was expressed at the number of rats in the vicinity of the former hospital site and also ongoing vandalism.

The Principal Environmental Health Officer would investigate the matter and raise concerns with the developer.

**9.0 PLANNING POLICY STATEMENT 14**

Read letter from the Private Secretary to the Minister of the Environment regarding PPS14 (previously supplied).

The Minister aimed to develop a policy based on the principles of sustainability which would support rural communities and allow the rural economy to flourish, both socially and economically, whilst at the same time protecting the countryside from unnecessary development.

The Minister acknowledged Council's concerns re the urgency of the ongoing review.

**10.0 PLANNING APPEAL 2006/A1041  
DWELLING EAST OF 25 BALLYHACKETT  
ROAD, CASTLEROCK**

Read letter from the Planning Service advising members that, following further consideration of the circumstances of the above case and the points raised in the Appellants' Written Submission, the Department had decided to withdraw all of the reasons for refusal which related to this appeal. Noted.

**11.0 'LAKESIDE', FORMER MAXWELL'S QUARRY,  
209 BUSHMILLS ROAD, COLERAINE**

Read letter from Turley Associates advising members that the application for the above would be advertised in the local press in the next few weeks and had asked if it could be displayed at Cloonavin for a period of 2 – 3 months.

Copies of the Non Technical Summary and full details of the proposal were available in Cloonavin for public inspection.

**12.0 RETIREMENT - PERSONNEL MANAGER**

It was noted that, at Ms. Ward's request, only one event would be held to mark her retirement but that any Councillors wishing to attend would be welcome. The event would be held in the Bann Gallery at 11.00 a.m. on Monday, 17<sup>th</sup> December, 2007.

**13.0 PORTBALLINTRAE COMMUNITY HALL**

Reference was made to the planning application submitted by Mr. S. Sweeney for

Portballintrae Community Hall being taken to appeal. Members felt that Council should make representation to oppose this application, given the Council land issues relating to the site.

It was agreed that BDP Planning be requested to submit an objection on Council's behalf.