

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** the 28<sup>th</sup> day of October, 2008 at **7.30 p.m.**

R. WILSON,  
Town Clerk and Chief Executive.

Cloonavin,  
66 Portstewart Road,  
COLERAINE.

#### A G E N D A

1. Minutes (enclosed):
  - 1.1 Council Meeting – 23<sup>rd</sup> September, 2008
  - 1.2 Special Meeting – 23<sup>rd</sup> September, 2008
  - 1.3 Special Meeting – 7<sup>th</sup> October, 2008
2. Committee Reports (enclosed):
  - 2.1 Leisure and Environment Committee – 7<sup>th</sup> October, 2008
  - 2.2 Planning Committee – 14<sup>th</sup> October, 2008  
**(Item No. 9) Non-Determination Appeals Report**
  - 2.3 Policy and Development Committee – 21<sup>st</sup> October, 2008
3. Correspondence, including inter alia:
  - (a) Letter dated 13<sup>th</sup> October, 2008 from the Department of Education in response to Council's letter regarding The Buddy Bear Trust
  - (b) Reports available in Members' Library
4. Consultation Documents
5. Documents for Sealing

**For Information:**

- (1) Letter dated 1<sup>st</sup> October, 2008 together with Press Release from The William Keown Trust regarding the Abolition of Prescription Charges
- (2) Minutes of the Northern Health and Social Services Council dated 3<sup>rd</sup> September, 2008
- (3) Help The Aged – Magazine – Senior Agenda – Issue 7 September 2008

To: Each Member of Council.

24<sup>th</sup> October, 2008.



The Director of Leisure Services reported that the signage had been ordered from England, would be delivered within the next two weeks and would then be erected.

## 4.0 COMMITTEE REPORTS

### 4.1 Planning Committee - 26<sup>th</sup> August, 2008

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

Matters arising:

#### 4.1.1 Application No. 10 C/2007/0751/F Demolition of existing buildings and erection of five storey building with a single sixth floor apartment, with 2 no. retail units, ground floor parking and a total of 32 no. apartments, to include 24 no. sheltered housing units (amended proposal) at 4 and 6 Harbour Road and 3a, 3b and 3c The Promenade, Portstewart for Amalgam Properties Ltd.

Reference was made to the outcome of this planning application whereby the proposal for an office meeting had been defeated by the amendment which was to support the approval.

Following a member's request the Acting Chief Executive confirmed that he would report back to the member on the status of the application.

The Committee Report was, therefore, agreed.

### 4.2 Leisure and Environment Committee

In the absence of the Chairman and the Vice Chairman, Alderman McClarty moved the adoption of the Leisure and Environment Committee Report; this was duly seconded by Councillor Bradley.

Matters arising:

#### 4.2.1 Coleraine Town Centre Redevelopment Scheme

Concern was expressed by some members regarding the proposed removal of trees from Coleraine Town Centre.

The Acting Town Clerk and Chief Executive advised members that if Standing Orders were suspended the Town Centre Manager could address the Meeting regarding this matter.

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

That Council suspend Standing Orders to enable the Town Centre Manager to address the Meeting on this matter.

The Deputy Mayor welcomed Mrs. Sharon

Scott, Town Centre Manger. Mrs. Scott updated members on the redevelopment scheme agreed for Coleraine Town Centre in November 2005 and elaborated on the key reasons for removal and replacement of the trees.

Mrs. Scott advised that the existing trees were unsustainable as some had burst their containers. The replacement oak trees would be planted directly in the ground and would be sustainable.

Following discussion it was proposed by Alderman McClarty and seconded by Councillor Hillis:

That Council accept the recommendation that the imperfect trees be replaced as previously agreed.

On a request for a recorded vote the members voted thus:

**For:** The Deputy Mayor  
Aldermen Mrs. Hickey, McClarty and McClure  
Councillors Bradley, Mrs. Church, Cole, Dallat, Mrs. Fielding, Fitzpatrick, Hillis, Leonard and McPherson (13)

**Against:** Councillors Ms. Alexander and McQuillan (2)

The Committee Report was, therefore, agreed.

4.3 Planning Committee - 9<sup>th</sup> September, 2008

The Vice Chairman, Councillor Bradley, moved the adoption of the Planning Committee Report; this was duly seconded by Councillor Mrs. Fielding.

Matters arising:

4.3.1 Planning Decisions

Reference was made to the procedure used by the Planning Service with regard to issuing decisions following Planning Meetings.

It was agreed that clarification be sought from the Planning Service regarding this matter.

The Committee Report was, therefore, agreed.

4.4 Policy and Development Committee

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

## 5.0 TENDERS

Consideration was given to the Director of Leisure Services' Report on Tenders (previously supplied)

### 5.1 Refurbishment of The Crescent, Portstewart

The Director of Leisure Services' Report on tenders received for the refurbishment of The Crescent, Portstewart was considered (circulated to each member).

Six tenders had been received as follows:

Jemm Construction Ltd.	£1,087,500.00
Crawford Contracts	£1,270,000.00
McCloskey & O'Kane	£1,274,300.00
T. & A. Kernohan	£1,300,700.00
Martin & Hamilton	£1,332,855.00
J. S. Dunlop Ltd.	£1,350,000.00

The tender from Jemm Construction Ltd. had been withdrawn.

The Consultants had been asked to draw up a bill of reductions that would not have a detrimental impact on the contract and to agree these with the now lowest tenderer, Crawford Contracts.

Savings of £241,095.05 were agreed and a revised tender figure of £1,028,904.95 was recommended to Council for acceptance from The Crescent Working Group.

The Consultants, R. Robinson & Sons, were in attendance and gave an illustrated projection of the proposed new developments.

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

That Council proceed with the scheme.

It was further agreed:

That Council accept the revised tender from Crawford Contracts in the sum of £1,028,904.95.

### 5.2 Peter Thompson Hall, Castlerock

Nine contractors from the Select List who had been invited to tender for the extension and refurbishment of the Peter Thompson Hall, Castlerock had submitted tenders as follows:

MSM Contracts Ltd.	£992,299.28
PRH Construction Ltd.	£1,038,000.00
Martin & Hamilton	£1,048,455.00
JPM Contracts Ltd.	£1,057,000.00
Bell Contracts	£1,058,000.00
P. & K. McKaigue	£1,070,000.00
Patton Group	£1,088,000.00
Wilson & Mawhinney Ltd.	£1,091,000.00
Hugh Taggart & Sons	£1,139,887.00

It was agreed that the lowest tender from MSM Contracts Ltd., in the sum of £992,299.28, be accepted.

## **6.0 NEWRY AND MOURNE DISTRICT COUNCIL - NOTICE OF MOTION**

Consideration was given to letter dated 26<sup>th</sup> August, 2008 from Newry & Mourne District Council regarding a Notice of Motion on genetically modified organisms in Northern Ireland and the Republic of Ireland agriculture.

It was proposed by Alderman McClarty and seconded by Councillor McPherson:

That the letter be marked 'Read'.

As an amendment it was proposed by Councillor Ms. Alexander and seconded by Alderman Mrs. Hickey:

That Council support the Motion.

On being put to the Meeting the amendment was lost, five members voting in favour and seven members voting against.

## **7.0 ROYAL NATIONAL INSTITUTE OF BLIND PEOPLE - NOTICE OF MOTION**

Consideration was given to letter dated 3<sup>rd</sup> September, 2008 together with Notice of Motion from the Royal National Institute of Blind People campaigning to secure better mobility benefits for blind people.

It was agreed:

That Council support the Motion.

## **8.0 DOCUMENTS TABLED**

- (a) The Crown Estate – Annual Report 2008;
- (b) Northern Ireland Rural Women's Network (NIRWN) – Summer 2008 – Issue 5;
- (c) Advice NI – Advice Matters – Summer 2008;
- (d) Queen's University, Belfast – Northern Ireland Cancer Registry – Care of Patients with Malignant Melanoma of Skin in Northern Ireland 2006;
- (e) Invest Northern Ireland – Annual Report and Accounts – 2007/2008;
- (f) Royal Mail Magazine – Contact – Summer 2008;

- (g) Health Promotion Agency for Northern Ireland – Annual Report 2007/2008;
- (h) Northern Ireland Fire and Rescue Service – Annual Report and Statement of Accounts 2007/2008.

## **9.0 TRIENNIAL REVIEW OF DAY CARE SERVICES FOR CHILDREN IN THE NHSSB AREA - 2005/2006 - 2007/2008**

Reported that a copy of the above Review, produced by the Northern Childcare Partnership, had been received. Any member wishing to obtain a copy should contact the Head of Administrative Services.

## **10.0 REVIEWING NORTHERN IRELAND'S REGIONAL DEVELOPMENT STRATEGY**

Reported that the above Conference was being held on Wednesday, 5<sup>th</sup> November, 2008 at the Stormont Hotel, Belfast. The Conference was being supported by the Department for Regional Development and the Strategic Investment Board.

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

## **11.0 COMMONWEALTH SCHOLARSHIPS - NEWS**

The Commonwealth Scholarships – News – September 2008 would be available in the Library.

## **12.0 CONSULTATION LIST**

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

- Network 4 Youth  
Comments due: 30<sup>th</sup> November, 2008.

## **13.0 DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

- |    |   |   |
|----|---|---|
| 1. | <u>Indenture of Lease in duplicate</u><br><u>Indenture in duplicate</u> | Coleraine Football Club and Council<br>Lease of playing fields and club house;<br>Council and Coleraine Football Club Ltd.<br>Grant aid of £90,000; |
| 2. | <u>Indenture in duplicate</u>   | Council and Trustees of Ballerin GAC<br>Grant aid of £90,000;   |
| 3. | <u>Indenture in duplicate</u>   | Council and Michael McGinn<br>Lease of Carrick Dhu Caravan Park Take-Away premises;   |
| 4. | <u>Car Loan Agreement</u>   | Principal Environmental Health Officer;   |



5. Cemetery Titles

Grant of Right of Burial – Deeds Register Nos.  
3455 – 3460 (inclusive):

Agherton	-
Ballywillan	2
Coleraine	2
Kilrea	-
Portstewart	2

Advanced Deeds Register Nos. 0211 – 0212  
(inclusive):

Agherton	1
Ballywillan	-
Coleraine	1
Portstewart	-



Institute and other groups and associations involved in the education of children with motor disorders;

- Provide a purpose built centre of excellence in Dungannon as a focus for the development of Conductive Education;
- Establish and maintain a network of Out Centres linked to the Dungannon Conductive Education Centre.

The following Resolution had been passed at the Northern Ireland Assembly on 19<sup>th</sup> February, 2008:

‘That this Assembly supports conductive education and commends the Buddy Bear School, Dungannon, to the Office of the First Minister and deputy First Minister and the Minister of Education for financial support and assistance.’

The Resolution had not been followed through because some Education and Library Boards:

“confirmed that the needs of children with cerebral palsy are able to be met in grant-aided schools and have advised (DE) that given the heterogeneity of this group, the needs of one child with cerebral palsy can be qualitatively different from the needs of others and, therefore, a range of placements is required.” (Letter from OFMDFM dated 8th April, 2008).

Following discussion, during which the representatives answered various members’ questions, it was proposed by Councillor McPherson, seconded by Alderman McClure and unanimously agreed:

That Council forward a letter of support for The Buddy Bear Trust to the Office of the First and Deputy First Minister.

The Deputy Mayor thanked the representatives for attending and making such an interesting and informative presentation.

## **SPECIAL MEETING**

**7<sup>th</sup> October, 2008.**

**Convened:** To receive presentation from Ms. Laura Gregson, Communications Manager and Ms. Janice Kirkpatrick, Volunteer and Projects Officer, Speechmatters – Part of the Stroke Association.

**Present:** The Mayor, Councillor D. D. Barbour, in the Chair  
The Deputy Mayor, Alderman W. T. Creelman

### **Aldermen**

E. T. Black (Mrs.)                      W. J. McClure  
(Item 2.0)  
M. T. Hickey (Mrs.)

### **Councillors**

C. S. Alexander (Ms.)                  S. Gilkinson  
J. M. Bradley                              W. A. King  
A. S. Cole                                  B. Leonard  
J. J. Dallat                                 R. A. McPherson  
E. P. Fielding (Mrs.)                  A. McQuillan  
B. Fitzpatrick

**Officers in Attendance:** Town Clerk and Chief Executive, Head of Administrative Services and Administrative Assistant

**Apologies:** Alderman McClarty, Councillors Mrs. Church, Deans and Mrs. Johnston

## **1.0 WELCOME**

The Mayor welcomed everyone to the meeting. He extended a special welcome to the new Town Clerk and Chief Executive and to Ms. Laura Gregson and Ms. Janice Kirkpatrick of Speechmatters.

## **2.0 SPEECHMATTERS**

Ms. Laura Gregson, Communications Manager and Ms. Janice Kirkpatrick, Volunteer and Projects Officer of Speechmatters were in attendance to brief members on their work.

Ms. Gregson updated members on Speechmatters, which is part of the Stroke Association, and elaborated on various issues including:

- an explanation of strokes and aphasia;
- vision and missions of Speechmatters and the Stroke Association;
- services they offer;
- volunteering;
- lobbying;
- user involvement;
- fundraising.

Ms. Gregson answered members' various questions.

Although Speechmatters received funding from the Northern Health Trust, members were surprised and disappointed to learn they did not receive recurrent funding which meant they had to approach the Northern Health Trust every year, unlike the other Trusts.

Following discussion it was agreed that Council write to the Northern Health Trust, encouraging the Trust to provide recurrent funding and so help Speechmatters with their budgetary planning.

The Mayor thanked Ms. Laura Gregson and Ms. Janice Kirkpatrick for their interesting presentation.

# LEISURE AND ENVIRONMENT COMMITTEE

7<sup>th</sup> October, 2008.

**Present:** Alderman Mrs. E. T. Black, in the Chair  
The Mayor, Councillor D. D. Barbour  
The Deputy Mayor, Alderman W. T. Creelman

## **Aldermen**

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

## **Councillors**

C. S. Alexander (Ms.) (Items 1.0 – 3.5.3)	N. F. Hillis (Items 2.2 - 11.1.2)
J. M. Bradley	W. A. King
A. S. Cole	B. Leonard
J. J. Dallat (Items 1.0 – 3.5.2)	(Items 1.0 – 3.6.1)
E. P. Fielding (Mrs.)	R. A. McPherson
B. Fitzpatrick	A. McQuillan
S. Gilkinson	(Items 2.4 – 11.1.2)

## **Officers in Attendance:**

Town Clerk and Chief Executive, Head of Administrative Services, Director of Technical Services, Senior Technical Officer (Items 2.4 – 3.6.1), Technical and Waste Management Officer (Items 1.0 – 3.6.1), Principal Building Control Officer (Items 2.4 – 3.6.1), Director of Leisure Services (Items 1.0 – 3.1), Leisure Services Officers, Director of Environmental Health, Senior Environmental Health Officer (Items 2.4 – 11.1.2), Dog Warden/Enforcement Officer (Items 2.4 – 11.1.2) and Administrative Assistant

**Apologies:** Alderman McClarty, Councillors Mrs. Church, Deans and Mrs. Johnston.

## **1.0 WELCOME**

The Vice Chairman welcomed everyone to the meeting. She extended a special welcome to the new Town Clerk and Chief Executive and wished him many happy years at Coleraine Borough Council.

## **2.0 LEISURE SERVICES REPORT**

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

Matters arising:

### **2.1 Tenders - Floodlights Kilrea Bowling Green**

Six tenders had been received for the supply, delivery and installation of floodlights to Kilrea Bowling Green viz:

<b>Tenderer</b>	<b>Amount (£)</b>
H. M. Electrics Ltd.	47,957.00
Irwin Group, Armagh	48,840.00
Barrett Electrical Contracts	49,647.00
R. H. K. Davidson & Co. Ltd.	52,157.00
Braid Electrical Services	52,435.00
Braham Electrical	63,180.00

Recommended:

That Council accept the lowest priced tender from H. M. Electrics Ltd., for the sum of forty-seven thousand, nine hundred and fifty-seven pounds (£47,957.00) as recommended by the consultants.

A member queried the amount compared to the cost of similar work at Anderson Park. The Director of Leisure Services informed Committee that much of the price increase was a consequence of the rising price of steel.

2.2 Ballysally Youth and Community Centre

Recommended:

That Council match fund the I.T. Officer's salary, in partnership with Department for Social Development, for the next three years.

2.3 Child Protection

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

The Local Government Staff Commission recently published details of a scoping exercise regarding the safeguarding of children and vulnerable adults.

Some posts were not listed as regulated activities, therefore, if the proposals were accepted, employers would not be permitted to carry out POCVA checks on staff newly appointed to such posts.

Recommended:

That Council write to the Local Government Staff Commission voicing concern on posts not deemed regulated and recommending that all posts where staff have direct contact with young people or vulnerable adults be regulated and subject to POCVA checks.

2.4 Twinning Grant

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

Following requests for more information on the work of the Twinning Association, the Vice Chairman reminded members that Mr. Tony Lee, Chairman and Mrs. Liz Lee, Secretary of Coleraine Twinning Association had made a presentation to Council within the last six months highlighting their work.

The Director of Leisure Services advised Committee that he would obtain the information about the activities of the Association, including participation in visits and exchanges, and report back at a later meeting.

Members were advised that the next meeting of the Association, on 5<sup>th</sup> November, 2008, was open to anyone wanting to attend.

Following discussion it was recommended:

That Council contribute £7,500 to Coleraine Twinning Association.

2.5 Christmas Lights Switch-on Dates

Members noted the following dates for switching on of Christmas Lights throughout the Borough:

- (a) Coleraine – Friday, 28<sup>th</sup> November, 2008
- (b) Portrush – Friday, 5<sup>th</sup> December, 2008
- (c) Kilrea – Saturday, 6<sup>th</sup> December, 2008
- (d) Garvagh – Monday, 8<sup>th</sup> December, 2008
- (e) Castlerock –Thursday, 11<sup>th</sup> December, 2008
- (f) Portstewart – Friday, 12<sup>th</sup> December, 2008
- (g) Portballintrae – Saturday, 13<sup>th</sup> December, 2008

2.6 Forum for Local Government and the Arts

Members noted that the Forum for Local Government and the Arts would be holding their annual conference in the Braid Arts Centre, Ballymena on Tuesday, 4<sup>th</sup> November, 2008 from 10.00 a.m. – 5.00 p.m. Members interested in attending were asked to contact the Director of Leisure Services.

2.7 Britain in Bloom 2008

Members noted that Coleraine received a Silver Award in the recent Britain in Bloom Competition.

2.8 Ulster in Bloom

Members noted that Coleraine was awarded first place in the Large Town Category for Ulster in Bloom.

The Vice Chairman suggested that those involved in the competitions be recognised for their contribution and efforts.

A member queried the early removal of summer bedding plants by seasonal staff, and asked that



the timing of this work be reconsidered in future years.

2.9 International Airshow Portrush 2008

Members noted that the International Airshow held on Saturday 6<sup>th</sup> and Sunday 7<sup>th</sup> September, 2008 was the best to date and work was already underway for next year's show.

A member highlighted the lack of parking spaces in Portrush for the Airshow and suggested Council organise temporary parking facilities when holding such large events. The Director of Leisure Services advised that this possibility was being investigated.

2.10 Northern Ireland Community Archive

Members noted that a demonstration website would be launched at 11.30 a.m. on Thursday, 23<sup>rd</sup> October at Lagan Legacy, Belfast.

2.11 Olympic Rowers

A member enquired if there would be a mayoral reception to honour Alan Campbell, Richard Chambers and Richard Archibald who had competed in the Beijing Olympics.

The Director of Leisure Services advised that the Mayor had invited the rowers and their families to a reception but it had been difficult to get all three rowers in Coleraine at the same time. He advised that it would probably be Christmas when all three would be home at the same time.

### **3.0 TECHNICAL SERVICES REPORT**

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

Matters arising:

3.1 Utilisation of Landfill Gas at Craighulliar Landfill Site

A condition of the Industrial Pollution Prevention and Control Permit issued for the operation of Craighulliar Landfill Site requires Council to make arrangements for the extraction and utilisation of gas produced within the site.

In order to comply with the permit conditions tenders were sought for the extraction and use of the gas as an alternative energy source.

Mr. Donal Doyle of RPS Consulting Engineers was in attendance to give a report on the tendering exercise.

Mr. Doyle briefed members on landfill gas and explained that whilst five companies requested tender documents, only one tender was returned completed by the due date and time

(B9 Organic Energy Ltd.)

He outlined cost proposals and royalty payments:

- Capital expenditure by B9 approx. £1.3m;
- Sales price – 8p/kWh;
- Annual B9 expenses approx. £300,000;
- Site could support 0.625MW electrical generator which could give revenue of approximately £100,000 per year to Council based on 50% royalty payment.

He also highlighted other possible additional services:

- Gas used to heat building on site
- Potential for reducing energy cost on site.

The next steps were also highlighted and these included the following:

- The preferred service provider to be confirmed;
- Feasibility analysis to be undertaken by service provider, at his cost;
- Planning application to be submitted;
- NIEA approval;
- Formal agreement to be prepared and agreed;
- Installation and utilisation;
- Target utilisation by 2<sup>nd</sup> quarter 2009.

Mr. Doyle answered members' various questions.

Following discussion, in which members noted that there would be no financial outlay by Council, it was proposed by Councillor Dallat, seconded by Councillor McPherson and recommended:

That Council proceed with the utilisation of landfill gas at Craigahulliar Landfill Site by B9 Organic Energy Ltd.

Officers were asked to consider how best to advise local residents of the development, also to consider if any direct benefits could be identified for the residents.

## 3.2 Entertainment Licences

### 3.2.1 Cromore Halt Guest Inn 158 Station Road Portstewart

An application for a transfer of an Entertainment Licence had been received from Mrs. C. Lafferty.

Days and times on which it is intended to provide entertainment:

Monday/Tuesday – Saturday/Sunday  
11.30 a.m. – 1.00 a.m.  
Sunday 12.30 p.m. – midnight.

Recommended:

That the Transfer of Licence be granted subject to:

- All door supervisors employed within the licensed premises must be registered with a scheme recognised by Coleraine Borough Council.

3.2.2 The Imperial Hotel  
38 Main Street  
Garvagh

An application for a transfer of an Entertainment Licence had been received from Mr. T. Blair, c/o The Imperial Hotel.

Days and times on which it is intended to provide entertainment:

Monday/Tuesday – Saturday/Sunday  
11.30 a.m. – 1.00 a.m.  
Sunday 12.30 p.m. – midnight.

Recommended:

That the Transfer of Licence be granted subject to:

- All door supervisors employed within the licensed premises must be registered with a scheme recognised by Coleraine Borough Council;
- All escape corridors, external escape routes to be kept clear and not to be used for storage.

3.3 DRD Roads Service

3.3.1 Disabled Parking Bay

Recommended:

That Council support Roads Service's proposal to provide a disabled parking bay at the undernoted location:

- adjacent to 62 Nursery Avenue, Coleraine.

3.4 Tender for  
Replacement  
Play Areas

Following public advertisement, seven tenders were received for the replacement of play areas at Portballintrae and Articlave in 2008-2009. The tender also allows for a further two sites to be replaced in 2009-2010.

<b>Tenderer</b>	<b>Amount (£)</b>
Crawford Contracts Ltd. Woodside Road Industrial Estate Woodside Road, Ballymena	61,771.00
Unique Playground <u>Option 1</u> Clonmore House Clonmore Road, Dungannon	64,130.00
Unique Playground <u>Option 2</u> Clonmore House Clonmore Road, Dungannon	66,562.00
Unique Playground <u>Option 3</u> Clonmore House Clonmore Road, Dungannon	66,669.00
Play & Leisure Services Ltd. 31 Carrowdore Road Greyabbey	69,993.00
Hawthorn Heights Ltd. 38A Vale Road Greysteel	77,340.00
All Play 12 Crabtree Road Ballynahinch	86,047.00
Harte & Eakin (Contractors) NI Ltd. 48 Cloyfin Road Coleraine	87,387.00
EC Construction Ltd. 138 Shore Road Ballyronan	89,715.00

Recommended:

That Council accept the lowest priced tender from Crawford Contracts, for the sum of sixty-one thousand, seven hundred and seventy-one pounds (£61,771.00) for each site.

Following a member's query about how sites were chosen, the Director of Technical Services advised that the sites selected were the two that were the worst for wear.

### 3.5 For Information

#### 3.5.1 Litter – Legal Proceedings

Members noted the undernoted details on this topic:

Defendants: Mr. D. Dunn  
17 Enfield Street  
Portstewart

and

Mrs. J. Stewart  
20 Oakvale Park  
Coleraine

Offence: Leaving litter under Article 3 (1) of the Litter (NI) Order 1994

Result: Defendants each to pay:  
Fine: £50.00  
Legal Costs: £70.00  
Court Costs: £16.00

### 3.5.2 Blue Bin Update

Members noted that office, photocopier, printer paper, school jotters, junk mail, advertising leaflets and phone directories could now be put in blue bins.

The Director of Technical Services advised members that educational literature would soon be made available.

### 3.5.3 Energy Saving Trust – Local Authority One-to-One Support Programme

Members noted information on this programme, as detailed in the report. Members were asked to contact the Senior Technical Officer if they had specific questions on this topic.

### 3.6 Building Control

#### 3.6.1 Approvals

Members noted that approval had been granted for 49 applications.

## 4.0 **ENVIRONMENTAL HEALTH REPORT**

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

Matters arising:

#### 4.1 Legal Proceedings

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

#### 4.2 Strengthening the Role of Elected Members in Emergency Planning

Recommended:

That members continue to support the work in preparing Council’s role for a major emergency.

#### 4.3 Inter-Agency Flooding Plan

Members noted that officers would be meeting with Roads Service, Northern Ireland Water and Rivers Agency to devise a flood plan for the borough which would ensure effective co-ordination of any future local response to flooding and timely availability of resources to provide assistance should such an emergency recur.

#### 4.4 Local Government (Miscellaneous Provisions) (NI) Order 1985 (as amended)

It was proposed by Councillor McPherson, seconded by Councillor Fitzpatrick and recommended:

#### Nightsafe Code of Practice

That the Nightsafe Code of Practice, which had been presented to Council in September, be included as a condition

- 4.5 Minimum Age of Sale of Tobacco Products - 18+  
Children and Young Persons (Sale of Tobacco etc) Regulations (Northern Ireland) 2008
- Members noted with effect from 1<sup>st</sup> September, 2008, it was illegal to sell tobacco products to anyone under 18, as opposed to under 16.
- Recommended:
- That Council continue to raise the profile and awareness of the issue of tobacco control. Environmental Health would also continue to strengthen the existing partnerships with other agencies and undertake future cigarette test purchase exercises to ensure compliance with the legislation.
- 4.6 Conditional Approval of Meat Products Established under EC Regulation 853/2004
- Recommended:
- That conditional approval be granted to the following establishment under this legislation:
- McAtamney's Cuisine  
Units 10 & 11 Kilrea Enterprise Centre  
Kilrea, Coleraine.
- Members noted that a further assessment of compliance would be made in three months' time when it may be possible to recommend full approval.
- 4.7 For Information
- 4.7.1 Environmental Health - Dog Warden Team
- Mrs. Catherine McNally, Senior Environmental Health Officer and Mrs. Nuala Houston, Dog Warden/Enforcement Officer gave a presentation on the work carried out by the dog warden team over the past year. They also answered members' various questions.
- 4.7.2 Quality and Performance Management Audit - Matrix Scores
- Members noted information on this topic, as detailed in the report.
- 4.8 Outcome of Legal Proceedings
- Members noted the undernoted details on this topic:
- The Dogs (NI) Order 1983 as amended by The Dangerous Dogs (NI) Order 1991
- Defendant: Mr. J. McDonald  
35 Kingsbury Gardens  
Coleraine
- Offence: Having possession of a dog of the type known as a pit bull terrier.
- Outcome: A Destruction Order was made in respect of the dog.

4.9 Half Yearly Report  
April 2008 – September 2008

Members noted information on the work achieved by the Department, as detailed in the report.

**5.0 AVAILABILITY OF PUBLIC DISABILITY TOILETS**

The William Keown Trust had contacted Councils in Northern Ireland to express concern about Councils closing/locking disabled toilets due to vandalism and anti-social behaviour. Although the RADAR key scheme exists for people to gain entrance to the toilets, the Trust believes that not everyone is aware of the system and would like Councils to address the problem.

Recommended:

That Council support the extension of the RADAR key scheme.

**6.0 FREEDOM OF THE BOROUGH CEREMONY**

The Head of Administrative Services reminded members to inform the Administrative Officer if they planned to attend the ceremony.

**7.0 FEDERATION OF EUROPEAN COUNCILLORS**

Members noted that the North-South Confederation of Councillors would be hosting a seminar in the Clifden Station House Hotel, Galway on Friday, 24<sup>th</sup> and Saturday, 25<sup>th</sup> October, 2008. The seminar would focus on 'The Good Friday Agreement – 10 years on'. Members were asked to contact the Administrative Officer if interested in attending.

**8.0 NORTHERN IRELAND RURAL WOMEN'S NETWORK**

- (a) The Northern Ireland Rural Women's Network and Mid-Ulster Women's Network had invited members to celebrate World Rural Women's Day on Wednesday, 15<sup>th</sup> October, 2008 at Ballyronan Marina Centre from 11.00 a.m. – 2.00 p.m. Members were asked to contact the Administrative Officer if interested in attending.
- (b) The Northern Ireland Rural Women's Network and Omagh Women's Area Network had invited members to a Bill of Rights Information Seminar on Wednesday, 22<sup>nd</sup> October, 2008 at the Silverbirch Hotel, Omagh from 10.00 a.m. – 1.15 p.m. Members were asked to contact the Administrative Officer if interested in attending.

**9.0 CITIZENS' ADVICE BUREAU**

The Citizens' Advice Bureau had invited members to their Annual General Meeting on Thursday, 16<sup>th</sup> October, 2008 at 10.30 a.m. at the Waterfront Hall, Belfast. Members were asked to contact the Administrative Officer if interested in attending.

**10.0 THANKS**

Members were delighted to see the new Town Clerk and Chief Executive in post and acknowledged the sterling work carried out by the Acting Town Clerk and other officers.

## PLANNING COMMITTEE

14<sup>th</sup> October, 2008.

### Present:

Councillor W. A. King in the Chair

The Mayor, Councillor D. D. Barbour  
(Items 1.0 – 6.1)

The Deputy Mayor, Alderman W. T. Creelman (Item 2.0)

### Aldermen

E. T. Black (Mrs.)  
M. T. Hickey (Mrs.)  
D. McClarty  
(Items 2.0 – 9.0)

W. J. McClure  
(Items 1.0 – 2.0)

### Councillors

C. S. Alexander (Ms.)  
J. M. Bradley  
(Items 2.0 – 10.0)  
O. M. Church (Mrs.)  
A. S. Cole  
E. P. Fielding (Mrs.)  
(Items 1.0 – 2.0)  
B. Fitzpatrick

S. Gilkinson  
(Items 1.0 – 5.23)  
N. F. Hillis  
(Items 1.0 – 9.0)  
B. Leonard  
R. A. McPherson  
A. McQuillan  
(Items 2.0 – 6.1)

### Also in

#### Attendance:

Representatives from the Planning Service –  
Mrs. M. MacIntyre, Divisional Planning Manager  
(Items 1.0 – 4.0), Mr. P. Duffy and Mr. W. McIlmoyle

### Officers in

#### Attendance:

Town Clerk and Chief Executive, Administrative Officer,  
Principal Environmental Health Officer and Administrative  
Assistant

## **1.0 WELCOME**

The Chairman welcomed everyone present to the Meeting including Mrs. Mary MacIntyre, Divisional Planning Manager.

## **2.0 STREAMLINED CONSULTATION SCHEME**

The Divisional Planning Manager was in attendance to address Council on the proposed Streamlined Consultation Scheme (Report was circulated to each member).

The Divisional Planning Office had been operating a pilot scheme for streamlined consultation in the Derry City Council area since December 2007 and the purpose of the report was to brief Council on the Scheme and discuss the possibility of piloting it in Coleraine. The Scheme aimed to revise the process to allow for the determination of generally minor straightforward planning applications which would be dealt with by the Planning Service in the Divisional Office, under the authority of the Divisional Planning Manager.



The objectives of the Scheme were as follows:

- to accelerate the processing of all planning applications by allowing a range of applications, by agreement with the Council, to reach a decision and issue quickly;
- to facilitate the Council in its consideration and decision taking on key planning applications, particularly those applications of economic and social significance including those relating to small and medium sized business enterprises;
- allowing the Planning Committee to focus on important applications;
- better customer service as a result of speedier decision making and more efficient, improved working practices;
- economic benefits related to faster decision making including benefits for the construction industry;
- benefits for applicants who have special needs or disabilities and require essential works/adaptations to be carried out;
- improved flexibility;
- allowing case officers to focus on more complex proposals.

The Divisional Planning Manager outlined applications to be included in the Scheme of Streamlined Consultation and emphasised that other types could be added.

Following discussion, during which the Divisional Planning Manager answered various members' questions, it was proposed by Councillor Fitzpatrick, seconded by Councillor McPherson and unanimously agreed:

That Council agree to the introduction of the Scheme for a trial period of six months, commencing December, 2008.

It was noted that the Divisional Planning Manager would liaise with the Town Clerk and Chief Executive regarding the implementation of the Scheme.

### **3.0 EDGEWATER HOTEL SITE, PORTSTEWART - ENFORCEMENT ACTION**

The Divisional Planning Manager advised members that because of the Data Protection Act her response on this matter would be limited.

Following queries regarding the apparent breach of planning regulations, with regard to the height of the above development, the Divisional Planning Manager advised that an enforcement investigation had been opened and work had stopped on the upper section of the building.

Noted.

### **4.0 APPLICATION NO. C/2006/1033/F 6-8 BUSHFOOT ROAD, PORTBALLINTRAH**

Consideration was given to letter dated 22<sup>nd</sup> September, 2008 from the Divisional

Planning Manager outlining the process undertaken for the above planning application (previously supplied).

Concern was again expressed at the irregularities with regard to this application and the unfair treatment of the objectors.

Following discussion the Divisional Planning Manager agreed that, because of exceptional circumstances and in the interest of goodwill, the application would be deferred to facilitate an office meeting.

## 5.0 PLANNING APPLICATIONS

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

### Applications Deferred from Previous Meeting

- |     |  |   |   |
|-----|--|---|---|
| 5.1 | <u>Application No. D1</u><br><u>C/2006/0659/F</u><br><u>Alterations and additions to existing dwelling to form 3 no. flats at 39 Millburn Road, Coleraine for Mr. T. Butler</u>  | The opinion of the Planning Service was to approve both applications. | It was agreed that the applications be approved.  |
|     | <u>Application No. D2</u><br><u>C/2006/0705/LB</u><br><u>Alterations and additions to existing dwelling to form 3 no. flats at 39 Millburn Road, Coleraine for Mr. T. Butler</u> |   |   |
| 5.2 | <u>Application No. D3</u><br><u>C/2007/0241/LB</u><br><u>Wall mounted and projecting signs at 13 The Diamond, Portstewart for D. Gordon</u>                                      | The opinion of the Planning Service was to refuse.                    | It was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Hickey and unanimously agreed:<br><br>That Council support an approval.  |
| 5.3 | <u>Application No. D4</u><br><u>C/2007/0543/O</u><br><u>1 no. detached dwelling in rear garden of 1 Ashbrook Court, Churchland, Coleraine for Mr. and Mrs. Sloan</u>             | The opinion of the Planning Service was to refuse.                    | It was proposed by Alderman Mrs. Hickey and seconded by Councillor Fitzpatrick:<br><br>That Council support an approval.<br><br>On being put to the Meeting the proposal was carried, ten members voting in favour and one member voting against. |
| 5.4 | <u>Application No. D5</u><br><u>C/2007/0573/F</u><br><u>Erection of two storey detached</u>  | The opinion of the Planning Service was to approve.                   |   |

- three bedroom dwelling, including relocation of window, adjacent to 1 Cove Hill Park, Coleraine for Mr. R. O'Neill
- It was agreed that the application be approved.
- 5.5 Application No. D6  
C/2007/0640/F  
Proposed totem pole advertisement to north side of Dunhill Road, opposite 255-257 Dunhill Road, Macosquin for Shanton Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Leonard and unanimously agreed:
- That Council support an approval.
- 5.6 Application No. D7  
C/2007/0687/F  
Demolition of rear return of existing building, internal alterations to front section of building and erection of rear extension, to provide 9 no. apartments with associated car parking at 15 Lansdowne Crescent, Portrush for Mr. A. Spence
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 5.7 Application No. D8  
C/2007/0803/RM  
A residential development of 12 no. apartments and associated car parking and amenity space at 22 and 24 Cambridge Park, Coleraine for C. & C. Contractors
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Bradley and seconded by Councillor Gilkinson:
- That Council disagree with the approval.
- On being put to the Meeting the proposal was carried, ten members voting in favour and no one voting against.
- 5.8 Application No. D9  
C/2007/0830/O  
Erection of new dwelling adjacent to 138 Moneydig Road, Kilrea for Mr. T. Burke
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 5.9 Application No. D10  
C/2007/0847/O  
Proposed demolition of dwellings Nos. 5 and 7 to enable a site of housing development for 6 semi-detached dwellings at Nos. 5 and 7 St. Paul's Road, Articlave, Coleraine for Mr. M. Clancy
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.

- |      |  |   |
|------|--|---|
| 5.10 | <u>Application No. D11</u><br><u>C/2007/1191/F</u><br><u>Replacement of existing dwelling to provide 2 no. semi-detached dwellings designed to reflect one dwelling at 28 Bushfoot Road, Portballintrae for Mr. S. Wright</u>    | The opinion of the Planning Service was to refuse.<br><br>It was agreed that the application be refused.  |
| 5.11 | <u>Application No. D12</u><br><u>C/2008/0068/F</u><br><u>Proposed storage unit, office and yard for hire of tools and plant equipment 150m north-east of 143 Edenbane Road, Kilrea for Scott Hire Ltd.</u>                       | The opinion of the Planning Service was to refuse.<br><br>It was proposed by Councillor McQuillan, seconded by Councillor Bradley and unanimously agreed:<br><br>That Council support an approval.  |
| 5.12 | <u>Application No. D13</u><br><u>C/2008/0102/F</u><br><u>Extension to rear of dwelling to provide living and bedroom accommodation and construction of bay window to front at 7 Harryville, Portstewart for Mr. C. Dickinson</u> | The opinion of the Planning Service was to refuse.<br><br>The application had now been withdrawn.   |
| 5.13 | <u>Application No. D14</u><br><u>C/2008/0248/F</u><br><u>Two storey extension to front and dormer to rear at 7 Bushfoot Drive, Portballintrae for Mr. K. Jess</u>  | The opinion of the Planning Service was to refuse.<br><br>It was proposed by Alderman Mrs. Black, seconded by Councillor McPherson and unanimously agreed:<br><br>That Council support an approval. |
| 5.14 | <u>Application No. D15</u><br><u>C/2008/0435/F</u><br><u>Replacement dwelling at 9 Portrush Road, Portstewart for Mr. T. Alderdice</u>   | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.  |

### **New Applications**

- |      |  |   |
|------|--|---|
| 5.15 | <u>Application No. 3</u><br><u>C/2006/1081/A</u><br><u>Shop sign with projecting sign above at 13 The Diamond, Portstewart for Mr. D. Gordon</u> | The opinion of the Planning Service was to refuse.<br><br>It was proposed by Councillor Ms. Alexander, seconded by Councillor Fitzpatrick and agreed:<br><br>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 the Environment and Heritage Service be requested to attend.

5.16 Application No. 6  
C/2007/0752/O  
Proposed demolition of two existing properties to provide lands for the development of 4 no. semi-detached dwellings and 18 no. apartments for residential purposes at Nos. 18-22 Lisnagrot Road, Kilrea for Mrs. N. Doherty

The opinion of the Planning Service was to refuse.

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

That the application be deferred for one month to facilitate the consideration of amended plans.

As an amendment it was proposed by Councillor McQuillan and seconded by Councillor Cole:

That the application be refused.

On being put to the Meeting the amendment was carried, five members voting in favour and four members voting against.

5.17 Application No. 10  
C/2007/1012/F  
Demolition of existing properties to provide 16 no. apartments and 4 no. townhouses at 16-19 Kerr Street, Portrush for Mr. W. Moore

The opinion of the Planning Service was to refuse.

It was proposed by Alderman Mrs. Black, 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.

5.18 Application No. 11  
C/2007/1028/O  
Proposed housing development at University of Ulster, Ballywillan Road, Portrush for University of Ulster, Coleraine

The opinion of the Planning Service was to approve.

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

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning

considerations had not been assessed.

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

That Council write to the Divisional Planning Manager and the Minister for Environment expressing concern at the inadequate description of such a significant proposal.

- 5.19 Application No. 15  
C/2007/1184/F  
Proposed demolition of existing garage/store and erection of town house (three storey) at Killowen Street, Coleraine (adjacent to 18 Waterside, Coleraine) with pedestrian access to Killowen Street shared with 18 Waterside for S. W. Holdings
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McPherson, seconded by Councillor Bradley and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 5.20 Application No. 18  
C/2008/0065/F  
Proposed replacement dwelling at Craig Vara Cottage, 6 Craig Vara Terrace, Portrush for Mr. and Mrs. M. & T. Scullion
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Ms. Alexander, seconded by Councillor Hillis and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 5.21 Application No. 21  
C/2008/0160/F  
Proposed alterations to approved house type and retention of detached garage at 11 Magheramore Road, Garvagh for Mr. F. Kearney
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman Mrs. Hickey, 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.

- 5.22 Application No. 22  
C/2008/0172/F  
Provision of 33 no. two bed  
apartments and associated  
parking in underground level at  
Site 31e Hazelbank Road,  
Coleraine for C. & E.  
Developments
- The opinion of the Planning Service was to refuse.
- The Chairman welcomed Mr. Murray Bell from Bell Architects Ltd. who was in attendance to speak on behalf of the applicant.
- Consideration was given to letter dated 14<sup>th</sup> October, 2008 from White Young Green Planning (circulated to each member).
- Mr. Bell elaborated on the proposal and expressed his disappointment at the lack of assistance received from the Planning Service at pre-application stage. Council's support was sought for an office meeting.
- Following discussion it was proposed by Alderman McClarty, seconded by Councillor Bradley and agreed:
- That the application be deferred to facilitate the necessary discussions between the Planning Service QI team and the developers.
- It was further agreed that a representative from Roads Service be requested to attend.
- 5.23 Application No. 27  
C/2008/0353/F  
6 no. townhouses, together with  
associated car parking, at 10,  
12, 14 and 16 Upper  
Heathmount, Portstewart for  
Ms. W. & A. Hayes
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Gilkinson, 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.
- 5.24 Application No. 34  
C/2008/0426/LB  
Replacement of signage (fascia  
and projecting sign) at  
11 Kingsgate Street, Coleraine
- The opinion of the Planning Service was to approve.
- Following a request from Councillor Ms. Alexander the file for this application had

for Specsavers Opticians

been brought to the meeting. Mr. Duffy answered Councillor Ms. Alexander's queries re the opinion to approve this application and refuse application C/2007/0241/LB.

- 5.25 Application No. 35  
C/2008/0430/F  
Proposed variation of conditions 3, 4 and 5 of the outline planning permission C/2006/0033/O to increase ridge height to 7m and reduce the frontage to provide a one and a half storey dwelling 400m north west of 91 Killyvally Road, Garvagh for Mr. W. Henry
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Church, seconded by Councillor Cole 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.
- 5.26 Application No. 38  
C/2008/0459/F  
Proposed redevelopment to include demolition of existing dwellings and garages and provision of 2 no. replacement dwellings and 1 no. additional dwelling (3 no. total proposed all detached) to include incurtilage driveways, private amenity and landscaping at 17 and 19 Ballycairn Road, Coleraine for Prolusk Ltd.
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be removed from the schedule to facilitate the consideration of amended plans by the Planning Service.
- 5.27 Application No. 39  
C/2008/0461/F  
Demolition of existing 2 no. two and a half storey detached dwellings with construction of 3 no. two and a half storey dwellings (2 no. replacement and 1 no. proposed) with associated car parking and extensive private amenity at Nos. 13 and 15 Larkhill Road, Portstewart for Mr. I. McCullogh
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be removed from the schedule to facilitate the consideration of amended plans by the Planning Service.
- 5.28 Application No. 41  
C/2008/0466/F  
Renovation, barn conversion and single storey extension of existing dwelling at 55 Newbridge Road, Coleraine for Mr. and Mrs. Simpson
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Bradley, seconded by Councillor Fitzpatrick and agreed:
- That the application be deferred for one month



to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

Following a request it was agreed that the office meeting be held in November, 2008.

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

5.29 Application No. 42  
C/2008/0468/F  
Proposed residential  
development comprising 12 no.  
apartments, 8 no. townhouses,  
with associated car parking and  
communal private and public  
open space at 83, 85, 87 and 89  
Strand Road, Coleraine for  
O’Kane & Devine Ltd.

The opinion of the Planning Service was to refuse.

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

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

As an amendment it was proposed by Councillor Bradley and seconded by Councillor Ms. Alexander:

That Council support the refusal.

On being put to the Meeting the amendment was carried, eight members voting in favour and three members voting against.

5.30 Application No. 43  
C/2008/0476/O  
Site to the rear of existing  
dwelling at 116 Causeway  
Street, Portrush for  
Mr. S. McVeigh

The opinion of the Planning Service was to refuse.

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

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

5.31 Application No. 45  
C/2008/0486/F  
Retrospective retention of home

The opinion of the Planning Service was to refuse.

working taxi business at 336  
Masteragwee Terrace, Coleraine  
for Mr. D. Tosh

It was proposed by Alderman Mrs. Hickey,  
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.

5.32 Application No. 48  
C/2008/0514/O  
Site for dwelling and garage at  
Mountsandel Road, Coleraine  
(adjacent to No. 2 Knockarna  
Manor) for Mr. K. Hamilton

The opinion of the Planning Service was to  
refuse.

It was proposed by the Mayor, seconded  
by Alderman McClarty and agreed:

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

5.33 Application No. 49  
C/2008/0523/O  
Proposed site for public house  
with guest bedrooms at Nos. 61,  
63, 65 and 67 Castleroe Road,  
Coleraine for Salmon Leap  
Developments

The opinion of the Planning Service was to  
refuse.

The Administrative Officer read letter from  
Moore Design, Coleraine received 14<sup>th</sup>  
October, 2008.

Following discussion it was proposed by  
Councillor Bradley, seconded by  
Councillor Fitzpatrick and agreed:

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

5.34 Application No. 51  
C/2008/0529/F  
Demolition of existing  
guesthouse and construction of  
4 no. apartments at 7  
Lansdowne Crescent, Portrush  
for C. R. F. Developments Ltd.

The opinion of the Planning Service was to  
refuse.

The application had now been withdrawn.

5.35 Application No. 71  
C/2008/0624/F  
Retrospective planning  
application for road side lay-by

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

It was proposed by Councillor McPherson,

approximately 40m wide and 5m in depth off the Ballinteer Road to the front of No. 40 Ballinteer Road, Macosquin for Mr. J. Christie

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.

Application No. 72  
C/2008/0625/F  
Retrospective planning application for road side lay-by approximately 35m in width and 10m in depth and weighbridge off Ballinteer Road to the south of No. 56 Ballinteer Road, Macosquin for Mr. J. Christie

5.36 Application No. 76  
C/2008/0639/F  
Retention of existing vernacular dwelling and incorporation into new development scheme for a private dwelling 191m south-east of 44 Maclevennon Road, Portrush for Mr. and Mrs. D. Melville

The opinion of the Planning Service was to refuse.

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

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

## **6.0 PLANNING ISSUES RAISED BY MEMBERS**

6.1 Application No. D11  
C/2007/1191/F

Councillor Ms. Alexander referred to the decision to refuse this application and asked that, in the interests of administrative fairness, this decision be taken into consideration in the reassessment of application C/2006/1033/F.

6.2 Property to the rear of  
9 Hopefield Avenue, Portrush

Reference was made to the property to the rear of 9 Hopefield Avenue, Portrush.

Reported that amended plans had not yet been determined.

## **7.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday, 31<sup>st</sup> October, 2008.

## **8.0 APPLICATION NO. C/2007/0059/F 56 AND 68 BALLYWILLAN ROAD, PORTRUSH**

Read letter from the Planning Service Headquarters regarding the above application being referred to the Planning Service Management Board for determination.

Following consideration it had been decided that the referral failed to meet the criteria outlined in the 'Guidance for Councils on the operation of the Management Board Referral Procedure' as it was not a significant development.

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

That Council write to the Minister for the Environment expressing concern with regard to the significance test.

It was further agreed that a copy of the letter be forwarded to each member of the Environment Committee.

## **9.0 NON-DETERMINATION APPEALS**

Read letter from the Planning Service advising members of the following Non-Determination Appeals and requesting if Council wished to offer an opinion to the Planning Appeals Commission:

- (a) C/2006/0959/F - 2 no. dwellings at 18 Seaview Drive North, Portstewart – Refusal;
- (b) C/2006/0956/F - 2 no. dwellings at 17 Gloucester Crescent, Portstewart – Refusal.

Following discussion it was agreed:

That a Report be presented to the October Council Meeting.

## **10.0 KIDDIELAND DEVELOPMENT, PORTRUSH - APPEAL**

Reported that an appeal had been lodged in respect of the Kiddieland development in Portrush.

It was agreed that Council's planning consultants be requested to lodge an objection to the appeal and to represent Council at the Hearing.

# POLICY AND DEVELOPMENT COMMITTEE

21<sup>st</sup> October, 2008.

**Present:** The Deputy Mayor, Alderman W. T. Creelman,  
in the Chair

## **Aldermen**

E. T. Black (Mrs.)                      M. T. Hickey (Mrs.)

## **Councillors**

J. M. Bradley                              S. Gilkinson  
A. S. Cole                                  W. A. King  
T. J. Deans                                 B. Leonard  
E. P. Fielding (Mrs.)                      R. A. McPherson  
B. Fitzpatrick                              A. McQuillan

**Officers in Attendance:** Town Clerk & Chief Executive, Director of Corporate Services, Head of Development Services, Head of Administrative Services and Administrative Assistant

**Apologies:** Alderman McClure, Councillors Ms. Alexander, Mrs. Church, Mrs. Johnston and McLaughlin

## **1.0 ELECTION OF CHAIRMAN**

In the absence of the Chairman and Deputy Chairman of the Policy and Development Committee, it was proposed by Councillor McQuillan, seconded by Councillor Mrs. Fielding and agreed:

That the Deputy Mayor be elected to Chair the meeting.

## **2.0 BEST WISHES**

The Chairman and members extended best wishes for a speedy recovery from illness to Alderman McClure and Councillor Mrs. Johnston.

## **3.0 CORPORATE SERVICES REPORT**

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

Matters arising:

3.1 **Loan Sanction Applications**                      Councillor Deans declared a conflict of interest in relation to The Crescent, Portstewart and refrained from discussion.

A short period of debate ensued during which members' comments were noted by the Director of Corporate Services.

It was then recommended:

That the following loan sanctions be approved:

- Peter Thompson Hall – Refurbishment £1,170,000.00
- The Crescent, Portstewart – Refurbishment £1,170,000.00

- 3.2 Finance Update Members noted information on this topic, as contained in the report.
- 3.3 Icelandic Banks The Director of Corporate Services reassured members that Council would not lose money as it had no investments in Icelandic Banks.
- 3.4 Annual Pay Awards The Director of Corporate Services advised that no agreement had been reached between Employers' side and Employees' side on the annual pay award; the matter had now been referred to arbitration.
- As a result of this, the two sides had agreed that the offer of 2.45%, previously made by Employers' side, be implemented with immediate effect, subject to adjustment in light of the decision of arbitration.
- 3.5 Accounts Members noted that Accounts for September 2008 had been circulated.
- 3.6 Capital Works Programme Workshop The date for the Capital Works Programme Workshop was agreed as 6<sup>th</sup> November, 2008.
- 3.7 Appointments The following appointments had been made in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection:
- Chief Executive's Department
- Town Clerk & Chief Executive: Mr. R. Wilson
- Corporate Services' Department
- Senior Salaries and Wages Clerk: Mrs. Sharon McQuillan
- 3.8 Retirements Members noted information on applications for retirement from Mr. Curry, Director of Leisure Services and Mr. Snelling, Head of Administrative Services, as contained in the report.
- The Town Clerk and Chief Executive thanked both officers for the help extended to him. He reported that, in order to meet the demands arising from the Review of Public Administration (RPA), the job descriptions for the two positions were currently being reviewed with the intention of filling the positions as soon as possible.

Members acknowledged the major contribution both officers had made to Council.

#### **4.0 DEVELOPMENT SERVICES REPORT**

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

Matters arising:

- 4.1 Coleraine Borough Chamber Awards Council is recommended to contribute £2,000 to the Coleraine Borough Chamber Awards.
- 4.2 Closure of Ballysally Economic Regeneration Project Members noted information on this topic, as contained in the report.
- Recommended:
- That Council accepts the closure of the project and explores the opportunity for the funding to be used for an alternative project in the area.
- 4.3 Coleraine Rural and Urban Network (CRUN) Members noted information on a proposal for an increased Service Level Agreement with CRUN to meet the objectives of the Community Support Plan effectively, as contained in the report.
- Recommended:
- That Council approve the increased Service Level Agreement with CRUN, for the period April 2009 – March 2010, at a cost of £29,966.00.
- 4.4 Development Schemes Consideration was given to a letter from Margaret Ritchie, the Minister for Social Development on Lanes and Rampart Development Schemes.
- Recommended:
- That Council write to the Minister to request that these schemes be commenced at the earliest possible date.
- 4.5 Independent Review of Policy on Location of Public Sector Jobs – The Bain's Review Members noted that, following the launch of The Bain's Review, the Mayor, MLAs and officers had initiated discussions as to how Coleraine's campaign to maximise the number of public sector jobs which could be attracted to the Borough, could be taken forward.
- Members' comments on the campaign were noted by the Head of Development Services.
- A copy of the Review had been placed in the

Members' Room.

4.6 Invite to Taste Sensation at Think Food Event

An invitation to this event, which would take place in Cloonavin on 3<sup>rd</sup> November, 2008, was extended to members.

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

4.7 Good Relations/Community Development Projects

Members noted information on the Good Relations Programmes, Single Identity and Community Dialogue and the Community Development Project, Event Management Training for Community Festivals, as detailed in the report.

A member's comments on the success of a recent project held as part of the Community Dialogue programme, were noted.

4.8 Project Kelvin

It was agreed that this item be held 'In Committee' at the end of the meeting.

4.9 Coleraine Borough Strategic Partnership

It was agreed that this item be held 'In Committee' at the end of the meeting.

**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 Portstewart Library

Council is recommended to approve a further ten year lease on the library in Portstewart Town Hall from April 2009, at a rent to be determined by Land and Property Services.

5.2 Carneybaun, Portrush

Members noted that Council had maintained an edge of the green at Carneybaun, to which it had no title, for many years. Transfer of title to Council by the estate of the original developer, had now been agreed, at no cost to Council other than legal expenses.

Recommended:

That Council agree to pay the legal expenses for this transfer.

5.3 Council's Asset Register

Members noted provision of a further twenty maps from Council's Asset Register, making a total of twenty-five. Any queries on the maps to be addressed to the Head of Administrative Services.



5.4 Assets surplus to Council Requirements

In response to members' queries, the Head of Administrative Services reported that the offer of sale to public bodies for the one asset which members had agreed as being surplus to requirements, had been carried out. As no interest had been expressed, Council was now free to advertise the property for sale on the open market. The advice of Land and Property Services, however, was for Council to withhold sale until an upturn in the property market.

During a period of discussion it was agreed that officers prepare a schedule of surplus assets for consideration by Council. Paperwork could then be prepared for agreed assets to ensure that disposal could be undertaken promptly, at the appropriate time.

**6.0 NOTICE OF MOTION**

The undernoted Notice of Motion was proposed by Councillor McQuillan and seconded by Councillor Gilkinson:

"In the Independent Review of Policy on Location of Public Sector Jobs (The Bain's Report) launched on 29<sup>th</sup> September, 2008 it highlighted:

*"...there is a strong case for a critical mass of high quality, public sector jobs in the region that would create long-term sustainable growth for some of the more remote coastal towns. As in other locations, however, infrastructural limitations could restrict Coleraine's capacity to absorb a large number of jobs in the short term."*

In the light of the above review, I propose that this Council actively seek to address the infrastructural limitations identified in the report and work towards maximising the number of jobs to be brought to Coleraine.

This will include:

1. establishing the needs of the public sector bodies marked for relocation;
2. a thorough analysis of the scope and actions required to expand Coleraine's capacity to absorb jobs in the short term; and
3. the identification of a process to increase Coleraine's infrastructural capacity to accommodate jobs in the longer term."

Councillor McQuillan spoke to the Motion and requested members' support.

During a period of discussion, the Head of Development Services agreed to bring a report on how to take this forward. It was agreed that some professional support would be required to help drive this process and the terms of reference for the work would be tabled for members' consideration prior to the employment of a consultant.

Recommended:

That Council approve the Motion.

**7.0 INTEGRATED RISK MANAGEMENT PLAN (IRMP) 2007/08 - REVIEW OF SECOND PUMPING APPLIANCES AT 12 FIRE STATIONS - PORTSTEWART CONSULTATION DOCUMENT**

Consideration was given to this report (previously supplied) and it was noted that Council's views had not been addressed therein.

Following discussion, it was proposed by Councillor Leonard, seconded by Councillor Fitzpatrick and recommended:

That local representatives of Northern Ireland Fire and Rescue Service be invited to present their views on the consultation document to Council.

**8.0 CONSULTATION ON PRIVATE MEMBER'S BILL ON MANAGEMENT COMPANIES IN APARTMENT BLOCKS IN NORTHERN IRELAND**

Consideration was given to a letter dated 14<sup>th</sup> October, 2008 from Kieran McCarthy MLA (previously supplied) and the contents noted.

**9.0 DOCUMENTS TABLED**

The following publications were available in the Members' Library:

- (a) Equality Commission for Northern Ireland – Principles for Equality of Opportunity and Good Relations in Local Government Reform – Public Policy Statement 1 – February 2008.
- (b) Equality Commission for Northern Ireland and the Central Procurement Directorate – Equality of Opportunity and Sustainable Development in Public Sector Procurement.
- (c) The Corporate Magazine of Invest Northern Ireland – Issue No. 15 – October 2008.

**10.0 SOCIETY OF LOCAL AUTHORITY CHIEF EXECUTIVES AND SENIOR MANAGERS NORTHERN IRELAND (SOLACE NI)**

Consideration was given to the SOLACE NI report 'A Practical Approach to Implementing a Successful Change Programme in Local Government' (previously supplied).

Recommended:

That Council forward a letter of support for the report.

**11.0 LOCAL GOVERNMENT BOUNDARIES COMMISSIONER FOR NORTHERN IRELAND**

Members' attention was drawn to the report of the Local Government Boundaries Commissioner setting out the provisional recommendations for the boundaries and names of the eleven new local government districts in Northern Ireland, and for the number, boundaries and names of their constituent wards.

Recommended:

- (i) That a corporate response be made in relation to the name of the new council, to the effect that it should be a Borough.
- (ii) That responses in relation to ward boundaries be made on a party basis, directly to the Office of the Local Government Boundaries Commissioner.

Members noted that the closing date for responses was 12<sup>th</sup> November, 2008 and that District Electoral Areas would be dealt with at a future date.

**12.0 EQUALITY COMMISSION FOR NORTHERN IRELAND - CONFERENCE**

Members noted that the eighth Annual Conference of the Equality Commission for Northern Ireland, 'Every child an Equal child – the challenge for education', would be held in the Hilton Hotel, Belfast on 12<sup>th</sup> November, 2008.

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

**13.0 COLERAINE DISABILITY FORUM - 'MAKING COLERAINE ACCESSIBLE'**

Members noted that this event, which would be opened by the Mayor, would take place in Coleraine Town Hall on 7<sup>th</sup> November, 2008 10.30am – 2.30pm.

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

**14.0 FORUM FOR LOCAL GOVERNMENT AND THE ARTS (FLGA)**

Members noted that the FLGA Annual Conference, 'Growing Creative Communities through the Arts', would be held on 4<sup>th</sup> November, 2008 in The Braid Arts Centre, Ballymena.

Recommended:

That the invitation be extended to Council's current representatives, Alderman Mrs. Black, Mr. M. Murchison and Dr. F. Sewell.

**15.0 AGENDA NI - SEMINAR - 'HOW GOVERNMENT WORKS'**

Members had been invited to this seminar to be held in the Stormont Hotel, Belfast on 10<sup>th</sup> December, 2008.

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

**16.0 NORTHERN IRELAND 08 EVENT - WATERFRONT HALL, BELFAST**

Members had been invited to this event, to examine the major programme of internal reform taking place within the Northern Ireland Civil Service, which would take place on 11<sup>th</sup> November, 2008.

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

#### **17.0 DIARY DATES**

- (i) Council Christmas Dinner - Thursday 11<sup>th</sup> December, 2008 (7.30pm for 8.00pm) - the Royal Court Hotel, Portrush.
- (ii) Family night - Wednesday 17<sup>th</sup> December, 2008 (7.00pm - 9.00pm) - Dunluce Centre, Portrush.
- (iii) Christmas reception - Thursday 18<sup>th</sup> December, 2008 (7.00pm – 9.00pm), Cloonavin.

In response to a member's comment, the Head of Administrative Services would investigate a clash of dates on 11<sup>th</sup> December, 2008 and refer back to the member.

#### **18.0 COUNCIL POLICY ON PUBLIC RIGHTS OF WAY**

In response to a member's query, Mr. M. Strong, Countryside Access Officer, would be asked to present a summary on public rights of way to a future meeting of Committee.

#### **19.0 RPA - TRANSITIONAL ARRANGEMENTS**

In response to a member's query, the Town Clerk and Chief Executive updated Committee on communication currently taking place with partner councils.

It was noted that a paper, setting out proposals for transitional committees and management teams, would be issued by the Department in the near future.

#### **20.0 STREET TRADING LICENCES - COUNCIL POLICY**

In response to a member's query about the policy for allocating Street Trading Licences and its effect on local traders, the Town Clerk and Chief Executive would consult with the Senior Technical Officer and refer back to the member, as a matter of urgency. It was noted that Council had approved the policy.

#### **21.0 SUPERVALU BEST KEPT AWARDS 21<sup>ST</sup> OCTOBER, 2008**

Reported that Portstewart had achieved runner up status in the small towns category of these awards. Coleraine Borough area had also received three certificates for biodiversity projects, in recognition of notable contributions to the enhancement of the environment, for:

- Coleraine Marina Pocket Biodiversity Park
- Camus Woodland Trust
- Garvagh Community Garden

Reference was made to the possibility of setting aside corners of Council land to accommodate biodiversity aims.