

**COLERAINE BOROUGH COUNCIL**

**COUNCIL MEETING  
24 March 2015**

**MINUTES BOOKLET**

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<b>Meeting</b>	<b>Council</b>
<b>Date and Time</b>	<b>24 February 2015 at 7.15pm</b>
<b>Location</b>	Council Chamber, Cloonavin
<b>Chair</b>	The Mayor, Councillor G Duddy
<b>Present</b>	The Deputy Mayor, Councillor Y Boyle Aldermen S Cole, W Creelman, P Fielding, M Hickey and N Hillis Councillors C Alexander, C Archibald, T Clarke, T Craig, M Fielding, B Fitzpatrick, D Harding, W King, M Knight-McQuillan, R Loftus, W McCandless, S Quigley and C Sugden
<b>In Attendance</b>	Town Clerk and Chief Executive, Corporate Director of Leisure and Development, Interim Corporate Director of Environmental Services, Assistant Director of Finance and Support Services, Head of Estates and Facilities, Senior Building Control Officer, Project Manager (Items 1-9.3), Acting Head of Central Services and Administrative Assistant

## **1 APOLOGIES**

There were no apologies recorded.

## **2 CHAIR'S BUSINESS**

### **2.1 NILGA Dinner**

The Mayor and Chief Executive had attended the NILGA Local Government Recognition Event at the La Mon Hotel, Castlereagh on Friday 20 February 2015. The certificate presented for 42 years in Local Government was on display in the Council Chamber.

### **2.2 Formal Proceedings – Royal British Legion**

The Acting Head of Central Services and Communications referred to the short ceremony scheduled for the Council Meeting as detailed in the Chief Executive's Report and invited Royal British Legion (RBL) Members to the front of the Council Chamber to receive the 'Standard'.

The Mayor welcomed the RBL Members and remarked that it had been a pleasure for Council to have had the 'Standard' in the Council Chamber since 2002. On behalf of Council the Mayor presented Mr Mills with a Council plaque.

Mr Mills thanked Council for having the 'Standard' and wished everyone well for the future. The RBL Members took up the 'Standard' and withdrew from the Meeting.

## **3 DECLARATIONS OF INTEREST**

Councillor Sugden declared an interest in Agenda Item 5.2 (Special Meeting) as a Member of the Northern Ireland Assembly and also Agenda Item 8.3 (Rugby Avenue Phase 2) as a member of the Harry Gregg Foundation Steering Group.

## **4 PRESENTATION - CAUSEWAY LOCALITY COMMUNITY NAVIGATOR**

The Mayor welcomed Miss Bronagh McFadden, Causeway Locality Community Navigator, who was in attendance to highlight her work and the responsibilities contained in the pilot project.

Miss McFadden elaborated on her work which was to focus on the promotion and development of preventative and re-ablement services for older people within the community sector. The Community Navigator aimed to act as a link between the Northern Health and Social Care Trust, other Statutory providers and Older People's services in the community and voluntary sector through the referral service specifically in relation to health and wellbeing and the reduction of social isolation in the Causeway locality of Ballymoney, Coleraine and Moyle.

Miss McFadden was based in Ballymoney Community Resource Centre and asked Members for their support in promoting the project.

Miss McFadden answered various Members' questions.

The Mayor thanked and commended Miss McFadden for her work and suggested that contact with Council's Energy Efficiency Advisor/Health and Well Being Officer could also be beneficial.

## **5 'IN COMMITTEE'**

**Agreed:** On the proposal of Councillor Fitzpatrick and seconded by Alderman Fielding that a number of items be taken 'In Committee' at the end of the Meeting.

## **6 MINUTES**

The Minutes of the Council Meeting of 27 January 2015 were confirmed and signed.

## **7 COMMITTEE REPORT**

### **7.1 Planning Committee**

The Minutes of the Planning Committee Meeting of 27 January 2015 were proposed by the Chair, Councillor King, seconded by Councillor Loftus and agreed.

## **8 ENVIRONMENTAL SERVICES REPORT**

Consideration was given to the Environmental Services Report (previously supplied).

### **8.1 Entertainment Licence**

#### **8.1.1 The Londonderry, 39-41 Main Street, Portrush**

An application for variation of an Entertainment Licence was considered for:

- Mr Steven Ross, The Londonderry, 39-41 Main Street, Portrush  
Monday – Saturday 11.30am - 1.00am  
Sunday 12.30pm – midnight

**Agreed:** That the variation of Licence be approved subject to the following conditions:

- 1) No representations
- 2) No objections from PSNI
- 3) Compliance with NI Fire and Rescue Service
- 4) All other requirements requested by Council's Licensing Department and subject to special conditions:
  - 4a) All requirements as contained within Nightsafe Coleraine Code of Best Practice 2012
  - 4b) All Door Supervisors employed must be licensed with a scheme recognised by Coleraine Borough Council.

### **8.1.2 Department of Regional Development (DRD) – Proposed Traffic Calming Measures**

Reported that DRD Roads Service had consulted with Council to facilitate feedback and comment with regard to the proposed introduction of traffic calming measures on Curraghmore Road, Garvagh, subject to funding. A detailed drawing showing the proposal for speed ramps was considered (Appendix 1 of the Report).

**Agreed:** On the proposal of Councillor Loftus and seconded by Alderman Cole that Council support the scheme.

### **8.1.3 Portstewart Town Hall**

Reported that Portstewart Town Hall was in need of major refurbishment both internally and externally which was now a priority due to its present condition.

Estates had completed a fabric, services and structural survey of the building to develop a short and medium term investment strategy for the property. The north façade (facing The Crescent) had been incurring water ingress which had affected the tenant (NEELB) on the ground floor.

A report would be presented to Council in the near future, outlining the options with implications for this property. In the interim Estates would carry out work to the façade to allow the short to medium term use of this property to continue. Noted.

## **9 LEISURE AND DEVELOPMENT SERVICES REPORT**

Consideration was given to the Leisure and Development Services Report (previously supplied).

### **9.1 Portrush Harbour – Proposal for Commercial Storage**

The Corporate Director of Leisure and Development outlined the background regarding the temporary storage provision at Portrush Harbour and advised Members of the following proposal:

#### **Proposal**

- i) Terminate existing leases (in line with lease obligations).
- ii) In the interim until the harbour is re-developed (circa five years), relocate the existing temporary six fisherman storage facilities to a more appropriate location within the Council boat yard, located behind the Portrush Yacht Club building.
- iii) Issue new leases to fishermen in the area who require commercial fishing equipment storage.
- iv) In the first instance – existing tenants would be offered this facility, should they wish to avail of this new provision.
- v) Drawing showing the proposed position was considered (Appendix A of the Report).

#### **Costs**

Cost Neutral Option for six Containers

Based over a maximum of five years payback due to possible impending harbour re-development (circa five years).

Description	Cost	Annual Cost Spreading Over 5 Years
Provide six No Storage Containers – complete with electrical connections and external lighting	£13,120.00 1 <sup>st</sup> yr cost	£2,624.00
Annual operating / running cost	£3,120.00	£3,120.00
TOTAL ANNUAL Cost – all six units		£5,744.00
TOTAL five year Cost to Council – all six units		£28,720.00

The charge to provide this facility to tenants on a cost neutral basis to Council would be £957.33 per annum and thus the lease would reflect this sum.

**Agreed:** On the proposal of Councillor King and seconded by Councillor Loftus that Council approve this temporary storage facility to assist commercial fishing activities at Portrush Harbour.

Councillor Fitzpatrick asked to be recorded as dissenting with the decision.

## 9.2 Portrush Harbour Commercial Fisheries Fund

The Corporate Director of Leisure and Development provided an update on the works to replace a length of existing pontoons at Portrush Harbour.

It was noted that the pontoons would be extended from 55m to 75m in length.

## 9.3 Rugby Avenue Phase 2

The Corporate Director of Leisure and Development and the Project Manager provided an update on the work carried out to date at Rugby Avenue.

The Project Manager would be presenting to Causeway Coast and Glens District Council in April with the need for capital investment to progress Phase 2.

The Officers answered various Members' questions and noted comments.

The Mayor, on behalf of everyone, thanked the Project Manager for his excellent work.

## 9.4 Portstewart Crescent

The Corporate Director of Leisure and Development provided an update on the present situation at The Crescent, Portstewart.

Damage from winter storms was recurring and discussions were taking place with the Skerries Councillors. The proposed new layout for the area was outlined to Members.

It was noted that the costs of reconfiguration beyond repair were less than £30k which would allow the Estates Team to undertake work in advance of the Easter Season.

## 10 CHIEF EXECUTIVE'S REPORT

Consideration was given to the Chief Executive's Report (previously supplied).

### 10.1 Significant Dates for Diary

The Acting Head of Central Services and Communications highlighted the following forthcoming events as detailed in the Report:

- **North West 200 - Wednesday 25 February 2015 at 6pm.** A business event hosted by Council in Flowerfield Arts Centre to promote opportunities for sponsoring the North West 200.
- **Church Service - Sunday 15 March 2015 at 3pm.** The Mayor, Councillor George Duddy, would host a ceremony in Terrace Row Presbyterian Church.
- **North West 200 - Tuesday 24 March 2015 at 3pm.** The official launch of the North West 200, in partnership with Coleraine Borough Council, would take place in the Titanic Building, Belfast. The Mayor would be the speaker and this would be the final official event between Council and NW200. All Members were welcome to attend including Members from Causeway Coast and Glens District Council. It was noted that transport would be provided.
- **Final Coleraine Borough Council Photograph - Tuesday 31 March 2015 at 6pm.** The final Council Meeting would be held followed by an official Council photograph in the Bann Gallery. This would then be followed by a short reception in the Elizabeth Johnston suite for all past and present Councillors.

### 10.2 Coleraine Borough Council Civic Buildings

The Acting Head of Central Services and Communications provided an update on the following Civic Buildings as detailed in the Report:

- **Coleraine Town Hall** - The Tourist Information Centre had relocated to the Council Chamber. The Mayor's Parlour and Hugh Thompson Room were now available for use by the community and staff as meeting facilities.
- **Portrush Town Hall** – This building was currently having a condition report completed to ascertain the cost of works urgently needed for the upkeep of the building. Council was in the process of terminating a lease agreement with the previous leaseholders so that the cost of works could be confirmed and presented to Council for consideration.
- **Portstewart Town Hall** - An independent report had been completed confirming the serious condition of the building through age and weather damage. Council's Estates Services was currently assessing short to medium term works, enabling time to further investigate options for consideration. A further report to Council would follow.

## 12 CORRESPONDENCE

Members noted the following correspondence (previously supplied):

- Letter dated 3 February 2015 from Post Office Ltd re Dhu Varren Post Office
- Letter of thanks dated 12 February 2015 from Baroness Paisley
- Forecast of Events
- Consultation Documents

## 13 DOCUMENTS FOR SEALING

**Resolved:** That the following documents be sealed:

- |   |  |  |
|---|--|--|
| 1 | <u>Deed of Assignment and Surrender of Lease</u><br>(in duplicate) | CBC and Messrs D McClarty, A Thompson, W Eakin, H Wade and R A D Orr -<br>The Boathouse Premises, Hanover Place, Coleraine |
| 2 | <u>Agreements</u>  | 2 Car Purchase Agreements  |
| 3 | <u>Dog Control Orders</u><br>(in triplicate)                       | CBC Dog Control Orders – 1 March 2015  |
| 4 | <u>Cemetery Titles</u>   | Grant of Right of Burial – Deeds Register Nos 4201 – 4209 inclusive:   |
|   |  | Agherton -   |
|   |  | Ballywillan 4  |
|   |  | Coleraine 3  |
|   |  | Kilrea -   |
|   |  | Portstewart 2  |

**14 ANY OTHER NOTIFIED BUSINESS**

There was no other notified business.

<b>Meeting</b>	<b>SPECIAL</b>
<b>Date and Time</b>	<b>02 March 2015 at 6.30pm</b>
<b>Location</b>	Council Chamber, Cloonavin
<b>Chair</b>	The Mayor, Councillor G Duddy
<b>Present</b>	The Deputy Mayor, Councillor Y Boyle Aldermen S Cole, P Fielding, M Hickey and N Hillis Councillors C Alexander, C Archibald, T Clarke, M Fielding, B Fitzpatrick, R Holmes, W King (Items 1-6), M Knight-McQuillan, R Loftus, S Quigley (Items 4-6) and C Sugden
<b>In Attendance</b>	Town Clerk and Chief Executive, Assistant Director of Finance and Support Services, Democratic Services Manager and Administrative Assistant

## **1 APOLOGIES**

Apologies were recorded for Alderman Creelman, Councillors Barbour, Craig, Harding and McCandless.

## **2 CHAIR'S BUSINESS**

### **2.1 Best Wishes**

The Mayor extended best wishes to Councillor McCandless, in his absence, as he was unwell.

Councillor Quigley joined the Meeting.

## **3 DECLARATIONS OF INTEREST**

Councillor Sugden declared an interest as a Member of the Northern Ireland Assembly.

## **4 PRESENTATIONS**

### **4.1 Portballintrae Residents' Association**

There was no one in attendance from Portballintrae Residents' Association to present to Council.

### **4.2 Portballintrae Community Action Group**

The Mayor welcomed Mr S Turtle who was in attendance to address Council on behalf of Portballintrae Community Action Group.

Mr Turtle advised Members that the invitation to attend this Meeting had only been extended to the Group on 25 February 2015. The Group's Solicitors had written to Council in relation to this matter. The issues raised had not been addressed and the Group was of the opinion that Council had deprived them of the opportunity to properly formulate an objection to the proposal. The Group's position was, therefore, fully reserved.

The Mayor thanked Mr Turtle for attending.



#### **4.3 Mr S Sweeney**

The Mayor welcomed Mr S Sweeney who was in attendance to address Council.

Mr Sweeney elaborated on each of the land issues in Portballintrae and also the issue with title of the West Bay Promenade, Portrush emphasising the position of the Sweeney family in trying to resolve these matters.

The Mayor thanked Mr Sweeney for attending.

<b>Meeting</b>	<b>SPECIAL</b>
<b>Date and Time</b>	<b>09 March 2015 at 6.30pm</b>
<b>Location</b>	Council Chamber, Cloonavin
<b>Chair</b>	The Mayor, Councillor G Duddy
<b>Present</b>	The Deputy Mayor, Councillor Y Boyle Aldermen S Cole, W Creelman, P Fielding, M Hickey and N Hillis Councillors C Alexander, C Archibald, T Clarke, T Craig, M Fielding, B Fitzpatrick, D Harding (Items 5-7.3), R Holmes, M Knight-McQuillan, R Loftus, W McCandless, S Quigley and C Sugden
<b>In Attendance</b>	Town Clerk and Chief Executive, Assistant Director of Finance and Support Services, Democratic Services Manager and Administrative Assistant

## 1 APOLOGIES

Apologies were recorded for Councillors Barbour and King.

## 2 CHAIR'S BUSINESS

### 2.1 Welcome

The Mayor welcomed everyone to the Meeting including visitors in the public gallery.

### 2.2 Sympathy

The Mayor referred to the recent death of Lord Molyneux, former Ulster Unionist Party Leader, whose political career exceeded three decades. Deepest sympathy was extended to Lord Molyneux's family and as a mark of respect Members stood for reflection.

## 3 DECLARATIONS OF INTEREST

There were no declarations of interest recorded.

## 4 DOCUMENTS FOR SEALING

Resolved:

That the following documents be sealed:

Deed of Variation  
(in duplicate)

CBC and Eastlower Properties Ltd  
Land at Ballyreagh Road, Portrush

## 5 PRESENTATION - PORTBALLINTRAE COMMUNITY ACTION GROUP

Councillor Harding joined the Meeting during this item.

The Mayor welcomed Mr W Sinton, Barrister and Ms M Conway, Solicitor, MKB Law, who were in attendance to address Council on behalf of Portballintrae Community Action Group.

Mr Sinton addressed Council and highlighted the numerous concerns of the Action Group. Relevant reports and documents that had been requested from Council and not provided were now the subject of a Freedom of Information request.

The Mayor thanked the representatives for their attendance after which they withdrew from the Meeting.

<b>Meeting</b>	<b>Planning Committee</b>
<b>Date and Time</b>	<b>24 February 2015 at 6.30pm</b>
<b>Location</b>	Council Chamber, Cloonavin
<b>Chair</b>	Councillor W King
<b>Present</b>	The Mayor, Councillor G Duddy (Items 4.1-10) The Deputy Mayor, Councillor Y Boyle Aldermen S Cole, W Creelman, P Fielding, M Hickey and N Hillis Councillors C Alexander, C Archibald, T Clarke (Items 4.1-10), T Craig, M Fielding, B Fitzpatrick, D Harding, M Knight-McQuillan (Items 4.1-10), R Loftus, W McCandless, S Quigley (Items 4.1-10) and C Sugden (Items 4.1-10)
<b>In attendance</b>	Mr M Wilson - Planning Service, Town Clerk and Chief Executive, Acting Head of Central Services, Democratic Services Manager and Administrative Assistant

## 1 APOLOGIES

There were no apologies recorded.

## 2 CHAIR'S BUSINESS

### 2.1 Welcome

The Chair welcomed everyone to the Meeting including visitors in the Public Gallery.

## 3 DECLARATIONS OF INTEREST

Councillor King declared an interest in Item No D1 – Application No C/2011/0459/F.

## 4 PLANNING CONSULTATION

A list of nine applications was presented for consideration (previously supplied).

### 4.1 Applications Deferred from Previous Meeting

**Application D1 C/2011/0459/F** Amendment to proposed wind farm (relocation of T6) comprising 6 wind turbines up to a maximum of 120.5m tip height (comprising a configuration of up to 85m towers and up to 35.5m blades). The development will also comprise associated transformers, one permanent meteorological monitoring mast, communication tower, site access tracks, gates, temporary site compound, substation, electrical cabling, one site entrance including road improvement works at the existing site entrance off Craigmore Road and all other ancillary works (amended red line) approximately 920m north west of 33 Craigmore Road, Coleraine for Cam Burn Wind Farm Ltd.

The opinion of the Planning Service was to approve.

It was proposed by Alderman Cole and seconded by Councillor Alexander that the application be referred to the Minister for the Environment for consideration.

Following a request for a recorded vote the Members voted thus:

For: The Mayor and Deputy Mayor  
Aldermen Cole, Creelman, Fielding and Hickey  
Councillors Alexander, Archibald, Clarke, Craig, Fielding, Fitzpatrick,  
Harding, Loftus, Quigley and Sugden (16)

Against: Alderman Hillis and Councillor McCandless (2)

Abstention: Councillor King

The proposal was, therefore, carried sixteen Members voting in favour and two Members voting against.

**Application D2 C/2013/0500/F** Proposed 250kw wind turbine with 30m hub height and 27m blade diameter 409m south west of 92 Ballyclough Road, Bushmills for Mr H Patterson

The opinion of Planning Service was to approve.

**Agreed:** That the application be approved.

**Application D3 C/2014/0199/F** 250kw wind turbine with 32m hub height for farm and grid use 592m south west of 19 Ballyhacket Lane, Castlerock for Mr W Purcell.

The opinion of Planning Service was to refuse.

**Agreed:** That the application be refused.

**Application D4 C/2014/0327/F** Removal of condition 3 of planning approval C/2013/0078/F at 115 Edenbane Road, Kilrea for Mrs M Doherty.

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Loftus and seconded by Alderman Hickey that the application be held for two weeks to facilitate further information.

As an amendment it was proposed by Alderman Cole and seconded by Councillor Clarke that Council accept the Planning Service opinion to refuse.

**Agreed:** Ten Members voting in favour and seven Members voting against, that the application be refused.

## 4.2 New Applications

Mr Wilson enlarged on the new applications listed on the planning schedule and the recommendations were accepted subject to the following:

**Application No C/2014/0041/F** Proposed binder cement production plant at 1 Letterloan Road, Coleraine for Banah UK Ltd.

The opinion of the Planning Service was to refuse.

**Agreed:** On the proposal of Councillor Craig and seconded by The Mayor 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 C/2014/0433/F** Domestic store at 16a Gateside Road, Coleraine for Mr I Morrell.

The opinion of the Planning Service was to refuse.

**Agreed:** On the proposal of Alderman Cole and seconded by The Mayor 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 C/2014/0455/F** 2 no 1m diameter signs on framing at 60 Greenhall Highway, Coleraine for Mr W Aiken.

The opinion of the Planning Service was to refuse.

**Agreed:** On the proposal of Alderman Hillis and seconded by Councillor McCandless 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 OFFICE MEETINGS**

It was noted that the Office Meetings would be held on 20 March 2015.

## **6 PLANNING APPLICATION C/2013/0097/F - PROPOSED CONSTRUCTION OF 44 NO DWELLINGS CONSISTING OF 8 NO DETACHED AND 36 NO SEMI DETACHED DWELLINGS WITH ALTERATIONS TO CONNECTING ROADS AT STRANDVIEW AVENUE, STRANDVIEW DRIVE WITH ASSOCIATED CAR PARKING AND LANDSCAPE OPEN SPACES AT LANDS TO REAR OF 15 STRANDVIEW AVENUE, PORTSTEWART**

Consideration was given to Report dated 17 February 2015 from Mr P Fleming, Fleming Mounstephen Planning Consultants (previously supplied).

Members noted that Mr Fleming had assessed the likelihood of Council being granted leave for a judicial review into the Planners' determination of this application and that he had concluded that it was not the role of the Court to weigh one planning consideration against another but rather whether the decision was lawful.

Members accepted this advice and agreed not to pursue a legal challenge.

**Agreed:** On the proposal of Councillor Loftus and seconded by The Mayor that Council accept the Planning Service recommendation to approve the application.

## **7 GENERAL PLANNING ISSUES**

### **7.1 Planning Schedule – Current Appeals**

Councillor Alexander referred to the current appeal listed on the schedule relating to the former Strand Hotel Site, Strand Road, Portstewart.

Mr Wilson advised that he was not aware of this appeal and thought it was a computer error but he would clarify the matter directly with Councillor Alexander.

## **8 NORTHERN IRELAND ENVIRONMENT AGENCY (NIEA) - LISTING OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST**

Consideration was given to the report on the NIEA's proposed listings (previously supplied).

### **8.1 American War Memorial, Cromore House, Portstewart**

Reported that, on behalf of the Portstewart Branch of the Royal British Legion (RBL), Council had submitted a request that the American War Memorial sited within the grounds of Cromore House, Portstewart be listed.

The War Memorial had listed status as part of the Cromore House listing. Concern had been expressed by the local branch of the RBL that, in light of the pending sale and potential redevelopment of Cromore House, the War Memorial might require separate listing.

It was noted that the NIEA had inspected and evaluated the memorial and whilst they recognised its interest for the local branch of the RBL, they have decided that, when assessed against the Listing Criteria, it was not of sufficient architectural or historic interest to meet the statutory test as a listed building.

## **8.2 Retained Listing**

Reported that the Department had reconsidered the heritage value of the Bruce Vault, Dunboe Church Graveyard, Downhill, Castlerock and had concluded that the structure remains of sufficient interest for listed protection (letter dated 11 September 2014 from the NIEA previously supplied).  
Noted.

## **9 CORRESPONDENCE**

There was no correspondence.

## **10 ANY OTHER BUSINESS**

There was no other business.