

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on TUESDAY the 24th day of January, 2006 at **7.30 p.m.**

H. W. T. MOORE,

Town Clerk and Chief Executive.

Cloonavin,
66 Portstewart Road,
COLERAINE.

A G E N D A

1. Minutes (enclosed):
 - 1.1 Special Council Meeting - 16th December, 2005
 - 1.2 Council Meeting – 20th December, 2005
 - 1.3 Special Council Meeting - 3rd January, 2006
2. Committee Reports (enclosed):
 - 2.1 Leisure and Environment Committee - 3rd January, 2006
 - 2.2 Planning Committee - 10th January, 2006
 - 2.3 Policy and Development Committee – 17th January, 2006
3. Coleraine Borough Chamber of Commerce and Industry
Mr. A. Magowan, President and Ms. Karen Steen, Chamber Development Manager will be in attendance to make a presentation.
4. Request for Use of Council Land - East Strand Car Park, Portrush*
Mr. G. McGuigan, Gary McGuigan Promotions, will be in attendance.
5. Consultation List (enclosed)

6. Correspondence
7. Documents for Sealing

Enclosed for Information:

Minutes of the Northern Health and Social Services Council dated 7th December, 2005

*** Recommended for consideration "In Committee".**

To: Each Member of Council.

20th January, 2006.

SPECIAL MEETING

“IN COMMITTEE”

16th December, 2005.

Convened: To decide on the future operation of Juniper Hill and Carrick Dhu Caravan Parks with effect from 1st April, 2006

Present: The Mayor, Councillor T. J. Deans, in the Chair
The Deputy Mayor, Alderman M. T. Hickey (Mrs.)

Aldermen

| | |
|--------------------|---------------|
| E. T. Black (Mrs.) | D. McClarty |
| W. T. Creelman | W. J. McClure |

Councillors

| | |
|-----------------------|-----------------------|
| C. S. Alexander (Ms.) | N. F. Hillis |
| D. D. Barbour | E. A. Johnston (Mrs.) |
| J. M. Bradley | W. A. King |
| O. M. Church (Mrs.) | B. Leonard |
| A. S. Cole | G. L. McLaughlin |
| J. J. Dallat | R. A. McPherson |
| E. P. Fielding (Mrs.) | A. McQuillan |
| S. Gilkinson | (Item 3.0) |
| | R. D. Stewart |

Officers in Attendance:

Town Clerk and Chief Executive, Director of Leisure Services, Director of Corporate Services, Director of Technical Services, Head of Administrative Services, Leisure Services Officer (Facilities) and Administrative Assistant

Also in Attendance:

Messrs. Peter Smyth and John Mitchell - HLL Humberts Leisure

1.0 WELCOME

The Mayor welcomed everyone to the meeting.

2.0 TYPE OF MEETING

Following discussion as to whether the meeting should be held “In Committee” or not it was proposed by Councillor Dallat and seconded by the Deputy Mayor:

That the meeting be held in public.

On a request for a recorded vote the proposal was put to the meeting and members voted thus:

For: The Deputy Mayor
Alderman Creelman
Councillors Ms. Alexander, Bradley,
Dallat, Mrs. Fielding, Gilkinson,
Leonard and McLaughlin (9)

Against: The Mayor
Aldermen Mrs. Black, McClarty and McClure
Councillors Barbour, Mrs. Church, Cole,
Hillis, Mrs. Johnston, King, McPherson
and Stewart (12)

The proposal was, therefore, lost with nine votes for and twelve votes against.

3.0 LEGAL ADVICE

A full and lengthy discussion ensued as to whether Council should seek further legal advice regarding the future operation of caravan parks. The officers and consultants answered various members' questions. During this debate concern was expressed regarding the leaking of information on this topic to the press.

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

That Senior Counsel opinion be sought on the specific issues of surcharging, compliance with equality legislation and the terminology used in the Expression of Interest Form.

On a request for a recorded vote the proposal was put to the meeting and the members voted thus:

For: The Deputy Mayor
Aldermen Creelman and McClure
Councillors Ms. Alexander, Barbour, Bradley,
Cole, Dallat, Mrs. Fielding, Gilkinson,
Leonard, McLaughlin, McQuillan and
Stewart (14)

Against: Aldermen Mrs. Black and McClarty
Councillors Mrs. Church, Hillis,
Mrs. Johnston, King and McPherson (7)

Abstention: The Mayor (1)

The proposal was, therefore, carried with fourteen votes for and seven votes against.

On the proposal of Councillor Dallat and seconded by Councillor Stewart members resolved themselves out of "Committee" and ratified the decisions made therein.

COUNCIL MEETING

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin on Tuesday, 20th December, 2005 at 7.30 p.m.

Convened: As per Notice attached

Present: The Mayor, Councillor T. J. Deans, in the Chair
The Deputy Mayor, Alderman M. T. Hickey (Mrs.)
(Items 2.0 – 19.0)

Aldermen

| | |
|--------------------|---------------|
| E. T. Black (Mrs.) | D. McClarty |
| W. T. Creelman | W. J. McClure |

Councillors

| | |
|--|----------------------------------|
| C. S. Alexander (Ms.) (Items 1.0 – 8.0) | N. F. Hillis |
| D. D. Barbour (Items 5.2 – 19.0) | E. A. Johnston (Mrs.) |
| J. M. Bradley | W. A. King (Items 2.0 – 19.0) |
| O. M. Church (Mrs.) | B. Leonard |
| A. S. Cole | G. L. McLaughlin |
| J. J. Dallat | R. A. McPherson |
| S. Gilkinson | R. D. Stewart |

Officers in Attendance:

Town Clerk and Chief Executive, Director of Environmental Health, Director of Corporate Services, Director of Leisure Services, Director of Technical Services, Head of Development Services, Head of Administrative Services, Finance Officer, Community Development Officer and Administrative Assistant

Apology: Councillor Mrs. Fielding

1.0 WELCOME

The Mayor welcomed everyone to the last Council meeting of 2005.

2.0 MAYOR'S CHRISTMAS RECEPTION

The following proposal was made by Councillor Leonard and seconded by Councillor Dallat:

That the Mayor adopt an inclusive approach to the Mayoral reception to be held on 21st December, 2005 and issue an invitation to Sinn Féin.

Upon a request by Councillor Leonard for a recorded vote, members voted thus:

For: Alderman Mrs. Hickey and Councillors Ms. Alexander, Dallat, Leonard and McLaughlin (5).

Against: The Mayor, Aldermen Creelman and McClure and Councillors Cole, Gilkinson, McPherson and Stewart (7).

Abstentions: Aldermen Mrs. Black and McClarty and Councillors Bradley, Mrs. Church, Hillis, Mrs. Johnston and King (7)

The proposal was, therefore, lost by seven votes to five.

3.0 MINUTES

The Minutes of the Council Meeting of 22nd November, 2005, the Special Meeting of 1st December, 2005 and the Special Meeting of 5th December, 2005 were confirmed and signed.

4.0 COMMITTEE REPORTS

- | | | |
|-----|--|---|
| 4.1 | <u>Leisure and Environment Committee</u> | The Chairman, Councillor McLaughlin, moved the adoption of the Leisure and Environment Committee Report; this was duly seconded by Councillor McPherson and agreed. |
| 4.2 | <u>North West '200' Committee</u> | The Chairman, Councillor Gilkinson, moved the adoption of the North West '200' Committee Report; this was duly seconded by Councillor Stewart and agreed. |
| 4.3 | <u>Planning Committee</u> | The Chairman, Councillor Stewart, moved the adoption of the Planning Committee Report; this was duly seconded by Councillor Mrs. Church. |

Matters arising:

- | | | |
|-------|--------------------------------|---|
| 4.3.1 | <u>4 Mount Royal, Portrush</u> | Councillor Ms. Alexander expressed concern regarding the delay by Planning Service in issuing an opinion on this application which had been in the system in excess of two years. |
|-------|--------------------------------|---|

The Committee Report was agreed.

5.0 CORPORATE SERVICES REPORT

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

Matters arising:

- | | | |
|-------|---------------------------------|--|
| 5.1 | <u>Waste Management Charges</u> | |
| 5.1.1 | <u>Waste Disposal Charges</u> | It was agreed that Council increase the charges for waste disposal to £60 per tonne (plus landfill tax). |
| 5.1.2 | <u>Trade Waste Collection</u> | It was agreed that the following charges be |

Charges

implemented for trade waste collection for the year commencing 1st April, 2006:

| | £ |
|-------------|-------|
| 120L Bin | 1.15 |
| 240L Bin | 1.80 |
| 360L Bin | 2.50 |
| 660L Bin | 4.75 |
| 1100L Bin | 8.40 |
| Bags (each) | 0.83 |
| Tape (30m) | 42.00 |

5.2 Audit Committee

Consideration was given to the letter dated 22nd November, 2005 from the Local Government Auditor to Councillor Dallat. Following discussion, it was proposed by Councillor Ms. Alexander and seconded by Councillor Dallat:

That Council nominate an equal number of all appointments for each Councillor.

It was then proposed, as an amendment, by Councillor Bradley, seconded by Councillor McPherson and agreed by fifteen votes to five:

That this business be dealt with at the Annual Meeting of Council.

5.3 Checking of Accounts

It was agreed that Councillors Hillis and Gilkinson inspect the monthly payments to creditors for the next three months.

5.4 Matters for Information

5.4.1 Election Expenses

Members noted that costs incurred by Council in relation to the 2005 Local Government Election amounted to £66,600.

5.4.2 Financial Statement

Members noted information on the Financial Statement as at 31st October, 2005.

5.4.3 Accounts

Council noted that creditors' payments for November 2005, as per lists circulated, had been issued as follows:

| | |
|----------------|---------------|
| Revenue A/C | - £451,968.49 |
| Capital A/C | - £339,003.18 |
| Petty Cash A/C | - £ 54,615.52 |

In response to a query from Councillor Ms. Alexander, the Finance Officer agreed to provide her with a short report on payments to M. and E. Stothers Ltd.

5.4.4 New Appointments

The following appointments had been made in

accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection.

Technical Services Department

Civic Amenity Attendants – Two New Posts:
Mr. C. Doey and Mr. G. R. Elder

6.0 DEVELOPMENT SERVICES REPORT

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

Matters arising:

6.1 Advice Centre Funding

Council noted information on an increase in funding provided by the Department for Social Development and it was agreed:

That Council allocate the additional grant aid for advice services 2005-06 using the formula agreed at the March 2005 Policy and Development meeting, viz:

| | | |
|------------------------|-------|------------|
| Age Concern Coleraine | 12.6% | £ 1,502.55 |
| Causeway Women's Aid | 20.0% | £ 2,385.00 |
| Citizens Advice Bureau | 67.4% | £ 8,037.45 |

It was also agreed, therefore, that funding allocation for 2006-07 should be as follows:

| | | |
|------------------------|-------|------------|
| Age Concern Coleraine | 12.7% | £11,366.75 |
| Causeway Women's Aid | 15.0% | £13,425.30 |
| Citizens Advice Bureau | 72.3% | £64,709.95 |

6.2 Coleraine Community Safety Partnership Action Plan

Consideration was given to a request for financial assistance received from the Coleraine Community Safety Partnership and it was proposed by Councillor Dallat, seconded by Councillor Bradley and agreed:

That Council support the Community Safety Partnership Action Plan to the sum of £25,192 over a two year period.

It was further agreed that the Community Safety Partnership be invited to address a future meeting of Committee.

6.3 Tender for Business to Business Mentoring Programme

It was agreed that Council endorse the Business to Business Mentoring Programme at a cost of £15,000.

- 6.4 Tender for the delivery of a Marketing Development Programme Due to the demand for this programme from local businesses, it was agreed:
- That Council endorse provision of an extra ten places for businesses on this programme, to a total of forty places, at an additional cost to Council of £8,595.
- 6.5 Coleraine Borough Sales Proposition Consideration was given to information on this topic, as contained in the report, and it was agreed:
- That Council endorse this project on the basis that the cost to Council does not exceed £22,750.
- 6.6 COLLAGE 'CAN' Rural Business Awards Consideration was given to information on this new awards scheme, as detailed in the report, and it was proposed by Councillor King, seconded by Alderman McClure and agreed:
- That Council sponsor a category award in the COLLAGE 'CAN' Rural Business Awards at a cost of £1,200.
- 6.7 ICT Action Plan Consideration was given to information on this topic, as contained in the report, and it was agreed:
- That Council provide funding of £6,000 to the ICT Cluster in support of this plan.
- 6.8 For Information Members noted information, as contained in the report, on the following topics:
- Migrant Workers' Initiative
 - Tender Service Evaluation
 - Conference - 'Sharing Good Practice – Race, Equality and Diversity' – 10th 11th January, 2006, 10.00am– 4.30pm in the Royal Court Hotel, Portrush.

7.0 TENDERS - REFURBISHMENT OF GARVAGH RECYCLING CENTRE

The following tenders had been received for work on this scheme:

| <u>Tenderer</u> | <u>Total (£)</u> |
|---|------------------|
| (i) W. G. Killough, 31 Blackrock Road, Kilrea | 66,858.18 |
| (ii) S. R. M. Developments, 23 Beaghbeg Road, Cookstown | 67,509.00 |
| (iii) R. T. Boyd & Co. Ltd., 80 Lismoyle Road, Swatragh | 69,002.93 |
| (iv) Scott Bros., 78 Drumsurn Road, Limavady | 69,949.00 |
| (v) M. P. Coleman Ltd., Brigh Quarry, Stewartstown | 73,884.00 |

| | | |
|---------|--|------------|
| (vi) | Kennedy Quarries Ltd., 1 Letterloan Road, Macosquin | 73,960.53 |
| (vii) | R. J. McKelvey Ltd., 17 Carrickadartans Road, Castledearg | 75,138.22 |
| (viii) | Northstone (NI) Ltd., 209 Bushmills Road, Coleraine | 79,373.15 |
| (ix) | B. Mullan & Sons Ltd., 11-13 Anderson Avenue, Limavady | 79,416.80 |
| (x) | Carnlough Developments Ltd., 68 Gortfad Road, Swatragh | 81,842.66 |
| (xi) | Leslie McGuckin, 36 Rusky Road, Cookstown | 83,457.05 |
| (xii) | Higgins Construction Ltd., 34 Liscall Road, Garvagh | 84,997.00 |
| (xiii) | Stewart & McConnell, Site 30 Springtown Industrial Estate, Derry | 86,681.60 |
| (xiv) | P. Scullion Construction Ltd., 296 Hillhead Road, Magherafelt | 88,560.21 |
| (xv) | W. & H. Alexander Ltd., 2 Waterworks Road, Omagh | 89,609.85 |
| (xvi) | JPM Contracts Ltd., 79 Main Street, Dungiven | 89,766.20 |
| (xvii) | W. O'Kane Civil Engineering, 761 Feeny Road, Dungiven | 90,042.85 |
| (xviii) | F. P. McCann Ltd., 3 Drumard Road, Magherafelt | 90,912.43 |
| (xix) | R. Hogg & Sons Ltd., 60 Tobermore Road, Magherafelt | 92,322.10 |
| (xx) | T. D. McKane & Son, 35 Ednagee Road, Castledearg | 93,190.60 |
| (xxi) | Image Technical Services, Grove Street East, Belfast | 114,985.00 |

Agreed:

That Council accept the lowest tender from W. G. Killough in the sum of sixty six thousand, eight hundred and fifty eight pounds and eighteen pence (£66,858.18).

8.0 NOTICE OF MOTION

The undernoted Notice of Motion was proposed by Councillor Mrs. Johnston, seconded by Alderman McClarty and agreed by eighteen votes to one:

“This Council is opposed to the Review of Public Administration’s seven-council model for local government as it will inevitably create democratic deficit, limit local accountability and identity and, in the longer term, will negatively impact on community relations.

We call on the Secretary of State to recognise that the overwhelming majority of elected representatives are opposed to these plans and, as RPA has, therefore, failed to satisfy the test of public opinion, to immediately suspend its plans as a matter of urgency. We further call on the Secretary of State to engage with elected representatives in order to arrive at a conclusion which is acceptable to a majority of Parties in Northern Ireland and which is capable of enjoying cross-community support, unlike the current proposals.”

9.0 COUNCIL/COMMITTEES: BUSINESS MANAGEMENT

Consideration was given to the report of the Town Clerk and Chief Executive (previously supplied) and it was proposed by Alderman McClarty, seconded by Alderman Mrs. Black and agreed:

That briefing slots be provided for presentations to Council/Committee in the hour before meetings.

It was further agreed:

That the recommendations of Venture International on the structure of

Council/Committee meetings be re-presented to Committee for further consideration.

10.0 CONSULTATION DOCUMENTS

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

1. Local Government Audit Office - Consultation on the Draft Code of Audit Practice for Local Government Bodies in Northern Ireland 2006

Comments due: 20th January, 2006

2. Department of the Environment - Driver and Vehicle Testing Agency Consultation - Certificates of Professional Competence for Professional Lorry and Bus Drivers

Comments due: 8th February, 2006

11.0 NILGA - PRIORITIES AND BUDGET 2006-08

Read letter from NILGA requesting an indication of Council's support for active participation in a protest against the cuts proposed for local government in the budget published on 14th December, 2005.

Members interested in taking part in a protest were asked to advise the Town Clerk and Chief Executive before 13th January, 2006; transport to the event would then be arranged.

12.0 NILGA ANNUAL CONFERENCE AND EXHIBITION 2006 - 'MEETING THE CHALLENGES'

Read notice advising NILGA's Annual Conference would be held in the Slieve Donard Hotel, Co. Down on 16th/17th February, 2006.

Agreed:

That Council's representatives on NILGA should attend this conference viz: Aldermen McClarty and McClure and Councillors Dallat, Mrs. Johnston and Stewart.

13.0 NILGA SEMINAR - 'ENGAGING WITH THE EUROPEAN UNION'

Read email inviting four representatives of Council to attend this seminar which would be held on Tuesday 24th January, 2006, 10.00 am – 2.30 pm in Belfast City Hall.

Agreed:

That Councillor Mrs. Johnston should attend the NILGA seminar along with an officer of Council.

Any other members interested in attending were asked to advise the Town Clerk and Chief Executive.

14.0 UNIVERSITY OF ULSTER - PROVOST'S POSITION

Read email from Professor Peter Roebuck advising that Mr. Alan Sharp had been appointed as Provost for the University of Ulster, to take up position in the New Year.

Agreed:

That Council endorse plans for a function to mark Professor Roebuck's contribution to the Borough of Coleraine during his tenure as Provost of the University of Ulster.

15.0 DOCUMENTS TABLED

- (i) Report of the Coleraine District Policing Partnership Public Meeting of 24th October, 2005.
- (ii) Invest Northern Ireland – Annual Report and Accounts 2004/05.
- (iii) Northern Ireland Parades Commission – 7th Annual Report 2004/05.
- (iv) Coleraine District Policing Partnership – Public Consultation Report on Policing in Coleraine – November 2005.
- (v) Housing Executive Corporate and Business Plans 2006 – 2009 Consultation.
- (vi) NI Community Relations Council – 15th Annual Report 2004/05.
- (vii) Citizens Advice Bureau – Annual Report 2004/05.
- (viii) NILGOSC – Annual Report 2004/05.
- (ix) Fire Authority for Northern Ireland – Annual Report and Statement of Accounts 2004/05.
- (x) Ordnance Survey of Northern Ireland – Corporate Plan 2005/08 and Business Plan 2005/06.
- (xi) Equality Commission for Northern Ireland – Report on the Implementation of the Section 75 Equality and Good Relations Duties by Public Authorities Based on Public Authority Annual Progress Reports – 2003/04.
- (xii) Report of the Independent Assessment Panel – ‘An Independent Assessment of the Northern Ireland Policing Board’ – November 2005.
- (xiii) Inspection of the Office of the Police Ombudsman for Northern Ireland – Report - December 2005.

16.0 CARAVAN PARKS

The Town Clerk and Chief Executive advised Council that legal advice had been

sought on a number of points relating to caravan parks and that it was hoped to hold a Special Meeting of Council on either 12th or 19th January, 2006.

Noted.

17.0 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

1. Cemetery Titles

Grant of Right of Burial – Deeds
Register Nos. 3172 – 3175 (inclusive)

| | |
|-------------|---|
| Agherton | - |
| Ballywillan | 3 |
| Coleraine | 1 |
| Kilrea | - |
| Portstewart | - |

2. Licence

Council and Seahaven Homes Ltd.
(c/o Martin King French & Ingram
Solicitors, Limavady) - Lands off
Rockview Lane, Portstewart

18.0 SUMMER THEATRE COMMITTEE

Alderman Mrs. Black, on behalf of Mr. Mac Pollock, Summer Theatre Committee, extended thanks to Council officers for their support of the Summer Programme and to Council for its annual financial support.

19.0 THANKS

The Mayor thanked all members and Council officers for their support during the year.

The Town Clerk and Chief Executive thanked members for their positive comments, on behalf of all Council staff.

SPECIAL MEETING

“IN COMMITTEE”

3rd January, 2006.

Convened: In accordance with Standing Order 1.3(1) - to be advised regarding an application for Leave to apply for Judicial Review by Councillor B. Leonard (as detailed in the Notice)

Present: The Mayor, Councillor T. J. Deans, in the Chair
The Deputy Mayor, Alderman M. T. Hickey (Mrs.)

Aldermen

| | |
|--------------------|---------------|
| E. T. Black (Mrs.) | D. McClarty |
| W. T. Creelman | W. J. McClure |

Councillors

| | |
|-----------------------|------------------|
| C. S. Alexander (Ms.) | W. A. King |
| J. M. Bradley | B. Leonard |
| A. S. Cole | G. L. McLaughlin |
| E. P. Fielding (Mrs.) | R. A. McPherson |
| N. F. Hillis | A. McQuillan |
| E. A. Johnston (Mrs.) | R. D. Stewart |

Officers in Attendance:

Town Clerk and Chief Executive and Administrative Assistant

Apologies:

Councillors Barbour, Mrs. Church, Dallat and Gilkinson

1.0 WELCOME

The Mayor welcomed everyone to the first Council meeting of 2006.

2.0 “IN COMMITTEE”

It was proposed by Alderman McClarty, seconded by Councillor Stewart and agreed that the meeting be held “In Committee”.

3.0 APPLICATION FOR LEAVE TO APPLY FOR JUDICIAL REVIEW BY COUNCILLOR B. LEONARD

The Town Clerk and Chief Executive’s report outlining the background to this matter was circulated to members together with a Statement pursuant to the rules of the Supreme Court (Northern Ireland) Order 53 Rule 3(2) setting out the core basis for the application.

The Town Clerk and Chief Executive advised against substantive debate on the matter until legal advice was to hand.

It was then proposed by Alderman McClure and seconded by Councillor Stewart:

That Council formally approve the engagement of legal Counsel for this continuing matter.

On a request for a recorded vote the proposal was put to the meeting and members voted thus:

For: The Mayor
Aldermen Creelman and McClure
Councillors Bradley, Cole, Mrs. Fielding,
McQuillan and Stewart (8)

Against: The Deputy Mayor
Councillors Ms. Alexander and McLaughlin (3)

Abstained: Aldermen Mrs. Black and McClarty
Councillors Hillis, Mrs. Johnston, King,
Leonard and McPherson (7)

The proposal was, therefore, carried with eight votes for and three votes against.

On the proposal of Alderman McClure, seconded by Councillor Stewart members resolved themselves out of "Committee" and ratified the decision made therein.

The Mayor subsequently declared the meeting closed.

LEISURE AND ENVIRONMENT COMMITTEE

3rd January, 2006.

Present: Councillor G. L. McLaughlin, in the Chair
The Mayor, Councillor T. J. Deans (Items 1.0 - 4.2)
The Deputy Mayor, Alderman M. T. Hickey (Mrs.)

Aldermen

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

Councillors

C. S. Alexander (Ms.) N. F. Hillis
(Items 1.0 - 9.1.1) E. A. Johnston (Mrs.)
D. D. Barbour W. A. King
(Items 2.3 - 4.5) B. Leonard
J. M. Bradley R. A. McPherson
A. S. Cole A. McQuillan
E. P. Fielding (Mrs.) R. D. Stewart
(Items 1.0 - 4.2)

Officers in Attendance:

Director of Technical Services, Director of Corporate Services (Items 3.6 - 9.3), Director of Environmental Health, Principal Building Control Officer (Items 1.0 - 2.5.1), Leisure Services Officer (Facilities), Head of Administrative Services and Administrative Assistant

Apologies: Alderman McClarty, Councillors Mrs. Church, Dallat and Gilkinson and Director of Leisure Services

1.0 WELCOME

The Chairman welcomed everyone to the meeting and also extended best wishes for the New Year.

2.0 TECHNICAL SERVICES REPORT

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

Matters arising:

2.1 Towards Resource Management

Consideration was given to the Northern Ireland Local Government Association's (NILGA's) response, as detailed in the report, to the consultation document entitled "Towards Resource Management". The six main strands within the consultation document were:

(a) Waste Prevention

- (b) Recycling and Recovery
- (c) Waste Planning
- (d) Data and Research
- (e) Legislation and Enforcement
- (f) Learning and Communication

Following discussion it was proposed by Councillor McPherson, seconded by Alderman Mrs. Black and recommended:

That Council support NILGA's response to the consultation document.

The Director of Technical Services' letter to NILGA would incorporate various matters raised by members regarding this topic.

2.2 Northern Ireland Community Energy (NICE) Project

Committee noted that a partnership had been formed with Antrim Borough Council, Ballymena Borough Council, The Energy Saving Trust Advice Centre, University of Ulster and NILGA to operate a pilot scheme to:

- (a) Enhance the knowledge of energy saving initiatives within local communities;
- (b) Identify sources of grants and funding for local projects.

Funding for the pilot scheme, which would last for one year, was currently being sought but Council's only contribution would be officer's time. The Director of Technical Services would keep Committee informed of future developments regarding this project.

2.3 Request for use of Craighulliar Landfill Site

A request had been received from Ballymoney Borough Council seeking the availability and terms on which waste generated within its area might be accommodated in Craighulliar.

Discussion ensued on this topic during which concerns were expressed by members regarding increased traffic flows on Ballymacrea Road, Portrush and waste deterioration at existing waste holding centres.

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

That Council be recommended to agree, in principle, to Ballymoney Borough Council's request.

On being put to the meeting, the proposal was carried by thirteen votes to three.

2.4 Integrated Coastal Zone Management (ICZM) Draft Strategy for Northern Ireland (2006/26)

Consideration was given to information, as detailed in the report, regarding this consultation document which had been issued by the Department of the Environment.

A letter from the Department of the Environment advising of a series of public meetings to be held on this topic was circulated for members' information. The Head of Administrative Services advised members that a Council meeting had been scheduled for 19th January, 2006 (the same evening as the public meeting to be held in Portrush Town Hall).

The Director of Technical Services would make available a copy of the consultation document in the Members' Room for information. Committee recommended that Council favour a fifth option regarding this topic which would offer a more localised input from the north coastal area.

2.5 Building Control

2.5.1 Approvals

Approval had been granted for forty-four applications.

3.0 LEISURE SERVICES REPORT

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

In the absence of the Director of Leisure Services the Leisure Services Officer (Facilities) presented the report.

Matters arising:

3.1 Proposed Ice Arena

It was proposed by Councillor Bradley, seconded by Councillor Mrs. Johnston and agreed:

That this matter be considered "In Committee" at the end of the meeting.

3.2 North Derry Area of Outstanding Natural Beauty (AONB) Boundary Review

Committee noted information, as detailed in the report, regarding the review of the Boundary of the North Derry Area of Outstanding Natural Beauty (AONB). Any additional points members wished to raise regarding this matter were to be forwarded to the Director of Leisure Services by the end of February 2006.

3.3 North Coast Beach Safety Review

Committee noted information, as detailed in the report, regarding the North Coast Beach Safety Review.

The Plan would be presented to Council prior to implementation.

3.4 The Crescent, Portstewart

As part of the Capital Programme for 2006/7 Council had agreed to refurbish The Crescent Complex, Portstewart which was first developed in 1988.

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

That a small Working Group comprising of the Skerries Councillors be formed to oversee the development and refurbishment of The Crescent.

3.5 Causeway Museum Service - COMMA Project

Committee congratulated the Causeway Museum Service for having secured funding through the Northern Ireland Museums Service for the COMMA Project as detailed in the report.

3.6 For Information

The Director of Leisure Services included information in his report on the following:

- (a) Causeway Museum Service
 - (i) Age Concern Project
 - (ii) Their Past Your Future - Commemorating 60 years since the end of World War II
 - (iii) P7 Citizenship
 - (iv) Irish Museums Association - Annual Conference 24th - 26th February, 2006
- (b) Flowerfield Arts Centre - Spring Courses

4.0 ENVIRONMENTAL HEALTH REPORT

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

4.1 The Pollution Control and Local Government (N.I.) Order 1978 - Domestic Noise Complaints

It was proposed by Councillor McPherson, seconded by Councillor Mrs. Johnston and agreed:

That these matters be considered "In Committee" at the end of the meeting.

4.2 Consultation Document - Liquor Licensing - The Way Forward

Consideration was given to the consultation document, as detailed in the report, entitled "Liquor Licensing - The Way Forward".

A full discussion ensued during which many

members expressed general dissatisfaction with Government's proposals for reform and modernisation of the law for the sale and supply of alcohol.

Council is recommended to agree to the following:

Phase I Proposals

- (a) New Opening Hours - object to any extension regarding current opening hours. However, if extended hours are granted the requirement for an "operating plan" should be incorporated in Phase I rather than Phase II of the proposals;
- (b) New Enforcement Powers - to be welcomed, particularly in providing flexibility to the PSNI to, for example, close premises for a specified period;
- (c) Children and Young People - Council should object to open ended proposals to extend the times when children accompanied by an adult can be permitted on licensed premises; any application should be supported by an "operating plan";
- (d) Registered Clubs - Existing financial controls should be retained;

Phase II Proposals

- (e) Licensing Function to transfer to District Council - Council should support this proposal;
- (f) Surrender of Licence - This proposal should be phased in over a longer period than proposed or a compensation package agreed;
- (g) Children's Certificates - as (c) above.

4.3 Dog Kennelling Service
2006 - 2009 - The Dogs (N.I.)
Order 1983 as amended

Two tenders had been received in response to public advertisement for this service as detailed in the report, viz:

| Tenderer | Amount | Period of Contract |
|----------------|------------|---|
| USPCA, Belfast | £23,332.32 | 3 years with an option of one additional year |

Mr. J. McGarvey, £30,000.00 3 years with an
914 Rockmount Gardens, option of one
Articlave, additional year
Coleraine

Council is recommended to accept the lowest tender from USPCA, Belfast for £23,332.32.

The Director of Environmental Health answered various members' questions regarding the dog kennelling service.

4.4 Smoke-Free Workplaces

Committee noted that it was proposed to formally launch Council's Smoke-Free Policy on National No Smoking Day, Wednesday, 8th March, 2006. From that date onwards smoking in all enclosed spaces, including Council vehicles, would cease. This would result in the various smoking rooms throughout Council facilities, as detailed in the report, being taken out of service.

Discussion ensued as to an alternative use for the members' smoking room adjoining the members' lounge.

It was proposed by Councillor Ms. Alexander and seconded by Councillor Hillis:

That no further expenditure be spent in converting the usage of this room.

As an amendment it was proposed by Councillor McPherson and seconded by Councillor Mrs. Johnston:

That the room be converted into a members' library.

On being put to the meeting, the amendment was carried by eight votes to three.

4.5 Environmental Health
Conference - Making the
Difference - November 2005

Members viewed a short powerpoint presentation which illustrated the wider view of Environmental Health and some of the issues that faced the public on both the global and local stage.

**5.0 NORTH EASTERN EDUCATION AND
LIBRARY BOARD - LIBRARY SERVICE**

Read letter from the Director of Library and Corporate Services advising that the North Eastern Education and Library Board will be reducing the opening hours of all small branches of the Library Service within its area. This was to facilitate longer opening hours

in their major branch libraries e.g. Coleraine Library. From 1st April, 2006, Garvagh and Kilrea Libraries would be open for 18 hours per week.

Noted.

6.0 DEPARTMENT FOR REGIONAL DEVELOPMENT

Tabled:

Report on the Integrated Impact Assessment Consultation on the Reform of Water and Sewerage Services in Northern Ireland.

7.0 CARAVAN PARKS

The Head of Administrative Services reported that a Special Meeting of Council to reach a decision on caravan parks had been scheduled for Thursday, 19th January, 2006 at 7.30 p.m. Members also noted that the Carrick Dhu and Juniper Hill Caravan Committee would be holding a meeting at the Lodge Hotel, Coleraine on Wednesday, 18th January, 2006.

8.0 PROVOST PETER ROEBUCK

The Head of Administrative Services reported that a dinner to mark the retirement of Provost Peter Roebuck had been arranged for Monday, 16th January, 2006 at 7.00 p.m. in the Lodge Hotel, Coleraine. Members were requested to forward replies to the Administrative Officer as soon as possible.

Noted.

PLANNING COMMITTEE

10th January, 2006.

Present: Councillor R. D. Stewart in the Chair
The Mayor, Councillor T. J. Deans

Aldermen

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

Councillors

C. S. Alexander (Ms.) N. F. Hillis
D. D. Barbour E. A. Johnston (Mrs.)
J. M. Bradley W. A. King
O. M. Church (Mrs.) B. Leonard
A. S. Cole R. A. McPherson
J. J. Dallat A. McQuillan
S. Gilkinson

Also in Attendance: Representatives from the Planning Service –
Mr. P. Duffy and Mr. G. McGuinness

Officers in Attendance: Administrative Officer and Administrative Assistant

Apologies: The Deputy Mayor, Aldermen McClarty and McClure,
Councillors Mrs. Fielding and McLaughlin

1.0 COUNCIL CHAMBER

The Administrative Officer reported that the meeting was being held in the Bann View Committee Room due to problems regarding a window in the Council Chamber and apologised for any inconvenience caused.

2.0 DIRECTORS - BEST WISHES

The Chairman extended best wishes to Mr. K. Doherty, Director of Environmental Health, who had sustained a serious hand injury at the weekend and was in Dundonald Hospital.

He also extended best wishes to Mr. J. Curry, Director of Leisure Services, who had been in hospital but was now recovering at home.

Members asked to be associated with the comments.

3.0 NEW YEAR'S HONOURS LIST

Congratulations were extended to Mr. R. A. Platt, President, Bann Rowing Club, on being awarded the M.B.E. in the New Year's Honours List.

It was agreed that a letter be forwarded to Mr. Platt.

4.0 PLANNING APPLICATIONS

A list of one hundred and ten applications was considered (previously supplied).

Applications Deferred from Previous Meeting

- | | | |
|-----|---|---|
| 4.1 | <u>Application No. D1</u> <u>C/2004/1136/O</u> <u>Site for replacement dwelling east of 49 Ballyrashane Road, Coleraine for Mr. and Mrs. McCollum</u> | The opinion of the Planning Service was to refuse. It was reported that revised plans had been received and the application would be reconsidered by the Planning Service. |
| 4.2 | <u>Application No. D2</u> <u>C/2004/1380/F</u> <u>2 no. townhouses and 4 no. apartments at 102 Union Street, Coleraine for GM Design Associates Ltd.</u> | The opinion of the Planning Service was to refuse. It was agreed that the application be refused. |
| 4.3 | <u>Application No. D3</u> <u>C/2005/0136/F</u> <u>Proposed dwelling and detached garage adjacent to No. 11 Drumcroom Road, Garvagh for Mr. M. Holmes</u> | The opinion of the Planning Service was to refuse. It was proposed by Councillor Mrs. Church, seconded by Councillor Dallat and unanimously agreed: That the application be approved. |
| 4.4 | <u>Application No. D4</u> <u>C/2005/0146/O</u> <u>Proposed dwelling at Shenny Road, Macosquin, Coleraine for Mr. J. Hunter</u> | The opinion of the Planning Service was to refuse. It was proposed by Councillor King, seconded by Councillor Barbour and unanimously agreed: That the application be approved. |
| 4.5 | <u>Application No. D5</u> <u>C/2005/0168/O</u> <u>Site for dwelling and garage 120m south east of 87 Grove Road, Swatragh for Mrs. D. Devlin</u> | The opinion of the Planning Service was to approve. It was agreed that the application be approved. |
| 4.6 | <u>Application No. D6</u> <u>C/2005/0232/O</u> <u>Site for dwelling and garage off Oldtown Road, 220m south east of 43 Kilmoyle Road, Ballybogey for Mr. Campbell</u> | The opinion of the Planning Service was to refuse. It was proposed by Councillor Ms. Alexander, seconded by Councillor Dallat and unanimously agreed: |

- That the application be approved.
- 4.7 Application No. D7
C/2005/0246/O
Site for dwelling 240m east of
junction of Plantation Road and
Ballyrogan Road, Garvagh for
Mr. Conway
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 4.8 Application No. D8
C/2005/0276/O
Proposed dwelling opposite
19 Liscall Road, Garvagh for
Mr. S. Mullan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor Leonard and unanimously agreed:
- That the application be approved.
- 4.9 Application No. D9
C/2005/0325/O
Proposed single dwelling adjacent
to 88 Edenbane Road, Garvagh for
Mr. and Mrs. R. Shiels
- The opinion of the Planning Service was to refuse.
- Councillor McQuillan indicated that the application would be withdrawn. If the application was not withdrawn it would be refused.
- 4.10 Application No. D10
C/2005/0361/O
Proposed site for bungalow
approximately 50m north of
88 Mettican Road, Garvagh for
Mr. D. McKay
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Dallat and unanimously agreed:
- That the application be approved.
- 4.11 Application No. D11
C/2005/0362/A
Shop sign at 4 – 6 Queen Street,
Coleraine for Mr. Shirlow
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be held for two weeks to facilitate further discussions with the applicant.
- It was proposed by Councillor Mrs. Johnston, seconded by Councillor Ms. Alexander and agreed:
- That if there was no change of opinion the application be approved.
- 4.12 Application No. D12
C/2005/0390/O
- The opinion of the Planning Service was to refuse.

- Site for dwelling adjacent to 52 Ballyagan Road, Coleraine for Mr. S. McClarty
- It was proposed by Councillor McQuillan, seconded by Councillor Mrs. Church and unanimously agreed:
- That the application be approved.
- 4.13 Application No. D13 C/2005/0400/O Dwelling and garage approximately 160m east of 110 Edenbane Road, Kilrea for Mr. V. Church
- The opinion of the Planning Service was to refuse.
- Councillor Mrs. Church indicated that the application would be withdrawn. If the application was not withdrawn it would be refused.
- 4.14 Application No. D14 C/2005/0401/O Dwelling and garage approximately 70m east of 110 Edenbane Road, Kilrea for Mr. V. Church
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Church, seconded by Councillor Mrs. Johnston and unanimously agreed:
- That the application be approved.
- 4.15 Application No. D15 C/2005/0429/F Proposed site for bungalow and garage adjacent to No. 2 Gortmacrane Road, Kilrea for Mr. Dunne
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 4.16 Application No. D16 C/2005/0445/O Site for dwelling and garage adjacent to 110 Edenbane Road, Kilrea for Mr. Armstrong
- The opinion of the Planning Service was to refuse both applications.
- The applications had both been withdrawn.
- Application No. D17 C/2005/0447/O Site for dwelling and garage adjacent to 110 Edenbane Road, Kilrea for Mr. Armstrong
- 4.17 Application No. D18 C/2005/0456/O New dwelling and garage adjacent to 77 Moneydig Road, Garvagh for Mr. A. Craig
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Dallat and unanimously agreed:
- That the application be approved.

- | | | |
|------|---|---|
| 4.18 | <u>Application No. D19</u> <u>C/2005/0498/O</u> <u>New dwelling and garage 400m south of 23 Lisnamuck Road, Aghadowey, Coleraine for Mr. Anderson</u> | The opinion of the Planning Service was to approve. It was agreed that the application be approved. |
| 4.19 | <u>Application No. D20</u> <u>C/2005/0499/O</u> <u>Site for dwelling and garage adjacent to 154 Lisnamuck Park, Lisnamuck Road, Aghadowey, Coleraine for Mr. Anderson</u> | The opinion of the Planning Service was to approve. It was agreed that the application be approved. |
| 4.20 | <u>Application No. D21</u> <u>C/2005/0521/O</u> <u>Proposed bungalow adjacent to 89 Kurin Road, Garvagh for Mrs. S. Thompson</u> | The opinion of the Planning Service was to refuse. Councillor Mrs. Church indicated that the application would be withdrawn. If the application was not withdrawn it would be refused. |
| 4.21 | <u>Application No. D22</u> <u>C/2005/0643/O</u> <u>Site for dwelling and garage approximately 70m north east of 35 Rusky Park, Aghadowey for Mr. H. Robinson</u> | The opinion of the Planning Service was to refuse. The application had now been withdrawn. |
| 4.22 | <u>Application No. D23</u> <u>C/2005/0659/O</u> <u>Dwelling and garage 60m north west of 89 Moneydig Road, Garvagh for R. McIlrath</u> | The opinion of the Planning Service was to refuse. The application had now been withdrawn. |
| 4.23 | <u>Application No. D24</u> <u>C/2005/0668/O</u> <u>Site for dwelling and garage adjacent to 162 Carrowreagh Road, Garvagh for Mr. McNeill</u> | The opinion of the Planning Service was to approve. It was agreed that the application be approved. |
| 4.24 | <u>Application No. D25</u> <u>C/2005/0681/O</u> <u>Dwelling and garage 25m east of 72 Killyvally Road, Garvagh for Mr. D. Crockett</u> | The opinion of the Planning Service was to approve. It was agreed that the application be approved. |
| 4.25 | <u>Application No. D26</u> <u>C/2005/0684/O</u> <u>Site for dwelling and garage 240m north west of 10 Brockagh Road, Garvagh for Mr. Mullan</u> | The opinion of the Planning Service was to refuse. It was proposed by Councillor Dallat, seconded by Councillor McQuillan and unanimously agreed: |

That the application be

- approved.
- 4.26 Application No. D27
C/2005/0685/O
Site for dwelling and garage 70m
south of 10 Brockagh Road,
Garvagh for Mr. Mullan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor King and unanimously agreed:
- That the application be approved.
- 4.27 Application No. D28
C/2005/0693/O
Site for dwelling and garage
opposite 21 – 23 Magheramore
Road, Garvagh for Mr. McKeefrey
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor Leonard and unanimously agreed:
- That the application be approved.
- 4.28 Application No. D29
C/2005/0706/O
Site for dwelling approximately
290m north west of No. 10
Gortmacrane Road, Kilrea for
Mr. V. McAteer
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor Leonard and unanimously agreed:
- That the application be approved.
- 4.29 Application No. D30
C/2005/0759/O
Site for dwelling 520m north east
of 10 Cam Road, Macosquin for
Mr. O'Kane
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor King and unanimously agreed:
- That the application be approved.
- 4.30 Application No. D31
C/2005/0795/F
2 no. additional units to provide
four apartments (site Nos. 48 – 51)
at housing development at
Ballycastle Road, Coleraine for
Fairview Developments
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be held for one week to facilitate withdrawal. If the application was not withdrawn it would be refused.
- 4.31 Application No. D32
C/2005/0811/O
Site for dwelling and garage 110m
north west of 10 Brockagh Road,
Garvagh for Mr. B. Mullan
- The opinion of the Planning Service was to refuse both applications.
- It was proposed by Councillor Dallat, seconded by Councillor Leonard and

Application No. D33
C/2005/0812/O
Site for dwelling and garage 60m
south west of 10 Brockagh Road,
Garvagh for Mr. B. Mullan

unanimously agreed:

That the applications be approved.

- 4.32 Application No. D34
C/2005/0918/F
Erection of dwelling and garage at
Edenbane Road, Kilrea (340m
east of No. 110) for Mr. Hamilton

The opinion of the Planning Service was to approve.

It was agreed that the application be approved.

NEW APPLICATIONS

- 4.33 Application No. 8
C/2005/0056/F
Proposed extension to existing
furniture manufacturing store to
provide retail sales area at
98 Drumcroon Road, Blackhill,
Coleraine for Rooms Dynamic
Furniture Ltd.

The opinion of the Planning Service was to refuse.

It was proposed by Councillor King, 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.

It was further agreed that a representative from Roads Service be requested to attend.

- 4.34 Application No. 10
C/2005/0245/O
Site for dwelling and garage at
No. 1 Tamneyrankin Road,
Swatragh for Mr. O'Kane

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.

- 4.35 Application No. 14
C/2005/0360/O
Site for dwelling at Gateside Road,
Coleraine for Mr. G. Neely

The opinion of the Planning Service was to refuse.

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

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

4.36 Application No. 16
C/2005/0378/O
Site for dwelling and garage 500m
south east of 9 Carragh Road,
Bushmills for Mr. McGrotty

The opinion of the Planning Service was to refuse the seven applications.

Consideration was given to letters dated 11th April, 2005 from Mr. and Mrs. S. Keys and Mr. and Mrs. J. Askin (previously supplied).

Application No. 17
C/2005/0379/O
Site for dwelling and garage 50m
north west of 9 Carragh Road,
Bushmills for Mr. McGrotty

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

Application No. 18
C/2005/0380/O
Site for dwelling and garage 210 m
south east of 9 Carragh Road,
Bushmills for Mr. McGrotty

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. 19
C/2005/0381/O
Site for dwelling and garage 250m
south west of 9 Carragh Road,
Bushmills for Mr. McGrotty

Application No. 20
C/2005/0382/O
Site for dwelling and garage 330m
south west of 9 Carragh Road,
Bushmills for Mr. McGrotty

Application No. 21
C/2005/0383/O
Site for dwelling and garage 320m
south east of Ballyrock Primary
School, Carragh Road, Bushmills
for Mr. McGrotty

Application No. 22
C/2005/0384/O
Site for dwelling and garage 150m
south west of Ballyrock Primary
School, Carragh Road, Bushmills
for Mr. McGrotty

4.37 Application No. 24
C/2005/0496/O

The opinion of the Planning Service was to refuse.

- Replacement dwelling adjacent to 161 Carrowreagh Road, Garvagh for Mr. G. Wilson
- It was proposed by Councillor McQuillan, 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.
- 4.38 Application No. 25
C/2005/0515/O
Erection of dwelling house and garage 160m north north east of 38 Mettican Road, Garvagh for M. J. McAneaney
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Mrs. Johnston and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 4.39 Application No. 27
C/2005/0523/F
New two storey dwelling and garage adjacent to 161 Carrowreagh Road, Garvagh for Mr. Wilson
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, 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.
- 4.40 Application No. 28
C/2005/0558/O
Proposed site for dwelling, lake and tree planting off Brone Road, Garvagh (50m north of No. 34 Brone Road) for Mr. M. Holmes
- The opinion of the Planning Service was to refuse the five applications.
- It was proposed by Councillor Mrs. Church, seconded by Councillor Mrs. Johnston and agreed:
- Application No. 29
C/2005/0559/O
Proposed site for dwelling, lake and tree planting off Brone Road, Garvagh (20m north of No. 34 Brone Road) for Mr. M. Holmes
- 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.

It was further agreed that a representative from Roads Service be requested to attend.

Application No. 30
C/2005/0565/F
Proposed 2 no. dwellings 40m
north east of 34 Brone Road,
Garvagh for Mr. E. Holmes

Application No. 31
C/2005/0566/F
Proposed dwelling and access
laneway off Brone Road, Garvagh
(370m north north east of No. 34
Brone Road) for Mr. Spahn

Application No. 32
C/2005/0567/F
Proposed dwelling off Brone Road,
Garvagh (220m north of No. 34
Brone Road) for Mr. E. Holmes

4.41 Application No. 35
C/2005/0602/O
Site for one and a half storey
dwelling and garage 150m east of
94 Old Carhill Road, Garvagh for
Mr. White

The opinion of the Planning Service was to refuse.

It was proposed by Councillor McQuillan, 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.

4.42 Application No. 41
C/2005/0665/F
Dwelling house adjacent to
15 Hillhead Road, Kilrea for
Mr. Fergus

The opinion of the Planning Service was to refuse both applications.

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

Application No. 42
C/2005/0666/F
Dwelling house adjacent to
15 Hillhead Road, Kilrea for
P. Fergus

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.

4.43 Application No. 45
C/2005/0723/F
Proposed change of use and
extension to No. 6 Greenmount
Park to facilitate new chemist and

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Ms. Alexander, seconded by Councillor

butchers at Nos. 3 – 5
Greenmount Avenue, Coleraine for
Mr. Henderson

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.

4.44 Application No. 46
C/2005/0727/F
Change of use from retail unit with
accommodation over to 3 no.
dwelling units at 12 Main Street,
Castlerock for E. Campbell

The opinion of the Planning Service was to refuse.

It was proposed by The Mayor, seconded by Councillor King and agreed:

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

4.45 Application No. 53
C/2005/0867/O
Site for bungalow, renewal of
outline planning permission
adjacent to No. 2 Kiltinny Park,
Coleraine for Mr. S. J. McCandless

The opinion of the Planning Service was to refuse.

Following discussion it was agreed that the application be referred to the Divisional Planning Manager for further consideration.

It was proposed by The Mayor, seconded by Councillor Dallat and unanimously agreed:

That if there was no change of opinion the application be approved.

4.46 Application No. 55
C/2005/0890/F
2 no. dwellings at 10 Strand
Crescent, Portstewart for
A. J. M. Properties

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Mrs. Johnston, 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.

- | | | |
|------|--|---|
| 4.47 | <u>Application No. 65 C/2005/1131/F Additional guest bedrooms and service stores within existing hotel premises at The Comfort Hotel, 73 Main Street, Portrush for North Coast Hotels Ltd.</u> | The opinion of the Planning Service was to approve. It was proposed by Councillor Ms. Alexander, seconded by Councillor Bradley and agreed: That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed. |
| 4.48 | <u>Application No. 76 C/2005/1228/F Storage units at 14 Portstewart Road, Coleraine for Mr. Alauijeh</u> | The opinion of the Planning Service was to refuse. It was proposed by Councillor Mrs. Johnston, 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. |

5.0 GENERAL PLANNING ISSUES

- | | | |
|-----|--|---|
| 5.1 | <u>Application – Coolyvenny Road, Coleraine - Connor</u> | Reported that the decision had been issued on 19 th December, 2005. |
| 5.2 | <u>Application – Eglinton Street, Portrush - Fletcher</u> | Reported that some matters were still outstanding but the application should be presented at the February meeting of Committee. |
| 5.3 | <u>Application for Nirvana Health Spa</u> | Reported that additional information had been received and the application would be presented to Committee as soon as possible. |
| 5.4 | <u>Houses in Multiple Occupation – Definitive Timetable for HMO Subject Plan</u> | Reported that there was no definitive timetable available. |
| 5.5 | <u>4 Mount Royal, Portrush</u> | Reported that various concerns were being addressed and the application should be presented at the February meeting of Committee. |

**6.0 PLANNING APPLICATION -
PROPOSED ENCLOSURE OF EXISTING
CHILDREN'S ENTERTAINMENT CENTRE,
KIDDIELAND, PORTRUSH**

Consideration was given to the Head of Development Services' Report on the above planning application (circulated to each member).

Following discussion it was proposed by Councillor McPherson, seconded by Councillor Hillis and agreed:

That Council object to the application and that Mr. Fleming, BDP Planning, represent Council on the issue.

**7.0 LEGAL OPINION - APPLICATIONS REFUSED
ON THE GROUNDS OF THE JOINT MINISTERIAL
STATEMENT/PREMATURITY**

Consideration was given to letter dated 10th December, 2005 from Mr. S. Shaw QC regarding the question of applications refused on the grounds of the Joint Ministerial Statement/Prematurity (previously supplied).

Mr. Shaw concluded that the proper forum for challenge was the Planning Appeals Commission rather than the High Court.

Noted.

**8.0 LISTING OF BUILDINGS OF SPECIAL
ARCHITECTURAL OR HISTORIC INTEREST -
5 LARAGH LANE, MAGHERA**

Read letter from the Environment and Heritage Service seeking Council's views on the proposed listing of 5 Laragh Lane, Maghera.

Following discussion it was agreed that the listing of the property be supported.

**9.0 PLANNING APPEALS COMMISSION -
63 BEACH ROAD, PORTBALLINTRA
N M DEVELOPMENTS**

Read letter from the Planning Appeals Commission advising Council that an informal hearing for the above planning appeal would be held in Coleraine Town Hall on 3rd February, 2006 at 10.30 a.m.

Noted.

10.0 CARAVAN PARKS

Following discussion it was agreed that the Special Meeting scheduled for Thursday, 19th January, 2006 to consider the future operation of the caravan parks commence at 7.30 p.m.

11.0 PLANNING ISSUES RAISED BY MEMBERS

11.1 C/2004/1020

Concern was expressed regarding the

- | | | |
|------|---|---|
| | <u>61 Mountsandel Road, Coleraine – Blair</u> | applicant still not having received the decision relating to this application. Planning Service would investigate and notify Councillor Ms. Alexander. |
| 11.2 | <u>Ringrash Road, Macosquin</u> | Concern was expressed regarding rubble being dumped at Ringrash Road, Macosquin. Reported that this matter was being investigated by the Enforcement Section. |
| 11.3 | <u>New dwelling - Drumslade</u> | Reference was again made to a new dwelling built at Drumslade. Planning Service would investigate the matter. |
| 11.4 | <u>Rock Castle</u> | Following a query relating to the information request in respect of Rock Castle it was reported that an acknowledgement had been received from the Information Commissioner's office. |
| 11.5 | <u>Agents – Names and Addresses</u> | It was again requested that the names and addresses of Agents be listed on the planning schedule. |

12.0 SYMPATHY

The Chairman referred to the sudden death of Mr. Nigel Wilson, Manager, Kelly's Nightclub. Mr. Wilson had been involved with Council's Safer Dancing and Door Supervisors' schemes.

The sympathy of Council was extended to Mr. Wilson's family.

POLICY AND DEVELOPMENT COMMITTEE

17th January, 2006

Present: Alderman W. J. McClure, in the Chair
The Mayor, Councillor T. J. Deans
The Deputy Mayor, Alderman M. T. Hickey (Mrs.)

Aldermen

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

Councillors

| | |
|--|------------------------------------|
| C. S. Alexander (Ms.) (Items 1.0 – 2.4) | S. Gilkinson |
| D. D. Barbour (Items 1.0 – 2.3) | N. F. Hillis |
| J. M. Bradley | E. A. Johnston (Mrs.) |
| O. M. Church (Mrs.) | W. A. King |
| A. S. Cole | B. Leonard |
| J. J. Dallat | R. A. McPherson |
| | R. D. Stewart (Items 1.0 - 3.0) |

Officers in Attendance:

Town Clerk and Chief Executive, Director of Corporate Services, Head of Development Services, Head of Administrative Services, Personnel Officer (Items 1.0 – 1.2.3), Finance Officer, Community Development Officer (Items 1.0 – 2.2) and Administrative Assistant

Apology: Alderman McClarty

1.0 CORPORATE SERVICES REPORT

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

Matters arising:

- 1.1 Waste Disposal Charges Consideration was given to information on waste disposal charges, as contained in the report, and it was proposed by Councillor Ms. Alexander and seconded by Councillor Bradley:

That Council retain the agreed rate of £42 per tonne and allow Moyle to source a more favourable rate elsewhere.

On being put to a vote the motion was lost with four votes for and eight votes against.

It was then proposed by Councillor Stewart, seconded by Councillor Dallat and recommended:

That Council adopt the recommendation of the Director of Corporate Services to discount the full charge from £42 to £38 per tonne for customers who deposit over 9,000 tonnes per annum.

On a request for further information by Councillor Bradley, the Director of Corporate Services agreed to ask the Director of Technical Services to supply same for the Council meeting on 24th January, 2006.

1.2 Rate Estimates 2006/07

Consideration was given to information on this topic, as contained in the report, and it was proposed by Councillor Dallat, seconded by Councillor Leonard and recommended by sixteen votes to one:

That Council seek an urgent meeting with the Minister regarding the changes in waste management grant.

It was further recommended:

That a Special Meeting of Council be held on Monday 6th February, 2006 to consider the estimates and strike a rate for the year ending 31st March, 2007.

1.2.1 NILGA – Local Government Budget Protest

Read letter from NILGA advising of a protest to be held at the Main Gates of the Stormont Estate on Thursday 26th January, 2006, commencing at 11.45 am, to highlight to the Minister and the public the implications of the Local Government Budget.

Members expressed support for this planned protest.

1.3 Consultation Paper on the Draft Local Government (Accounts & Audit) Regulations (Northern Ireland) 2006

Consideration was given to information on this topic, as contained in the report, and it was proposed by Councillor Dallat and seconded by Alderman Mrs. Hickey:

That Council requests the Department to establish, as a mandatory requirement, a Register of Interests and Hospitality Register relating to members.

On being put to a vote the motion was lost with four votes for and seven against.

It was, therefore, recommended:

That Council endorse the comments of the

Director of Corporate Services, as contained in the report.

1.4 Women in Local Councils

Consideration was given to the Declaration of Principles in relation to the role of women in local authorities, produced by the Local Government Staff Commission, as contained in the report and it was proposed by Councillor Dallat, seconded by Councillor Ms. Alexander and recommended:

That Council adopt the principles drawn up by the Local Government Staff Commission and display them on Council's website.

1.5 Matters for Information

1.5.1 Award of Tender for Seasonal/Temporary Employees

Committee noted that this account had been awarded to Riada Recruitment.

1.5.2 Article 55 Review

Committee noted the response of the Equality Commission to members' request for clarification, as contained in the report.

1.5.3 Accounts

Committee noted that creditors' payments for December 2005, as per lists circulated, had been issued as follows:

| | | | |
|----------------|---|---|------------|
| Revenue A/C | - | £ | 300,313.82 |
| Capital A/C | - | £ | 196,129.83 |
| Petty Cash A/C | - | £ | 91,600.01 |

2.0 DEVELOPMENT SERVICES REPORT

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

Matters arising:

2.1 Community Development Grant Estimates 2006-07

Committee noted information on the proposed budget for community development and social inclusion grant funding for 2006-07 and it was proposed by Councillor Bradley, seconded by Alderman Creelman and recommended:

That Council approve the proposed budget for 2006/07 viz:

| | |
|----------------------------------|---------|
| Community Development Grant Fund | £28,000 |
| Social Inclusion Grant | £16,000 |

2.2 Coleraine Youth Forum

The Chairman welcomed Mr. Brendan Patterson, Manager, Coleraine Youth Forum to the meeting, along with his colleagues.

Mr. Patterson updated Committee on the work of

Coleraine Youth Forum and its plans for the future. Mr. Patterson then outlined funding requirements for the Forum for the period 2006-08 and requested Council's assistance with meeting those requirements.

Members congratulated Mr. Patterson on the success of Coleraine Youth Forum and it was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Hickey and recommended:

That Council support the application for funding from Coleraine Youth Forum for the two year period 2006-08, at a cost of £51,679.02.

2.3 Coleraine Speciality and Organic Market

2.3.1 Tender for Market Stalls and Tables

Four tenders for the supply of market stalls and tables had been received viz:

| | | |
|-------|------------------------|---------|
| (i) | Zapp | £18,216 |
| (ii) | Instant Pop Ups | £21,600 |
| (iii) | Instant Marquees Ltd. | £22,618 |
| (iv) | Nicoll Industries Ltd. | £24,264 |

It was noted that the cheaper of the tenders did not fully satisfy Council's requirements as laid down in the Terms of Reference. It was, therefore, recommended:

That Council accept the tender from Instant Marquees Ltd. in the sum of £22,618.

It was noted that 50% of the cost would, it was anticipated, be secured through DETI.

2.3.2 Refrigeration Units

Two tenders had been received for the supply of refrigeration units viz:

| | | |
|------|--------------------|-----------------|
| (i) | Low Refrigeration | £1,400 per unit |
| (ii) | Zero Refrigeration | £1,850 per unit |

Recommended:

That Council accept the lowest tender from Low Refrigeration in the sum of £1,400 per unit.

It was noted that a maximum of 3 units would be purchased with an anticipated 50% of the cost secured through DETI.

2.4 Maine Trade Links

Council is recommended to endorse a short visit

to Maine by the Mayor and the Chief Executive, to explore the potential for a reciprocal Trade Mission with the Governor of Maine, the municipal authorities at Bangor and Portland and representatives of the Maine International Trade Centre.

2.5 CORE and the North East Partnership

Consideration was given to information on this topic, as contained in the report, and it was recommended:

That Council approve a phased transfer of CORE initiatives to the North East Partnership (NEP) and the transfer of £4,000 residual funding from the CORE budget to the NEP to cover Council's contribution to the NEP for 2006-07.

2.6 Coleraine Harbour Lands

Committee noted that the tender to prepare a Masterplan for the Coleraine Harbour lands had been awarded to GVA Grimley at a cost of £19,941.25.

Recommended:

That Council supports the preparation of the Harbour Land Masterplan on a 50:50 basis with the Harbour Commissioners at a cost to Council of £9,971.00.

Members' concerns regarding the development brief were noted by the Head of Development Services.

2.7 Causeway Coast & Glens Heritage Trust Study Trip

Council is recommended to approve attendance by the Head of Development Services on a study trip to Iceland organised by the Causeway Coast and Glens Heritage Trust, at a cost of £260.

2.8 Northern Ireland Tourism Awards 2005-06 in Association with BMI

Members noted that entries had been invited for this annual awards event which would take place on Thursday 1st June, 2006 and that nomination forms were available from the Head of Development Services.

2.9 Primary School Citizenship Tours

Members noted information on Primary School Citizenship Tours, as contained in the report.

3.0 LAND AND PROPERTY

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

Matters arising:

3.1 Mettican Play Area, Garvagh

Committee noted that Mr. J. W. Paul, the owner

of the property next to the Council play park, had offered to regrade the boundary mound between the two properties and erect a new fence on the line of the old fence to Council's satisfaction and at no cost to Council.

3.2 Lansdowne Crescent, Portrush

A request had been received from the Ballycastle District of the Independent Loyal Orange Order Institution to use Council's Lansdowne Crescent Green for assembly and as a demonstration field for its Twelfth of July celebrations in 2006.

Recommended:

That Council agree the request subject to a commitment from the Independent Loyal Orange Order Institution to indemnify Council against all claims and to make good any damage to the Green.

3.3 Council Chamber – Loose Window Frame

Committee noted that the loose window frame in the Council Chamber had been stabilised and would be permanently repaired as soon as possible.

4.0 DEPARTMENT OF EDUCATION

4.1 New Post-Primary Arrangements

Committee noted the contents of this document (previously supplied).

4.2 Proposal for a Draft Education (Northern Ireland) Order – Request for Comments

Committee noted that this consultation document (previously supplied) would be considered fully at the meeting to be held on 21st February, 2006.

5.0 CAUSEWAY VOLUNTEER BUREAU - SHOPMOBILITY SCHEME

Read letter from Causeway Volunteer Bureau advising the establishment of a 'Shopmobility Scheme' for the Borough and inviting two Councillors to join the committee.

Recommended:

That Alderman Mrs. Hickey and Councillor Mrs. Johnston be nominated to the committee of the 'Shopmobility Scheme'.

6.0 DEPARTMENT OF THE ENVIRONMENT - LOCAL GOVERNMENT DIVISION - REVIEW OF CODE OF LOCAL GOVERNMENT CONDUCT

Read letter from John Ritchie (previously supplied) advising the Terms of Reference of the Working Group for the Review of the Code of Conduct for Councillors.

Noted.

**7.0 REVIEW OF PUBLIC ADMINISTRATION -
LETTER FROM JEFF ROOKER M.P.**

Read letter from Jeff Rooker, M.P., (previously supplied) in response to Council's letter of 29th December, 2005 to the Secretary of State for Northern Ireland.

Noted.

8.0 TESCO

Read letter from Tesco (previously supplied) inviting members to an informal exhibition to hear further details on a recent planning application submitted by Tesco; to be held in the Lodge Hotel on Wednesday 25th January, 2006 between 3.30 and 8.00 pm.

Noted.

**9.0 NORTH EASTERN EDUCATION
AND LIBRARY BOARD (NEELB)**

Read letter from NEELB advising that the Library Service had commissioned an economic appraisal to look at a number of options for provision of a new Coleraine town library, with the Market Yard project included as one of the options.

Noted.

10.0 INSTITUTION OF CIVIL ENGINEERS

Read letter from the Institution of Civil Engineers inviting members to attend a one day conference, "Changing Transport-Connecting Opportunities", to be held on Monday 27th February, 2006 at W5, Odyssey, Belfast.

Councillor Dallat agreed to attend this conference; any other interested members were asked to contact the Town Clerk and Chief Executive.

Members also noted that the Northern Corridor Railways Group may consider a similar one day event, with the North West region as the theme, for late Spring/ early Summer 2006.

11.0 DOCUMENTS TABLED

- (i) Northern Ireland Priorities and Budget 2006-08
- (ii) Northern Ireland Human Rights Commission – Annual Report 2004-05.