

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on TUESDAY the 28th day of August, 2007 following the Planning Committee Meeting.

D. WREATH,

Acting Town Clerk and Chief Executive.

Cloonavin,
66 Portstewart Road,
COLERAINE.

A G E N D A

1. Minutes (enclosed):
 - 1.1 Council Meeting - 24th July, 2007
2. Committee Report (enclosed):
 - 2.1 Planning Committee – 24th July, 2007
3. Leisure Services Report (enclosed)
4. Corporate Services Report (enclosed)
5. Environmental Health Report (enclosed)
6. Technical Services Report (enclosed)
7. Development Services Report (enclosed)
8. Land and Property (Report enclosed)
9. NILGA/SOLACE – Influencing Strategy – Review of Public Administration (Report enclosed)
10. Changes to the DPP Appointment Process for Independent Members
 - (a) Northern Ireland Office – Policing Division - Letter dated 26th June, 2007 and Draft Code of Practice (enclosed)
 - (b) Head of Administrative Services – Summary Report (enclosed)

11. The Northern Corridor Railways Group – Details regarding Launch of Report (enclosed)
12. Correspondence, including inter alia:
 - (a) The Court of the University of Ulster

Letter dated 27th July, 2007 regarding a Review of External Bodies on its Court from Eamon Mullan, Head of Governance Services (enclosed)
 - (b) NILGA – Constitution

Letter dated 24th July, 2007 regarding Consultation on Amendments to NILGA Constitution from Heather Moorhead, Chief Executive (enclosed)
13. Documents for Sealing
14. Any other business

Enclosed for Information:

- (i) Members' Information Bulletin - August 2007
- (ii) Department for Employment and Learning – Sixteen into Six – A New Era for Further Education Colleges in Northern Ireland
- (iii) Helped the Aged in Northern Ireland – SeniorLine Benchmark Survey 2006/2007
- (iv) The William Keown Trust – Newsletter – June 2007
- (v) Consultation on Amendments to Rule 23 (Intimidation Points) of the Housing Selection Scheme – Letter dated 8th August, 2007 and Report
- (vi) Second Homes in Northern Ireland – Growth, Impact and Policy Implications – First Report to the Housing Executive – March 2007

To: Each Member of Council.

24th August, 2007.

COUNCIL MEETING

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday, 24th July, 2007.

Convened: As per Notice attached.

Present: The Deputy Mayor, Councillor E. A. Johnston (Mrs.), in the Chair

Aldermen

E. T. Black (Mrs.)	D. McClarty
W. T. Creelman	W. J. McClure
M. T. Hickey (Mrs.)	

Councillors

C. S. Alexander (Ms.)	N. F. Hillis
O. M. Church (Mrs.)	W. A. King
J. J. Dallat	G. L. McLaughlin
T. J. Deans	R. A. McPherson
E. P. Fielding (Mrs.)	A. McQuillan

Officers in Attendance: Acting Town Clerk and Chief Executive, Director of Corporate Services, Director of Environmental Health, Director of Leisure Services, Technical Services Officer, Leisure Services Officer (Facilities), Countryside Development Officer, Head of Administrative Services, Head of Development Services and Administrative Assistant

Apologies: The Mayor, Councillors Barbour, Cole and Gilkinson

1.0 ACTING TOWN CLERK & CHIEF EXECUTIVE

The Deputy Mayor welcomed Mr. D. Wreath to his first Council Meeting as Acting Town Clerk and Chief Executive and wished him well in his role.

2.0 MINUTES

The Minutes of the Council Meeting of 26th June, 2007 were confirmed and signed.

3.0 COMMITTEE REPORTS

3.1 Planning Committee

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

4.0 LEISURE SERVICES REPORT

4.1 Select List - Portballintrae Community Centre

The Director of Leisure Services informed members that fourteen contractors had replied to a public advertisement for this work and recommended that the following nine

contractors be placed on the Select List to tender:-

Tal Ltd.
David Patton & Sons Ltd.
Martin and Hamilton
Mulhern and Rushe Construction Ltd.
J. Kennedy & Co.
Wilson and Mawhinney
Andrew Bradley Ltd.
Bell Contracts
Hugh Taggart & Sons Ltd.

Agreed that Council approve the Select List to tender.

4.2 Select List – Christie Park, Coleraine

The Director of Leisure Services informed members that twenty-six applications were received in response to an advertisement for the refurbishment of Christie Park and recommended that the following seven contractors be placed on the Select List to tender:-

BSG Civil Engineering Ltd.
Graham Construction
JPM Contracts Ltd.
Lagan Construction Ltd.
FP McCann Ltd.
Northstone (NI) Ltd.
Siac Construction

In response to a comment by a member that the Select List, being comprised of the larger NI contractors, would result in higher prices, the Director of Leisure Services advised that pre-defined evaluation criteria were used to identify the most suitable contractors.

Agreed that Council approve the Select List to tender.

Members' concerns about the removal of trees were noted with the Director of Leisure Services confirming that every effort would be made to keep the felling to a minimum.

4.3 Lands for Sale at Bayhead Road, Portballintrae

Approval was sought, as detailed in the report, to continue negotiations for the purchase of 25 acres of coastal land at Portballintrae, subject to funding being secured.

Agreed that the recommendation be adopted, subject to reservations about the land swap sought by the owner of the land.

4.4 Big Telly Theatre Company

Agreed that the local drama group, Big Telly,

would receive 'free' use of Portstewart Town Hall to the value of £5,000 and in return they would provide £5,000 of arts programmes spread throughout the Borough.

4.5 Portstewart Town Hall – PSNI

Agreed that the PSNI could have the use of the Minor Hall at Portstewart Town Hall one morning per week for a community clinic, at the normal rate.

5.0 TECHNICAL SERVICES REPORT

5.1 Entertainments Licence

Agreed that an Entertainments Licence be granted for the Milk Cup Marquee at The Showgrounds, Monday 30th July – Sunday 4th August between 11.30 am and 1.00 am, subject to no objections being received in the statutory period and all licensing requirements being met.

5.2 Mobile Street Trading Licences

Agreed that Council approve seven applications for Mobile Street Trading Licences, six of which were renewals and one new application as detailed below:

	Application	Applicant	Vehicle Reg No	Commodity
1.	RENEWAL	Stephen Laverty 9 Royal Terrace Balnamore	SKZ4673	Hot food
2.	RENEWAL	Judith O’Kane 68 Broomhill Park Coleraine	INZ3187 INZ4986	Ice cream, minerals, sweets & crisps
3.	RENEWAL	Samuel Stewart 44 Margaret Avenue Ballymoney	S416BGK	Ice cream, sweets, minerals
4.	RENEWAL	Fergal Carton 11 Willow field Avenue Coleraine	DA55 ZDP	Ice cream, sweets, minerals & crisps
5.	RENEWAL	Mr B Clifford 38 Dam head Road Coleraine	UDZ4135	Ice cream, sweets, minerals
6.	RENEWAL	Mr R Carton 14 Mount view Gardens Coleraine	GNZ6407	Ice cream, sweets, crisps, minerals
7.	GRANT	Mr R Carton 14 Mountview Gardens Coleraine	KNZ1628	Ice cream, sweets, crisps, minerals

5.3 Stationary Street Trading Licences

Agreed that the recommendation to approve the following ten applications for the renewal of stationary street trading licences be adopted:

Applicant	Location	Commodity
Garth William Reid 174 Gateside Park Coleraine	Car park opposite shops at Greenmount Avenue, Coleraine	Fresh fish
Tracy Ann Watton 38 Damhead Road Coleraine	Lansdowne Road, Portrush	Ice cream, sweets, minerals
Fergal Carton 11 Willowfield Avenue Coleraine	Lansdowne Road, Portrush	Ice cream, minerals, sweets & crisps
Judith O'Kane 68 Broomhill Park Coleraine	Lansdowne Road, Portrush	Ice cream, minerals, sweets & crisps
Mrs E Gibson 29 Timaconaway Road Kilrea	Lansdowne Road, Portrush	Hot food, teas, coffee, minerals, ice cream
Robert James Laverty 108 Ballyrashane Road Coleraine	Car park at Harpurs Hill, Coleraine	Hot food, teas, minerals & coffee
William James Millar 4 Ramsey Park Macosquin	Dunhill Road lay-by	Hot food, teas & coffee
Jenny Campbell 128 Curragh Road Coleraine	Loughanhill, Coleraine	Hot food, teas, coffee & minerals
Deborah Brown 21 Oldtown Road Ballymoney	Newbridge Road lay-by	Hot food
Mrs Ruth Pollock	Area adjacent to public toilets on the Promenade, Castlerock	Ice cream, minerals, sweets & crisps

5.4 Construction of New Footpaths Mountsandel Area, Coleraine

The following ten tenders were received in response to the public advertisement for this work:

Company	Total Amount £
Northstone (NI) Limited	29,326.50
W. G. Killough	30,955.00
N D S	31,672.00
Whitemountain Quarries Ltd.	32,032.00

Patrick Bradley Ltd.	33,045.50
A. McKee & Co.	33,051.25
J & R Contracts Ltd.	37,156.40
R. T. Boyd & Co. Ltd.	37,801.00
F. P. McCann Ltd.	46,770.00
Piperhill Construction Ltd.	74,590.00

Agreed that the recommendation to accept the lowest priced tender from Northstone (NI) Ltd. for the sum of (twenty-nine thousand, three hundred and twenty-six pounds and fifty pence) £29,326.50 be approved.

6.0 DEVELOPMENT SERVICES REPORT

- 6.1 BPSA – UK Pro Surf Tour - Circle One Portrush Open Members considered the application from The British Professional Surfing Association (BPSA) to run a round of the nine round UK Pro Surf Tour at Portrush on Saturday 27th and Sunday 28th October, 2007.

Agreed that the recommendation for a direct contribution of £1,000 and assistance in kind worth £3,000 be approved.

- 6.2 Causeway Enterprise Agency - New Business Centre The Head of Development Services drew members' attention to the fact that the Causeway Enterprise Agency Board had decided not to continue with the building of the new business park at Wattstown. This was due to escalating costs over the period since the project was proposed, a rise in land and building costs and the restrictions placed upon the Board in regard to tenants.

Members expressed disappointment that this project was not going ahead. In response to a query from a member, the Head of Development Services said she would advise on the number of units which were lying vacant overall in the Borough.

- 6.3 Sail West Proposal 2007-2013 Donegal County Council has acted as lead partner in the Sail West Proposal, with other local authorities and interested organisations.

The next step in developing this proposal would be to appoint consultants to:-

- i) Form a maritime leisure perspective, prepare an overview and strategic assessment of the marine/coastal area shared by Northern Ireland, the Border Region of Ireland and South West Scotland;

- ii) Determine the potential for the development of a marine tourism product; and
- iii) Develop an implementation plan together with budget projections and time frame for delivery.

Following a tender competition, Sail West now proposes to make an appointment as follows to undertake this brief:-

Project Consortium Consultants consisting of the following: Grant Connections, Irish Marine Federation, Motomo, McKenzie Wilson, Quay Marinas and Una at a total cost of €62,920.

Agreed that Coleraine Borough Council should participate in the Sail West Project and contribute up to €1,600 (£1,075) to this stage of the proposal.

7.0 LAND AND PROPERTY REPORT

The report of the Head of Administrative Services was considered (previously supplied). Matters arising:

7.1 Land Beside 7 The Crescent, Coleraine

Council has been approached by a developer seeking to purchase a small area beside 7 The Crescent, Coleraine.

Agreed that this matter be referred to the Land and Property Working Group's September meeting.

The Head of Administrative Services would seek VLA advice on a direct sale to the developer or an open market sale.

8.0 EXECUTIVE REVIEW OF DOMESTIC RATING REFORM

The Director of Corporate Services drew members' attention to the above paper which had been issued by the Rating Policy Division of the Department of Finance and Personnel. The report would be discussed at the August Council meeting, for a response by the deadline of 31st August, 2007.

9.0 POST OFFICE LTD. NETWORK CHANGE PROGRAMME

Agreed that the Head of Administrative Services would respond to the Post Offices' Network Change Programme letter of July 2007, in preparation for the Post Offices formal consultation process commencing in April 2008.

10.0 PRICEWATERHOUSECOOPERS

Read letter received from Pricewaterhousecoopers which had been commissioned by the DoE to co-ordinate and facilitate a process of consultation and stakeholder engagement to “develop and articulate a shared vision for local government in Northern Ireland”.

Agreed that the Mayor and the Chairman of the Policy and Development Committee attend the meeting.

11.0 BROOK CLINIC, COLERAINE

Read letter from The Northern Health Care Trust in response to Council’s earlier correspondence. Noted that the Trust did not feel that it was its role to seek to influence in this matter, given that the Brook Clinic was an independent organisation.

12.0 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

1. Cemetery Titles Grant of Rights of Burial – Deeds Register Nos. 3337 – 3341 (inclusive):

Agherton	0
Ballywillan	1
Coleraine	1
Kilrea	0
Portstewart	3

Advanced Deeds – Register Nos. 0183 – 0185 (inclusive):

Agherton	1
Ballywillan	2
Coleraine	0
Portstewart	0
2. Contract NIHE to Coleraine Borough Council – Purchase of land at Ramsey Park, Macosquin.
3. Easement Coleraine Borough Council to Dundarave Estates Limited – The Boathouse, Portballintrae.
4. Licence Coleraine Borough Council to Gary McGuigan Promotions – East Strand Car Park, Beach and Promenade and Bowl Area, Portrush.

PLANNING COMMITTEE

24th July, 2007.

Present: Alderman W. J. McClure in the Chair

Aldermen

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

M. T. Hickey (Mrs.)
D. McClarty

Councillors

C. S. Alexander (Ms.)
O. M. Church (Mrs.)
J. J. Dallat
T. J. Deans
E. P. Fielding (Mrs.)

N. F. Hillis
W. A. King
G. L. McLaughlin
R. A. McPherson
A. McQuillan

Also in

Attendance:

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

Officers in

Attendance:

Acting Town Clerk and Chief Executive, Administrative
Officer and Administrative Assistant

Apologies:

The Mayor and Deputy Mayor
Councillors Barbour, Cole, Fitzpatrick, Gilkinson and
Leonard

1.0 WELCOME

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

2.0 SYMPATHY

The Chairman referred to the deaths of Councillor Gilkinson's brother and Mr. W. Mathews, a former Councillor, and extended sympathy to the bereaved families. Everyone present stood in silence as a mark of respect.

3.0 PLANNING APPLICATIONS

A list of ninety-one applications was presented for consideration (previously supplied).

Application Deferred from Previous Meeting

3.1 Application No. D1
C/2004/0254/O
Site of dwelling and garage 120m
south of 96 Cashel Road,
Macosquin for Mr. G. Nevin

The opinion of the Planning Service was to refuse.

It was agreed that the application be refused.

NEW APPLICATIONS

- 3.2 Application No. 1
C/2005/1007/F
Demolition of existing railway station and canopy and construction of new station with bus lane (private) and layby and new canopy at Portrush Railway Station, Eglinton Street, Portrush for Northern Ireland Railways Co. Ltd.
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be refused.
- It was further agreed that the Head of Development Services be requested to liaise with Northern Ireland Railways Co. Ltd. regarding this development.
- 3.3 Application No. 2
C/2005/1428/F
Apartment development at 29 Mountsandel Road, Coleraine for Mr. S. Henry
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Ms. Alexander, seconded by Councillor Hillis and agreed:
- That the application be refused.
- 3.4 Application No. 5
C/2006/0345/LB
Shop signage at 3 Waterside, Coleraine for Mr. and Mrs. T. Chan
- The opinion of the Planning Service was to refuse both applications.
- It was proposed Alderman McClarty, seconded by Councillor Mrs. Church and agreed:
- That the applications be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- Application No. 6
C/2006/0346/A
Illuminated shop sign at 3 Waterside, Coleraine for Mr. T. Chan
- 3.5 Application No. 7
C/2006/0517/F
Residential development including 13 no. terraced dwellings, associated car parking and amenity space at Nos. 43, 45, 47 and 49 Mountsandel Road, Coleraine for Mr. S. Sweeney
- The opinion of the Planning Service was to approve.
- It was agreed that the application be removed from the schedule as it had been referred to the Minister for Regional Development for consideration.
- It was noted that the application would be brought back to Council in due course.
- 3.6 Application No. 16
C/2006/0772/F
Replacement garage/shed at 45 Sconce Road, Articlave for Mr. Dallas
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor King, 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.
- 3.7 Application No. 21
C/2006/0941/F
Construction of 29 no. new apartments with underground car parking and storage areas at 9 – 12 Lansdowne Crescent, Portrush for A. Stewart
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Deans, seconded by Councillor Hillis 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.
- 3.8 Application No. 26
C/2006/1140/RM
Erection of dwelling and garage at 120m north of 50 Lisnagrot Road, Kilrea for Mr. and Mrs. Gillen
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Alderman McClarty 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.
- 3.9 Application No. 29
C/2007/0018/F
Residential development comprising twenty-five town houses with access from Coleraine Road at 57, 59 and 61 Coleraine Road, Portrush and 1 – 3 Glenvale Park, Portrush for Hanna Quality Homes
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Fielding, seconded by Alderman McClarty and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that additional information was now available for consideration.
- 3.10 Application No. 33
C/2007/0062/F
New single storey dwelling with double garage opposite 25 Knocknougher Road, Coleraine for Mr. E. Doherty
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor King, seconded by Councillor McQuillan 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.
- 3.11 Application No. 35
C/2007/0064/O
Traditional dwelling with detached garage/store to the rear of 90 Blackrock Road, Boveedy, Kilrea for Mr. and Mrs. R. McKinney
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Church, seconded by Councillor King and unanimously agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that additional information was now available for consideration.
- 3.12 Application No. 47
C/2007/0136/F
Demolition of existing dwelling and erection of off-site two storey dwelling with loft conversion and garage/ancillary building approximately 443m west of 9 Ballywatt Road, Coleraine for Mr. A. Hutchinson
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Ms. Alexander, seconded by Councillor McPherson and unanimously agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that additional information was now available for consideration.
- 3.13 Application No. 64
C/2007/0203/F
First floor extension and alterations to dwelling (including an increase in ridge height) at 14 Gloucester Crescent, Portstewart for Mr. and Mrs. V. Campbell
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Hillis, seconded by Councillor Ms. Alexander 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.
- 3.14 Application No. 74
C/2007/0282/F
Rejuvenation of derelict salmon cottage to provide new dwelling
- The opinion of the Planning Service was to refuse.
- Consideration was given to letter dated 6th

for O'Neill family at Berne
Cottage, Berne Road,
Portstewart for Mr. G. O'Neill

June, 2007 from Mr. W. Campbell.

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

That the application be refused.

As an amendment it was proposed by Alderman McClarty and seconded by Alderman Mrs. Black:

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.

On being put to the meeting the amendment was carried, nine members voting in favour and no one voting against.

4.0 OFFICE MEETING

It was noted that the office meetings would be held on Friday, 17th August, 2007.

5.0 PLANNING ISSUES RAISED BY MEMBERS

5.1 Application No. C/2006/0708 –
116 Strand Road, Portstewart
Application No. C/2007/0101
20 Glen Road, Garvagh

Mr. Duffy was asked to report where these applications were in the system.

5.2 Refuse Sites

Reference was made to the number of refuse sites proposed for the Garvagh area all within a short distance of each other.

Mr. Duffy advised that applications for landfill sites were dealt with by the Environmental Unit at Planning Service Headquarters.

The Director of Technical Services explained that the site at Mayboy had planning approval and that the Environment and Heritage Service was in the process of issuing a Permit for the operation of a landfill site but that the commencement of the operation of the site would be subject to a number of conditions being met.

Following discussion it was agreed that Council write to the Environment and Heritage Service requesting that the site be strictly monitored in order to minimise any potential nuisance or adverse impact on the area.

6.0 DEVELOPMENT TO REAR OF 8 AND 9 BALLYGELAGH VILLAGE, PORTSTEWART - MAM DEVELOPMENTS

Consideration was given to letter dated 5th July, 2007 from Mr. D. Kirkpatrick regarding development to rear of 8 and 9 Ballygelagh Village, Portstewart for MAM Developments (previously supplied).

Mr. Duffy reported that an enforcement letter had been sent to the developer as the house was not being built as approved by the Planning Service.

7.0 93 AND 95 STRAND ROAD, COLERAINE

Consideration was given to letter dated 6th July, 2007 from Angela McLaughlin regarding the proposed housing development at 93 and 95 Strand Road, Coleraine (previously supplied).

Mr. Duffy reported the consultation process was ongoing and the Planning Service opinion had not yet been formed.

8.0 PLANNING APPLICATION C/2007/0017/F PROPOSED LANDFILL SITE - BELRAUGH ROAD, GARVAGH

Read letter from the Planning Service Headquarters advising members that the above planning application had been withdrawn.

9.0 PLANNING APPLICATION C/2005/1326/F PROVISION OF NEW PURPOSE BUILT FACILITIES INCLUDING SALES AND EXHIBITION AREA/KITCHEN/ WARDEN'S OFFICE/TOILET AND SHOWERS, CATERING KIOSK AND STORAGE AT PORTSTEWART STRANDHEAD, STRAND ROAD, PORTSTEWART

Read letter from the Planning Service advising members that the above planning application, which was subject to financial funding, had been approved. Noted.

10.0 PLANNING APPEALS

Reported that a press release had been issued on behalf of the Planning and Water Appeals Commissions stating that there had been an increase of 120% in planning appeals in Northern Ireland during 2006/2007. This had resulted in a large backlog in decisions and an inability for the PAC to meet its clearance targets. Noted.

11.0 PLANNING APPLICATION C/2006/0678/F GUESTHOUSE - 7 BALLYSTRONE ROAD, COLERAINE

Read letter of reply from the Divisional Planning Manager regarding Council's

concerns about the impact of PPS14 on rural business proposals and suggested that this item be included on the agenda for the next meeting of the Planning Working Group Meeting in September. Agreed.

**12.0 REVIEW OF REVISED COUNCIL
CONSULTATION PROCEDURES**

Consideration was given to the Report on the Review of Revised Council Consultation Procedures (previously supplied). It was noted that additional comments from members were required by Wednesday, 25th July, 2007.