

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on TUESDAY the 19th day of December, 2006 at **6.30 p.m.**

H. W. T. MOORE,

Town Clerk and Chief Executive.

Cloonavin,
66 Portstewart Road,
COLERAINE.

A G E N D A

1. Minutes (enclosed):
 - 1.1 Council Meeting – 28th November, 2006
 - 1.2 Special Council Meeting – 23rd November 2006
 - 1.3 Special Council Meeting – 11th December, 2006
2. Committee Reports (enclosed):
 - 2.1 Leisure and Environment Committee – 5th December, 2006
 - 2.2 Planning Committee – 12th December, 2006
3. Corporate Services Report (enclosed)
4. Development Services Report (enclosed)
5. Land and Property Report (enclosed)
6. The undernoted Notice of Motion has been submitted by Councillor B. Leonard:

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

This should include:

- (i) joint funding of and or help in kind towards the project, with other groups responsible for tourism such as the NITB, Tourism Ireland and any other funding sources;
 - (ii) e-marketing of the DVD; and
 - (iii) hosting the DVD, or an edited version of it, on various websites.”
7. The undernoted Notice of Motion has been submitted by Alderman Mrs. M. Hickey:
- “This Council, conscious of the need for youth facilities in Portstewart, calls for an urgent meeting with the Police Service of Northern Ireland to lay an expression of interest in the land and building on the Coleraine Road, Portstewart which are now surplus to need.”
8. Local Government Boundaries Commissioner – Provisional Recommendations Report (enclosed)
9. Transfer of Entertainments Licence (Report enclosed)
10. Coleraine Regional Museum – Appointment of Consultants (Report enclosed)
11. Request for Funding – Coleraine Sports Council (Report enclosed)
12. Vacancies on External Agencies/Partnerships, Local Government Bodies and Internal Working Groups (Report enclosed)
13. NILGA Annual Conference & Exhibition – Armagh City Hotel – 15th and 16th February, 2007
14. Consultation Documents (List enclosed)
15. Correspondence
16. Documents for Sealing

Enclosed for Information:

- (i) Special Council Briefing Report – Roads Service - 28th November, 2006
- (ii) Special Council Briefing Report – Rural Housing Association – 5th December, 2006

COUNCIL MEETING

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday, 28th November, 2006 at 7.30pm.

Convened: As per Notice attached.

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

Aldermen

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

Councillors

C. S. Alexander (Ms.)	N. F. Hillis
J. M. Bradley	E. A. Johnston (Mrs.)
O. M. Church (Mrs.)	B. Leonard
J. J. Dallat	G. L. McLaughlin
T. J. Deans	R. A. McPherson
S. Gilkinson	A. McQuillan

Officers in Attendance:

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

Apologies: The Deputy Mayor and Councillor Cole

1.0 MINUTES

The Minutes of the Council Meeting of 24th October, 2006 and the Special Meeting of the same date were confirmed and signed.

Matters arising:

1.1 Council Meeting

1.1.1 Implementation of Pay and Grading Review

Councillor Deans asked for an adjustment to be made to the Implementation of Pay and Grading Review (Item 18.0). He asked that his comments be moved to the end of this section after the vote.

Agreed.

2.0 COMMITTEE REPORTS

2.1 Leisure and Environment Committee

The Chairman, Councillor Deans moved the adoption of the Leisure and Environment

Committee Report; this was duly seconded by Alderman Creelman.

Matters arising:

2.1.1 Landfill Tax Funding - Belted Beauty Moth

Members were consulted as to whether to fund this project. The Director of Technical Services confirmed that Council was at present involved in a bio-diversity study and this project could be funded through the study.

It was then proposed by Councillor Bradley and seconded by Alderman Mrs. Black:

That Council fund this project, as requested by the Ulster Museum, through the bio-diversity study.

On being put to the meeting the proposal was lost by ten votes to seven.

2.1.2 Macosquin Land Reclamation

It was noted that Council did not own the land in question, nor had an owner been identified despite local efforts.

2.1.3 Local Government Boundaries Commissioner - Provisional Recommendations' Report

The Town Clerk and Chief Executive indicated that Council's response would focus on the loss of Mussenden Temple and surrounding area. If members had any additional points about individual wards and their boundaries, these points should be brought to his attention before 19th December, 2006.

2.2 Planning Committee

The Chairman, Councillor McLaughlin moved the adoption of the Planning Committee Report; this was duly seconded by Councillor Dallat.

Matters arising:

2.2.1 Planning Applications

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

That this meeting consider selected planning applications and establish a corporate opinion on these applications.

In response to an enquiry from Councillor Deans on a point of order, the Town Clerk and Chief Executive confirmed that an office/site meeting would be additional to the consultative process and that Council could corporately express their views to planners.

2.2.2 C/2004/0217/F
Erection of local shop
and associated parking

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

- with 2 no. apartments at first floor, at junction of Lissadell Avenue and Mill Road (adjacent to No.2 Lissadell Grove and 34 Mill Road), Portstewart for Mr. Devan
- That Council refuse this application.
- On being put to the meeting it was carried by fifteen votes for and none against that this was Council opinion.
- 2.2.3 C/2006/0028/F
2 no. detached dwellings and associated garages and 4 no. semi-detached houses at 13 and 15 Larkhill Road, Portstewart, for Mr. J. McCullough
- It was proposed by Councillor Bradley and seconded by Councillor Ms. Alexander:
- That Council refuse this application.
- On being put to the meeting it was carried by thirteen votes for and none against that this was Council opinion.
- 2.2.4 C/2006/0117/F
Demolition of house and erection of 2 no. semi-detached dwellings at 12 O'Hara Drive, Portstewart for Fern Homes
- It was proposed by Councillor Bradley and seconded by Councillor Ms. Alexander:
- That Council refuse this application.
- On being put to the meeting it was carried by fifteen votes for and none against that this was Council opinion.
- 2.2.5 C/2006/0484/F
Demolition of house and erection of 4 no. semi-detached dwellings at 19 Strand Crescent, Portstewart for NM Developments
- It was proposed by Councillor Bradley and seconded by Councillor Ms. Alexander:
- That Council refuse this application.
- On being put to the meeting it was carried by fifteen votes for and none against that this was Council opinion.
- 2.2.6 C/2006/0591/F
2 no. semi-detached 2 storey dwellings with attic conversion and 3 no. 2 and a half storey town-houses (2 no. with integral garages) at 147/149 Mill Road, Portstewart for NM Developments
- It was proposed by Councillor Bradley and seconded by Councillor Mrs. Johnston:
- That Council refuse this application.
- On being put to the meeting it was carried by fifteen votes for and none against that this was Council opinion.
- 2.2.7 C/2005/0550/O
Holiday accommodation opposite 41 Ballyreagh Road, Portrush for Mr. S. Kherr
- It was proposed by Alderman Creelman and seconded by Councillor Ms. Alexander:
- That Council refuse this application.
- On being put to the meeting it was carried by fifteen votes for and none against that this was Council opinion.
- 2.2.8 C/2006/0190/O
5 no. townhouses at
- It was proposed by Councillor Ms. Alexander and seconded by Councillor Hillis:

10, 12 and 14 Upper
Heathmount, Portstewart
Ms. W. & A. Hayes

That Council refuse this application.

On being put to the meeting it was carried by twelve votes for and one against that this was Council opinion.

2.2.9 C/2006/0280/F
2 no. semi-detached
houses at 12 Prospect
Road, Portstewart for
Kamack Developments

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

That Council refuse this application.

On being put to the meeting it was carried by fifteen votes for and none against that this was Council opinion.

2.2.10 Planning Committee
Meetings -
Commencement Time

It was proposed by Alderman McClarty, seconded by Alderman McClure and agreed:

That in future, if necessary, the Planning Committee meeting should commence at 6.30 pm and finish no later than 11.00 pm.

2.3 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 McClarty.

Matters arising:

2.3.1 Coleraine Harbour

The Town Clerk and Chief Executive recommended:

That further matters arising under Item 17.0 of the minutes be considered 'In Committee' at the end of the meeting.

2.3.2 N.I. Fire & Rescue
Service

It was proposed by Councillor Dallat, seconded by Councillor Leonard and agreed:

That Council invite representatives from Fire & Rescue Service Union to give a presentation on their perspective of the Fire and Service Consultation Document, expected in January 2007.

3.0 NOTICE OF MOTION

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

"Given the responsibilities of the Planning Service, along with others, for measures that could help with the provision of affordable housing, and the particular difficulties in our Borough, this Council agrees to request from the Minister responsible for, and the Chief Executive of the Planning Service, details of their proposed approaches to this problem and what measures they will outline to the Simple enquiry into affordable housing."

Following discussion it was noted that the first of the Semple interim proposals would be published in December/January with a 4 week response time and that the final report would be published in May 2007.

Councillor Leonard accepted an addendum to the motion:

That Council looks forward to the interim reports on affordable housing.

The motion was put to the vote and passed by ten votes for and none against.

4.0 ROCK CASTLE, PORTSTEWART – FREEDOM OF INFORMATION COMPLAINT - INFORMATION COMMISSIONER’S DECISION DATED 16th OCTOBER, 2006

Members noted with concern that the Information Commissioner’s Office upheld the Planning Service’s decision to withhold information on the legal opinion provided to the Department in relation to the demolition of the building known as “Rock Castle”. It ruled that, under Section 42 of the Freedom of Information Act (2000), the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

5.0 PLANNING WORKING GROUP

Consideration was given to the Planning Working Group minutes (report previously circulated) and the contents noted.

6.0 CONSULTATION LIST

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

1. Department of the Environment – Driver and Vehicle Licensing Agency
 - i) Consultation on Carriage of Assistance Dogs in Private Hire Vehicles.
Comments due: 18th December, 2006
 - ii) Consultation on Proposals to Revise the Fees for Road Freight and Passenger Operator Licence.
Comments due: 10th January, 2007
 - iii) Consultation Paper on Measures to Introduce CPC (Certificate of Professional Competence) for Lorry and Bus Drivers and other changes.
Comments due: 2nd February, 2007
2. Department for Regional Development – Roads Service – Consultation on Draft Residents’ Parking Policy.
Comments due: 9th February, 2007
3. Department for Health, Social Services and Public Safety – Complaints in the HPSS Consultation.

7.0 NORTH EASTERN EDUCATION AND LIBRARY BOARD – COUNCIL NOMINATION TO REPLACE COUNCILLOR McQUILLAN (term to expire 30th June, 2009)

In the light of the vacancy arising from Councillor McQuillan's resignation from this position, it was proposed by Alderman McClure and seconded by Councillor Deans:

That Councillor Gilkinson be nominated.

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

That Councillor Dallat be nominated.

On being put to the meeting Councillor Gilkinson received eleven votes and Councillor Dallat received five votes.

Councillor Gilkinson was, therefore, nominated.

8.0 COLERAINE FAIRTRADE RESOLUTION

Consideration was given to the Coleraine Fairtrade Resolution (previously supplied) and it was proposed by Alderman McClarty, seconded by Councillor Mrs. Johnston and agreed:

That the resolution be adopted viz:

"The Council aims to be recognised by the residents and business community of Coleraine Borough, Coleraine Borough Council suppliers, Coleraine Borough Council employees and other local authorities, as a Council that actively supports and promotes the concept of Fairtrade – ensuring that producers from developing countries get a fair price for their goods and labour. Coleraine Borough Council resolves to:

- Promote awareness of Fairtrade issues to local people concerning the worldwide impact of unfair trade and the opportunities that Fairtrade provides to promote sustainable development.
- Investigate the Council's own purchasing policies in order to purchase Fairtrade products where possible.
- Consider buying Fairtrade products, such as those carrying the Fairtrade Mark, as they become available.
- Promote Fairtrade issues and practices amongst local businesses and commercial and other organisations.
- Develop a strategy to make the Council a 'Fairtrade Council'."

9.0 MEETINGS SCHEDULE

Members noted that over the next two months there would be an increase in the number of meetings and presentations being sought with Council so it is Councils objective to accommodate these meetings.

- 9.1 Presentations/Consultations Two presentations were agreed for December and January:
- (i) Review of NIHE Rural Housing Policy (deadline 12th January, 2007) – Leisure and Environment Committee – 5th December, 2006
 - (ii) Water Service – Council Meeting – 23rd January, 2007
- 9.2 Leisure and Environment Committee – 2nd January, 2007 Members agreed to cancel this meeting to help accommodate other meetings in January.
- 9.3 Other Topics Members agreed to accommodate the following meetings in December and January, with the Town Clerk and Chief Executive finalising the scheduling as necessary:
- Funding Applications
 - Coleraine Showgrounds/Riverside Theatre
 - Rates
 - Good Relations Strategy - Tuesday, 2nd January, 2007.
 - Report from Joint Harbour Group – Consultant’s options for Harbour/Council lands
 - Portrush Regeneration – Thursday, 14th December, 2006 at 7.30pm.
 - NILGA - Monday, 11th December, 2006 at 4.30pm.

10.0 JUDICIAL REVIEW ON PPS14

Read letter from Omagh District Council providing an update on this matter. The Town Clerk and Chief Executive would report further at the December Planning meeting.

11.0 ENVIRONMENT AND HERITAGE SERVICE

Read letter from Environment and Heritage Service regarding number 61 Dhu Varren, Portrush. The Department was not proceeding with the statutory listing of this property under the Buildings of Special Architectural or Historic Interest.

Noted.

12.0 DOE HISTORIC BUILDING REGISTER

The Environment and Heritage Service had advised that 5 Laragh Lane, Maghera, had been designated as a building of special architectural or historic interest.

Noted.

13.0 DOCUMENTS TABLED

- (i) Local Government Staff Commission for Northern Ireland - LGSC News, Issue no.9.
- (ii) Department of the Environment – Fortieth list of Buildings of Special Architectural or Historic Interest in the Borough of Coleraine.
- (iii) Office of the First Minister and Deputy First Minister – Tenth Annual Report on Public Appointments - 2005/2006.
- (iv) The Electoral Office for Northern Ireland – Chief Electoral Officer Annual Report 2005/2006.
- (v) Citizens Advice – Annual Report ‘Gaining Ground’ 2005-2006.
- (vi) The Consumer Council for Northern Ireland – Annual Report 2005-2006.

14.0 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

- 1. Licence in Duplicate Council to Mr. & Mrs. B. Torrens – Licensed Right of Passage to rear of 16 Bath Terrace, Portrush
- 2. Cemetery Titles Grant of Rights of Burial – Deeds Register Nos. 3256-3268 (inclusive):

Agherton	0
Ballywillan	3
Coleraine	6
Kilrea	0
Portstewart	4

Advanced Deeds – Register Nos. 0161-0164 (inclusive):

Agherton	0
Ballywillan	1
Coleraine	1
Portstewart	2

15.0 COLERAINE HARBOUR

The Town Clerk and Chief Executive circulated three papers; Harbour Commissioners correspondence, Macaulay Wray legal advice and a report based on the River Bann Navigations Order (NI) 2002.

Based on the information available to Council, legal advice confirmed that there were no grounds to conclude that a casual vacancy (or vacancies) existed at present; hence Council had no role to exercise at present.

Under the River Bann Navigation Order, Council had three specific roles:

- (i) to appoint up to twelve Harbour Commissioners.
- (ii) to appoint a Chairman and Deputy Chairman.
- (iii) to fill any casual vacancies in the positions of Commissioners or Chairman/Vice-Chairman as they may arise.

It was unanimously agreed:

That Council should reply to the Harbour Commissioners on the basis of legal advice received.

It was further agreed:

That the Harbour Commissioners be invited to attend a future Council meeting to discuss matters of mutual concern.

SPECIAL COUNCIL MEETING

11th December, 2006.

Convened: To hear a presentation from Mr. Aubrey McCrory and Councillor Arnold Hatch, NILGA, on 'Modelling NILGA's Future' – IDeA Report together with NILGA Office Bearer Recommendations

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

Aldermen

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

Councillors

S. Gilkinson G. L. McLaughlin
N. F. Hillis R. A. McPherson
E. A. Johnston (Mrs.)

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

Apologies: Councillors Mrs. Church and McQuillan

The Mayor opened the meeting by welcoming Councillor Arnold Hatch and Mr. Aubrey McCrory, NILGA, who were in attendance to make a presentation on 'Modelling NILGA's Future – IDeA Report and NILGA Office Bearer Recommendations.

After the presentation on NILGA's role leading up to the Review of Public Administration a brief period of discussion ensued during which a wide range of members' questions were addressed.

The Mayor closed the meeting by thanking Mr. McCrory and Councillor Hatch for attending and providing members with such an informative presentation.

LEISURE AND ENVIRONMENT COMMITTEE

5th December, 2006.

Present: Councillor T. J. Deans, 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.) N. F. Hillis
(Items 1.0 – 13.1.1) E. A. Johnston (Mrs.)
D. D. Barbour B. Leonard
J. M. Bradley G. L. McLaughlin
O. M. Church (Mrs.) R. A. McPherson
A. S. Cole A. McQuillan
J. J. Dallat (Items 1.0 – 4.4)
S. Gilkinson

Officers in Attendance:

Director of Technical Services, Director of Environmental Health, Director of Leisure Services, Head of Administrative Services, Head of Development Services, Leisure Services Officer (Facilities), Principal Building Control Officer (Items 1.0 – 12.0), Technical Officer (Items 1.0 – 2.6), Administrative Assistant.

Apology: Alderman Mrs. E. T. Black

1.0 WELCOME

The Chairman welcomed everyone to the meeting.

2.0 TECHNICAL SERVICES REPORT

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

Matters arising:

2.1 Management of Waste Domestic Fridges/Freezers

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

The Director of Technical Services answered members' questions.

Recommended:

That Council participate in the DOE disposal service for domestic fridges/freezers.

- 2.2 Northern Ireland Landfill Allowance Scheme (NILAS) Consideration was given to information on this topic, as detailed in the report.
- The Director of Technical Services answered members' questions and agreed to provide further information on Coleraine's relative position in the N.I. Biodegradable Municipal Waste league table.
- 2.3 Entertainments Licences
- 2.3.1 The Forge Inn
6 Newmarket Street
Coleraine An application for the grant of an Entertainments Licence had been received from Mr. E. Kneeland, 27 Bushmills Road, Coleraine.
- Recommended:
- That an Entertainments Licence be granted. All door supervisors employed to be licensed with a scheme recognised by Coleraine Borough Council.
- 2.3.2 Sweeney's Wine Bar
6 Seaport Avenue
Portballintrae An application for the grant of an Entertainments Licence had been received from Mr. T. Kane, 25 Beach Road, Portballintrae.
- Recommended:
- That an Entertainments Licence be granted. All door supervisors employed to be licensed with a scheme recognised by Coleraine Borough Council.
- 2.3.3 Imperial Hotel
38 Main Street
Garvagh An application for the renewal and variation of an Entertainments Licence had been received from Mr. T. McIlvar, c/o Imperial Hotel.
- Recommended:
- That an Entertainments Licence be renewed with variation subject to no objections being received and also subject to compliance with Fire Authority recommendations and any other requirements requested by Council's Licensing Department. All door supervisors employed to be licensed with a scheme recognised by Coleraine Borough Council.
- 2.3.4 Scott's Bar
10 Newmarket Street
Coleraine An application for the grant of an Entertainments Licence had been received from Mr. A. Clark, 48 Knockbracken Way, Coleraine.
- Recommended:

That an Entertainments Licence be

granted subject to no objections being received and also subject to compliance with Fire Authority recommendations and any other requirements requested by Council's Licensing Department. All door supervisors employed to be licensed with a scheme recognised by Coleraine Borough Council.

2.3.5 The Turn Inn
33 Main Street
Garvagh

An application for the grant of an Entertainments Licence had been received from Ms. W. Smyth, 14 Greenville Avenue, Ballymoney.

Recommended:

That an Entertainments Licence be granted subject to compliance with Fire Authority recommendations and any other requirements requested by Council's Licensing Department. All door supervisors employed to be licensed with a scheme recognised by Coleraine Borough Council.

2.4 Building Control

2.4.1 Approvals

Members noted that approval had been granted for sixty-eight applications.

2.4.2 Rejections

Council is recommended to reject seventeen applications for approval under Building Regulations, for reasons as detailed in the report.

In response to a member's query regarding rejections affecting Entertainments Licences, the Director of Technical Services would look into the applications concerned.

2.4.3 Building Regulations
(Amendment) Regulations
(Northern Ireland) 2006

Members noted the amendment to the Building Regulations (Northern Ireland) 2000, as detailed in the report. The new regulations came into operation on 30th November 2006.

2.5 Biodiversity Officer

Members noted that Miss Emma McLaughlin, Biodiversity Officer would make a presentation regarding her work to Council at a future meeting.

2.6 Bird Nuisance -
Coleraine Town Hall

A member expressed concern regarding birds roosting on the Town Hall despite measures taken to alleviate the situation. The member suggested that noise equipment could solve the problem. The Director of Technical Services would investigate this option.

3.0 ENVIRONMENTAL HEALTH REPORT

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

Matters arising:

- 3.1 Legal Proceedings It was agreed that this item be considered 'In Committee' at the end of the meeting.
- 3.2 Proposals to transfer Petroleum Licensing and related functions from district councils to Health and Safety Executive for Northern Ireland Recommended:

That Council make a response to this consultative document based on the CEHOG draft (previously supplied).
- 3.3 Smoke Free Workplaces – Smoking Ban - April 2007 Members noted information on the smoking ban which would come into effect from 30th April, 2007 in all enclosed public places and all workplaces.

The Director of Environmental Health answered members' questions.

In response to a member's request for an update regarding the library which was to replace the Councillors' smoking room, the Head of Administrative Services informed members that quotations had been received for the fit-out of the library.
- 3.4 Authorisation of Removal of Specified Risk Material (SRM) in Butchers' Shops Update 3 Council is recommended to approve the following named establishment in order that they can remove specified risk material from animals aged 24-30 months of age:

The Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2006 P. Osborne Family Butchers, 77 The Promenade, Portstewart, BT55 7AF
- 3.5 Safety at Christmas
- 3.5.1 Food Safety – Safe and Healthy Christmas Members noted information on this topic, as detailed in the report and the Director of Environmental Health answered members' questions.
- 3.5.2 Hazard House – Christmas Open Morning Members noted that there would be an Open Morning at Hazard House, 59 Hamilton Park, Ballymoney on Wednesday 13th December, 2006 from 9.30 am to 12.30 pm.

4.0 LEISURE SERVICES REPORT

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

Matters arising:

4.1 European Blue Flag

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

After a period of discussion it was recommended:

That Council contact the Minister, MP, MEPs and NILGA to ask for government financial support for the continuation of the European Blue Flag Awards in Northern Ireland.

4.2 Northern Ireland International Airshow 2007

Recommended:

That an Airshow be held on the second weekend in September 2007 (Saturday 8th and Sunday 9th September.

It would be envisaged that there would be no increase in costs to Council of staging next year's event.

4.3 Requests for Financial Assistance

4.3.1 Coleraine Ploughing Society

Council is recommended to approve a grant of £200.00 to Coleraine Ploughing Society to assist in the promotion of the annual competition on Saturday 30th December, 2006.

4.3.2 Coleraine Cage Bird Society

Council is recommended to approve a grant of £100.00 to Coleraine Cage Bird Society to assist in the promotion of the annual show in December 2006.

4.4 CCTV & Access Control Systems – Caravan Parks

Ten tenders had been received in response to an open tender exercise for this scheme viz:

TENDERER	AMOUNT
Janusplus Security Systems	£92,964.00
Secure Vision Systems Ltd.	£110,965.00
Access Video Projects	£114,209.00
Radio Contact Ltd.	£132,000.00
VIS Security Solutions	£153,786.00
Diamond Systems	£175,206.00
McElwaine Security	£178,005.00
Initial Fire & Security	£202,888.87
Euro Security	£224,601.00
Rogers Fencing Systems Ltd.	£232,377.00

The lowest tender from Janusplus Security Systems contained a major omission and they

were unable to confirm their tendered price.

The lowest tender from Secure Vision Systems Ltd., contained a small error with 1 no. access barrier omitted, however, the firm confirmed that they would stand over their tender price to include the item.

Council is recommended to accept the tender received from Secure Vision Systems Ltd. in the sum of £110,965.00.

4.5 For Information

4.5.1 Colmcille Heritage Trust – Annual Winter Conference – Friday 23rd – Sunday 25th February 2007, Letterkenny, Co. Donegal

Members interested in this conference were requested to contact the Director of Leisure Services.

4.5.2 Historic Art Exhibition

Members noted that the official opening of a new exhibition 'Historic Art' by Causeway Museum Service would be on Wednesday 6th December at 12 noon in Coleraine Town Hall.

4.5.3 Christmas Opening - Coleraine Leisure Centre and Waterworld

Members noted the opening/closing hours for Coleraine Leisure Centre and Waterworld as detailed in the report.

5.0 **DIARY DATES – DECEMBER AND JANUARY**

The Head of Administrative Services drew members' attention to the list of diary dates for December and January (previously circulated).

6.0 **MAYOR'S CHRISTMAS RECEPTION**

The Head of Administrative Services reminded members to nominate guests for the Mayor's Christmas Reception as soon as possible.

7.0 **BALLYALLY CENTRE, COLERAINE**

In response to a member's query regarding the ownership of the Ballysally Centre, the Director of Leisure Services informed members that the Education Board owned the Centre and there had been discussions held to address Council's interest in the use of the Centre.

8.0 **HOISTS FOR DISABLED ACCESS TO BOATS AT HARBOURS/MARINAS**

The Director of Leisure Services would look into this issue.

9.0 **GARVAGH SPORTS HALL – RATES**

In response to a member's query regarding an update on the development programme for Garvagh Sports Hall, the Director of Leisure Services informed

members that it would be nine months before Council would know if funding would be obtainable from the Sports Lottery Fund.

10.0 SKATE PARK

In response to a member's request regarding an update on the Skate Park, the Leisure Services Officer informed members that information was being gathered for the Leisure and Environment meeting in February.

11.0 FLOWERFIELD ARTS CENTRE

A member requested information on the classes held and the number of people that used Flowerfield Arts Centre to determine if the Centre was underused. The Director of Leisure Services would respond.

12.0 CHRISTMAS LIGHTING

A member expressed concern regarding Bridge Street, Kilrea not having Christmas lights. Another member requested new and additional Christmas lights in Portrush. The Director of Technical Services noted comments.

PLANNING COMMITTEE

12th December, 2006.

Present: Councillor G. L. McLaughlin, in the Chair
The Mayor, Councillor W. A. King

Aldermen

W. T. Creelman	D. McClarty
M. T. Hickey (Mrs.) (Items 2.7 – 10.0)	(Items 2.4 – 10.0)
	W. J. McClure

Councillors

C. S. Alexander (Ms.)	S. Gilkinson
D. D. Barbour (Items 2.12 – 10.0)	N. F. Hillis (Items 2.4 – 10.0)
J. M. Bradley (Items 2.6 – 10.0)	E. A. Johnston (Mrs.)
O. M. Church (Mrs.)	B. Leonard
A. S. Cole	R. A. McPherson
J. J. Dallat	A. McQuillan (Items 2.6 – 10.0)
T. J. Deans (Items 1.0 – 5.1)	

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

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

Apologies: The Deputy Mayor and Alderman Mrs. Black

1.0 WELCOME

The Chairman welcomed everyone present including those in the public gallery.

2.0 PLANNING APPLICATIONS

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

Applications Deferred from Previous Meeting

- | | | |
|-----|--|--|
| 2.1 | <u>Application No. D1</u>
<u>C/2002/0013/F</u>
<u>New garage (retrospective application) at 82 Mettican Road, Garvagh for Mr. W. Smyth</u> | The opinion of the Planning Service was to approve.

It was agreed that the application be approved. |
| 2.2 | <u>Application No. D2</u>
<u>C/2004/0715/F</u> | The opinion of the Planning Service was to approve. |

	<u>Proposed residential housing development of 10 no. units comprising semi-detached, terraced dwellings and apartments with associated car parking at No. 2 Portstewart Road, Coleraine for Mr. B. Gibson</u>	Reported that revised plans had been received. It was agreed that the application be approved.
2.3	<u>Application No. D3 C/2005/0107/O Proposed site for dwelling and garage west of 31 Crevolea Road, Blackhill, Coleraine for Mr. W. McMurtry</u>	The opinion of the Planning Service was to refuse. It was agreed that the application be refused.
2.4	<u>Application No. D4 C/2005/0186/F 4 no. apartments at 4 The Hill, Portstewart for C. R. Developments</u>	The opinion of the Planning Service was to approve. It was agreed that the application be approved.
2.5	<u>Application No. D5 C/2005/1063/F Storey and a half dwelling and garage adjacent to 40 Glenkeen Road, Aghadowey for Mrs. Mullan</u>	The opinion of the Planning Service was to approve. Reported that revised plans had been received. It was agreed that the application be approved.
2.6	<u>Application No. D6 C/2006/0024/F Proposed apartments (3 no.) at 50-52 Causeway Street, Portrush for Mr. McConaghie</u>	The opinion of the Planning Service was to approve. It was agreed that the application be approved.
2.7	<u>Application No. D7 C/2006/0118/O 1 no. one and a half or two storey dwelling and detached garage 40m south of 16 Crevolea Road, Blackhill, Coleraine for Mr. P. Smyth</u>	The opinion of the Planning Service was to refuse both applications. It was proposed by Councillor Mrs. Church, seconded by Councillor Dallat and unanimously agreed:
	<u>Application No. D8 C/2006/0119/O 1 no. one and a half or two storey dwelling and detached garage 70m south of 16 Crevolea Road, Blackhill, Coleraine for Mr. P. Smyth</u>	That the applications be approved.
2.8	<u>Application No. D9 C/2006/0248/F Proposed re-development of site to 2 no. townhouses and 3 no. apartments at No. 20 The Boulevard, Coleraine for Shellfield Builders</u>	The opinion of the Planning Service was to refuse. It was agreed that the application be refused.

- 2.9 Application No. D10
C/2006/0286/F
Domestic store for storage and
maintenance of rally cars (hobby
use) 40m north east of 30 Rockhill,
Shinny Road, Macosquin for
Mr. and Mrs. S. Nevin
- The opinion of the Planning Service was to approve.
- Reported that revised plans had been received. It was agreed that the application be approved.
- 2.10 Application No. D11
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 approve.
- It was agreed that the application be approved.
- 2.11 Application No. D12
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 agreed that the application be refused.

NEW APPLICATIONS

- 2.12 Application No. 1
C/2005/0593/F
Erection of 17 townhouses and
roadway for Private Streets
Determination at 12 and 12a
Castlewalk, Castlerock for
Northbrook Business Park Ltd.
- The opinion of the Planning Service was to approve both applications.
- Consideration was given to letter dated 3rd December, 2006 from Castle Park/Castlewalk Residents' Group (previously supplied).
- Application No. 2
C/2005/0777/F
Erection of 10 no. townhouses at
12 and 12a Castlewalk, Castlerock
for Northbrook Business Park Ltd.
- It was proposed by the Mayor, seconded by Councillor Dallat and agreed:
- That Standing Orders be suspended for this item in order that Mr. M. Jones could address Committee.
- Mr. Jones addressed Committee and outlined concerns particularly about the location of the access for this development.
- Mr. B. Carey, Carey Consulting, addressed Committee on behalf of the applicant.
- Following discussion it was proposed by the Mayor, seconded by Councillor Dallat and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds

that the application had generated strong local/ neighbourhood objections based on valid planning concerns.

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

2.13 Application No. 7
C/2006/0113/O
Residential development of 12 no. apartments and associated car parking and amenity space at 22 and 24 Cambridge Park, Coleraine for Mr. A. Wray

The opinion of the Planning Service was to approve.

Consideration was given to letter dated 4th December, 2006 from Mr. R. McD. Wilson (previously supplied).

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

That Standing Orders be suspended for this item in order that Miss Wilson could address Committee.

The Town Clerk and Chief Executive advised members of the dangers in suspending Standing Orders to hear objectors as there had been no opportunity to advise the applicant of the option of addressing Council.

Miss Wilson addressed Committee and outlined objections relating to over dominance, general disturbance, access and safety.

Following discussion it was proposed by Councillor Gilkinson, seconded by Alderman Creelman and agreed that:

- (a) the application be refused; and
- (b) the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

2.14 Application No. 8
C/2006/0161/F
Proposed farm dwelling and detached double garage 200m

The opinion of the Planning Service was to refuse.

Reported that amended plans had been

- north west of 13 Lisnamuck Road, Coleraine for Mr. D. Scott received.
- It was agreed that the application be removed from the schedule in order to facilitate further consideration by the Planning Service.
- 2.15 Application No. 12
C/2006/0315/O
Site for dwelling and garage 50m south west of 54 Ballyversal Road, Coleraine for Mr. Kearney
- The opinion of the Planning Service was to refuse both applications.
- It was proposed by Councillor Ms. Alexander, seconded by Councillor Barbour and agreed:
- Application No. 13
C/2006/0316/O
Site for replacement dwelling 200m south west of 52 Ballyversal Road, Coleraine for Mr. Kearney
- That the applications be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.16 Application No. 20
C/2006/0499/O
Proposed demolition of existing dwelling and construction of 7 no. townhouses with amenity and car parking spaces at 5 Errigal Court, Portrush for Mr. G. Lagan
- The opinion of the Planning Service was to refuse.
- Reported that amended plans had been received.
- It was agreed that the application be removed from the schedule in order to facilitate further consideration by the Planning Service.
- 2.17 Application No. 21
C/2006/0501/F
Proposed granny flat extension to dwelling at 11 Logquestown Park, Coleraine for Mr. and Mrs. J. Nash
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClure, 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.
- 2.18 Application No. 22
C/2006/0524/F
Demolition of existing garage and construction of a new church building with associated study rooms, kitchen, ancillary accommodation and car parking at 21 Hall Road, Coleraine for The Trustees of The Howie Christian
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Bradley, seconded by Councillor Mrs. Johnston and agreed that:
- (a) the application be approved; and

Charitable Trust

- (b) the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.19 Application No. 28
C/2006/0605/A
One double sided free standing display unit at 277 Dunhill Road, Coleraine for Miss R. Thorne
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Deans, seconded by Councillor Mrs. Johnston and agreed that:
- (a) the application be approved; and
- (b) the application be deferred for one month to facilitate an office meeting on the grounds that the sign has been in place for a significant length of time.
- It was further agreed that a representative from Roads Service be requested to attend.
- 2.20 Application No. 31
C/2006/0613/F
Alterations to existing Radio Base Station in order to add UMTS equipment to include replacement of 10m high column with 12.5m high column and addition of equipment cabinet at existing O2 Radio Base Station at rear of southern footpath of Strand Road, east of bus stop approximately 20m south west of junction of The Diamond and Strand Road, Portstewart for O2 (UK) Ltd.
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Gilkinson, seconded by Alderman Creelman and unanimously agreed:
- That the application be refused.
- 2.21 Application No. 38
C/2006/0662/RM
Erection of 1.5 storey dwelling adjacent to 856 Seacoast Road, Downhill, Castlerock for Mr. J. Hart
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty, seconded by The Mayor and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds of the proposed design.

- 2.22 Application No. 45
C/2006/0723/O
Proposed development of 2 no.
townhouses for residential purpose
to rear of 33 – 35 Central Avenue,
Portstewart for Mr. P. Gordon
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman Mrs. Hickey, seconded by Councillor Dallat and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that the application may be withdrawn or the proposed design could be changed.
- 2.23 Application No. 48
C/2006/0731/O
Site for self catering holiday
accommodation 160m north west
of No. 20 Farranlester Road,
Coleraine for Mrs. G. Sherrard
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Church, seconded by Councillor McPherson and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that MKA Planning had prepared a statement of tourist need.
- 2.24 Application No. 52
C/2006/0742/A
Free standing advertisement at
The Lodge Hotel, Lodge Road,
Coleraine for The Lodge Hotel
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Deans, seconded by Alderman McClure and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- It was further agreed that a representative from Roads Service be requested to attend.
- 2.25 Application No. 56
C/2006/0753/F
Site for one private dwelling to rear
of 33/33A Coleraine Road,
Portstewart for Mr. H. Mullan
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman Mrs. Hickey, seconded by Councillor Dallat and agreed:

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

2.26 Application No. 57
C/2006/0754/O
Proposed replacement dwelling and detached double garage at No. 20 Ballinrees Lane (off Windyhill Road), Macosquin, Coleraine for Mr. Calvin

The opinion of the Planning Service was to refuse.

It was proposed by The Mayor, seconded by Alderman McClure and agreed:

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

2.27 Application No. 73
C/2006/0792/RM
Proposed two storey dwelling with attached double garage south of No. 48 Ballyversal Road, Coleraine for Mr. O'Hara

The opinion of the Planning Service was to refuse.

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

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

3.0 OFFICE MEETINGS

It was noted that the office meetings would be held on Friday, 5th January, 2007.

4.0 CHAIRMAN'S REMARKS

The Chairman thanked the Planning Service representatives for their assistance during the year and extended season's greetings.

5.0 MANAGEMENT BOARD REFERRALS

5.1 Planning Application No.
C/2005/0967/F
Erection of 4 no. semi-detached dwellings at 18 Winston Drive, Portstewart

Consideration was given to the Planning Advice Note prepared by BDP Planning Ltd. (previously supplied).

It was noted that BDP Planning Ltd. recommended that the application should not be referred to the Planning Management Board.

Following discussion it was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Hickey and agreed:

That Council write to the Chief Executive of the Planning Service informing him of procedural irregularities in respect of this application.

- 5.2 Planning Application No. C/2004/1335/F
Retail store adjacent to 162 Coleraine Road, Portstewart
- Reported that this application was being considered by the Planning Management Board and a response was still awaited.

6.0 REVISED CONSULTATION PROCEDURES

Consideration was given to the Town Clerk and Chief Executive's Report on Council Consultation Procedures and the Planning Service Guidance on Consulting Councils about Planning Applications (previously supplied) and the contents noted.

7.0 PPS14 - JUDICIAL REVIEW UPDATE

Consideration was given to the Town Clerk and Chief Executive's Report on the Judicial Review of PPS14 outlining the following:

- Judicial Review Timetable;
- Grounds for Challenge;
- DRD Affidavit;
- Financial Implications.

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

That Council supports the approach being adopted and agrees to a financial commitment up to £15,000, subject to legal advice confirming its statutory authority to cover such a payment.

8.0 PLANNING APEALS COMMISSION - APPEAL 2005/A389 - O2 (UK) LTD. LAND AT DRD WATER SERVICE, COLERAINE WASTE WATER TREATMENT WORKS, CAIRN ROAD, COLERAINE

Read letter from the Planning Appeals Commission advising members that the above mentioned appeal would now be dealt with by the written representation procedure with an accompanied site visit. It was noted that written submissions would be received up until 4.00 p.m. on 29th December, 2006 and that the site meeting would be held at 10.30 a.m. on 2nd February, 2007.

9.0 PLANNING APPLICATION NO. C/2005/0262/O - SITE OF DWELLING AND GARAGE 80M NORTH WEST OF 116 GROVE ROAD, SWATRAGH (APPEAL 2006/A0121)

Read letter from the Planning Service advising members that a letter had been forwarded to the Planning Appeals Commission informing them that following further consideration the Department had decided not to pursue draft reason for Refusal 2 but draft reasons for Refusal 1 and 3 would remain to be contested.

Noted.

10.0 ENVIRONMENT & HERITAGE SERVICE

Read letters from the Environment & Heritage Service advising members that the following listed buildings had been delisted and relisted due to the extent of the listing being increased:

- 7 Fort Road, Ballynameen, Garvagh;
- Rose Cottage/Bayview, 19/21 Beach Road, Portballintrae;
- 40 Glen Road, Brockaghboy, Garvagh.