

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 October, 2006 **immediately following the Special Meeting of Council.**

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 – 26th September, 2006
(Item No. 3.1.1) Local Government (Miscellaneous Provisions)
(N.I.) Order 1985 - Legal Proceedings*

Parties concerned will be in attendance to address Council.
2. Committee Reports (enclosed):
 - 2.1 Leisure and Environment Committee – 3rd October, 2006
 - 2.2 Planning Committee – 10th October, 2006
 - 2.3 Policy and Development Committee – 17th October, 2006
3. Consultation List (enclosed)
4. Vacancies on External Agencies/Partnerships, Local Government Bodies and Internal Working Groups arising from the resignation of Councillor R. D. Stewart (Report enclosed)
5. Coleraine Regional Museum - Interpretative Design Consultants - Select List (Report enclosed)
6. Remembrance Sunday – 12th November, 2006 - Arrangements

7. Correspondence
8. Documents for Sealing
9. Implementation of Pay and Grading Review*

Enclosed for Information:

- (i) Minutes of the Northern Health and Social Services Council dated 6th September, 2006
- (ii) Special Council Briefing Report – Autism N.I. – 26th September, 2006
- (iii) Special Council Briefing Report – Northern Ireland Events Company – 17th October, 2006
- (iv) North Coast Wastewater Treatment Works Scheme – Progress Update – 29th September, 2006
- (v) Northern Health and Social Services Board – Annual Report 2005/2006 – New Horizons New Opportunities

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

To: Each Member of Council.

20th October, 2006.

COUNCIL MEETING

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin on Tuesday, 26th September, 2006 at 7.30 p.m.

Convened: As per Notice attached

Present: **Aldermen**

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

Councillors

C. S. Alexander (Ms.)	S. Gilkinson
D. D. Barbour	E. A. Johnston (Mrs.)
O. M. Church (Mrs.)	B. Leonard
A. S. Cole	G. L. McLaughlin
J. J. Dallat	R. A. McPherson
T. J. Deans	A. McQuillan
	R. D. Stewart

Officers in Attendance:

Director of Technical Services, Director of Environmental Health, Director of Corporate Services, Senior Environmental Health Officer, Environmental Health Officer, Leisure Services Officer – Facilities, Leisure Services Officer – Services, Head of Administrative Services and Administrative Assistants

Apologies: The Mayor and Deputy Mayor
Councillors Bradley and Hillis

1.0 CHAIRMAN

In the absence of the Mayor and Deputy Mayor, Councillor McPherson was appointed Chairman.

2.0 MINUTES

The minutes of the Council Meeting of 22nd August, 2006 were confirmed and signed.

3.0 COMMITTEE REPORTS

3.1 Leisure and Environment Committee

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

Matters arising:

3.1.1 Local Government (Miscellaneous Provisions) (N.I.) Order 1985 - Legal Proceedings

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

That the following item be heard

“In Committee”.

On the proposal of Councillor Deans, seconded by Alderman McClarty, members resolved themselves out of ‘Committee’ and ratified the decision made therein.

The Committee Report was subsequently adopted subject to this amendment.

- 3.2 Planning Committee - 22nd August, 2006 The Vice Chairman, Councillor Mrs. Church, moved the adoption of the Planning Committee Report; this was duly seconded by Councillor Ms. Alexander and agreed.
- 3.3 Planning Committee - 12th September, 2006 The Chairman, Councillor McLaughlin, moved the adoption of the Planning Committee Report; this was duly seconded by Councillor Deans and agreed.
- 3.4 Policy and Development Committee The Chairman, Councillor Mrs. Johnston, moved the adoption of the Policy and Development Committee Report; this was duly seconded by Alderman Mrs. Black.

Matters arising:

- 3.4.1 The Hermit's Cottage - 93 Ballyreagh Road, Portrush Following discussion it was proposed by Councillor Ms. Alexander, seconded by Alderman McClarty and agreed:

That a Council site visit be arranged.

- 3.4.2 Implementation of Pay and Grading Award Following discussion it was proposed by Alderman McClarty and seconded by Councillor McQuillan:

That this item be deferred to the next meeting of the Policy and Development Committee in order to facilitate further staff representation to Councillors before that meeting.

On being put to the Meeting the proposal was carried, fourteen members voting in favour and no one voting against.

It was further proposed by Councillor McLaughlin and seconded by Councillor Dallat:

That the Trade Union representatives and the Shop Stewards be invited to attend.

On being put to the Meeting the proposal was lost, three members voting in favour and nine members voting against.

4.0 CONSULTATION LIST

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

1. Northern Ireland Office – Consultation on New Proposals to Regulate the Private Security Industry in Northern Ireland;

Comments due: 24 October 2006
2. Department of Education – Consultation with Schools on Proposed Changes to the Local Management of Schools Common Funding Formula;

Comments due: 3 November 2006
3. Rivers Agency – Flood Management Policy Review Consultation;

Comments due: 6 November 2006
4. Department for Regional Development – Consultation on the Draft Immobilisation and Removal of Vehicles (Prescribed Conditions) Regulations (Northern Ireland) 2006;

Comments due: 10 November 2006
5. Northern Ireland Policing Board – Consultation on the Northern Ireland Policing Board’s Review of the Code of Ethics for the Police Service of Northern Ireland;

Comments due: 24 November 2006
6. Northern Ireland Court Service Consultation Paper on Fee Changes;

Comments due: 27 November 2006

5.0 DIARY DATES

Members were reminded of the importance of the following two diary dates:

- 19th October, 2006 – 7.30 p.m.
Meeting with the Vice Chancellor and Provost of the University of Ulster;

It was agreed that a briefing be held at 7.00 p.m.
- 26th October, 2006 – 7.30 p.m.
Capital Programme and RPA Issues Workshop

6.0 HOUSING: AFFORDABILITY REVIEW TEAM

Reported that representatives from the Affordability Review Team would be willing to meet with Council on 13th November, 2006 at 2.30 p.m.

Agreed.

7.0 H.M. COASTGUARD COLERAINE

Reported that invitations had been received from H.M. Coastguard Coleraine for the Mayor, Deputy Mayor and Chairman of Leisure and Environment Committee and partners to attend a dinner to celebrate the formation of the new Key Team and for the presentation of awards and long service medals to be held at The Bushtown House Hotel, Coleraine on Saturday, 30th September, 2006.

Members were asked to notify the Director of Environmental Health if unable to attend.

8.0 ACTION CANCER - BIG BUS

Read letter from Action Cancer advising members of a new initiative from Action Cancer called the BIG BUS. The BIG BUS will take to the road from 2nd October, 2006 and is the successor to the previous mobile service which operated in the provision of breast awareness, cervical smears and general health initiatives.

The BIG BUS offers organisations and communities the opportunity to call in a range of health promotion services for their workforce or community groups.

Noted.

9.0 DOCUMENTS TABLED

- (a) The Northern Ireland Assembly Environment Committee Inquiry into Transport used for Children travelling to and from School - Assessment of the Four Key Recommendations and Recommendations Progress Report – September 2006;
- (b) Frontline – the newsletter of the National Primary Care Research and Development Centre;
- (c) Translink's Connect of August, 2006 – Metro 'one year on' report;
- (d) Arts Council of Northern Ireland – Annual Report 2004 – 2005;
- (e) Triangle – Annual Report 2005 – 2006;
- (f) N.I. Housing Executive – 35th Annual Report – 2005/2006;
- (g) N.I. Policing Board – Human Rights – Annual Report 2006.

10.0 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

- | | | |
|----|------------------------|--|
| 1. | <u>Deed of Release</u> | Small Dwelling Grant in respect of 22A Portstewart Road, Coleraine |
| 2. | <u>Deed of Release</u> | Small Dwelling Grant in respect of 11 Carthall Road, Coleraine |
| 3. | <u>Cemetery Titles</u> | Grant of Rights of Burial Deeds Register Nos. 3240 – 3251 (inclusive): |

Agherton	1
Ballywillan	3
Coleraine	5
Kilrea	-
Portstewart	3

Advanced Deeds – Register Nos. 0150 –
0154 (inclusive):

Agherton	1
Ballywillan	2
Coleraine	2
Portstewart	-

11.0 SIGNING OF DOCUMENTS

It was agreed that, in the absence of the Town Clerk and Chief Executive, the Deputy Chief Executive would sign the documents for sealing.

LEISURE AND ENVIRONMENT COMMITTEE

3rd October, 2006.

Present: Councillor T. J. Deans, in the Chair
The Mayor, Councillor W. A. King
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

D. D. Barbour N. F. Hillis
J. M. Bradley E. A. Johnston (Mrs.)
O. M. Church (Mrs.) B. Leonard
A. S. Cole G. L. McLaughlin
J. J. Dallat R. A. McPherson
S. Gilkinson A. McQuillan
(Items 4.4 – 14.0)

Officers in Attendance:

Director of Technical Services, Director of Environmental Health, Head of Administrative Services, Leisure Services Officers, Principal Building Control Officer (Items 5.0 – 14.0), Administrative Assistant.

Apology: Councillor C. S. Alexander (Ms.)

1.0 WELCOME

The Chairman welcomed everyone to the meeting. He extended a special welcome to Mr. Thyme Matita, an Environmental Health Officer from Zomba who is attached to Council on a three month Commonwealth Scholarship Scheme.

2.0 THE DOGS (NORTHERN IRELAND) ORDER 1983 AS AMENDED – LEGAL PROCEEDINGS

Mr. and Mrs. Berry did not attend the meeting to address Council, as they had requested. The Head of Administrative Services gave members a brief update on this matter.

3.0 ENVIRONMENTAL HEALTH REPORT

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

Matters arising:

3.1 Coleraine Borough Council – Health, Safety and Welfare Policy Statement

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

That Council adopt the proposed Health, Safety and Welfare Policy Statement and endorse the implementation strategy of guidance and information being provided to line managers to facilitate the generic risk assessment process.

3.2 EEC Approvals

3.2.1 Authorisation of Removal of Specified Risk Material (SRM) in Butchers Shops – Update 2 The Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2006

Council is recommended to grant authorisation to the following butcher in order that they can remove specified risk material (bovine vertebral column) from animals aged 24-30 months of age:

Laurel Hill Spar, 36 Kyles Brae, Coleraine, BT51 3PY.

3.2.2 Implementation of European Regulation 853/2004 – Update 1

Premises producing products of animal origin require District Council approval. Council is recommended to approve the following establishment under this legislation:

Europa Foods, Unit 18 Kilrea Enterprise Centre, Kilrea, Coleraine, BT51 5QU

3.3 The Smoking (N.I.) Order 2006 (Draft)

3.3.1 Draft Smoke Free (General Provisions) Regulations (N.I.) 2007

Consideration was given to information on this draft order, as contained in the report.

Members' questions were responded to by the Director of Environmental Health and comments were noted by the Director for incorporation into a response on the draft Regulations.

3.4 Emergency Planning and Civil Contingency

3.4.1 The Role of District Councils

Committee noted information on this topic as contained in the report.

The Director of Environmental Health reminded members of the training session to be held on Tuesday, 17th October, 2006 at 10.00 a.m. at the Maritime and Coastguard Agency premises at Gateside Road, Coleraine.

3.5 Proposed Wind Farm – Brockaghboy, Garvagh

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

Members' comments on consultation, cost benefit analysis, tourism and wildlife impact were noted by the Director of Environmental Health and would be forwarded for inclusion in the final Environmental Impact Assessment.

3.6 The Dogs (N.I.) Order 1983 as amended

3.6.1 Licensing Initiatives

Consideration was given to information on these initiatives, as contained in the report.

Members' comments were noted by the Director of Environmental Health.

4.0 TECHNICAL SERVICES REPORT

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

Matters arising:

4.1 Entertainments Licence - Transfer

An application for the transfer of an Entertainments Licence to Ms. M. Turner, 16 Rushie Park, Drumsum, Limavady had been received in respect of the undernoted premises:

The Heckler's Bar, 81 Craigmore Road, Ringsend.

Council is recommended to agree.

4.2 Cinema Licence - The Movie House Jet Centre, Riverside Park, Coleraine

An application for the grant of a Cinema Licence had been received from Ms. Wanda Donnan, c/o The Movie House.

Recommended:

That a Cinema Licence be granted subject to compliance with Fire Authority recommendations and any other requirements requested by Council's Licensing Department.

4.3 Street Trading Act (N.I.) 2001 - Renewal of Licence

Consideration was given to a recommendation from the Street Trading Sub-Committee, as detailed in the report, regarding an application from Mr. R. Carton, 14 Mountview Gardens, Coleraine for the renewal of a mobile street trading licence with a new location.

Recommended:

That Council endorse the recommendation of the Street Trading Sub-Committee to renew Mr. Carton's licence but to prohibit trading on Riverview Avenue, Coleraine on a site adjacent to its junction with Ballycairn Road, Coleraine.

The applicant would be informed of this matter and he had the right to make representation in writing within 21 days regarding Council's decision.

4.3.1 Review of Street Trading Licence Fees

Consideration was given to a recommendation from the Street Trading Sub-Committee, as detailed in the report, regarding a review of all street trading licence fees.

Recommended:

That Council agree with the recommendation of the Street Trading Sub-Committee to adopt the following new fees for the trading year 2007/2008:

Type of Licence	Present Fee	New Fee	% Increase
Stationary	£370.00	£400.00	8.1%
Mobile	£305.00	£325.00	6.6%
Temporary	£113.00	£125.00	10.6%
Extra Day	£53.00	£55.00	3.8%
Temporary Evening	£93.00	£100.00	7.5%
Extra Evening	£33.00	£35.00	6.1%
Variation	£25.00	£25.00	0.0%

4.4 North West Region Waste Management Group – MBT Procurement Briefing Paper

Consideration was given to information on this briefing paper, as contained in the report.

A discussion ensued and the Director of Technical Services answered members' questions.

Recommended:

1. That Council ask the City Solicitor, Derry City Council to examine the current structure of operations and advise on any appropriate adjustments to ensure efficiency, transparency and good governance;

2. That Council ask SIB (Strategic Investment Board) to peer review the work.

4.5 Building Control

4.5.1 Approvals

Members noted that approval had been granted for 89 applications.

5.0 LEISURE SERVICES REPORT

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

Matters arising:

5.1 Acquisition Policy – Coleraine Regional Museum

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

That Council approve the policy prior to submission to the Northern Ireland Museums Council.

5.2 Council Playing Fields

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

The Leisure Services Officer (Services) confirmed that he would follow up organised, systematic use of the pitches where there was no authorisation.

In response to questions he stated that the Kilrea pitch would be opened in the next two weeks and noted that the level of fencing at the pitch was inadequate.

The Leisure Services Officer (Services) confirmed that work on the stand at Rugby Avenue undertaken to address structural deficiencies would remove shelter and thus help address vandalism.

5.3 Requests for Assistance

5.3.1 Coleraine Twinning Association

Council is recommended to approve a grant of £6,250 to Coleraine Twinning Association for the year 2006.

Alderman Mrs. Black reminded Committee of the French Evening to be held on Friday, 13th October, 2006. Tickets would be available from Leisure Services Department.

5.3.2 N.I. Special Festival of Pool

Members expressed their indignation over the main grant of £1,800 from

Disability Sports N.I. not being made available for the N.I. Special Festival of Pool. This would leave a projected shortfall of some £2,000.

Recommended:

1. That Council approve a one-off grant of £2,000 for the year 2006.
2. That a letter of complaint be sent to Disability Sports N.I.
3. That they be invited to a future Council meeting.

5.3.3 Temporary Closure, Right of Way, Pathway at Council's West Bay Parkland, Portrush connecting Brookvale Terrace and West Strand Car Park

Council is recommended to extend the temporary closure of this footpath for another three months.

6.0 NOMINATION TO THE BOARD OF THE NORTHERN IRELAND MUSEUMS COUNCIL

On a request for nominations to this Board it was proposed by Councillor Mrs. Johnston and seconded by Alderman McClarty:

That Alderman Mrs. Black be nominated.

It was further proposed by Councillor Dallat and seconded by Councillor McLaughlin:

That Alderman Mrs. Hickey be nominated.

On being put to a vote, Alderman Mrs. Black received 13 votes and Alderman Mrs. Hickey received 3 votes.

It was, therefore, recommended:

That Alderman Mrs. Black be nominated to the Board of The Northern Ireland Museums Council.

7.0 IMPLEMENTATION OF PAY AND GRADING REVIEW – ARRANGEMENTS FOR MEETING WITH STAFF/REPRESENTATIVES

The meeting for members to take the views of staff regarding the Implementation of the Pay and Grading Review had been arranged for Tuesday 10th October at 6.30 p.m. in the Bannview Committee Room.

The Head of Administrative Services had prepared a summary of extracts from previous Committee and Council meetings, which was circulated to members.

**8.0 NOTHERN IRELAND MILK CUP
INTERNATIONAL YOUTH FOOTBALL
TOURNAMENT**

Read letter of thanks to Council for their support of this year's tournament, in particular to Mr. Alex Carmichael.

The Chairman thanked and congratulated Leisure Services for their work with the tournament.

**9.0 WATER SERVICE - PROJECT ALPHA –
BALLINREES TO LIMAVADY WATERMAIN
BALLINREES TO BALLYMONEY WATERMAIN**

Read letter from Water Service informing Council of the new watermains to be laid from Ballinrees to Limavady and also from Ballinrees to Ballymoney.

Noted.

10.0 DOCUMENT TABLED

- (1) Guide Dogs – Shared Surface Street Design Research Project – The Issues: Report of Focus Groups.

**11.0 SWIMMING LESSONS AT
COLERAINE LEISURE CENTRE**

Reference was made to the lack of places available to children for swimming lessons at the Leisure Centre. The Leisure Services Officer (Facilities) noted the situation and explained that getting qualified staff was problematic at times.

12.0 FIREWORKS

Members voiced their concerns about the misuse of fireworks. This issue was noted and would be put on the agenda for the next DPP meeting.

**13.0 WEST BANN COMMUNITY
HALL**

The Leisure Services Officer (Services) would consult with the Head of Development Services who will provide the Policy and Development Committee with an update on the programme for the West Bann Community Hall.

**14.0 SITE MEETING AT
THE HERMIT'S COTTAGE,
93 BALLYREAGH ROAD, PORTRUSH –
MONDAY 9th OCTOBER, 2006**

It was agreed to reschedule the site meeting to 4.00 p.m.

PLANNING COMMITTEE

10th October, 2006.

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

Aldermen

E. T. Black (Mrs.) (Items 4.6 – 13.0)	M. T. Hickey (Mrs.) D. McClarty
W. T. Creelman	W. J. McClure

Councillors

C. S. Alexander (Ms.)	J. J. Dallat
D. D. Barbour	T. J. Deans
J. M. Bradley (Items 4.6 – 13.0)	S. Gilkinson
O. M. Church (Mrs.)	N. F. Hillis
A. S. Cole	B. Leonard
	A. McQuillan

Also in Attendance: Representatives from the Planning Service –
Mr. P. Duffy and Mr. M. Wilson

Officers in Attendance: Town Clerk and Chief Executive, Administrative
Officer and Administrative Assistant

Apologies: Councillors Mrs. Johnston and McPherson

1.0 OFFICE MEETINGS - 6TH OCTOBER, 2006

The Chairman referred to the non attendance of representatives at a number of the office meetings held on 6th October, 2006.

2.0 WELCOME

The Chairman welcomed Mr. Michael Wilson from the Planning Service who was attending his first Planning Committee Meeting.

3.0 SYMPATHY

- | | |
|--|---|
| 3.1 <u>Accident – Pumping Station Portrush</u> | It was agreed that a letter of sympathy be sent to the family of Mr. Sean Johnston, Toberdoney Road, Dervock, who had been killed in a tragic accident at the construction site of a new pumping station in Portrush. |
| 3.2 <u>Road Traffic Accident - Ballybogey Road, Portrush</u> | It was agreed that letters of sympathy be sent to the families of the three people killed in |

the road traffic accident on the Ballybogeey Road, Portrush.

4.0 PLANNING APPLICATIONS

A list of sixty-five applications was considered (previously supplied).

Applications Deferred from Previous Meeting

- | | | |
|-----|--|---|
| 4.1 | <u>Application No. D1</u>
<u>C/2004/0512/F</u>
<u>Change of use from offices and workshop to off-licence, public bar and restaurant at 76 and 78 Main Street, Garvagh for Mr. E. Mullan</u> | The opinion of the Planning Service was to approve.

It was agreed that the application be approved. |
| 4.2 | <u>Application No. D2</u>
<u>C/2005/0516/F</u>
<u>Replacement of existing dwelling with 8 no. apartments at 13 The Crescent, Portstewart for Mr. Walker</u> | The opinion of the Planning Service was to approve.

It was agreed that the application be approved. |
| 4.3 | <u>Application No. D3</u>
<u>C/2005/0589/O</u>
<u>Site for two storey dwelling and garage to replace former workers' cottages 240m north of 43 Greenhill Road, Coleraine for Mrs. Morrison</u> | The opinion of the Planning Service was to refuse both applications.

It was agreed that both applications be refused. |
| | <u>Application No. D4</u>
<u>C/2005/0590/O</u>
<u>Site for two storey house and garage 240m north of 43 Greenhill Road, Coleraine for Mrs. Morrison</u> | |
| 4.4 | <u>Application No. D5</u>
<u>C/2005/0611/O</u>
<u>Site for dwelling and garage at Site 25m north west of 5 Lismoyle Road, Kilrea for Messrs. McEldowney</u> | The opinion of the Planning Service was to refuse.

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

That the application be approved. |
| 4.5 | <u>Application No. D6</u>
<u>C/2005/1141/F</u>
<u>Proposed dwelling adjacent to 5 York Avenue, Portstewart for J. J. MacMahon (Building Contractor) Ltd.</u> | The opinion of the Planning Service was to refuse.

It was agreed that the application be refused. |
| 4.6 | <u>Application No. D7</u>
<u>C/2005/1191/F</u> | The opinion of the Planning Service was to approve. |

	<u>7 no. apartments with incurtiledge parking at 7, 9 and 11 Main Street, Castlerock for F. D. Developments</u>	It was agreed that the application be approved.
4.7	<u>Application No. D8 C/2005/1216/O Proposed site for dwelling at garage and garden of 6 Carhall Park, Coleraine for Mr. and Mrs. J. Hunter</u>	The opinion of the Planning Service was to refuse. It was agreed that the application be refused.
4.8	<u>Application No. D9 C/2005/1259/O Proposed site for dwelling 160m south-east of 39 Brone Road, Garvagh for M & A Developments</u>	The opinion of the Planning Service was to approve. It was agreed that the application be approved.
4.9	<u>Application No. D10 C/2006/0293/F Demolition and removal of existing semi-detached dwelling and construction of 1 no. detached dwelling at No. 27 Ballyhome Road, Coleraine for Mr. A. Butler</u>	The opinion of the Planning Service was to approve. It was agreed that the application be approved.
4.10	<u>Application No. 11 C/2006/0319/O Proposed dwelling and garage to the rear of 5 Killykergan Road, Garvagh for Mr. S. Turtle</u>	The opinion of the Planning Service was to refuse. It was proposed by Councillor McQuillan, seconded by Councillor Bradley and agreed: That the application be approved.
4.11	<u>Application No. 12 C/2006/0321/O Site for dwelling and garage 125m north-east of 72 Moneydig Road, Garvagh for Mr. K. Morpus</u>	The opinion of the Planning Service was to approve. It was agreed that the application be approved.
4.12	<u>Application No. 13 C/2006/0323/O Proposed site for dwelling west of 106 Kinnyglass Road, Macosquin for Ringsend Presebyterian Church</u>	The opinion of the Planning Service was to approve. It was agreed that the application be approved.
4.13	<u>Application No. 14 C/2006/0330/O Dwelling and garage 120m north-east of 10 Magheramore Road, Garvagh for Mr. J. Linton</u>	The opinion of the Planning Service was to approve. It was agreed that the application be approved.
4.14	<u>Application No. 15 C/2006/0337/O</u>	The opinion of the Planning Service was to refuse.

Proposed site for replacement dwelling at 54 Killeague Road, Macosquin, Coleraine for Mr. Watson

It was agreed that the application be held for two weeks to facilitate withdrawal. If the application was not withdrawn it would be refused.

NEW APPLICATIONS

4.15 Application No. 2
C/2004/0437/F
Proposed retention of existing caravan park, upgrading caravan park and alterations to existing outbuildings to provide toilet/shower block at 60 Ballyreagh Road, Portrush for C. Irwin

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Hillis, 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.

4.16 Application No. 5
C/2005/0909/F
Demolition of existing two storey dwelling, with proposed development of 6 no. two and a half storey houses accessed from the Old Coleraine Road, at No. 2 Old Coleraine Road, Portstewart for O'Kane & Devine Construction Ltd.

The opinion of the Planning Service was to approve.

It was proposed by Councillor Ms. Alexander, 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.

4.17 Application No. 9
C/2005/1445/F
Retirement bungalow in grounds of existing guest house adjacent to 24 Dhu Varren, Portrush for Mr. and Mrs. R. Snodden

The opinion of the Planning Service was to refuse.

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

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

4.18 Application No. 10
C/2006/0023/F
Proposed extension and alterations to existing mid-terrace

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

It was proposed by Councillor Dallat,

dwelling at No. 2 Cliff Terrace,
(Tunnel Brae), Castlerock for
Mr. McCleery

seconded by Alderman McClarty and
agreed:

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

Application No. 17
C/2006/0232/LB
Proposed extension and
alterations to existing mid-terrace
dwelling at No. 2 Cliff Terrace,
(Tunnel Brae), Castlerock for
Mr. McCleery

- 4.19 Application No. 19
C/2006/0286/F
Domestic store for storage and
maintenance of rally cars (hobby
use) at Site 40m north-east of
30 Rockhill, Shinny Road,
Macosquin for Mr. and Mrs. S.
Nevin

The opinion of the Planning Service was
to refuse.

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

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

- 4.20 Application No. 27
C/2006/0407/RM
New dwelling and garage 350m
north-west of 10 Bratwell Road,
Articlave for Mr. S. Butcher

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.

- 4.21 Application No. 31
C/2006/0458/F
Erection of single storey dwelling
adjacent to No. 12 Corbally Road,
Portrush for Mr. D. Sinnamon

The opinion of the Planning Service was
to refuse.

It was proposed by Councillor Deans,
seconded by the Deputy Mayor and
agreed:

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

4.22 Application No. 49
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 proposed by Councillor McQuillan, seconded by Councillor Deans 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 Mobile Catering Van – Articlave
Update

An enforcement case had been opened in 2002 following a breach of planning control. Several warning letters had been forwarded and enforcement notices were at present being prepared.

Following discussion it was proposed by Councillor Leonard, seconded by Alderman McClarty and agreed:

That the Director of Environmental Health update members on the matter.

It was further agreed that the Director of Technical Services advise members on street trading legislation relating to mobile vehicles.

5.2 Development in Castlerock –
Update regarding access

Reported that an office meeting had been held and the matter was currently being reassessed.

5.3 Kiddieland, Portrush

An update would be provided for the November Meeting of Committee.

5.4 Illegal Signs – Main Street,
Garvagh

Reference was made to illegal signs in Main Street, Garvagh.

The matter would be investigated.

5.5 Office Meetings Requested

An update was requested on office meetings which had been sought for Application Nos. C/2005/1169 and C/2005/1170.

6.0 OFFICE MEETINGS

It was noted that the office meetings would be held on Friday, 3rd November, 2006.

7.0 MANAGEMENT BOARD REFERRALS - REVISION OF DRAFT GUIDANCE

Consideration was given to comments from BDP Planning in respect of the above draft guidance prepared by the Department of the Environment (previously supplied).

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

That these comments form the basis of Council's response.

It was further agreed that NILGA be requested to support Council's request for a revision of the draft guidance.

8.0 JUDICIAL REVIEW - PPS 14

The Town Clerk and Chief Executive reported that a review of the case was scheduled for 13th November, 2006 in the High Court after which a date would be set for the hearing.

It was noted that an update on costs would be provided within the next month.

9.0 REQUEST FOR SECOND DEFERRAL APPLICATION NO. C/2004/1169/F - 52 BALLYAGAN ROAD, GARVAGH

Read letter from the Divisional Planning Manager advising members that the case had been reviewed but a second deferral would not be granted and the decision would now be issued.

10.0 REQUEST FOR SECOND DEFERRAL APPLICATION NO. C/2005/0843/O - 58, 60 AND 62 PORTSTEWART ROAD, COLERAINE

Read letter from the Divisional Planning Manager advising members that the Department's consultation procedures had been followed and a second deferral would not be granted. The decision would now be issued.

The Divisional Planning Manager referred to Council's query regarding the Senior Planning Officer's discretion to agree second deferrals. It was noted that the guidance issued did not include any reference to second deferrals; that the objectives of the revised procedures were to reduce delay in processing applications and ensure that applications were deferred only once; and that accordingly, the question of any discretion to be exercised by the Senior Planning Officer did not arise.

Consideration of a proposal by Councillor Ms. Alexander and seconded by Councillor Hillis, to refer this matter to the Ombudsman, was deferred pending clarification of the second deferral and Management Board referral procedure with the Divisional Planning Manager at the Planning Working Group's meeting to be held on 26th October, 2006.

11.0 DOCUMENT TABLED

- The Planning and Water Appeals Commissions – Chief Commissioner's Annual Report – April 2005 – March 2006

12.0 MARINE AND COASTGUARD AGENCY - SILVER CONTROL ROOM

The Town Clerk and Chief Executive reminded members of the Emergency Planning Training to be held on Tuesday, 17th October, 2006 from 10.00 a.m. – 12.30 p.m. at the Silver Command Room, Gateside Business Park, Coleraine.

13.0 COUNCILLOR R. D. STEWART - RESIGNATION

The Town Clerk and Chief Executive advised members that a letter of resignation had been received from Councillor R. D. Stewart with effect from 10th October, 2006.

A report would be presented to members at a later date with regard to filling the vacancy.

POLICY AND DEVELOPMENT COMMITTEE

17th October, 2006.

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

Aldermen

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

Councillors

C. S. Alexander (Ms.) S. Gilkinson
(Items 1.0 – 6.4) N. F. Hillis
D. D. Barbour B. Leonard
O. M. Church (Mrs.) G. L. McLaughlin
A. S. Cole R. A. McPherson
J. J. Dallat A. McQuillan
T. J. Deans

Officers in Attendance:

Town Clerk and Chief Executive, Director of Corporate Services, Head of Development Services (Items 1.0 – 2.5), Head of Administrative Services and Administrative Assistants

Apologies: Alderman Mrs. Black and Councillor Mrs. Johnston

1.0 NORTHERN IRELAND MANUFACTURING FOCUS GROUP (NIMFG)

The Chairman welcomed Councillor B. McCrea, Lisburn City Council; R. Loughrey, Spanboard and C. Diamond, A. Diamond and Son, who were in attendance as representatives of Northern Ireland Manufacturing Focus Group to update Committee on the case for industrial de-rating.

The representatives highlighted the consequences for Northern Ireland's competitiveness, including the potential outcome for the industry in terms of job losses, if the proposal to introduce rates was not abandoned. The representatives stressed the urgent need for the Government's position on de-rating to be reversed and requested Council's support for their campaign.

A period of discussion ensued during which Councillor McCrea and his colleagues answered queries.

The Chairman thanked the representatives for their presentation and wished them success with their campaign, following which they withdrew.

2.0 DEVELOPMENT SERVICES REPORT

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

Matters arising:

2.1 Fat Boy Slim Concert

The Head of Development Services presented the results of a survey of the economic impact of the Fatboy Slim Concert, concluding that there was general support for suitable events at this location.

Discussion ensued during which members' questions were responded to by the Head of Development Services who also noted comments.

Members extended congratulations to all those involved in the organisation of the concert.

2.2 Portrush Regeneration Exhibition

Members noted that a public exhibition displaying regeneration options for Portrush would run in Portrush Town Hall from Wednesday 18th October – Saturday 21st October, 2006. GVA Grimley representatives would be available at the exhibition on Wednesday 18th October.

2.3 CCTV Report

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

In response to a request from Councillor McQuillan, the Head of Development Services would again pursue the possibility of PSNI involvement in operating the CCTV system as appeared to be the case in other parts of Northern Ireland.

2.4 King George VI Hall Update

Consultation to identify the needs of the local community in the Churchlands ward, in which this hall was located, had taken place. A vision framework had been prepared and a plan of actions and initiatives would now be worked on. A report would be brought to Council as soon as available.

In response to a request from Alderman Mrs. Hickey, the Head of Development Services would check if local people had been consulted, other than through community groups.

2.5 Arts Council NI – Re-Imaging Communities Programme

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

3.0 CORPORATE SERVICES REPORT

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

Matters arising:

- | | | |
|-------|---|---|
| 3.1 | <u>Consultation Paper – Managing Vacancies Effectively in Local Government January 2007- March 2009</u> | Council is recommended to approve the draft response to this document, prepared by the Director of Corporate Services, as detailed in the report. |
| 3.2 | <u>Risk Management Policy Statement</u> | Council is recommended to adopt this Policy Statement. |
| 3.3 | <u>Review of Councillors’ Remuneration</u> | Members noted that the Department of the Environment would be happy to receive comments on the report of the review group. |
| 3.4 | <u>Matters for Information</u> | |
| 3.4.1 | <u>Accounts</u> | Members noted that Accounts for September 2006 had been circulated for information. |
| 3.4.2 | <u>New Appointment</u> | The following appointment had been made in accordance with the Local Government Staff Commission’s Code of Procedures on Recruitment and Selection:

<u>Leisure Services Department</u>

Full-time Female Centre Attendant:
Miss S. Laverty. |

4.0 STAFF SICKNESS

The Director of Corporate Services advised members that Ms. C. Ward, Personnel Officer, was currently on sick leave and was likely to be absent for some time.

Members asked that their best wishes be conveyed to Ms. Ward.

5.0 AUDIT COMMITTEE

The contents of the Minutes of the Audit Committee of 14th September, 2006 and associated reports (previously supplied), were noted by members.

6.0 LAND AND PROPERTY

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

Matters arising:

- | | | |
|-----|---|--|
| 6.1 | <u>Decant Site at Glebe Avenue, Coleraine</u> | Council is recommended to agree to a request from NIHE for an extension to the Licence Agreement permitting the use of Council land at the back of The Crescent playing fields for decant purposes.

Rental would, as before, be based on Valuation and Lands Agency advice.

Members noted that Council’s Environmental |
|-----|---|--|

Health Department had been involved in consultation about the standard of insulation at decant sites.

6.2 Restaurant 55 North, Portrush

Consideration was given to a request from the owner of 55 North for Council to sell the paved area/terrace outside the lower restaurant.

Following discussion, it was proposed by Alderman McClarty, seconded by Alderman Mrs. Hickey and recommended:

That this request be deferred to facilitate a site meeting for members.

6.3 St. Patrick's Primary School, Portrush

Consideration was given to a request for Council to consider the sale, in principle, of an area of land from the East Strand car park, as detailed in the report.

Recommended:

That Council explore the possibilities of a Licence Agreement whereby an area of the East Strand car park, behind the existing school, would be made available for the exclusive use of parents for drop off and staff for parking during school hours and be otherwise open to the public.

6.4 The Hermit's Cottage, 93 Ballyreagh Road, Portrush

Consideration was given to the unauthorised works at this location following a Council site meeting on 9th October, 2006.

Committee was reminded of the recommendations made by the Head of Administrative Services that Mr. Porter be instructed to:

- (i) Remove railway sleepers, regrade and plant with marron grass.
- (ii) Delineate property boundary with bollards and different colour/texture edge strip.
- (iii) Take out slipway.
- (iv) Gate and sign as proposed by Mr. Porter were acceptable viz:
 - gate with pedestrian/disabled access;
 - sign at gate with wording agreed by Council.

An extensive period of discussion ensued during which Councillor Ms. Alexander asked

that it be recorded that she wanted no part in any challenge made by Council on this piece of ground.

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

That Council endorse the recommendations of the Head of Administrative Services.

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

7.0 NOTICE OF MOTION - SUBMITTED BY COUNCILLOR B. LEONARD

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

“That this Council, taking account of the consequences of continuing Direct Rule on the people of this Borough and beyond and the desire of many within this Borough and beyond to have more local accountability, calls for all parties to support the immediate restoration of the All-Ireland Institutions, the Assembly and the Executive.”

Following the introduction of the Motion by Councillor Leonard, it was proposed, as an amendment, by Alderman McClure and seconded by Councillor Hillis:

That this Council, conscious of the concerns that many citizens of the Borough have in light of continuing Direct Rule and the desire of many to have more local accountability, calls on all parties to support the immediate restoration of the Northern Ireland Assembly and the Executive to ensure good governance for the Province through the representatives elected by the people of Northern Ireland. That Sinn Féin IRA must support the rule of law in Northern Ireland and give their full support to the PSNI before an Assembly can be established.

On being put to the meeting following a period of discussion, the amendment was carried by thirteen votes to four.

8.0 ADJOURNMENT OF BUSINESS

In view of the lateness of the hour, it was agreed:

That the remainder of the business be adjourned to the Council Meeting on 24th October, 2006.