

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on TUESDAY the 23<sup>rd</sup> day of January, 2007 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 Council Meeting – 19<sup>th</sup> December, 2006
  - 1.2 Special Meeting – 14<sup>th</sup> December, 2006
  - 1.3 Special Meeting – 2<sup>nd</sup> January, 2007
  - 1.4 Special Meeting – 10<sup>th</sup> January, 2007
2. Committee Reports (enclosed):
  - 2.1 Planning Committee – 9<sup>th</sup> January, 2007
  - 2.2 Policy and Development Committee – 16<sup>th</sup> January, 2007
3. Northern Ireland Fire and Rescue Service – Draft Integrated Risk Management Plan 2007/8 (Report enclosed)  
  
Representatives from the Portstewart Crew of the Northern Ireland Fire and Rescue Service (NIFRS) will be in attendance to address Council.
4. Review into Affordable Housing – Interim Report (previously supplied) – Council's Draft Response (Report enclosed)  
  
Copy letter dated 16<sup>th</sup> January, 2007 from Acting Departmental Private Secretary to David Cairns MP in response to Notice of Motion submitted by Councillor B. Leonard (enclosed)
5. Water Reform Northern Ireland – Consultation on the draft Charges Scheme for Northern Ireland Water Limited 2007/08 – Consultation Document (enclosed)

6. Consultation List (enclosed)
7. Correspondence
8. Documents for Sealing

**Enclosed for Information:**

Minutes of the Northern Health and Social Services Council dated  
1<sup>st</sup> November, 2006

To: Each Member of Council.

19<sup>th</sup> January, 2007.

## **COUNCIL MEETING**

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday, 19<sup>th</sup> December, 2006

**Convened:** As per Notice attached.

**Present:** The Mayor, Councillor W. A. King, in the Chair  
The Deputy Mayor, Councillor E. P. Fielding (Mrs.)

### **Aldermen**

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

### **Councillors**

C. S. Alexander (Ms.) (Items 5.2 – 22.0)	S. Gilkinson
D. D. Barbour	N. F. Hillis
J. M. Bradley (Items 5.2 – 22.0)	E. A. Johnston (Mrs.)
O. M. Church (Mrs.)	B. Leonard
A. S. Cole	G. L. McLaughlin
J. J. Dallat	R. A. McPherson
B. Fitzpatrick	A. McQuillan (Items 9.0 – 22.0)

### **Officers in Attendance:**

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

**Apology:** Councillor Deans

## **1.0 WELCOME**

The Mayor welcomed everyone to the meeting, giving a special welcome to the newly-elected Councillor Fitzpatrick, on his first meeting of Council and to Alderman Mrs. Black, on her return after illness.

## **2.0 INVITATION**

With reference to the consultation document from the Department for Health, Social Services and Public Safety on the Future of Pathology Services in Northern Ireland, it was proposed by Councillor Leonard, seconded by Councillor Mrs. Johnston and agreed:

That the Chief Executive of the Causeway Health and Social Services Trust be invited to address Council in the New Year, to aid Council's response to this document.

### **3.0 MINUTES**

The Minutes of the Council Meeting of 28<sup>th</sup> November, 2006 and the Special Meetings of 23<sup>rd</sup> November, 2006 and 11<sup>th</sup> December, 2006 were confirmed and signed.

### **4.0 COMMITTEE REPORTS**

#### **4.1 Leisure and Environment Committee**

Alderman Mrs. Hickey moved the adoption of the Leisure and Environment Committee Report; this was duly seconded by The Deputy Mayor.

Matters arising:

#### **4.1.1 Entertainments Licences (Item 2.3)**

In response to members' questions, the Director of Technical Services confirmed that liability insurance for Entertainments Licences was always thoroughly checked, as were all other requirements of the licences.

The Committee report was adopted.

#### **4.2 Planning Committee**

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

### **5.0 CORPORATE SERVICES REPORT**

Consideration was given to the Report of the Director of Corporate Services (previously supplied).

Matters arising:

#### **5.1 Capital Programme**

Agreed:

That the Capital Programme presented in November be endorsed and that members' additional comments be noted for the preparation of the updated Programme in 2007.

#### **5.2 Draft Policy on Contributions to Other Bodies for Capital Purposes**

It was proposed by Councillor McPherson, seconded by Alderman McClure and agreed:

That the Draft Policy be adopted.

#### **5.3 Accounts**

Members noted that the Accounts for November 2006 had already been issued.

### **6.0 DEVELOPMENT SERVICES REPORT**

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

Matters arising:

6.1 European Funding -  
Local Economic Development  
Implications for Council

The Head of Development Services updated members on the implications for Council of the current programme of European funding for local economic development drawing to a close and the possible future funding issues for Council.

It was then proposed by Councillor Dallat, seconded by Alderman McClure and agreed:

That Council give authority to the Head of Development Services to make a measured judgement on the level of grant which Council might secure and to include that as projected income in the estimates.

6.2 Matters for Information

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

- (i) Vibrant Villages – members congratulated officers involved in this project on the success of the grant application.
- (ii) North West '200'.
- (iii) Council Yearbook – members' compliments on this publication were noted; requests for an A5 size Yearbook would be investigated.

## 7.0 LAND AND PROPERTY

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

Matters arising:

7.1 Kennedy Group International  
North West '200'

Council agreed to release the land for the 2007 event, as in previous years.

7.2 Replacement House at 16 and  
16a Ballyreagh Road, Portrush

Consideration was given to a request from the owners of this site for Council to sell an area of adjoining land, as detailed in the Report.

Members noted that, as the land being requested had originally been acquired via a Vesting Order, the pre-emption process would apply whereby the land would first have to be offered to the original owners.

In the event of Council agreeing that the land could be sold, the owners of 16 and 16a Ballyreagh Road would be asked to bear the risks and costs arising from the pre-emption process.

During a period of discussion, it was proposed by Alderman Mrs. Hickey, seconded by Councillor Dallat and agreed by nine votes to nil:

That a site meeting be held at this location.

7.3 The Boat House, Beach Road, Portballintrae

Members noted information on a licence being drawn up between Council and the Dundarave Estate for wayleave access to this location, as contained in the Report.

7.4 Planning Applications

Members noted information on potential breaches of covenant on three areas of Council land and one issue of potential encroachment, as detailed in the Report.

The Head of Administrative Services answered members' queries on these issues.

## 8.0 NOTICE OF MOTION

The undernoted Notice of Motion was proposed by Councillor Leonard and seconded by Councillor Ms. Alexander:

“Given the number of international and local visitors to our mainstream events and generally, this Council agrees to investigate the feasibility of producing a presentation DVD to reflect the potential of the area and increase future tourism to our area.

This should include:

- (i) joint funding of and or help in kind towards the project, with other groups responsible for tourism such as the NITB, Tourism Ireland and any other funding sources;
- (ii) e-marketing of the DVD; and
- (iii) hosting the DVD, or an edited version of it, on various websites.”

On being put to the meeting following a lengthy period of discussion, the Motion was carried by eleven votes to six.

## 9.0 NOTICE OF MOTION

The undernoted Notice of Motion was proposed by Alderman Mrs. Hickey and seconded by Councillor Dallat:

“This Council, conscious of the need for youth facilities in Portstewart, calls for an urgent meeting with the Police Service of Northern Ireland to lay an expression of interest in the land and building on the Coleraine Road, Portstewart which are now surplus to need.”

A full discussion ensued during which a proposed amendment put forward by Councillor Gilkinson was not recognised as it made negative the Motion which, according to Standing Order 8.6, was not permitted.

Members' questions were then responded to by the Town Clerk and Chief Executive. A further proposal for an amendment by Councillor Leonard failed to find a seconder and a third proposal for an amendment, made by Alderman McClure, was then withdrawn.

On then being put to the meeting, the Motion was carried with nineteen votes for and one vote against.

**10.0 LOCAL GOVERNMENT BOUNDARIES**  
**COMMISSIONER - PROVISIONAL**  
**RECOMMENDATIONS REPORT**

Consideration was given to the Report of the Chief Executive and it was proposed by Councillor McPherson, seconded by Alderman McClarty and agreed:

That Council endorse the recommendations of the Town Clerk and Chief Executive, viz:

- (i) Accept, albeit with reluctance, that there is some merit in transferring Magilligan Strand to the new North West District which will already administer the greater part of the Strand.
- (ii) Robustly oppose the proposed drawing of the district boundary line which would exclude the Mussenden Temple and other associated sites from the North East District.
- (iii) Suggest a new alternative line for the District boundary to reflect the retention of these sites within the North East Local Government District.

**11.0 TRANSFER OF ENTERTAINMENTS**  
**LICENCE**

Agreed:

That approval be given for the transfer of an Entertainments Licence to Mr. D Friel, c/o Bushtown House Hotel in respect of the undernoted premises:

Bushtown House Hotel, 283 Drumcroone Road, Coleraine.

**12.0 COLERAINE REGIONAL MUSEUM -**  
**APPOINTMENT OF CONSULTANTS**

12.1 Appointment of Interpretative  
Design Consultants

Members noted information on this topic, as contained in the report, and it was agreed:

That Houghton Kneale Design be appointed as interpretative designers for Coleraine Regional Museum.

12.2 Appointment of Architectural  
Conservation Consultant

Four tenders had been received for this project, viz:

<b>Company</b>	<b>Tender Price</b>
Consarc Conservation, Belfast	£43,700 plus mileage
Alistair Hoey, Belfast	Incomplete
Paul Arnold, Dublin	Incomplete
Purcell Miller Tritton, Liverpool	£34,355 inclusive of all expenses

Agreed:

That Council appoint Purcell Miller Tritton to provide conservation services to the Market Yard listed structure at a cost of £34,355 inclusive of all expenses.

**13.0 REQUEST FOR FUNDING -  
COLERAINE SPORTS COUNCIL**

Consideration was given to a request for funding from Coleraine Sports Council and it was agreed:

That Council contribute £8,000 to Coleraine Sports Council for 2005/06.

**14.0 VACANCIES ON EXTERNAL AGENCIES/  
PARTNERSHIPS, LOCAL GOVERNMENT  
BODIES AND INTERNAL WORKING  
GROUPS**

Members noted that one vacancy existed on the following bodies. It was agreed that nominations for items (g) Riverside Theatre Trust and (l) Working Together Group be deferred pending consideration of further imminent reports on the operation of these groups.

It was then proposed by Alderman Mrs. Hickey and seconded by Councillor McLaughlin:

That Councillor Fitzpatrick be appointed to serve on all the listed external agencies and partnerships.

On being put to the meeting this proposal was lost with five votes for and twelve votes against.

Representatives were then agreed for nomination as follows:

(a) Causeway Coast AONB Management Group

**Councillor Fitzpatrick** - proposed by Alderman McClarty and seconded by Councillor Ms. Alexander.

(b) Coleraine Arts Committee

**Councillor Fitzpatrick** - proposed by Councillor Barbour and seconded by Councillor Mrs. Johnston.

(c) Coleraine and District Home Safety Committee

**Councillor Fitzpatrick** - proposed by Councillor Dallat and seconded by Alderman Mrs. Hickey.

(d) Lower Bann Advisory Committee (Term expires March 2007)

Councillor Barbour was proposed by Councillor Mrs. Johnston and seconded by Alderman McClure.

Councillor Fitzpatrick was proposed by Councillor McLaughlin and seconded by Alderman Mrs. Hickey.

On being put to the meeting, **Councillor Barbour** was appointed by sixteen votes to four.



(e) Northern Ireland Housing Council

Councillor McQuillan was proposed by Alderman McClure and seconded by Alderman Creelman.

Councillor Fitzpatrick was proposed by Councillor Dallat and seconded by Councillor McLaughlin.

On being put to the meeting, **Councillor McQuillan** was appointed by thirteen votes to five.

(f) Reserve Forces and Cadets' Association for Northern Ireland

Councillor Gilkinson was proposed by Alderman McClure and seconded by Councillor Cole.

Councillor Fitzpatrick was proposed by Alderman Mrs. Hickey and seconded by Councillor McLaughlin.

On being put to the meeting, **Councillor Gilkinson** was appointed by eleven votes to five.

(h) National Association of Councillors – Northern Ireland Region

Councillor Ms. Alexander resigned from her post on this group, because of other commitments.

The following representatives were then nominated:

**Alderman McClure** - proposed by Councillor Cole and seconded by Alderman Creelman.

**Councillor Fitzpatrick** - proposed by Councillor Ms. Alexander and seconded by Councillor Mrs. Johnston.

(i) Northern Group Building Control Committee (substitute)

**Councillor Fitzpatrick** - proposed by Councillor Hillis and seconded by Alderman McClure.

(j) NW '200' Committee

Alderman Creelman was proposed by Alderman McClure and seconded by Councillor McQuillan.

Councillor Fitzpatrick was proposed by Councillor Dallat and seconded by Alderman Mrs. Hickey.

On being put to the meeting, **Alderman Creelman** was nominated by twelve votes to five.

(k) Waste Water Treatment Liaison Group

Alderman Mrs. Hickey resigned from her position on this group, because of other commitments.

The following representatives were then nominated:

***Councillor Fitzpatrick*** - proposed by Alderman Mrs. Hickey and seconded by Councillor Hillis.

***Councillor McLaughlin*** - proposed by Councillor Dallat and seconded by Councillor Bradley.

A period of discussion ensued during which members' requests and comments were noted.

In response to advice from Councillor Mrs. Johnston that the representatives nominated to Windyhall Management Committee should read Alderman McClure, Councillors Bradley and Mrs. Johnston and not as listed in the Council Directory, it was agreed that this would be checked and put on the agenda for a future meeting.

#### **15.0 NILGA ANNUAL CONFERENCE AND EXHIBITION**

Members noted that this Conference would be held in Armagh City Hotel on 15<sup>th</sup>/16<sup>th</sup> February, 2007.

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

#### **16.0 COLERAINE HARBOUR COMMISSIONERS**

Read letter from Coleraine Harbour Commissioners dated 8<sup>th</sup> December, 2006, in which the Commissioners agreed to meet with Council after they had received the GVA Grimley report.

#### **17.0 CONSULTATION DOCUMENTS**

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

1. Draft Policing (Miscellaneous Provisions) (Northern Ireland) Order 2007 Department of Environment – Driver and Vehicle Licensing Agency

Comments due: 22<sup>nd</sup> January, 2007

2. Consultation on the Draft Instrument of Appointment of Northern Ireland Water Limited ("Licence")

Comments due: 9<sup>th</sup> February, 2007

3. Department for Health, Social Services and Public Safety – Consultation on the Future of Pathology Services in Northern Ireland

Comments due: 28<sup>th</sup> February, 2007

Members noted that it had been agreed to invite the Chief Executive of the Causeway Health and Social Services Trust to address Council on this issue and that relevant papers would be circulated to members.

## **18.0 DOCUMENTS TABLED**

- (i) Northern Ireland Local Government Officers' Superannuation Committee - Annual Report and Accounts 2005/06.
- (ii) Invest Northern Ireland - Annual Report and Accounts 2005/06.
- (iii) Tourism Ireland - Annual Report 2005.

## **19.0 MS. COLETTE WARD**

Read letter from Ms. Colette Ward thanking members and staff for their support and good wishes.

Noted.

## **20.0 ALDERMAN MRS. BLACK**

Alderman Mrs. Black thanked all members and staff for their support during her illness.

Noted.

## **21.0 NORTHERN IRELAND FIRE AND RESCUE SERVICE**

Members noted that papers had been received from the NIF&RS, the NIF&RS Union and the Portstewart crew and that this item would be included in the agenda for the January meeting of Council.

## **22.0 DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

1. Cemetery Titles Grant of Rights of Burial – Deeds Register Nos. 3269-3276 (inclusive):

Agherton	1
Ballywillan	3
Coleraine	3
Kilrea	0
Portstewart	1

## PLANNING COMMITTEE

9<sup>th</sup> January, 2007.

**Present:** Councillor G. L. McLaughlin, in the Chair  
The Mayor, Councillor W. A. King  
The Deputy Mayor, Councillor E. P. Fielding (Mrs.)  
(Items 2.7 – 12.1)

### **Aldermen**

E. T. Black (Mrs.)  
W. T. Creelman  
(Items 2.1 – 12.1)

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

### **Councillors**

C. S. Alexander (Ms.)  
D. D. Barbour  
(Items 2.9 – 12.1)  
J. M. Bradley  
(Items 2.1 – 12.1)  
O. M. Church (Mrs.)  
J. J. Dallat  
T. J. Deans  
(Items 1.0 – 4.4)

B. Fitzpatrick  
S. Gilkinson  
E. A. Johnston (Mrs.)  
B. Leonard  
R. A. McPherson  
A. McQuillan

**Also in Attendance:** Representatives from the Planning Service –  
Mr. P. Duffy and Mr. D. McAllister

**Officers in Attendance:** Administrative Officer and Administrative Assistant

**Apologies:** Alderman McClarty, Councillors Cole and Hillis

## **1.0 WELCOME**

The Chairman welcomed Councillor B. Fitzpatrick and Mr. D. McAllister to their first Planning Committee meeting.

## **2.0 PLANNING APPLICATIONS**

A list of seventy-one applications was considered (previously supplied).

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

- 2.1      Application No. D1  
C/2003/0864/O  
Site for Private Dwelling adjacent  
to 28 Ballyagan Road, Garvagh  
for Ms. U. Kealy
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be held for seven days to facilitate further discussions with the applicant.

- |     |                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                           |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.2 | <u>Application No. D2</u><br><u>C/2004/0436/F</u><br><u>Change of use from retail units</u><br><u>(2 no.) to one retail unit and fast</u><br><u>food outlet at 10 Ballinteer Road,</u><br><u>Macosquin, Coleraine for</u><br><u>Mr. Patterson</u>                                                                                                                    | <p>The opinion of the Planning Service was to approve.</p> <p>It was agreed that the application be approved.</p>                                                                                                                                                                                                                         |
| 2.3 | <u>Application No. D3</u><br><u>C/2005/0550/O</u><br><u>Holiday accommodation opposite</u><br><u>No. 41 Ballyreagh Road,</u><br><u>Portrush for Mr. S. Kherr</u>                                                                                                                                                                                                     | <p>The opinion of the Planning Service was to refuse.</p> <p>It was agreed that the application be refused.</p>                                                                                                                                                                                                                           |
| 2.4 | <u>Application No. D4</u><br><u>C/2005/0909/F</u><br><u>Demolition of existing two storey</u><br><u>dwelling with proposed</u><br><u>development of 6 no. two and a</u><br><u>half storey houses accessed</u><br><u>from the Old Coleraine Road at</u><br><u>No. 2 Old Coleraine Road,</u><br><u>Portstewart for O’Kane &amp; Devine</u><br><u>Construction Ltd.</u> | <p>The opinion of the Planning Service was to approve.</p> <p>It was proposed by Councillor Bradley, seconded by Councillor McQuillan and unanimously agreed:</p> <p style="padding-left: 40px;">That the application be refused.</p>                                                                                                     |
| 2.5 | <u>Application No. D5</u><br><u>C/2005/1018/F</u><br><u>Replacement dwelling and</u><br><u>garage at 23 Gortnamoyagh</u><br><u>Road, Garvagh for</u><br><u>Mr. D. Bradley</u>                                                                                                                                                                                        | <p>The opinion of the Planning Service was to approve.</p> <p>It was agreed that the application be approved.</p>                                                                                                                                                                                                                         |
| 2.6 | <u>Application No. D6</u><br><u>C/2006/0437/F</u><br><u>Variation of time condition to</u><br><u>application C/2001/0220 to</u><br><u>extend outline by one year 180m</u><br><u>south of 14 Moneysallin Road,</u><br><u>Kilrea for Mr. C. O’Neil</u>                                                                                                                 | <p>The opinion of the Planning Service was to refuse.</p> <p>It was proposed was Councillor Dallat, seconded by Alderman Mrs. Hickey and agreed:</p> <p style="padding-left: 40px;">That the application be approved.</p>                                                                                                                 |
| 2.7 | <u>Application No. D7</u><br><u>C/2006/0562/F</u><br><u>Proposed infill dwelling (former</u><br><u>planning approval C/1996/0177)</u><br><u>adjacent to No. 150 Edenbane</u><br><u>Road, Kilrea for Mr. T. Brizzell</u>                                                                                                                                              | <p>The opinion of the Planning Service was to refuse.</p> <p>It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and agreed that:</p> <p style="padding-left: 40px;">(a) The application be refused; and</p> <p style="padding-left: 40px;">(b) the application be deferred to facilitate referral to BDP Planning</p> |

for examination before deciding whether it should be forwarded to the Planning Management Board for consideration.

- 2.8 Application No. D8  
C/2006/0577/F  
Erection of bus shelter on public footpath at Main Street, o/s Garvagh Presbyterian Church, Garvagh for Clear Channel N.I. Ltd.

The opinion of the Planning Service was to approve.

It was agreed that the application be approved.

## **NEW APPLICATIONS**

- 2.9 Application No. 1  
C/2004/1321/O  
Mixed use developments, comprising bulky goods retailing, convenience shopping, community facilities, crèche and residential development at Somerset Road, Coleraine for Turkington Construction

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

Following discussion it was proposed by Councillor Deans, seconded by Alderman McClure and agreed:

That the applications be held for two weeks to facilitate withdrawal.

- Application No. 13  
C/2006/0395/O  
Site for housing development at Somerset Road, Coleraine for Turkington Construction

If the applications were not withdrawn they would be refused.

- 2.10 Application No. 3  
C/2005/0694/O  
Five storey bedroom hotel including bar, restaurant, conference facilities and gym, including 16 metre long swimming pool and two part levels of parking at 1 – 7 Kerr Street, Portrush for Kennedy Holdings Ltd.

The opinion of the Planning Service was to refuse.

It was proposed by Alderman McClure, 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.

- 2.11 Application No. 9  
C/2005/1386/F  
Extension to dwelling at 30 Springbank Road, Castlerock for Miss K. Ferguson

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

It was proposed by Councillor Ms. Alexander, seconded by the Mayor and agreed:

- Application No. 10  
C/2005/1387/LB  
Extension to dwelling to create

That the applications be deferred for one month

- link to existing stone structure which shall be incorporated into living accommodation at 30 Springbank Road, Castlerock for Miss K. Ferguson
- to facilitate an office meeting on the grounds that amendments to design could be investigated.
- 2.12 Application No. 19  
C/2006/0659/F  
Alterations and additions to existing dwelling to form 4 no. flats at 39 Millburn Road, Coleraine for Mr. T. Butler
- The opinion of the Planning Service was to refuse both applications.
- It was proposed by Councillor Ms. Alexander, seconded by Councillor Leonard and agreed:
- Application No. 28  
C/2006/0705/LB  
Alterations and additions to existing dwelling to form 4 no. flats at 39 Millburn Road, Coleraine for Mr. T. Butler
- 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.
- 2.13 Application No. 22  
C/2006/0678/F  
Retention of accommodation for additional facilities in connection with existing guest house at 7 Ballystrone Road, Coleraine for Mr. Cochrane
- The opinion of the Planning Service was to refuse.
- It was proposed by the Mayor, seconded by Councillor McQuillan and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- It was further agreed that a representative from Roads Service be requested to attend.
- 2.14 Application No. 30  
C/2006/0712/F  
Proposed replacement dwelling and garage at 82 Kurin Road, Garvagh for Mr. W. Armstrong
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Church, 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.
- 2.15 Application No. 50  
C/2006/0832/O  
Proposed traditional rural farm dwelling and garage at 96A
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat,

Drumsaragh Road, Kilrea for  
Mr. and Mrs. Brizzell

seconded by Alderman Mrs. Hickey and  
agreed:

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

### **3.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday, 19<sup>th</sup> January, 2007.

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

- 4.1 Junction – Newmills Road/Ring Road, Coleraine Following discussion it was agreed that a letter be forwarded to Roads Service expressing Council's concern regarding the junction at Newmills Road/Ring Road, Coleraine.
- 4.2 Housing Development – Lodge Road, Coleraine Reference was made to the number of houses being built at the end of Lodge Road, Coleraine.  
  
Mr. Duffy would investigate the matter and would contact Councillor Bradley.
- 4.3 Processing Applications Reference was made to the apparent delay in a number of applications coming before Council.  
  
Details of the applications would be given to Mr. Duffy for investigation.
- 4.4 Housing Development – Shell Hill, Coleraine Reference was made to this housing development being built so close to the road.  
  
Mr. Duffy advised that the development complied with approved plans.

### **5.0 REVIEW INTO AFFORDABLE HOUSING - INTERIM REPORT AND SUMMARY OF PRELIMINARY PROPOSALS AND RECOMMENDATIONS**

Consideration was given to the Review into Affordable Housing – Interim Report and Summary of Preliminary Proposals and Recommendations (previously supplied). It was noted that comments were invited before 26th January, 2007.

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

That this matter be deferred to the Council Meeting on 23<sup>rd</sup> January,



2007 for further discussion.

It was further agreed that a record of Council's assets be prepared for members' information.

## **6.0 DRAFT NORTHERN AREA PLAN**

Consideration was given to the Town Clerk and Chief Executive's Report on the Draft Northern Area Plan – Queries on Council Submission (previously supplied).

The Planning Service, as part of its analysis of Council's submission to the Draft Northern Area Plan, had requested site specific details in respect of the following Council objections:

6.1 Coleraine  
(paragraph 3.15 in Council  
submission)

Council had objected to the failure to identify land on the west bank of the River Bann, immediately to the north of the sewage works, as a Local Landscape Policy Area.

The land immediately to the north of the sewage works is identified as 'whiteland' within the development limit and the area beyond the development limit is green belt.

Following discussion it was agreed that a suggested LLPA boundary could be shown to cover the 'whiteland' and a portion of the green belt to the north.

6.2 Kilrea  
(paragraph 3.59 in Council  
submission)  
Objection to KA01 Settlement  
Development Limit

Council considered that there were suitable sites on the edge of the proposed settlement limit that could be included within it and zoned for housing, particularly in the Garvagh Road/Edenbane Road and Bann Road areas.

Following discussion it was agreed that this matter be referred to the Planning Working Group for further discussion.

6.3 Small Settlements/Ballyrashane  
(paragraph 3.89 in Council  
submission) objection to BH01  
Settlement Development Limit

Council had objected to the extent of the settlement development limit for Ballyrashane and considered that Ballyrashane Reservoir and the land surrounding it should be included within the settlement limit.

Following discussion it was agreed that this matter be referred to the Planning Working Group for further discussion.

## **7.0 APPLICATION NO. C/2006/1150/F** **PROPOSED 18-HOLE GOLF COURSE,** **PRACTICE FACILITIES AND ASSOCIATED**

**INFRASTRUCTURE ON LAND TO THE EAST OF THE RIVER BANN, TO THE SOUTH OF 186-188 COLERAINE ROAD AND TO THE EAST OF 82A-96 PORTSTEWART ROAD, PORTSTEWART**

Reported that the Divisional Planning Office had received the above planning application and that the associated Environmental Impact Assessment was currently subject to public consultation.

Noted.

**8.0 APPLICATION NO. C/2006/1153/F PROPOSED ENCLOSURE OF EXISTING CHILDREN'S ENTERTAINMENT CENTRE AND REFURBISHMENT OF EXISTING FACILITY AT KIDDIELAND, PORTRUSH**

Reported that the Divisional Planning Office had received the above planning application and invited Council's comments.

It was noted that Council had opposed a previous application which was subsequently refused and withdrawn.

It was proposed by Councillor McPherson, seconded by Alderman McClure and agreed:

That Council should, once again, object to the application on the grounds that the proposed development conflicted with the Portrush Regeneration Strategy.

**9.0 JUDICIAL REVIEW - PPS14**

The Administrative Officer updated members on the meeting which had been held in Omagh District Council Offices on Monday, 8<sup>th</sup> January, 2007.

It was noted that the Hearing was scheduled for 30<sup>th</sup>, 31<sup>st</sup> January and 1<sup>st</sup> February, 2007 and members from the participating Councils were invited to attend.

It was agreed that the Mayor would attend on 30<sup>th</sup> January. The Chairman of the Planning Committee, Councillor McLaughlin and Councillor Dallat would also attend the Hearing.

**10.0 THE PLANNING SERVICE - CORPORATE VIEW**

Read letter from the Divisional Planning Officer advising members that a confirmed corporate view need only be made when all the facts were weighed up following an office meeting and the application was returned to Council. Members remained of the opinion that Council's corporate view should be recorded prior to office meetings.

**11.0 HOUSING CONFERENCE - ARMAGH**

Reported that the 2007 Conference of the Isles would take place from 8<sup>th</sup> – 9<sup>th</sup> March, 2007 at The Armagh City Hotel. The Conference would address various

aspects of housing with affordability being the main theme.

Members interested in attending were asked to contact the Administrative Officer.

## **12.0 MANAGEMENT BOARD REFERRAL**

- |      |                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                   |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12.1 | <u>Planning Application No. C/2004/1335/F</u><br><u>Construction of general store (retail store) with café and car-parking (amendment to previously approved application Ref. C/2003/1048/F) adjacent to 162 Coleraine Road, Portstewart for NM Developments</u> | Read letter from the Planning Service advising Council that the Management Board had now completed its assessment of the application and had concluded that planning permission for the proposal should be granted.<br><br>Noted. |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

# POLICY AND DEVELOPMENT COMMITTEE

16<sup>th</sup> January, 2007.

**Present:** Councillor E. A. Johnston (Mrs.), in the Chair  
The Mayor, Councillor W. A. King  
The Deputy Mayor, Councillor E. P. Fielding (Mrs.)  
(Items 1.0 – 3.2)

## **Aldermen**

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

## **Councillors**

C. S. Alexander (Ms.)                 T. J. Deans  
(Items 1.0 – 5.3)                         B. Fitzpatrick  
D. D. Barbour                             S. Gilkinson  
J. M. Bradley                             B. Leonard  
(Items 3.1 – 12.0)                       G. L. McLaughlin  
O. M. Church (Mrs.)                     R. A. McPherson  
A. S. Cole                                     A. McQuillan  
J. J. Dallat                                   (Items 1.0 – 3.1)

## **Officers in Attendance:**

Town Clerk and Chief Executive, Director of Corporate Services, Head of Development Services, Head of Administrative Services, Economic Development Manager (Item 1.0), Economic Development Officer (Item 1.0) and Administrative Assistant

**Apologies:** Alderman McClarty and Councillor Hillis

## **1.0 CONGRATULATIONS**

The Mayor asked that congratulations to Ms. Jenna McCorkell on winning her fourth British Figure Skating Championship on 13<sup>th</sup> January, 2007, be recorded.

## **2.0 SPECIAL COUNCIL MEETING 18<sup>TH</sup> JANUARY, 2007**

Councillor McQuillan queried why this meeting was to be held 'In Committee' when it involved applications for funding. The Town Clerk and Chief Executive advised that, as the applications involved significant capital funding involving third parties, it had been decided that this meeting should be held 'In Committee'.

The Town Clerk and Chief Executive also advised that this meeting would be for information purposes only and that no funding decisions would be expected on the night.

## **3.0 DEVELOPMENT SERVICES REPORT**

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

Matters arising:

3.1 Draft Economic Development Plan 2007-2009

The Economic Development Manager presented the Draft Economic Development Plan 2007-2009 and elaborated on various issues including:

- the key achievements of the Economic Development Plan 2001-2006.
- the current socio-economic issues affecting economic development in Coleraine.
- proposed priorities for the next two years and future initiatives.
- suggested future funding arrangements for Economic Development within Council.

Extensive discussion ensued during which the Economic Development Manager answered members' questions and noted comments.

It was then proposed by Councillor Deans, seconded by Councillor Barbour and agreed unanimously:

That Council endorse the Economic Development Plan 2007-2009.

In response to a member's query, it was advised that a report on rural development would be brought before members at the February meeting of the Policy and Development Committee.

Members congratulated Mrs. Williams and all the Economic Development team on the work which had gone into the Plan.

3.2 Matters for Information

Members noted information on the following topics, as contained in the Report.

- Primary School Citizenship Tours.
- Good Relations and Community Development Events.

Councillor Dallat advised members that an evening to welcome migrant workers would be held at the St. Vincent de Paul centre on Thursday 18<sup>th</sup> January, 2006 when anyone interested would be welcome to attend.

- North West '200' Launch 2007.

**4.0 CORPORATE SERVICES REPORT**

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

Matters arising:

- |     |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.1 | <u>Draft Local Government (Payments to Councillors) (Amendment) Regulations (Northern Ireland) 2007</u> | <p>Members noted information on the Draft Regulations (as contained in the Report).</p> <p>The Town Clerk and Chief Executive and the Director of Corporate Services answered members' queries on the abolition of the Attendance Allowance, the introduction of a Dependants Carers' Allowance and the enhanced Basic Allowance, a report on which would be brought to Committee once official notification had been received.</p> <p>The general view of members was that it was a mistake to abolish the Attendance Allowance. It was, however, recommended:</p> <p style="padding-left: 40px;">That Council welcome the introduction of the Dependants Carers' Allowance, in principle, subject to the Department ensuring that it would be set at an appropriate level.</p> |
| 4.2 | <u>Local Government (Accounts &amp; Audit) (Amendment) Regulations (Northern Ireland) 2006</u>          | Members noted that this legislation had now been made; effective from the beginning of the new financial year on 1 <sup>st</sup> April, 2007.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 4.3 | <u>Local Government Companies (Best Value) Order (Northern Ireland) 2006</u>                            | Members noted that this legislation had now been made; effective from 22 <sup>nd</sup> January, 2007.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 4.4 | <u>Rates Estimates – 2007/08 Financial Year</u>                                                         | Consideration was given to information on this topic, as contained in the Report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4.5 | <u>Accounts</u>                                                                                         | Members noted that accounts for December 2006 had been issued.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4.6 | <u>New Appointment</u>                                                                                  | <p>The following appointment had been made in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection:</p> <p><u>Leisure Services Department</u></p> <p>Centre Attendant/Lifeguard: Mr. R. Dennison</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

## **5.0 LAND AND PROPERTY**

The Report of the Head of Administrative Services on Land and Property was considered (previously supplied).

Matters arising:

- |     |                                                                     |                                                                                                                                                    |
|-----|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.1 | <u>Replacement House at 16 and 16A Ballyreagh Road, Portstewart</u> | The Head of Administrative Services reminded members of the circumstances of this issue following the site visit on 8 <sup>th</sup> January, 2007. |
|-----|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|

Recommended:

That the 16 x 4 metre strip of land adjacent to this location be declared surplus to Council's requirements.

5.2 Side Slope Behind 19 Bayhead Road, Portballintrae

Members noted that, as a result of a 1960s Vesting Order, the side slopes around the main bay in Portballintrae were in Council ownership. It had, however, recently been discovered that the previous owner of 19 Bayhead Road had registered ownership of the side slope down to the beach behind the house in their name, with Land Registry. Although the current owner of 19 Bayhead Road had not, as yet, contested Council's ownership, Council's approval to correct the record was sought.

Recommended:

That the Head of Administrative Services proceed with the necessary legal steps to re-register this land back into Council ownership.

5.3 Covenants

Consideration was given to information on this topic, as contained in the Report.

Recommended:

That the Property Working Group be convened to consider the general principles that should guide the enforcement or release of covenants; and that a decision on the two current requests be then made by the Policy and Development Committee in the light of that advice on general principles.

**6.0 NOTICE OF MOTION**

The undernoted Notice of Motion was proposed by Councillor Dallat and seconded by Councillor McLaughlin:

"This Council deplores attacks on the elderly, calls for greater priority to be given to community policing and demands that legislation and custodial sentences match the severity of the crimes of theft and violence carried out against all citizens and in particular our senior citizens."

Councillor Dallat spoke to the Motion and requested members' support. Following discussion, it was recommended unanimously:

That Council endorse the Motion.

It was agreed that a copy of the Motion be sent to the Lord Chief Justice, the Chief Constable, Coleraine District Commander and the Coleraine District Policing Partnership.

**7.0 PUBLIC SECTOR JOB LOSSES - COLERAINE**

Consideration was given to the Report of the Town Clerk and Chief Executive on this topic (previously supplied). Following discussion, it was recommended:

That Council prepare a substantive response to address this issue, and institute a cohesive community campaign, encompassing all representative bodies, to deliver the response to Government at the highest levels.

Members noted that arrangements for the response would require an extended period of preparation.

**8.0 LONDONDERRY AREA ELECTORAL OFFICE**

Read letter requesting the use of the Minor Hall in Portstewart as a polling station, for the Strand and part of the Portstewart electoral wards, for future elections.

Recommended:

That Council agree to the request of the Londonderry Area Electoral Office.

**9.0 DOE LOCAL GOVERNMENT DIVISION**

Read letter advising that Mr. Stephen Knox had been designated as Local Government Auditor with effect from 4<sup>th</sup> December, 2006.

Noted.

**10.0 THE SEMPLE REVIEW INTO AFFORDABLE HOUSING**

Read notice from the University of Ulster advising that a seminar on this topic would be held on 1<sup>st</sup> February, 2007 in Malone House, Belfast. The seminar would be run in partnership with the Royal Town Planning Institute, the Royal Institution of Chartered Surveyors and the Environmental & Planning Association for Northern Ireland.

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

Members also noted that a draft response to this Interim Report would be presented to Council in January.

**11.0 MR. JOSEPH MAGWIRA, CHIEF EXECUTIVE, ZOMBA MUNICIPAL ASSEMBLY**

Members noted that Mr. Joseph Magwira would be arriving in Coleraine on a working visit from 22<sup>nd</sup> January to 4<sup>th</sup> February, 2007. All members were invited to a Mayoral reception on Thursday 25<sup>th</sup> January, 2007.

The Town Clerk and Chief Executive extended thanks to all involved in



hosting Mr. Magwira during the extensive work and social programme which had been drawn up.

**12.0 DOCUMENT TABLED**

- (i) Northern Ireland Human Rights Commission – Annual Report and Financial Accounts 2005-2006.