



# COLERAINE BOROUGH COUNCIL

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY** 18 December 2012 immediately following the Planning Committee Meeting.

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 – 27 November 2012
2. Committee Reports (enclosed):
  - 2.1 Planning Committee – 27 November 2012
  - 2.2 Leisure and Environment Committee – 04 December 2012
3. Chief Executive's Report (enclosed)
 

**(Item 4.0) \* Land and Property (In Committee)**
4. Development Services' Report (enclosed)
 

**(Item 6.0) \* Coleraine Tourist Information Centre (In Committee)**
5. Environmental Services Report (enclosed)
6. Correspondence (enclosed):

### For decision

- ii) Copy letter dated 04 December 2012 from Down District Council re Future of Paediatric Cardiac Services in Northern Ireland.  
**Support requested**

For information

- i) Copy letter dated 27 November 2012 from Department of Health, Dublin re Paediatric Congenital Cardiac Services.
- ii) Press Release dated 30 November 2012 from Improvement, Collaboration and Efficiency (ICE) re Regional Governance Group Chair.
- iii) News Sheet (Issue 5) dated 04 December 2012 from the Department of the Environment re Local Government Reform.
- iv) Copy response letter dated 06 December 2012 from Roads Service.
- v) Copy letter received 10 December 2012 from Invest Northern Ireland re Policy and Programme Screenings
- vi) List of Reports available in Members' Library
- vii) List of Consultation Documents

7. Documents for Sealing

**\* Recommended for consideration "In Committee".**

To: Each Member of Council

13 December 2012

## COUNCIL MEETING

27<sup>th</sup> November, 2012.

**Present:** The Mayor, Councillor A. S. Cole, in the Chair  
The Deputy Mayor, Alderman M. T. Hickey (Mrs.)

### **Aldermen**

J. M. Bradley  
W. T. Creelman

N. F. Hillis  
W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)  
C. Archibald  
Y. Boyle (Ms.)  
G. Duddy  
E. P. Fielding (Mrs.)  
M. Fielding  
B. Fitzpatrick  
D. Harding  
R. J. Holmes  
(Items 1.0 – 5.0)

W. A. King  
(Items 1.0 – 3.2.2)  
R. A. Loftus (Mrs.)  
W. McCandless  
D. McClarty  
G. L. McLaughlin  
A. McQuillan

### **Officers in Attendance:**

Corporate Director of Environmental Services, Corporate Director of Leisure and Development, Acting Head of Finance, Head of Leisure Services and Administrative Assistant

**Apology:** Councillor Barbour

## **1.0 'IN COMMITTEE'**

It was agreed that a number of items be considered 'In Committee' at the end of the Meeting.

## **2.0 MINUTES**

The Minutes of the Council Meeting of 23<sup>rd</sup> October, 2012 were confirmed and signed.

## **3.0 COMMITTEE REPORTS**

### **3.1 Planning Committee**

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

### **3.2 Leisure and Environment Committee**

Councillor Fielding moved the adoption of the Leisure and Environment Committee Report; this was duly seconded by Councillor Fitzpatrick.  
Matters arising:

#### **3.2.1 Entertainment Licence – The Playhouse, 47 Main Street, Portrush**

Reported that the applicant and objector had been given the opportunity to address Council but the letter of objection had since been withdrawn.

Agreed:

That the Entertainment Licence be granted.

#### **3.2.2 Fees and Charges – Council Caravan Sites 2013-2014**

Following a full discussion during which the Corporate Director of Leisure and Development answered various members' questions it was proposed by Councillor McClarty and seconded by the Deputy Mayor:

That Council agree the Committee recommendation.

As an amendment it was proposed by Councillor McQuillan and seconded by Councillor Mrs. Fielding:

That Council agree the Committee recommendation except for the Administration Fee for Insurance which should remain unchanged.

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

On the proposal being put to the Meeting, thirteen voted in favour and no one voted against.

The Report was subsequently agreed.

### **3.3 Policy and Development Committee**

Alderman Hillis moved the adoption of the Policy and Development Committee Report; this was duly seconded by the Deputy Mayor and agreed.

## **4.0 NOTICE OF MOTION**

The undernoted Motion had been submitted by Councillor McClarty:

“This Council calls on the Northern Health and Social Care Trust to reconsider the proposal for car parking charges for members of its staff throughout the Trust area”.

Councillor McClarty spoke on the Motion and sought members' support. This was duly seconded by Councillor Mrs. Loftus.

On being put to the Meeting the Motion was unanimously agreed.

## **5.0 NOTICE OF MOTION**

The undernoted Motion had been submitted by Alderman Hillis, Councillors Barbour, Harding, Holmes, King and McCandless:

“We hereby propose that Coleraine Borough Council recognises the sacrifice of the many fallen and injured service personnel of the Borough serving in recent international conflicts; realises the potential for this Council and other statutory bodies to provide practical and moral support to service personnel, veterans and their families; and commits to give meaning to its support for our service personnel and veterans by signing the Community Covenant, as a voluntary statement of our support for the local Armed Forces Community.”

Alderman Hillis spoke on the Motion and sought members' support. This was duly seconded by Councillor McCandless.

The following amendment was proposed by Councillor Duddy:

“We hereby propose that Coleraine Borough Council recognises the sacrifice of the many fallen and injured service personnel of the Borough serving in recent international conflicts and those involved in Operation Banner; realises the potential for this Council and other statutory bodies to provide practical and moral support to service personnel, veterans and their families; and commits to give meaning to its support for our service personnel and veterans by signing the Community Covenant, as a voluntary statement of our support for the local Armed Forces Community.”

Councillor Duddy spoke on the amendment which was seconded by Councillor Fielding.

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

Councillor Archibald asked to be recorded as abstaining.

## **6.0 REMEMBRANCE DAY WREATHS - COLERAINE TOWN HALL**

Concern was expressed regarding the early removal of the Remembrance Day wreaths at Coleraine Town Hall. The matter would be investigated.

## **7.0 CORRESPONDENCE**

### **7.1 Northern Ireland Electricity**

Consideration was given to letter dated 19<sup>th</sup> October, 2012 from Northern Ireland

Electricity inviting Council to visit the Control Centre in Craigavon (previously supplied).

Members interested in attending were asked to contact the Corporate Director of Environmental Services.

## 7.2 **For Information**

Members noted the following correspondence (previously supplied):

- Copy letter received 29 October 2012 from The Shaftesbury Estate of Lough Neagh Ltd. clarifying points raised at recent debates.
- Copy letter dated 15 November 2012 from The Consumer Council together with News Release regarding local water and sewerage issues.
- List of Reports available in Members' Library
- List of Consultation Documents

## 8.0 **DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

- |    |   |  |
|----|---|--|
| 1. | <u>Lease</u> (in duplicate)                             | Council to M. Hasson – Shed 1, North Pier, Portrush                                      |
| 2. | <u>Lease</u> (in duplicate)                             | Council to K. Gregg – Shed 3, North Pier, Portrush                                       |
| 3. | <u>Lease</u> (in duplicate)                             | Council to D. O'Neill – Shed 8, North Pier, Portrush                                     |
| 4. | <u>Lease and Covenant</u><br>(2 documents in duplicate) | The Trustees of Glenullin GAA and Council – Lease and Covenant for purposes of grant aid |
| 5. | <u>Contract</u> (in duplicate)                          | Council and F. P. McCann – Craigahulliar Landfill Site Capping Phase 2                   |
| 6. | <u>Cemetery Titles</u>                                  | Grant of Right of Burial – Deed Register Nos. 3938 – 3949 inclusive                      |

Agherton	-
Ballywillan	5
Coleraine	2
Kilrea	-
Portstewart	5

## **PLANNING COMMITTEE**

**27<sup>th</sup> November, 2012.**

**Present:** Councillor G. L. McLaughlin in the Chair  
The Mayor, Councillor A. S. Cole  
The Deputy Mayor, Alderman M. T. Hickey (Mrs.)

### **Aldermen**

J. M. Bradley  
(Items 1.0 – 1.2)  
W. T. Creelman

N. F. Hillis  
W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)  
C. Archibald  
Y. Boyle (Ms)  
G. Duddy  
E. P. Fielding (Mrs.)  
M. Fielding  
B. Fitzpatrick  
D. Harding

R. J. Holmes  
W. A. King  
R. A. Loftus (Mrs.)  
W. McCandless  
D. McClarty  
A. McQuillan

**Also in Attendance:** Representative from the Planning Service – Mr. M. Wilson

**Officers in Attendance:** Principal Administrative Officer, Head of Health and Built Environment and Administrative Assistant

**Apology:** Councillor Barbour

## **1.0 PLANNING APPLICATIONS**

A list of twenty-five applications was presented for consideration (previously supplied).

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

- 1.1 Application No. D1 C/2011/0402/F  
Extension to existing dwelling with new garages, stables and re-located access (amended plans received 18<sup>th</sup> April, 2012) at 10 Ballymacrea Road, Portrush for
- The opinion of the Planning Service was to approve.
- At the outset Mr. Wilson referred to the objectors' letter to Council and pointed out that, contrary to their claims, the application had been advertised in

Mr. A. Moore

accordance with the legal requirements and all neighbours and objectors notified. He added that objectors and neighbours were notified when the Department received any amended drawings; that a total of four sets of amended drawings had been received and that all neighbours and objectors had been notified of these. In conclusion, Mr Wilson stated that the Department's recommendation was based on plans received on 18th April 2012, all neighbours and objectors having been notified of these on 19th April 2012.

Consideration was then given to letter dated 16<sup>th</sup> November, 2012 from Ms. N. Birley and Mr. D. Brereton, together with petition and letter dated 20<sup>th</sup> November, 2012 from Mr. A. Moore (previously supplied) and paper listing factual inaccuracies in applicant's letter (circulated to each member).

Following discussion it was proposed by Councillor McQuillan and seconded by Councillor McClarty:

That the application be referred to Fleming Mounstephen Planning for investigation and that the Department hold a decision on the application until the Report has been considered.

On being put to the Meeting, fifteen members voted in favour and four members voted against.

The opinion of the Planning Service was to approve.

It was agreed that the application be approved.

1.2 Application No. D2  
C/2011/0423/O  
Site for dwelling and associated  
works with access off Strand  
View Cottages approximately  
100m south-west of 9 Strand  
View Cottages and to the rear of  
No. 20 School Lane, Castlerock  
for Mr. McKay



- 1.3 Application No. D3  
C/2012/0223/F  
Proposed ancillary granny annex  
accommodation adjacent to 34  
Sconce Road, Articlave,  
Coleraine for Mr. K. Duggan
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 1.4 Application No. D4  
C/2012/0227/F  
Conversion of derelict ground  
floor store into 2 x 1 no. bedroom  
apartments at 3b The  
Promenade, Portstewart for  
Mr. A. McLoughlin
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be refused.

### **NEW APPLICATIONS**

- 1.5 Application No. 1  
C/2010/0408/F  
Construction of 4 no. agricultural  
sheds, office accommodation,  
changing facilities and incurtilage  
turning for HGVs at 115  
Carrowreagh Road, Garvagh for  
Northern Ireland Seed Potatoes  
(NISP)
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, 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.
- 1.6 Application No. 7  
C/2012/0084/F  
Proposed replacement dwelling  
(change of house type from  
previously approved application  
C/2008/0277) at 58 Burnside  
Road, Portstewart for Mr. and  
Mrs. McPeak
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Harding 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.
- 1.7 Application No. 11  
C/2012/0269/F  
Replacement of existing vacant
- The opinion of the Planning Service was to refuse.

dwelling with proposed single dwelling house with attached garage at 41 Temple Road, Garvagh for Higgins Brothers

It was proposed by Councillor McQuillan, seconded by Councillor Mrs. Loftus 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.

1.8 Application No. 15  
C/2012/0331/O  
New dwelling adjacent to 38 Ballymadigan Road, Castlerock for Mr. and Mrs Atkinson

The opinion of the Planning Service was to refuse.

It was proposed by Councillor King, seconded by Councillor Harding 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.

1.9 Application No. 20  
C/2012/0376/A  
Electronic sign at 3/5 Greenmount Avenue, Coleraine for Henderson Food Halls Ltd.

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Ms. Alexander, seconded by Councillor Duddy 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.

## **2.0 OFFICE MEETINGS**

It was noted that the Office Meetings would be held on Friday, 14<sup>th</sup> December, 2012.

## **3.0 CONSULTATION ON PERMITTED DEVELOPMENT AND AGRICULTURAL BUILDINGS**

Consideration was given to letter dated 26<sup>th</sup> October, 2012 from Planning Policy Division,

together with consultation document (previously supplied).

Members noted the consultation and agreed to endorse the comments of the Ulster Farmers' Union.

#### **4.0 PLANNING CONFERENCE - TRANSFER OF PLANNING POWERS**

Consideration was given to the Planning Conference, relating to the transfer of Planning powers, to be held on 12<sup>th</sup> December, 2012 at The Glenavon Hotel, Cookstown and on 10<sup>th</sup> January 2013 at The Island Civic Centre, Lisburn (details previously supplied).

A number of members expressed an interest in attending and any other members interested were asked to contact the Principal Administrative Officer.

#### **5.0 DATE FOR DECEMBER MEETING**

It was agreed that the Planning Committee Meeting be held on Tuesday, 18<sup>th</sup> December, 2012 at 6.30 pm. before the Council Meeting.

#### **6.0 PLANNING APPEALS COMMISSION - 4 MILL LANE, MONEYBRANNON ROAD, AGHADOWEY**

Consideration was given to letter dated 25<sup>th</sup> October, 2012 from the Planning Appeals Commission regarding the alleged unauthorised construction of an access lane at 4 Mill Lane, Moneybrannon Road, Aghadowey. It was noted that the appeal had been withdrawn.

#### **7.0 OFFICE MEETINGS - CANCELLATIONS**

Councillor McQuillan raised the issue of a particular office meeting in November taking place at an earlier time resulting in him missing the meeting.

Mr. Wilson apologised for the change, which had occurred due to a number of cancellations on the morning, and had offered another office meeting in December which was declined.

The Principal Administrative Officer advised that a new schedule for office meetings would be circulated to members in the event of future cancellations.

## LEISURE AND ENVIRONMENT COMMITTEE

4<sup>th</sup> December, 2012.

**Present:** Councillor M. Fielding, in the Chair  
The Deputy Mayor, Alderman M. T. Hickey (Mrs.)

### **Aldermen**

J. M. Bradley  
(Items 2.1 – 5.3)  
W. T. Creelman

W. J. McClure

### **Councillors**

C. S. Alexander (Ms.)  
C. Archibald  
Y. Boyle (Ms.)  
G. Duddy  
(Items 2.1 – 5.3)  
E. P. Fielding (Mrs.)  
(Items 2.1 – 5.3)  
B. Fitzpatrick  
R. J. Holmes  
(Items 4.1 – 5.3)

W. A. King  
R. A. Loftus (Mrs.)  
W. McCandless  
D. McClarty  
(Items 4.1 – 5.3)  
G. L. McLaughlin  
A. McQuillan  
(Items 4.1 – 5.3)

### **Officers in Attendance:**

Corporate Director of Environmental Services, Corporate Director of Leisure and Development, Biodiversity Officer (Items 1.0 – 4.1), Countryside and Marine Manager (Items 1.0 - 2.1), Healthy Living and Sport Manager (Items 1.0 – 3.0), Tourism Manager (Items 2.1 – 5.3) and Administrative Assistant.

**Apologies:** The Mayor, Councillors Barbour and Harding.

## **1.0 WELCOME**

The Chairman welcomed everyone to the meeting and extended a special welcome to Mr. Magne Haugseng and Dr. Bob Curran who were in attendance to give a presentation to Members.

## **2.0 LEISURE SERVICES' REPORT**

The Report of the Corporate Director of Leisure and Development was considered (previously supplied).

Matters arising:

## **2.1 International Appalachian Trail (IAT)**

Mr. Haugseng, IAT Promoter in Northern Ireland, who was accompanied by Dr. Curran gave a presentation to Members outlining the IAT proposal to connect walking trails in the Appalachian Mountains of North America with the Ulster Way trail. Mr. Haugseng briefed Members on the following:

- Background of the proposal;
- Developments to date;
- Benefits of the trails;
- Walker's profile;
- Advantages of the proposal;
- Potential market.

Mr. Haugseng and Dr. Curran answered Members' various questions. The Chairman thanked the representatives for their informative presentation, after which they withdrew from the meeting.

## **2.2 Elite Athlete Free Use Scheme**

The Healthy Living and Sport Manager updated Members on this scheme and answered their various questions.

### **Recommended:**

On the proposal of Councillor King and seconded by Alderman Bradley, that Council grant permission for the Elite Athlete Free Use Scheme to be implemented in Coleraine Leisure Centre and the Jim Watt Sports Centre. To be eligible for the scheme athletes must be competing in a sport recognised by Sport NI, and performing at a national level.

Members noted that in return for free access athletes would be asked to volunteer as ambassadors to support local sporting events and inspire young people to take up a more active lifestyle.

## **2.3 For Information**

Members noted information on the following items, as detailed in the report:

- Leisure Services – Access to Automated External Defibrillators.
- 'Every Townland Earned Its Name In Song – John Hewitt's Ulster Scots Tradition': 30<sup>th</sup> November – 5<sup>th</sup> January (excluding Public Holidays) 11.00 a.m. – 4.00 p.m., Coleraine Town Hall.

## **3.0 "IN COMMITTEE"**

It was proposed by Councillor Fitzpatrick, seconded by Councillor Mrs. Fielding and agreed that items to be heard "In Committee" would be discussed at the end of the meeting.

## **4.0 ENVIRONMENTAL SERVICES' REPORT**

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

Matters arising:

#### **4.1 Biodiversity Presentation**

The Biodiversity Officer updated Members on the Local Biodiversity Action Plan and highlighted various issues including:

- Key aims of the Local Biodiversity Action Plan Project;
- Biodiversity Duty;
- How to get involved;
- Functions and benefits of Local Biodiversity Action Plan.

The Biodiversity Officer answered Members' questions on a variety of issues including; moths, bats, tree preservation orders, birds and insects.

#### **Recommended:**

That Council approve the Local Biodiversity Action Plan, as detailed in the report.

Members noted that the official launch would be on 27<sup>th</sup> February, 2013 and would be attended by the Environment Minister for Northern Ireland.

The Chairman thanked the Biodiversity Officer for her informative presentation, after which she withdrew from the meeting.

#### **4.2 The Clean Neighbourhoods and Environment (NI) Act 2011 The Litter (NI) Order 1994 Delegated Functions and Environmental Health Legislation**

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

A discussion ensued and the Corporate Director of Environmental Services answered Members' various questions.

#### **Recommended:**

On the proposal of The Deputy Mayor and seconded by Councillor Duddy, that Council delegate powers of enforcement under The Clean Neighbourhoods and Environment Act (NI) 2011 and The Litter (NI) Order 1994 to the Town Clerk and Chief Executive and the Corporate Director of Environmental Services.

#### **4.3 For Information**

##### **4.3.1 Roads (Miscellaneous Provisions) Act (NI) 2010**

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

The Corporate Director of Environmental Services advised that since the report was printed, the commencement date of this Act had changed and the legislation would commence on 1<sup>st</sup> April, 2013 and not January 2013, as stated in the report.

#### **4.3.2 Home Safety – Blind Cords**

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

#### **4.3.3 Tail Docking of Dogs Banned in Northern Ireland from 1<sup>st</sup> January, 2013**

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

#### **4.3.4 Increases in Building Control Fees**

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

#### **4.3.5 Building Control Report**

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