

**LIMAVADY BOROUGH COUNCIL
COMHAIRLE BHUIRG LÉIM AN MHADAIDH**

**PLANNING & SERVICES COMMITTEE
16 MARCH 2010**

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7 pm on the above date.

PRESENT:

Aldermen M Coyle, J Rankin and G Robinson. Councillors P Butcher (chair), A Brolly, B Chivers, L Cubitt, M Donaghy, B Douglas, C Ó hOisín, A Robinson and E Stevenson.

IN ATTENDANCE:

Committee Clerk, Administrative Officer and the Chief Executive. Ms Katrina Hope, Planning Service.

APOLOGIES:

Councillor Carten, Councillor McElhinney and Councillor Mullan.

MINUTES:

The minutes of meeting dated 16 February 2010 were approved and signed on the proposal of Councillor Ó hOisín, seconded by Councillor Chivers.

MATTERS ARISING: - None.

SCHEDULE OF PLANNING APPLICATIONS: (Deferred applications – see appendix):

Ms Hope answered queries on applications listed on the deferred applications schedule and the recommendations were accepted subject to the following:

B/2009/0208/F – removal of existing dwelling (no 4) and alternations and extension to existing retail unit including provision of additional on-site parking for customers and delivery vehicles at 2 & 4 Glenroe Park, Chapel road, Dungiven (Mr V Doherty) It was agreed that decision on this application would be deferred for 2 weeks.

SCHEDULE OF PLANNING APPLICATIONS: (New applications – see appendix)

Ms Hope answered queries on applications listed on the new applications schedule and the recommendations were accepted subject to the following:

B/2009/0227/F – change of use of internal ground floor store to hot food preparation kitchen for bar areas at the Corner Bar, 41 Main Street, Limavady (W & R Holdings) It was agreed that decision on this application would be deferred as further information was being forwarded to Planning Service.

B/2009/0249/LB – proposed change of use of internal store to hot food preparation kitchen for bar areas, 41 Main Street, Limavady (W & R Holdings) It was agreed that decision on this application would be deferred as further information was being forwarded to Planning Service.

B/2009/0468/F – change of use from hot food unit to bookmaking office, 5 Anderson Avenue, Bovally, Limavady (S P Graham Ltd) In response to members queries on decision to approve this application, Ms Hope explained that there was nothing in planning legislation that stipulated that bookmakers should be located a certain distance from churches or schools. She also pointed out that no objection had been put forwarded by Environmental Health to the application.

Office Meetings: It was agreed that office meetings would be held on Friday 26 March 2010 for the following applications:

B/2009/0407/O – erection of detached chalet style bungalow 40 metres North East of 136 Ballyquin Road, Terrydremond, Limavady (R & D McGilligan);

B/2009/0463/F – erection of single storey self contained extension with attic bedroom and integral garage to existing building, 100 Windyhill Road, Limavady (Mr M Somers);

B/2009/0464/O – change of access to provide new access to approved site (under B/2006/0287) to the rear of no's 10, 11, 12, 14 Brookefield Park, off Polly's Brea Road, Largyg (Mr G Wilson);

B/2009/0477/F – erection of single storey (infill) dwelling with detached garage on lands between no's 11 and 17 Boviell Road, Dungiven (MR F O'Kane);

B/2010/0006/O – erection of dwelling and detached garage and septic tank, adjacent to northern boundary of 5 Shore Road, Limavady (Mr & Mrs M Crowe).

NOTICE OF MOTION SUBMITTED BY COUNCILLOR BROLLY, COUNCILLOR BUTCHER, COUNCILLOR DONAGHY AND COUNCILLOR Ó hOISÍN:

The following notice of motion was submitted and signed by Councillor Brolly, Councillor Butcher, Councillor Donaghy and Councillor Ó hOisín:

‘The name of the new Roe Valley Arts and Cultural Centre also be used bi-lingually, in Irish and English to reflect the rich cultural and linguistic diversity of the entire Borough and in keeping with the European Charter for lesser spoken languages.’

Councillor Brolly stated that Sir Thomas Philips was to be thanked for preservation of the Gaelic name Limavady. She formally proposed that the Roe Valley Arts and Cultural Centre be named both in English and in Irish stating that this was in keeping of the culture of the area. The proposal was seconded by Councillor Ó hOisín.

In response to a query on submission of the motion, the Chief Executive explained that under point 31 of Standing Orders, the motion must be signed by 4 members. He also clarified that the motion did not rescind but altered the proposed name made by Alderman Rankin at an earlier meeting.

In the discussion which followed the following points were made:

- Alderman Rankin voiced unhappiness at his name for the Town Hall continued to be a topic for debate.
- If the building was named bi-lingually, it would not be a neutral venue and this could deter some groups from using the centre.
- Council had not named any of its other buildings in Irish.
- It was queried if Council would be having this debate if the name was to be in English and French or Spanish.
- Townland names and how they reflected the culture of the area.
- Concentrate on what the building was to be used for, rather than squabble over its name.
- Take into consideration that the Borough had a Naíscól and a Bunscoil, two Irish language speaking schools and that a number of classes were being held in the area for those who wanted to speak Irish.
- Signage was a way of learning Irish.
- The motion was divisive and offensive, with people views being similar to those expressed when Council had decided to remove the union flag from Council buildings.
- The building was an inanimate object and would be used no matter what it was called.
- Nationalist Councillors should be prepared to support the Unionist culture and not use the Irish language as a way to antagonise.

At this point the Chief Executive confirmed that if the motion was carried, it would be subject to a screening exercise, then a possible EQIA. He said the Neutral Space Policy had not been fully implemented and that the Good Relations Officer had not been consulted on the motion. He also confirmed that people had a legal right to speak Irish if they so choose.

Alderman Robinson proposed the following amendment, which was seconded by Councillor Cubitt:

‘That this proposal be subject to (one) an Equality Impact Assessment; (two) public consultation within Limavady Borough Council area and be dependent upon the outcome of the completion of the Equality Assessment process.’

The amendment was put to the meeting and declared lost, 5 for, 6 against and 1 abstention.

In summing up on the original motion, Councillor Brolly indicated that the motion was important as the building was a ‘Cultural & Arts Centre’ and that as Irish was the indigenous language of the Country, which people had been banned from speaking for many years and should now be promoted as a form of inclusivity.

A recorded was requested on the motion and on being put to the meeting was declared carried, 6 for, namely Alderman Coyle, Councillor Chivers, Councillor

Donaghy, Councillor Brolly, Councillor Ó hOisín and Councillor Butcher, with 6, Councillor Douglas, Alderman Rankin, Councillor Stevenson, Councillor Cubitt, Councillor Robinson and Alderman Robinson voting against. The chair Councillor Butcher used his casting vote in favour of the motion.

ROADS:

- A member pointed out that Roads Service should have ensured that works on Roemill Road took place during the school holidays rather than 22 March 2010.

WATER AND SEWERAGE:

- A member pointed out that planning application B/2007/0564 – construction of new wastewater treatment works (WWTW) consisting of inlet works, flow balancing tank, treatment plant, sludge holding tank, final settlement tanks and control building at Point Road, Magilligan had been withdrawn. It was requested that Northern Ireland Water update Council on whether a new application had been submitted for the proposed WWTW and timescale for completion of the scheme.

HOUSING: - None.

ANY OTHER BUSINESS:

- Councillor Butcher to attend the Planning for Places event on 21 April 2010 which was free of charge.
- Tabled letter advising of pre application enquiry for proposed Hydro Electric Power Scheme at Ross's Mill, Bleach Green, Dungiven.

Councillor Robinson left the chamber at 8.25 pm.

FET Case: *IN COMMITTEE*. The chair welcomed Mr Philip Kingston, Council Solicitor to the meeting.

Mr Kingston outlined that Mr Francis O'Reilly, Barrister in the field of employment had recommended a settlement to a FET case on a economic basis. He said details of the settlement were to be kept strictly confidential and that there was no admission of liability by Limavady Borough Council in the settlement. The Chief Executive confirmed that funds had been set aside which would cover settlement costs.

Alderman Coyle proposed, seconded by Alderman Rankin that Council accept the recommendation to settle the FET case. A recorded vote was requested on the proposal and on being put to the meeting was declared carried, 7 for, namely Alderman Rankin, Alderman Coyle, Councillor Chivers, Councillor Donaghy, Councillor Brolly, Councillor Ó hOisín and Councillor Butcher. Councillor Cubitt voted against and 3, Councillor Douglas, Councillor Stevenson and Alderman Robinson abstained from the vote.

Mr Kingston requested that it be put on record his personal thanks to officers who had helped compile information on the FET case and for those who had attended the tribunal. *OUT OF COMMITTEE.*

DATE OF NEXT MEETING: - 20 April 2010.

THIS CONCLUDED THE BUSINESS
(The meeting ended at 8.40 pm)

Chair: _____