


Agenda

Agenda

 *C 29.11.2023 Agenda.pdf*


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1. **Prayer**
2. **Apologies**
3. **Declarations of Interest**
4. **Mayor's Business**
5. **Mayor and Deputy Mayor Engagements for the Month of November**

Copy to follow

6. **Minutes of Council Meeting held on 25 October 2023**

Copy attached

 *C 25.10.23 Minutes.pdf*

Not included


 *C 25.10.23 Minutes PM.pdf*

Page 7

7. **Minutes of Committees**

7.1 **Planning Committee dated 7 November 2023**

Copy attached

 *PC.07.11.23 Minutes.pdf*


Not included

 *PC.07.11.23 Minutes PM.pdf*

Page 47

7.2 **Environment Committee dated 8 November 2023**

Copy attached

 *EC 08.11.23 Minutes.pdf*

Not included

 *EC 08.11.23 MinutesPM.pdf*

Page 99

7.3 Place and Prosperity Committee dated 9 November 2023

Copy attached

[PP 09.11.2023 Minutes.pdf](#) *Not included*

[PP 09.11.2023 MinutesPM.pdf](#) *Page 134*

7.4 Corporate Services Committee dated 14 November 2023

Copy attached

[CS.14.11.23 Minutes.pdf](#) *Not included*

[CS.14.11.23 Minutes PM.pdf](#) *Page 149*

7.5 Community and Wellbeing Committee dated 15 November 2023

Copy attached

[CWB 15-11-23 Minutes.pdf](#) *Not included*

[CWB 15-11-23 MinutesPM.pdf](#) *Page 181*

8. Courses and Conferences

8.1 National Association of Councillors NI Leadership Series 2023/24 - Developing a New Economy Workshop

Report attached

[8.1 Report - NAC NI Event - Developing a New Economy.pdf](#) *Page 216*

[8.1 Appendix 1 -Stephen Reid, Leadership and Change Conference Jan 24.pdf](#) *Page 218*

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8.2 National Council meeting and Non-Executive Director training in Cardiff

[8.2 National Council meeting and Non-Executive Director training in Cardif.docx](#) *Page 222*

[8.2 Appendix 1 Ald McDowell.pdf](#) *Page 223*

9. Requests for Deputation

9.1 Deputation Request from War Years Remembered

Report attached

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[📄 9.1 Appendix 1 - Deputation Request Form - War Years Remembered.pdf](#) *Page 225*

10. Nomination to Trustees on Northern Community Leisure Trust

Report attached

[📄 10. Nomination to Trustees on Northern Community Leisure Trust .pdf](#) *Page 229*

11. Update Report on Implementation of HRC Access Booking System

Report attached

[📄 11. Further Update Report on Implementation of New HRC Access Arrangements Draft DL 20.11.23.pdf](#) *Page 231*

12. Sealing Documents

13. Transfer of Rights of Burial

14. Notice of Motion Status Report

Report attached

[📄 14. NoM Status Report.pdf](#) *Page 237*

[📄 14. Appendix NOM TRACKER LIVE \(3\).pdf](#) *Page 238*

15. Notices of Motion

15.1 Notice of Motion submitted by Councillor Creighton and Councillor Irwin

This Council recognises the importance of Bangor Sportsplex for athletics, football and community leisure facilities in the Borough and notes with concern the deteriorating conditions of the site rendering several pitches unusable, and therefore tasks council officers with producing a report regarding the future of Bangor Sportsplex, including addressing maintenance and structural issues and exploring options for the long term provision of track and field athletics facilities in the Borough.

15.2 Notice of Motion submitted by Councillor McCracken and Councillor Blaney

This Council recognises the importance of Bangor's early Christian heritage in the story of our city, and its role in local tourism strategies. This Council requests that officers bring back a report which evaluates how the physical link between two main sites, Bangor Abbey and the North Down Museum, could be improved, to include the renovation and potential remodelling of Bell's Walk, with consideration for improved wayfinding and lighting. The motion also requests that officers consider how Bangor Castle Gardens and The Walled Garden could be better incorporated into the walking route, and how the overall attraction could be packaged to create a more complete tourism and placemaking experience.

15.3 Notice of Motion submitted by Councillor S Irvine, Councillor W Irvine and Councillor Brooks

That this Council Amends its flag policy to include the flying of the Union Flag at every war memorial all year round.

15.4 Notice of Motion submitted by Alderman McIlveen and Councillor Kennedy

That this Council notes the importance of this Borough as the birthplace of the Ulster-Scots community from 1606 onwards and the role of those settlers in the development of the lands known as the Hamilton-Montgomery Estates which make up the majority of this Borough;

Notes the rich heritage of the Borough in relation to Ulster-Scots language and literature;

Notes that 19,685 people in the Borough registered a level of ability in the Ulster-Scots language in the most recent census, representing 12.4% of the population;

Notes the significant potential of Ulster-Scots language, heritage and culture as a catalyst

for social and cultural development in the Borough;

Notes the thriving interest in the Ulster-Scots language, heritage and culture within the Borough;

Notes the Council's responsibility under the European Charter for Regional or Minority Languages to take resolute action to promote Ulster-Scots;

Notes the recent recognition of the Ulster-Scots community as a National Minority of the United Kingdom under international law:

Notes the weakness of this Council's engagement with Ulster-Scots Language Week this year and in previous years;

And tasks officers to develop a budget to ensure and encourage participation in future Ulster Scots Language Weeks; and to develop an action plan, with advice from the Ulster-Scots Agency, to develop all aspects of the Borough's rich Ulster-Scots heritage.

15.5 Notice of Motion submitted by Councillor Wray and Councillor Smart

This Council is alarmed at proposed 5% cut in funding to arts organisations funded by the Department for Communities through the Arts Council NI.

Notes that Arts Council NI funding has decreased, in real terms, by 30% over the last decade, despite evidence that investment in the arts has a real terms economic benefit for Northern Ireland. With continued cuts our borough will see more initiatives end, more artists forced into seeking new careers, and more companies forced to close.

Recognises that Stormont Permanent Secretaries are being forced to take, without mandate, difficult decisions that should be taken by locally elected Ministers and a

devolved Executive and Assembly.

Calls for a reversal in cuts to the arts and agrees to join as a signatory to Equity NI's latest open letter to the Permanent Secretary of the Department for Communities.

Further calls for the restoration of a reformed Executive and Assembly to take decisions which can future-proof the arts sector and protect funding in the future.

15.6 Notice of Motion submitted by Alderman Adair and Councillor Edmund

That this Council continues discussions with the Education Authority concerning the redevelopment of the play area fronting Victoria Primary School, Ballyhalbert (which is a shared facility between the school and public) and tasks officers to source external funding streams to enhance recreation & sports facilities for the village and surrounding area. Further, Council notes the poor condition of Ballyhalbert children's play park and tasks officers to bring forward a report on enhancing and improving the play park to meet the needs of local children.

15.7 Notice of Motion submitted by Councillor Cathcart and Councillor Gilmour

That this Council recognises the invaluable work undertaken by community/voluntary groups and organisations in this Borough in identifying and tackling the needs of communities and residents. The Council therefore, commits to undertaking a root and branch review of community development funding, arts and heritage, sports development and all other funding streams to ensure that it provides the most efficient, effective and responsive service to our community, thus maximising impact, accessibility and equitable allocation of resources.

The review should examine the following 4 categories:

- **Accessibility**

- **Simplify application forms**, review all funding applications to ensure that they are simple, clear and don't unnecessarily over burden applicants with information required.

- **Digitisation of community grants, tenders and reporting** to allow those that wish the option for simple and more efficient submissions.

-**Building capacity in the community**, creating a scheme to help the community to write and deliver more successful applications and bring in more external funding to this Borough.

- **Communication Enhancement**

- **Single grants list or 'open grants' page on council website** with uniform advertisement of grants so that everyone receives the same information on available funding with a clear grants timetable, with scoring criteria clearly outlined including ranking and amount available across borough etc.

-**A single point of contact** to direct community and voluntary groups to support and assistance across different Council departments.

-**Showcase & celebrate** the great and valuable activities that the dedicated volunteers are delivering on this section of website.

- **Equity**

- **Make funding available proportional to size of communities/activities being delivered and the type of needs being addressed**, community groups represent different sizes of population and area (areas of deprivation etc), and are doing different work ('essential needs' and 'non-essential') yet often funding is allocated 'per group' rather than area/numbers targeted or type of work being delivered.

-**Funding available to reflect the continued rise in costs.**, e.g., ensure funding available for community events is adequate to actually host events & activities.

-**Up front funding is uniform**, that groups get the same up front funding percentage (eg 80%) across all Council funding to help with delivery.

-**Equality of opportunity**, Ensuring that groups are not pigeon holed into a certain category of funding pots and can apply for all they are eligible for.

-**Removal of 'first come first serve' funding** to ensure level playing field.

- **Efficiency**

-**Creation of reserve lists of funding** to ensure Council can allocate underspend and slippage quickly, easily and equitably to ensure no funds are returned to Departments.

-**'Trusted Supplier Scheme'** to allow emergency and time limited funding to be provided quicker.

- **Logistical planning**, ensuring that all grants are delivered in a timely manner to ensure impact on the ground.

The review will be brought to the Community Grants Working Group to be examined in detail and reviewed on an annual basis.”

***** IN CONFIDENCE *****

16. East Border Region - 4.2: Rural Regeneration and Social Exclusion - Tourism Thematic Group Application - Heritage Cross Trails Project

*****IN CONFIDENCE*****

Report attached

 **16. EBR 4.2 Rural Regeneration and Social Exclusion Tourism Thematic Group Update report.pdf**

Not included

17. Tenders for the Provision of Bitmacing Work at Ards and North Down Borough Council location

*****IN CONFIDENCE*****


Report attached

 **17. Tenders for the Provision of Bitmacing Works at Ards and North Down Borough Council locations.pdf** **Not included**

18. Legal Agreement for Operation of Rapid Electric Vehicle Chargers - Interreg FASTER Project

*****IN CONFIDENCE*****

Report attached

 **18. Legal Agreement for Operation of Rapid Electric Vehicle Chargers - Interreg FASTER Project DL.pdf** **Not included**

 **18. Appendix 1 - Final SLA Legal Agreement_ARDS AND NORTH DOWN BOROUGH COUNCIL.pdf** **Not included**

19. Minutes of Special Corporate Services Committee dated 19 October 2023

*****IN CONFIDENCE*****

Copy attached

 **SpCS 19.10.23 Minutes.pdf** **Not included**

20. Minutes of Special Corporate Services Committee dated 16 November 2023

*****IN CONFIDENCE*****

Copy attached

 **SpCS 16.11.23 Minutes.pdf** **Not included**

ARDS AND NORTH DOWN BOROUGH COUNCIL

23 November 2023

Dear Sir/Madam

You are hereby invited to attend a hybrid Meeting (in person and via Zoom) of Ards and North Down Borough Council which will be held at the City Hall, The Castle, Bangor on **Wednesday, 29 November 2023 at 7.00pm.**

Yours faithfully

Stephen Reid
Chief Executive
Ards and North Down Borough Council

A G E N D A

1. Prayer
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MEMBERSHIP OF ARDS AND NORTH DOWN BOROUGH COUNCIL

Alderman Adair	Councillor Hollywood
Alderman Armstrong-Cotter	Councillor S Irvine
Alderman Brooks	Councillor W Irvine
Alderman Cummings	Councillor Irwin (Deputy Mayor)
Alderman Graham	Councillor Kennedy
Alderman McAlpine	Councillor Kendall
Alderman McDowell	Councillor Kerr
Alderman McIlveen	Councillor MacArthur
Alderman Smith	Councillor Martin
Councillor Ashe	Councillor McCollum
Councillor Blaney	Councillor McCracken
Councillor Boyle	Councillor McKee
Councillor Cathcart	Councillor McKimm
Councillor Chambers	Councillor McLaren
Councillor Creighton	Councillor McRandal
Councillor Cochrane	Councillor Moore
Councillor Douglas	Councillor Morgan
Councillor Edmund	Councillor Rossiter
Councillor Gilmour (Mayor)	Councillor Smart
Councillor Harbinson	Councillor Wray

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting of the Ards and North Down Borough Council was held at the City Hall, The Castle, Bangor and via Zoom, on 25 October 2023 commencing at 7.00pm.

In the Chair:	The Mayor (Councillor Gilmour)	
Aldermen:	Adair Armstrong-Cotter Brooks Cummings	Graham McAlpine (Zoom) McIlveen Smith
Councillors:	Ashe Blaney Boyle Cathcart Chambers Creighton Cochrane Douglas Edmund Harbinson Hollywood S Irvine W Irvine Irwin Kennedy	Kerr MacArthur McCollum McCracken McKee McKimm McLaren McRandal Moore Morgan Rossiter Smart Woods Wray

Officers: Chief Executive (S Reid), Director of Corporate Services (M Steele), Director of Place (S McCullough), Director of Prosperity (A McCullough), Director of Environment (D Lindsay), Director of Community and Wellbeing (G Bannister), Head of Communications and Marketing (C Jackson), Democratic Services Manager (J Wilson) and Democratic Services Officer (R King)

1. PRAYER

The Mayor welcomed everyone present and the meeting commenced with the Chief Executive reading the Council prayer.

2. APOLOGIES

Apologies had been received from Alderman McDowell and Councillor Martin.

NOTED.

3. DECLARATIONS OF INTEREST

The Mayor asked for any Declarations of Interest and the following were submitted:

Councillor W Irvine and Councillor Chambers – Item 15.4 – Notice of Motion submitted by Councillor Woods, Councillor Smart, Councillor Boyle and Alderman McAlpine.

NOTED.

4. MAYOR'S BUSINESS

The Mayor had been delighted to attend the headquarters of the Royal Horticultural Society in London to learn of the Gold award given to Donaghadee in the Small Town category of the Britain in Bloom Awards. She wanted to place on record her congratulations to the Community team in Donaghadee along with Council's Parks and Cemeteries team for their hard work to make that happen. Council also received a Judge's discretionary award for Innovation in Community Engagement.

Donaghadee had also been crowned winner of the Town award at Ulster In Bloom and Groomsport had achieved second place at the same awards in the Large Village category. She recorded further congratulations for Donaghadee and congratulated Groomsport, commenting that the community associations in both Groomsport and Donaghadee worked well with the Council's Parks team and there was a lot of civic pride in both areas.

The Mayor referred to the Northern Ireland Amenity Council Best Kept Awards which had taken place the previous week and Holywood had been crowned the 'Best Kept Medium Town', Donaghadee was runner up in the 'Small Town' category and Bangor was runner up in the Best City category. She paid tribute to all involved and welcomed the community engagement that had occurred to make the best of what the Borough had to offer and it had been good to celebrate that.

The Mayor wished to extend her personal congratulations and those of the Council to Rhys McClenaghan on winning Gold on the pommel horse for the second year running at the World Artistic Gymnastics Championships held in Antwerp. This was a fantastic achievement in itself but also meant that Rhys had now qualified for the Olympic Games in Paris in 2024.

The Mayor referred Members to the Remembrance Services arrangements and asked Members to contact Democratic Services to advise them of which services they would be attending and whether they required their robe.

Concluding the Mayor's Business, the Mayor conveyed shock at the terrorist attack on Israel on 7th October and asked the Chamber to stand, if able to do so, for a minute's silence for those affected and hoped for peace in the Region.

NOTED.

5. MAYOR AND DEPUTY MAYOR ENGAGEMENTS FOR THE MONTH OF OCTOBER 2023

(Appendix I)

PREVIOUSLY CIRCULATED: - Copy of the Mayor and Deputy Mayor Engagements for the month of October 2023.

The Mayor highlighted further events she had attended or hosted throughout the month, including the Bangor Business Awards along with hosting Rebecca Murdoch, a young Highland dancer from Newtownards who had many achievements. She wished Rebecca well in her attempts to win the world championships.

The Mayor also referred to the local In Bloom awards and the many school children that had attended. She highlighted in particular, the sunflower competition, noting that the winning flower was over four metres tall.

In the previous week, the Mayor had received the honour of being the first person to buy a poppy in the Royal British Region's Poppy Appeal. She felt it important to reflect as we moved into this period of remembrance.

Finally the Mayor had been pleased to attend a number of youth engagement events, highlighting visits to events involving the Ards Battalion Boys Brigade and the Sea Cadets. She welcomed the opportunities that those organisations created for young people to come together and learn skills that they could use in later life.

AGREED, on the proposal of Alderman McIlveen, seconded by Alderman Armstrong-Cotter, that the information be noted.

6. MINUTES OF COUNCIL MEETING DATED 27 SEPTEMBER 2023

PREVIOUSLY CIRCULATED: - Copy of the above minutes.

Proposed by Councillor Smart, seconded by Councillor Adair, that the minutes be adopted.

Councillor McCracken indicated that he wished to raise a matter in relation to Item 17 that had been held in confidence. This would be deferred until later in the meeting when the press and public had been excluded.

RESOLVED, on the proposal of Councillor W Irvine, seconded by Councillor McRandal, that the minutes be adopted with the exception of Item 17.

7. MINUTES OF COMMITTEES

7.1 Minutes of Planning Committee dated 3 October 2023

PREVIOUSLY CIRCULATED:- Copy of the above minutes

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor McRandal, that the minutes be adopted.

7.2 Minutes of Environment Committee dated 4 October 2023

PREVIOUSLY CIRCULATED:- Copy of the above minutes

Proposed by Councillor Morgan, seconded by Alderman Armstrong-Cotter, that the minutes be adopted.

Raising a matter of accuracy, the Deputy Mayor, Councillor Irwin noted that she had been listed as present at the meeting but indicated that she had not been in attendance due to no longer being a Member of that Committee.

Item 10 – Stoma Friendly Toilets

Councillor Wray said that he was delighted by the steps that Council was taking towards providing Stoma Friendly public toilet facilities with aspirations to adapt all toilets in the Borough, subject to a successful external funding application.

He asked for an update on that funding application and also if it was possible to get a breakdown, as previously requested, of the £834 cost of each adaptation. He felt that the figure seemed excessive for just a hook, a shelf and a bin. The Director of Environment confirmed that funding had now been secured and the Borough wide adaptations could go ahead as planned. The relevant Head of Service would respond directly to the Member with a breakdown of the costs.

Welcoming the successful funding application, the Mayor was delighted that the adaptations could now go ahead having recently met with representatives from Stoma UK which had been campaigning for such improvements.

RESOLVED, on the proposal of Councillor Morgan, seconded by Alderman Armstrong-Cotter, that the minutes be adopted.

7.3 Minutes of Place and Prosperity Committee dated 5 October 2023

PREVIOUSLY CIRCULATED:- Copy of the above minutes

RESOLVED, on the proposal of Councillor Blaney, seconded by Alderman Armstrong-Cotter, that the minutes be adopted.

7.4 Minutes of Corporate Services Committee dated 10 October 2023

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Councillor Moore proposed, seconded by Councillor MacArthur, that the minutes be adopted.

Item 4 - Budgetary Control Report – August 2023

Alderman Brooks had been concerned to learn that across Northern Ireland in the year 2022/23 there was a combined figure of £147million of unpaid domestic and business rates. From his understanding, a figure between £9m and £10m of that applied to Ards and North Down. He asked what happened to that lost money and it

was confirmed by the Chief Executive that rate payments were collected by LPS on behalf of the Department of Finance and any shortfalls were adjusted in the year end payment received by Council, so any shortfall would impact the Council's budgeted income.

RESOLVED, on the proposal of Councillor Moore, seconded by Councillor MacArthur, that the minutes be adopted.

7.5 Minutes of Community and Wellbeing Committee dated 11 October 2023

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Councillor Woods proposed, seconded by Alderman Adair, that the minutes be adopted.

The Mayor understood this would be Councillor Woods' last meeting before her intended resignation from the Council, so she took the opportunity to wish her well in her next steps.

RESOLVED, on the proposal of Councillor Woods, seconded by Alderman Adair, that the minutes be adopted.

8. COURSES AND CONFERENCES

8.1 NORTHERN IRELAND ECONOMIC CONFERENCE (Appendix II - III)

PREVIOUSLY CIRCULATED:- Report from the Chief Executive detailing that an invitation had been received from Agenda NI for Council representation at its Northern Ireland Economic Conference 2023.

The 2023 event was taking place on Wednesday 6th December at Hilton Templepatrick. The Conference was aimed at key decision makers and those across business and government as well as those who interacted with the public sector in both policy advisory and service delivery or advocacy roles. The Conference was Northern Ireland's only economic analysis event that took a high-level look at the performance of, and prospects for the local economy.

Speakers at the event included representatives from the Department for the Economy; the Nevin Economic Research Institute; Ulster University Economic Policy Centre; the Financial Times; the London School of Economics and Queen's University Belfast.

Delegate fees were £165 + VAT per person with discounts for group bookings of three (10%), five (15%) and eight (20%) or more delegates.

RECOMMENDED that Council considers whether it wishes to nominate a Member(s) to attend the Northern Ireland Economic Conference.

RESOLVED, on the proposal of Alderman Smith, seconded by Councillor Smart, that the Council send a delegate to the Northern Ireland Economic Conference and that the Chair of the Place and Prosperity Committee, Councillor Blaney, attends.

9. DRAFT RESPONSE TO PUBLIC CONSULTATION ON THE EASTERN TRANSPORT PLAN 2035

(Appendix IV – VII)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity detailing that Members would have been aware through a report that was presented ‘for noting’ to the Place and Prosperity Committee (Item 5 October 2023) that DFI had written to the Council to announce a public engagement survey.

The Department for Infrastructure (DFI) was currently preparing a new transport plan which it envisaged would set the framework for ‘making transport policy and investment decisions up until 2035’. The ‘Eastern Transport Plan’ (ETP) 2035, until recently referred to as the Belfast Metropolitan Transport Plan (BMTP), covered five council areas and would also support the preparation of the Local Policy Plans for these councils:

- Antrim and Newtownabbey Borough Council
- Ards and North Down Borough Council
- Belfast City Council
- Lisburn and Castlereagh City Council
- Mid and East Antrim Borough Council

Detail

Officials from DFI and Atkins (the consultant commissioned by DFI to produce the transport plan) invited all Elected Members and the Council’s Corporate Leadership Team to an engagement event in July 2023. A copy of the DFI/Atkins presentation was attached at Appendix 1.

The ETP 2035 aimed to *‘ensure that the transport network meets the needs of the residents and businesses in the ETP area as well as people working and visiting the area, both now and into the future’*.

DFI stated that at this early stage of ETP 2035 development, it wanted to understand views on:

- *‘The problems we need to solve (challenges)*
- *The end goal we want to achieve (our vision)*
- *How we will get there (our objectives)’*

The engagement survey published by DFI was primarily targeted at individuals although organisations were able to participate. The survey questions were typically generic and high-level in a reflection of the aspirational elements of the Eastern Transport Plan and as such, there was a lack of operational detail at this stage on specific policies, proposals and initiatives that will be brought forward as the Plan developed.

A copy of the website preamble for the engagement survey was attached at Appendix 2. A blank copy of the questionnaire/survey was attached at Appendix 3.

Given that the engagement survey was primarily targeted at individuals it was suggested that rather than completing the survey, that the Council submitted a written response outlining any issues arising from this initial engagement and the approach proposed. A draft response prepared by Planning Service was attached at Appendix 4.

Members may have also wished to respond on an individual or party-political basis.

The 'ETP' document can be accessed on the DFI website at <https://www.infrastructure-ni.gov.uk/articles/eastern-transport-plan-etp-2035>

and the engagement survey portal accessed at:

<https://consultations2.nidirect.gov.uk/dfi-1/eastern-transport-plan-consultation/>

Responses were requested to be submitted via Citizen Space (online consultation portal) no later than 5pm on 30 October 2023. Comments received after this deadline would not be accepted. Members should have noted the deadline was ahead of call-in period for October's Council Meeting.

It was suggested that the Council could offer broad support for the approach as set out by DfI in the engagement, however there would need to be more detailed consideration of the specific policies and proposals that emerged under advance formulation of the ETP Plan and how these potentially impacted. It was understood that there should be further opportunities for the Council and the public to provide formal responses to issues as the preparation of the ETP progresses e.g. consultation at the Draft Transport Plan stage.

RECOMMENDED that Council agrees the draft response to be submitted by 30 October 2023 (in advance of the closing of the call-in period).

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Adair, that Council accepts the corporate response and encourages individuals and political parties to submit their own responses.

10. NOMINATION TO TRUSTEES ON NORTHERN COMMUNITY LEISURE TRUST

(Appendix VIII)

PREVIOUSLY CIRCULATED:- Report from the Chief Executive detailing that places on working groups were filled through nomination at the Council's Annual Meeting and were thus held by individual Members rather than Parties. When a position became vacant, it reverted back to Council to nominate a Member to fill the place rather than Party Nominating Officers.

Following the resignation of Councillor Woods from the Northern Community Leisure Trust, a place had now become available. The Council was represented by two Trustees, the other Trustee was Councillor W Irvine.

A nomination was sought from the Council to fill the above vacancy for the remainder of the four-year term.

NCLT role of the Trust and its members were attached as Appendix 1.

RECOMMENDED that Council nominate a Member as a Trustee on Northern Community Leisure Trust for the remainder of the term.

The Mayor sought nominations but there were none forthcoming. The Chief Executive reminded Members of the agreement for two elected Members to represent the Council as trustees so the matter would be deferred until the November meeting of the Council.

11. HANDLING CORRESPONDENCE RELATED TO ROADS MAINTENANCE DEFECTS

PREVIOUSLY CIRCULATED:- Report from the Chief Executive detailing that a letter had been received from the Permanent Secretary of the Department for Infrastructure to the Chief Executive regarding changes to the Department's handling of Correspondence relating to Roads Maintenance Defects. A copy of the letter was enclosed at appendix 1 for Member's consideration.

RECOMMENDED that Council consider the letter in Appendix 1.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor MacArthur, that the correspondence be noted.

12. SEALING DOCUMENTS

RESOLVED: - On the proposal of Councillor Edmund, seconded by Councillor Kerr **THAT** the Seal of the Council be affixed to the following documents:-

- (a) Grant of Rights of Burials: D40178-D40207
- (b) Deed of variation to Planning Agreement regarding Queen's Parade planning approval
- (c) Grant of Easement – land to the rear of 84 Crawfordsburn Road, Bangor (Carnalea Golf Club), Trustees of Carnalea Golf Club of the 1st part, ANDBC of the 2nd part and Cedona Limited of the 3rd part
- (d) Agency Agreement between Ards and North Down Borough Council and the Department for Infrastructure for the provision of Off-Street Parking Enforcement and a Penalty Charge Notice Processing Service

- (e) Section 76 Planning Agreement pertaining to the NS 20 Residential Zoning in Newtownards – Rivenwood
- (f) Section 76 Planning Agreement pertaining to Hightrees Residential Development in Donaghadee

13. TRANSFER OF RIGHTS OF BURIAL

The following transfers were received:

Clandeboye Cemetery section AE Grave 1699 & 1700
Lord Macdermott- Janet Wilson

Movilla Cemetery Section 55 Garve 267
Robert Irwin – Ian Irwin

RESOLVED, on the proposal of Alderman Adair, seconded by Councillor Douglas, that the transfers be noted.

14. NOTICE OF MOTION STATUS REPORT

(Appendix X)

PREVIOUSLY CIRCULATED: - Report from the Chief Executive detailing that attached was a Status Report in respect of Notices of Motion.

This was a standing item on the Council agenda each month and its aim was to keep Members updated on the outcome of motions. Please note that as each motion was dealt with it would be removed from the report.

RECOMMENDED that the Council notes the report.

Alderman Adair proposed, seconded by Councillor MacArthur, that the recommendation be adopted.

Referring to a matter she had raised at the September Council meeting in relation to Conlig War Memorial, Councillor Woods asked if the issue could be added to November's Notice of Motion tracker. The Chief Executive indicated that it could.

RESOLVED, on the proposal of Councillor MacArthur, seconded by Alderman Adair, that the recommendation be adopted.

15. NOTICES OF MOTION

15.1 Notice of Motion submitted by Councillor W Irvine, Councillor S Irvine, Alderman Cummings, Councillor Morgan, Councillor Hollywood and Alderman McIlveen

That this Council bestows the Freedom of the Borough of Ards and North Down upon the Northern Ireland Fire and Rescue Service. This is as a mark of deepest

appreciation, respect and in recognition of their unwavering dedication to duty and selfless service, bravery in the face of danger, saving lives and protecting our community with great honour and distinction.

The Mayor explained that in line with the Council's Request To Confer The Freedom Of The Borough Policy, the above motion had been submitted with at least six signatures attached and was required to be heard by the full Council.

Councillor W Irvine proposed, seconded by Councillor S Irvine, that the notice of motion be adopted.

Speaking to his proposal, Councillor W Irvine began by thanking those members who had put their names to the motion and for their expressions of support for what was the first Freedom of the Borough request of this Council mandate. He strongly believed the NIFRS would be a very worthy recipient and it was fitting that it joined with other emergency services which had been awarded the Freedom of the Borough.

He went on to say that organised firefighting had begun in Ulster in the 19th century. In 1800, the Belfast Borough Police was established and firefighting was one of its duties. The firefighting units were later separated from the Police to form the Belfast Fire Brigade.

Until World War II, towns had their own fire services. In 1942, Northern Ireland's fire services were amalgamated into one, though they were separate from the National Fire Service that covered the rest of the United Kingdom. After the war, the service was split into the re-established Belfast Fire Brigade and the Northern Ireland Fire Authority, which covered the rest of Northern Ireland.

On 1 October 1973, the two fire services were merged into a single service, named Northern Ireland Fire Brigade. In 2006, the service adopted its current name of the Northern Ireland Fire and Rescue Service.

It was responsible for Ballywalter, Bangor, Comber, Donaghadee, Holywood, Newtownards and Portaferry fire stations. This Council was under the southern area command with its headquarters in Bangor.

Councillor W Irvine could remember as a child the siren going off to alert firefighters of a call for service, though there were now more sophisticated methods to warn them. The role of the Northern Ireland Fire and Rescue Service was varied. Our Firefighters didn't just respond to fires but also attended road traffic collisions and specialist rescue incidents, including flooding, chemical spillage incidents, collapsed buildings, animal rescues, and many other types of emergencies. The NIFRS did not know what a day or shift would bring but its rigorous training equipped its fire fighters to deal with whatever emergency arose.

Those part time fighters who juggled the role with other jobs and family life played an immense role in the ability of the fire service to provide coverage and get to emergency situations as quickly as possible.

He saluted the invaluable role over the years that had been given particularly during the years of the Troubles when they had to attend many incidents following terrorist attacks and were on the scene in the aftermath of horrendous acts of terror.

Over a quarter of a century Belfast firefighters witnessed some of the worst atrocities that human beings could inflict on each other – bombs, blast incendiaries, petrol bombs, rioting – while at the same time often being stoned, shot at and threatened themselves.

They had always gone above and beyond the call of duty as was witnessed on 23rd January of this year when they were the first responders to a fire at the home of the parents of Councillor W Irvine's friend and colleague Alex Easton MLA. Unfortunately on that occasion the lives of Mr Easton's parents could not be saved but he was aware that Mr Easton and his family were enterally grateful for their actions on the day.

The seconder, Councillor S Irvine, believed that the work of the NIFRS often went under the radar when it came to media coverage. The PSNI and NHS, particularly throughout Covid, had been at the fore but the NIFRS were the unsung heroes who had been at every atrocity and seen everything. A news story that had stuck with him was one about a former fire fighter who when visiting a particular bar in Newry would lift his feet to stop himself walking over bodies. This was because on Christmas eve in 1973 he was part of the response to an explosion. The bomb had gone off prematurely killing three people including an 18-year-old who had been delivering a message. The ex-fire fighter had visited the bar a number of times over the years and each time continued to lift his feet subconsciously to step over the bodies.

This spoke a lot about what fire fighters faced. They went through a lot, both mentally and physically and did not get the recognition they deserved and Councillor S Irvine fully agreed with the proposer that for the Council to give them the highest civic award possible was only just.

Adding his support to the motion, Councillor McKee commended all signatories for bringing it before the Council. He felt that the NIFRS deserved all the respect and gratitude this Council was able to give by bestowing the Freedom of the Borough. He spoke of the NIFRS' dedication and selflessness and courage and the tireless work it undertook to educate the public and prevent accidents and save lives.

Councillor McKimm explained he had extended family members who had served all of their working life in the service and shared with the appreciation and respect that had been outlined. He asked what the cost of holding such events had been in the past and sought clarity on how future Freedom of the Borough events sat within the rate setting process and current budgets.

Responding, the Chief Executive explained that the agreement of the Council previously had been to consider up to two Freedom of the Borough conferrals during the Council term of four years. He recalled the expense involved was usually around £20,000 but that depended on whether the honour was being bestowed upon an individual or an organisation. He explained that the costs and timescales would be brought to the Corporate Services Committee and then to Council for ratification. The

funding was not part of the last rate estimates process as the budget was topped up every year so that there was currently sufficient money to carry out two 'Freedoms' per term.

Councillor McKimm had found that response helpful and hoped that his query around the finances did not take away from the gratefulness and appreciation that Council had for the NIFRS.

Councillor Hollywood added his support to the motion on behalf of the Ulster Unionist Party grouping. The Freedom of the Borough was a heartfelt and well deserved tribute to the men and women who risked their lives on a daily basis to protect our communities.

The honour was a symbolic act that signified the Council's profound gratitude, respect and recognition of this selfless service. The NIFRS firefighters were the unsung heroes and had been at the frontline of defence in countless emergencies and disasters. They rushed in to burning buildings, confronted hazardous materials and were ever ready to respond to accidents, natural disasters and medical emergencies, most notably during the Troubles. Their courage, dedication and professionalism was commendable and at times awe inspiring. It was essential to underscore that the Fire Service did not simply extinguish flames, but it provided education and guidance in fire prevention and offered support and care in times of trauma while working tirelessly to enhance public safety. Its efforts extended beyond immediate emergencies and contributed to the resilience and vitality for our Borough.

He trusted that the Council could unite in support of the motion and in doing so would let it recognise and celebrate the heroes who stood ready to protect us, our loved ones, and our community day and night. This was an opportunity for Council to extend its gratitude not just in words but through a symbolic gesture that would be cherished and remembered by our fire fighters and their families for generations to come. It was a small token of our immense respect and appreciation for their unwavering service to our community. He commended the motion.

Rising in support of the motion, Councillor Boyle explained that he had originally been a co signatory to it but due to having an additional motion on the agenda, he had to give way on one of them.

He wanted to give massive thanks to the Northern Ireland Fire Brigade, subsequently NIFRS for all of its service and rescues through the years. They were fully deserving of being recognised for Freedom of the Borough. He recognised their work throughout the Troubles, fire crews had been there to assist in unforeseen situations regardless of the areas they had to enter. They faced down attacks of bricks, bottles and petrol bombs and were subjected to the same abuse as the Police and Army, but without armoured vehicles and only their fire helmets as protection.

Portaferry was proud of its fire fighters – for over 70 years they had protected the Ards Peninsula with another excellent crew and station in Ballywalter joining them 30 years ago. Their service over the years had been impeccable. The Watch Commander, who was incidentally a recently retired employee of the Council, having

served the Council for more than 50 years, continued to be the Watch Commander after 54 years which was an amazing record.

The rest of the crew had all given around or over 20 years' service and handled all types of call outs within a rural location and provided an excellent service having even called to Councillor Boyle's own rescue on three occasions over 40 years to protect his own premises from burning down. He was thankful that the Fire Service had been so close to the building. All in all it was an excellent service.

Adding his support to the motion, Alderman Cummings noted that the emergence of the Fire Service was one sadly borne out of adversity, and indeed the journey of the NIFRS had been one marked by periods of challenge.

In local terms, it had a close affiliation with the Council. Back in 1904, the first fire service was established under the authority of the, then, Bangor Urban District Council. The fire chief at the time was instructed to purchase a rather ordinary hand-drawn hose cart for the eye watering sum of £1 from Belfast City Corporation.

Of course that had been just the start of the journey, one that encompassed two world wars and more recently our own troubled past.

Alderman Cummings' personal experience of the Fire Service was often while he manned police cordons during the 1980s, at the scene of the all too regular bomb calls, as he awaited clearance from the Army bomb squad to permit it access.

The steely determination on the face of the officers, as they got the all-clear to proceed, was the same which was still borne today, as they sought to do their duty with the same level of determination, despite the risk that lay ahead of them.

Even the changing circumstances, or the use of modern equipment, the same level of determination existed today and it was only right that Council marked their often-silent heroism with this honour.

He referred Members to his opening comment; the Fire Service was a career borne out of adversity. Quoting the author Victor Frankl, he stated 'Adversity can rob us of many freedoms, except the 'freedom' to choose how we respond to the circumstances we find ourselves in'.

The men and women of the NIFRS chose a career path that had over the years saved many thousands of lives, and he was therefore delighted to support the motion.

Councillor Morgan was extremely proud to support the motion, recognising the fantastic work that the NIFRS did. There was always a tendency to think of its emergency work which she paid tribute to, but it was important to remember the significant amount of preventative work that was undertaken by the organisation in order to keep communities safe.

It was also International Control Room Week and she recognised the important work of that particular service, as the first point of contact for emergencies and their work too was also lifesaving.

The Mayor gave her full support to the motion and paid tribute to the work of the Fire Service both in terms of its emergency rescue work and also highlighting the importance of its preventative work as alluded to throughout the debate. The Mayor had recently met members of the NIFRS during a Mayoral engagement at an Age Friendly Road Show she had attended in Newtownards. The engagement from NIFRS had been around home safety and accident prevention which was a key role of the organisation.

She highlighted the role of the Fire Service Cadets and the opportunity this provided for young people to build key skills, whether that be in the Fire Service or other areas of work and life.

In his closing remarks, Councillor W Irvine thanked all Members for their contribution, welcoming the cross-party support for the motion expressed throughout the debate.

RESOLVED, on the proposal of Councillor W Irvine, seconded by Councillor S Irvine, that the notice of motion be adopted.

The Mayor noted the unanimous support for the motion and advised Members of the next steps. Officers would bring back an initial report to the Corporate Services Committee outlining timescales and further information.

15.2 Notice of Motion submitted by Alderman Adair, Councillor Edmund and Councillor Kerr

That Council recognise the value of our beaches and coastal environment to our residents and tourists alike note the new DEARA regulations for the cleaning and maintenance of our beaches and task officers to bring forward a report on cleaning and maintaining our beaches on a proactive basis in line with the new DEARA regulations to ensure our beaches continue to be a clean, safe, attractive and well-managed coastal environments.

RESOLVED, on the proposal of Alderman Adair, seconded by Councillor Edmund, that the notice of motion be referred to the Environment Committee.

15.3 Notice of Motion submitted by Councillor Cathcart and Councillor Martin

That this Council, further to recent positive discussions with landowners, agrees to reexamine the April 2014 decision of North Down Borough Council to accept a gift of open space at Ambleside, Bangor, which was never completed and tasks Council Officers to bring back a report looking at (i) acquiring the land and (ii) options around future uses for the land.

RESOLVED, on the proposal of Councillor Cathcart, seconded by Alderman McIlveen, that the notice of motion be referred to the Corporate Services Committee.

(Councillor Chambers and Councillor Irvine left the meeting having declared an interest in Item 15.4 – 7.50pm)

15.4 Notice of Motion submitted by Councillor Woods, Councillor Smart, Councillor Boyle and Alderman McAlpine

That this Council, in recognising the decision taken in July 2023, titled 'Leisure Transformation Project' reference LE1 20, (i) requests the completion of the recommendation and action points agreed in this report ahead of consideration of the current NCLT/Serco bid relating to the provision of leisure for the remainder of the in-house services. This action will permit elected members to consider all relevant information and data relating to the in-house leisure offering (in-house bid) or a LATCo and, (ii) holds a Members Workshop on said options, as has been previous practice, as soon as possible, prior to any decision being taken by Full Council.

The Mayor explained that a request had been made by the proposer, Councillor Woods, to hear the motion this evening due to its urgency. The Mayor had accepted the request and had notified Members in advance by email. However, she explained that she was concerned that there was potential for the debate to stray in to legal and contractual matters which were of a confidential nature.

Noting that the request from Councillor Woods had been made to hear the motion 'out of committee' the Mayor asked the Chief Executive to comment further on this and provide advice to the Council. The Chief Executive advised that the matter of the Motion related to a report and discussions that had previously been held entirely 'in Committee'.

The report had been considered at the Strategic Performance and Finance Group meeting on 6th July and heard 'in Committee' and then the minutes of that meeting had gone to the full Council meeting later that month for ratification, 'in Committee'.

Continuing, the Chief Executive explained that it was the decision of the Council, rather than the Mayor, as to whether the matter should be heard 'out of Committee' and therefore Members should be mindful of the risks and for them the potential for breaching the Councillor Code of Conduct.

He referred Members to Standing Order 10 which related to the exclusion of the press and the public and during the transaction of business any confidential information that could be disclosed inadvertently or intentionally would be a breach of their obligation of the 'in confidence' element. This was taken from the Local Government Act where any issues which related to staff, labour relations, legal privilege, legal proceedings and financial affairs of the Council were deemed to be exempt from information to be heard in front of the press and public.

He warned of the risks of proceeding with the motion 'out of Committee' and the difficulty in managing the 'in confidence' elements where even a question from a Member could contain confidential information. He was content to give further advice if Members had any specific queries on the matter or during the debate.

Councillor Woods proposed, seconded by Councillor Boyle, that the Notice of Motion be heard 'out of Committee'.

Members indicated their agreement to that proposal.

RESOLVED, on the proposal of Councillor Woods, seconded by Councillor Boyle, that the Notice of Motion be heard in public, being 'out of Committee'.

Councillor Woods proposed, seconded by Councillor Boyle, that the notice of motion be adopted.

Speaking to the proposal, Councillor Woods thanked the Mayor for granting the request to hear the motion at this meeting.

This was an urgent matter - it was urgent not only for Council, but for the people who had gathered outside the building and to all those who had been in contact over the matter.

This motion was simple – that Council did not take a decision on the current bid from the NCLT at this time, pause it for consideration of all options, and hold a Members Workshop.

She felt that the motion was rooted in an issue with process. It was not a debate about privatisation or the merits of any bid or offer.

She referred to a previous decision that Council had taken in July 2023 to establish a process around transformation, and went on to summarise the following steps which would allow for preparation, scrutiny and informed decision making:

- Establish necessary project governance and develop a framework transformation plan, this may have included a LATC and unifying the service by outsourcing
- Carry out an independent and detailed benchmarking exercise
- Update the transformation plan

As far as the Member was aware, the Council had not completed that process. There had been no establishment of necessary project governance or development of a framework transformation plan which included an LATC, there had been no independent and detailed benchmarking exercise, and no update on the transformation plan.

She posed the question - what was Council transforming into?

There was no leisure strategy, no consultation with leisure users, no discussion on the best future – which was for another time, but she was concerned at a lack of strategic direction.

It was her belief that these issues should be placed 'on hold' or 'slowed down' whilst officers considered the NCLT bid. Yet within the July report Members were told that a decision to be taken in early 2024 would be to either continue with the transformation journey, look to accelerate it or ask the current contractor to make a proposal – she referred Members to page 4 of the report that had been issued previously.

She asked why Members were therefore considering the matter next month. Members had agreed this, yet one part of it was being promoted beyond others. She could not and would not support this overriding of decision making because of the timing of an unsolicited letter in August, timing she found extremely odd.

Raising further questions, Councillor Woods asked if Members could be confident that the numbers and details provided were robust. She didn't believe it could, pointing to the short timeframe involved.

Utilities was an important factor, she continued, adding that it was important to look at how much Council paid for energy. She pointed to the consultant report accompanying a decision in December 2022. Utilities were presented to council as being the same cost. She believed this to be an error, understanding that they were not the same costs.

Currently in house Council paid for what it used. It was her understanding that Council paid for utilities based on a target set for the operator, which was potentially more than what they actually used.

Council needed to pause to get all information required, get the details, get the questions answered and have a Members Workshop which had taken place previously.

That process would allow for transparent and open decision making with all the information set out to enable Members to have their many questions answered.

She said there was no 'burden' on Council for leisure – the service had for the last few years come in under budget despite the difficulties it had faced. The published figures showed this. Leisure staff should be thanked for that and supported

Given those performance figures, Councillor Woods was still unclear why this process was being undertaken particularly given that Leisure was projected to do better than budget again for this financial year – this was based on the figures presented to Community and Wellbeing and Corporate Services Committees,

Council would be looking to change the service, but the merit of that debate was for another time - for when information and data was ready, complete and could be scrutinised. Not next month.

Council had to question all figures, whether they needed updating in light of other identified concerns such as the impact of VAT and the HMRC case. She wondered what the benefit was for the Council as a result of that.

She feared that if Council were to outsource, it would fail to benefit. She wondered about pensions, impact on staff, union involvement and consultation, cost savings which could mean changes in staffing levels, the actual cost to council of all of this and therefore the ratepayers, the lack of any control and strategic direction, community wealth building, transparency, openness and oversight, maintenance and

responsibility of buildings currently, and into the future, investment, and what was actually the best option for the rest of the Borough now and over the longer term.

Without that knowledge, Council was comparing apples with oranges, and then not meeting the steps set out in the July 2023 report as agreed.

She raised concerns over staff welfare and the uncertainty.

In closing, she added that a workshop did not have time constraints of a full Council meeting and spoke of the importance of not hurrying a decision, believing that if leisure went now, it was not coming back.

The seconder, Councillor Boyle felt that the proposer had got the matter across well and hoped that all sides of the Chamber could support what was a very important motion, as shown by all those who had attended outside the building.

There would clearly need to be further and serious discussions and decisions taken in order to identify Council's position with reference to any potential future decision of leisure. This needed to incorporate the best interests of everyone.

He expressed disappointment to a decision that was agreed previously that had not yet been completed. Yet now there was a desire, in this particular matter, to push on with haste.

Now was the time for the Council to look at all available information and reach a good position for when a decision needed to be taken in the future.

He wondered how Council could make a decision on anything when it did not have the information., He hoped that Members would support this motion as Council needed to consider carefully about the direction it was taking with its leisure services.

The Mayor asked the Chief Executive to clarify a matter. He explained that it had been the Council that had agreed to accept the request made by NCLT in the timescale that had been referred to, not Officers. He referred Members to the SPFG report that was issued on 6th July this year and ratified by the Council.

Adding his support to the motion, Alderman McIlveen explained that he had intended to be a signatory on this motion but due to NoM restrictions had opted to become the sixth name on the Freedom of the Borough motion to allow that one to proceed.

He agreed that given the impacts this could have on so many people including a large number of staff, it was important for Council to take all possible steps of due diligence. He appreciated that there would be consequences following a decision like this being passed this evening, but it was important that the Council did not end up acting in haste.

It was an extremely worrying time for staff and any additional delays would not be helping that situation but at least by taking this decision staff would have comfort that Council would be looking at the matter fully in the round with all available information before making such an important decision.

Acknowledging this would be the proposer's final meeting, Councillor McKimm took the opportunity to pay tribute to Councillor Woods, describing her as 'clear and to the point' and commenting on her values of transparency.

Supporting the motion, Councillor McKimm felt that the Council was rushing this process and referred to a large number of emails which requested information and also had made incorrect assumptions in the absence of that information. He spoke of the importance of leisure services for people and referred to mental and physical wellbeing benefits. He highlighted the concerns that this could have a detrimental impact on service provision with the community worrying about increased costs and less availability of services. They wanted the Council to pause in order to allow their questions to be answered.

Councillor McKimm wanted to raise a question around contractual issues and concerns but given the advice of the Chief Executive at the outset, he asked if it would be possible to ask a question once the press and public had been excluded.

The Mayor advised that if this was done then the motion would need to be referred to the 'In Committee' section of the meeting and therefore the final decision on the motion would need to be made 'In Committee'.

Councillor McKimm explained that the issue was prudent, and as a point of immediacy, believed that under the terms of Council business, he could have his question answered without changing the substantive issue.

At the request of the Mayor the Chief Executive was asked to comment and he advised that there was no option available to hear the question and provide an answer without moving the debate, and the completion of the motion, into Committee. He suggested as an alternative, Councillor McKimm could contact him or the senior officer team after the meeting and a response could be given that way.

The Mayor was happy to allow for Councillor McKimm to make a proposal to continue the debate 'in Committee', but she was aware that the will of the Chamber had been to hear the full debate in public.

Councillor McKimm explained that he had misunderstood his ability to speak on behalf of those who had elected him, but rather than hold up the debate he was happy for it to continue in public. He added that he had already asked the question to officers directly without receiving an answer, but his frustration over the matter reflected the tone of the proposed Notice of Motion. He felt that sometimes the system could be used in a way that kept Members in the dark.

The Mayor reminded Councillor McKimm that he still had the option of asking the question by proposing that the meeting move into committee but noted he had not wanted to do this.

Rising in support of the motion, Councillor McKee believed that there had been a number of unanswered questions that required Council's consideration and scrutiny.

He referred to the lengthy court case led by Mid Ulster District Council against HMRC over VAT on leisure services. He did not recall any updates brought to any Committee or the Council on what was a significant issue, which would have provided context on decision making. There had been no indication of what impact a windfall could have had on leisure services within the Council regardless of the operating model or in terms of the rate setting process.

It was unclear how many years the potential reclaim applied to or what the Council may have potentially lost out on by not bringing the legacy North Down leisure services back in house last year. There needed to be an informed decision and if this information, or even a forecast and a range of options, had been provided previously it would have allowed for that. He wondered if Council had brought the legacy North Down leisure services back in house from April 2023, if it would have benefited from the HMRC case including back payments from the start of the legal challenge. He questioned what impact that would have on NCLT/Serco running leisure services wholly, and if Council would get any of the VAT benefits.

He felt there needed to be a Member's Workshop as there had been for complex decisions in the past, and it troubled him that Members had needed to ask for the opportunity.

In a further concern, he believed that the scope of the original contract would be changed dramatically with the outsourcing of the entire Borough's leisure services provision. He posed the question of whether this included sports development for example and raising a final concern, he wondered whether Council would be vulnerable to a legal challenge in terms of its procurement, and how the process could be conducted without open public competition. He wondered what the legal advice would be around that.

The Mayor commented to the Member and reminded him that legal and commercial issues were elements that should be discussed in committee but Councillor McKee said he had no further comment on that as he did not expect to receive any of the answers to those questions this evening.

Continuing, he added that leisure was not a burden to the Council or rate payer, coming under budget for the last two years and not many other departments with front facing roles could say that. Leisure was a fundamental part of the Council and should be cherished, supported and workers appreciated.

He wondered how, without affecting level of service and quality, an outsourced model could come in at a cost so much less than what the Council currently delivered.

Concluding, Councillor McKee gave his support to trade union colleagues and thanked them for making their voices heard tonight and earlier in the month at the Community and Wellbeing Committee.

For clarity, and that the request of the Mayor, the Chief Executive explained the issue around the Council's HMRC challenge which had been discussed at the SPFG meeting which had been held in committee, and therefore Officers would not be able

to respond at this time but he advised it would be a matter included the final report next month if that was still to be requested.

Councillor Smart praised the contribution of the proposer, Councillor Woods, throughout her time on Council at what was her final meeting. He felt that the motion was rightly focused on ensuring a properly followed informed process on deciding the future of leisure services for the Borough which in itself was a decision that would be taken on another day.

In terms of the motion being proposed, he referred to the steps outlined which included a framework for service transformation, a benchmarking review and the completion of a transformation plan. Those were all relevant to open and transparent decision making. Such appropriate and strategic actions would assist with one of the aspects of this matter which concerned him, which was if Council outsourced all of its leisure now, it could risk leaving the future cost of the service to chance. He felt that unless competition existed in the open market, providers could charge Council what they wished for essential services. Without any in house capacity and experience to manage Council's own leisure responsibilities, it might prove impossible to challenge.

It was certainly a prospect that Council needed to consider and he welcomed the confirmation that it would be considered as part of a larger and final report, along with the potential resilience that did exist within the Borough of having that diversity of provision.

He referred to the VAT issue, explaining that Council had a 'heavy and inequitable' burden of VAT on what was an essential service for the Borough. He welcomed that the report would feature that as he felt it was an essential part of the decision-making process.

He added that as with any major decision making within Council, it was important to have the opportunity to review, analyse and discuss and a Member Workshop before this decision being taken was not only past practice, but also essential to ensure that an informed decision could be reached on behalf of all residents.

He appreciated that as resources were not allocated to previous proposed actions, it would require more time to prepare information. That was of regret given the anguish, particularly among the Council's leisure staff and even with some residents.

It was essential though that the Council got this decision right for those who used the service, and those that didn't, while being mindful of the leisure teams who had a lot to be proud of in what they had overcome, and he pointed to the Ards Blair Mayne Wellbeing and Leisure Complex. He was aware of 'decision deadlines' and he hoped that the importance of the issue would transcend any such influences.

Finally, he felt that the Council was united on this motion and he felt it would help to build consensus across all parties, and none, as Council found a way forward.

Alderman McAlpine commented that the reason Council provided leisure services to its residents was for their health and wellbeing and the protests had shown people's

concerns about where the future of service provision was going. The Council owed the public and particularly everyone involved in the service, transparency. She urged the Council to take stock and take time to ensure the process was done correctly.

She felt it was important to get an understanding around the VAT implications, as this and other vital pieces of information were missing. She called for openness and transparency in order to do the right thing by the residents and ensure that Council was providing something of excellent quality for healthy body and mind and enabling access to all those who wanted to use the services.

Councillor S Irvine thanked Councillor Woods for bringing him on board as a supporter of the motion. As a stakeholder for the ratepayer, he had to go by what the constituents were telling him, referring to a full inbox of emails on the matter.

He admitted to not knowing any technical data on the issue and had given a generic response in his reply to those emails. As others had commented during the debate, Council needed all the information possible to make an important decision, although he was already of the opinion that Council did not need to outsource its remaining leisure services. He recalled never having an issue as a user of the Council's leisure facilities over the years through his involvement in local football, and the service was something that the Council could take pride in. The leisure service in legacy Ards had guided and nurtured many athletes. The Ards and North Down Sports Forum provided small grant assistance to clubs and individuals, and he raised concerns over the future of that programme under a different operating model.

Alderman Graham felt that the Notice of Motion was straight forward and just asking for an opportunity to discuss and tease out matters at a workshop rather than do that at next month's meeting. He was confident that the Council would not make any important decision without scrutiny and he welcomed the workshop proposal which he would be supporting. He did not understand why the long debate at this meeting was necessary. .

In summing up, the proposer, Councillor Woods thanked Members for their contributions and noted a number of themes had occurred throughout the debate which related to process, the need for information and proper informed decision making. There were also many questions.

She appreciated that there were resource commitments, but she did not recall any update on this at the Community and Wellbeing Committee or Council and she was not a member of the SPFG. She said she was also unclear why November was the chosen date for the report to Council. Councillor Woods spoke of the importance of Council taking this matter seriously and not in haste, and she felt it was important to seriously consider how much Council charged for its services to keep people active and engage with leisure activities that were not just about playing sport and going to the gym.

There needed to be independent benchmarking and transformation plan and there needed to be a leisure strategy. By agreeing to this, Council would establish a route map going forward with all necessary information and data in order to scrutinise and ask questions in a timely and open manner. This would also include consultation with

staff, users and Members on the future and do what was in the best interests of the people of the Borough.

Councillor Woods requested a recorded vote.

On being put to the meeting, with 36 voting FOR, 0 AGAINST, 0 ABSTAINING and 4 ABSENT, the motion was declared CARRIED.

The vote was as follows:

FOR (36)

Aldermen:

Adair
 Armstrong-Cotter
 Brooks
 Cummings
 Graham
 McAlpine
 McIlveen
 Smith

Councillors:

Ashe
 Blaney
 Boyle
 Cathcart
 Creighton
 Cochrane
 Douglas
 Edmund
 Gilmour
 Harbinson
 Hollywood
 Irwin
 S Irvine
 Kennedy
 Kerr
 MacArthur
 McCollum
 McCracken
 McKee
 McKimm
 McLaren
 McRandal
 Moore
 Morgan
 Rossiter
 Smart
 Woods
 Wray

AGAINST (0)

ABSTAINED (0)

ABSENT (4)

Alderman:

McDowell
 Councillors:
 Chambers
 W Irvine
 Martin

RESOLVED, on the proposal of Councillor Woods, seconded by Councillor Boyle, that the notice of motion be adopted.

(Councillor Chambers and Councillor W Irvine returned to the meeting – 8.35pm)

15.5 Notice of Motion submitted by Councillor Wray and Alderman Smith

That this council asks officers to include the repainting of the traditionally styled bus shelter (owned by council), located in Main Street Grey Abbey, in the 2024/25 maintenance budget.

Furthermore Council seeks an officer's report on the feasibility of council painting the decorative Grey Abbey lamp posts (in the ownership of DFI). This is a feature of the historic village, and we understand the current shabby condition impacts not only residents of the village, but the wider tourism and regeneration potential of this scenic conservation area.

RESOLVED, on the proposal of Councillor Wray, seconded by Alderman Smith, that the notice of motion be referred to the Environment Committee.

15.6 Rescinding Motion submitted by Councillor McRandal, Councillor Irwin, Councillor Creighton, Councillor McKee, Councillor Moore, Councillor Harbinson, Councillor McCollum and Councillor Rossiter

That this Council rescinds its decision taken at the Council meeting on 27 September to agree the Minutes of the Community and Wellbeing Committee meeting on 13 September with regard to item 23 where the decision was to not accept this Grant offer or to authorise the Head of Environmental Health Protection and Development to sign and return the grant acceptance form on behalf of Council, and instead proposes that the Council agrees the Officer's recommendation from the report that, "Council accepts this Grant offer and authorises the Head of Environmental Health Protection and Development to sign and return the grant acceptance form on behalf of Council.

The Mayor stated that she had agreed to a request to hear the item due to its urgent nature and she felt it was appropriate that it be heard by the full Council given the decision had been taken by the full Council.

Councillor McRandal proposed, seconded by Councillor Irwin, that the rescinding notice of motion be adopted.

Speaking to the proposal, Councillor McRandal advised that it related to the grant offered annually by the Department of Business, Energy and Industrial Strategy for the Capacity and Capability Building Programme.

He said that 'Unionist' Councillors had taken an issue with this programme in each of the last two years and no Councillor in the last term could say they were not aware of the issues or the facts that related to the matter. In that context, it was Councillor

McRandal' s view that the decision taken in September by the Community and Wellbeing Committee was irrational, irresponsible and ridiculous.

The report included in the papers for the September Council meeting explained that the Council had been furnished with two sets of legal advice stating that activities funded by the grant were a statutory duty of Council and needed to be carried out whether the funding was accepted or not. The activities benefited both residents and businesses of the Borough.

In September the DUP and UUP members voted against accepting a grant of £55,000 and none of them had made any comment as to their reasons why. He hoped that both groups had reflected on their decision and would support the motion this evening.

If not, he hoped they would be good enough to explain to the rate payers of Ards and North Down why they considered it appropriate to turn down the offer of £55,000 and why instead they believed the rate payers of this Borough should pay.

The Deputy Mayor, Councillor Irwin, felt the proposal had been adequately outlined. It was a statutory duty that the Council had to undertake and would happen regardless of whether it accepted the money. If they didn't accept it then ratepayer would have to cover the cost. She hoped that Council would support this.

As a member of the Community and Wellbeing Committee, Councillor Boyle was staggered that Council was in this position and he knew that on the night the DUP and the Ulster Unionists, within their hearts, hadn't wanted to support the amendment that had been put forward not to accept the grant funding.

Continuing he said that the actions of Unionist Members in that decision, he felt, were like the story of the pied piper who started playing and everyone else started to follow. He recalled a half hour debate at the same meeting over a motion that requested £1,000 from reserves or an underspend, to present part of an annual sports awards category but yet in the stroke of a pen the Council had rejected the offer of £55,000 for this matter.

The bigger challenge was that the Council instead of trying to find the £1,000 was now in a position of trying to find £55,000 unless the situation could be turned around.

He recalled the negative response by Members to the removal of £60,000 from the Sports Development budget and was therefore unable to get his head around the Members writing off a sum of £55,000 from another budget.

He believed that the DUP's response on the matter had been influenced from outside. It was serious concern to him if the Council was being run by that sort of behaviour and advice.

Councillor Boyle was not aware of any other Council that had refused the grant offer, so he was not so sure why one half of this Council spent its time looking over its shoulder while the other half tried to look forward. In closing, he wanted to make a

plea to both DUP and Ulster Unionist Councillors to accept the grant offer, as he knew that they were decent people who did not want to lose £55,000 coming into this Council.

Alderman Smith wished to assure Councillor Boyle he was not looking over his shoulder for anyone. He asked the Director of Community and Wellbeing if what was being funded was the statutory duty of the Council and the Director confirmed that was the case, pointing to Annex 2 of the letter of offer which related to funded activities and compliance.

In a further query, Alderman Smith asked if other Councils in Northern Ireland had accepted the funding and the Director confirmed that nine of the other Councils had accepted it while he did not have confirmation on whether the remaining Council had done so. He would respond to the Member directly with confirmation of which Council had not confirmed acceptance.

Alderman Smith asked what the legal advice was regarding the matter and the Director explained the Council was obliged to carry out the work listed in Annex 2.

In a final query, Alderman Smith asked where the £55,000 shortfall would come from should the Council not accept the funding. The Director advised that it would need to come from other discretionary services, that were non statutory, within Environmental Health.

Alderman Smith referred to issues around the Northern Ireland Protocol and Windsor Framework agreement and while this matter was a small element it was still the outworking of that situation and he stated that many of his colleagues in the Chamber were opposed to many aspects of the framework and protocol.

On reflection though, he felt the decision taken would not end the NI Protocol or make any difference to the situation, but it was about accepting funding for something that the Council was obliged to do. Whilst he opposed the implementation of the NI Protocol and the Windsor Framework, any decision on this matter would make little difference to that position. It would however make a difference to the service it provided for its residents and on that basis he would be supporting the proposal to accept the funding.

Councillor McKee stood in support of the motion and while he had sympathy for those who were opposed to the Northern Ireland Protocol, a situation created by what he described as the misadventure of the corrupt, deceitful and morally bankrupt Tory government, he could not see how though in the current times of financial restraint, forced upon the Council by that same government, why the residents should be left to fund the £55,000. By all means though, those Members who wished should exercise their right to protest against the NI Protocol and Windsor Framework

Alderman McIlveen referred to the queries about the funding from Alderman Smith, and believed there was no such thing as a free lunch. While those were statutory requirements he was aware of terms and conditions placed upon the Council if it accepted the funding. He asked for clarity on what the Council would not have to do

if it was funding the services itself, which had been the case up until these grant offers had come in.

The Director explained that there were a number of administrative obligations required that related to monitoring and reporting, covered in section six of the letter of offer. He also referred to auditing and assurance, and the possibility of inspection in relation to how the funding was used. That was the case however with all funding offers but he confirmed that if the Council funded the services itself it would not be subject to those terms and conditions. There were some elements though such as retention of documents, that the Council would do anyway as good governance.

Alderman McIlveen felt that the Director had been coy in his response and referred to answers to queries he had received directly from the Director, specifically around the reporting of activities to the Department which was something the Council would not be doing ordinarily as part of its statutory functions.

The Director clarified that the reporting of activity to the Department was part of the monitoring and reporting requirements he had referred to in his previous response.

Summing up on the proposal, Councillor McRandal thanked those Members who had given their support and in particular, Alderman Smith for his comments, and appreciated the Unionist concerns around the Windsor Framework and the Northern Ireland Protocol. He did not believe that the Prime Minister in London was going to sit up and take notice if Ards and North Down Borough Council made its ratepayers pay an extra £55,000. He hoped that Members could support the motion and called for a recorded vote.

On being put to the meeting, with 21 FOR, 15 AGAINST, 2 ABSTAINING and 2 ABSENT, the rescinding notice of motion was declared CARRIED.

The voting was as follows:

FOR (21)	AGAINST (15)	ABSTAINED (2)	ABSENT: (2)
Aldermen:	Aldermen:	Councillors:	Alderman:
McAlpine	Adair	Brooks	McDowell
Smith	Armstrong-Cotter	Hollywood	Councillor:
Councillors:	Cummings		Martin
Ashe	Graham		
Blaney	McIlveen		
Boyle	Councillors:		
Chambers	Cathcart		
Creighton	Cochrane		
Harbinson	Douglas		
Irwin	Edmund		
McCollum	Gilmour		
McCracken	S Irvine		
McKee	W Irvine		
McKimm	Kennedy		
McLaren	Kerr		
McRandal	MacArthur		

Moore
Morgan
Rossiter
Smart
Woods
Wray

RESOLVED, on the proposal of Councillor McRandal, seconded by Councillor Irwin, that the rescinding notice of motion be adopted.

15.7 ITEM WITHDRAWN

The Mayor advised that the above item had been withdrawn.

(The meeting went in to recess at 9pm and resumed at 9.12pm)

15.8 Notice of Motion submitted by Alderman Armstrong-Cotter and Councillor Douglas

That this council condemns the recent and ongoing terrorist attacks by Hamas and stand with Israel. Further, that we highlight the availability of the Mayors book of condolence and encourages all those who wish to sign to avail of this opportunity. We request that the Mayor writes formally to the Israeli Ambassador to the Court of St James to express our condolences. Finally that we condemn the slaughter of all innocents and join all right-thinking people in praying and hoping for an end to the bloodshed in Israel and Gaza.

The Mayor advised that she had granted a request to hear the motion this evening due to its urgent nature and advised all Members of this intention a week ago.

Alderman Armstrong-Cotter proposed, seconded by Councillor Douglas, that the notice of motion be adopted.

Speaking to her proposal, Alderman Armstrong-Cotter, stated that while words did not have the power to bring peace to the Middle East, this motion was to send a message of sympathy and solidarity with those who had lost loved ones to repugnant, unrepentant indiscriminate terrorism. And whilst she did not believe it would comfort the grieving heart in Israel that night, she believed it was imperative that this message was sent and that in time those people would know that many across this world had stood with them.

She thanked the Mayor for her immediate response to the dreadful news of the attack and the opportunity she had facilitated for those wishing to sign the book of condolence and admitted that she had not signed it herself yet.

Explaining why she had the time to word this motion and not contribute to the book of condolence, she said that whilst she knew that something must be said – she did not have the right words.

More than two weeks on – she said that she still did not have the right words to express heartfelt and sincere sympathy to those who mourned, to those who waited for word of hostages. She had not the words to encourage or inspire or bring hope. But it was her wish that this evening, the Council's words would be those of solidarity hope and encouragement.

Whilst she was not of an age during the worst of the troubles to understand the fear and terror felt, she knew that some in the chamber had felt that and even still live with that fear and the aftermath of that today. Indeed she knew that there were some in this chamber who had lost loved ones and friends to the Troubles and the indiscriminate slaughter faced and they had an idea of how some in that region felt tonight. Many had known in Northern Ireland how it felt to be attacked and to feel unsafe in your bed and to watch a world excuse it with talk of freedom fighting or militants. It was blatant terrorism then and it was evil terrorism in Israel today and she still stood by those words.

Whilst she did not hold that firsthand experience or memories other than the cloudy memory of the explosion in Newtownards when she was in primary school, she did hold the experience of being a mother to two beautiful, bright, loving little girls and thanked God for the gift of being a mother to those little girls daily. As a mother, she had felt fear. Fear when her two-year-old had pneumonia and they sat in a hospital in America and for that short time the feeling of dread of the unknown was all consuming. She wanted to take the sickness from her child. She wanted to go through it for her. She couldn't. She could only sit and wait. Wait for the medication to take effect, wait for the Doctor to tell her all would be ok. It felt torturous in those few hours. Her mind could not fathom what was being felt in Israel tonight. As she stood in this chamber, her thoughts went to the hostages and how their families felt in their fear.

The absolute despair that she had seen was deeply disturbing and whilst the words in this chamber could not help, she believed that the sentiment and solidarity could resonate in some small way. Our small Jewish community in the Province would know that Council cared, Council saw their pain and stood with them.

It was not in the Council's gift to offer aid, to offer arms, to offer even advice - but it could offer support. For those in the Chamber who prayed, they could offer prayers. Her own prayer, as her faith instructed, was to pray for the peace of Jerusalem, a city she had been blessed to visit as an 18-year-old when she was baptised in the river Jordan.

That visit had stayed with her and often times when she read certain passages, she could picture the place from her memories and she treasured that ability to feel the slightest affinity with that land.

Continuing, Alderman Armstrong-Cotter said she prayed for peace in Jerusalem, in Israel and in Gaza. She admitted that she had prayed that Israel would react with mercy and not wrath as they exercised their right to defend their nation against despicable Hamas, however within that prayer she acknowledged that innocent lives would be lost in the battle for Israel to exist and that was something that was heavy to consider.

She did not submit this motion today to debate the rights and wrongs of Palestine or Israel, and whilst she would never be ashamed of her absolute belief that Israel had the right to exist and defend herself, it was not her intention that the Chamber debated the politics of Israel's right to exist and what that meant in practise – she would be happy to do so at any stage at an appropriate time with anyone in this chamber. Today was not that day.

Her intention today was to stand as a Councillor and as a mother to say her heart ached as she had witnessed this atrocity in the small scale she had seen.

To urge the people of this chamber to stand with her as it assured the Jewish community who had witnessed the murderous atrocities being celebrated in the streets of Belfast and who felt unsafe, that we stood with you.

To say to the Israeli ambassador at St James Court that we stood with them as they mourned and as they defended their nation.

She knew that Council no longer began its businesses with a bible reading, but felt that Members would know her heart as she read one found in the 25 Psalm verses 20-25, as follows:

“She Keep my soul and deliver me; let me not be ashamed for I put my trust in You. Let integrity and uprightness preserve me for I wait for you. Redeem Israel o God, out of their troubles.”

In closing, she added that her heart's desire was that the land of Israel was left to exist, free from terrorism and attack.

The events of the last few weeks had shown that she was not granted her heart's desire yet, but she would keep hoping, keep praying and keep standing with Israel until that day and she asked that Members would do the same. This letter was no political affirmation, merely a statement of compassion and it was her hope that every person in this chamber could extend that with grace today.

The seconder, Councillor Douglas, thanked Alderman Armstrong-Cotter for her words and was sure that Members would remember all too well the devastating affect that terrorism could bring to individuals, families, and communities. In this case a whole nation had been left traumatised. There were no words for the cruelty and violence so horribly demonstrated by Hamas terrorists. She would therefore urge Members to support this motion and to pray for all the innocent people of Israel and Gaza and for a quick end to the turmoil.

Rising to support the motion, Councillor W Irvine had been horrified by the attacks of Hamas and the killing of men, women and children on an unimaginable scale and called for safe release of all the hostages taken. This had been the worst attack on the Jewish people since World War II. He was confident that those who did not want Israel to exist would not succeed and he supported Israel's right to defend itself and dismantle the Hamas terror network. This action should conform to International Law. It was a dangerous time for the Middle East as a region and he prayed that there would be no escalation to the current conflict. Unfortunately, Northern Ireland

was no stranger to terrorism and he reflected on what was the 30th anniversary of the Shankill bomb, and this would bring back horrific memories to so many.

Councillor McRandal agreed that the Council should condemn all of the terrorist attacks by Hamas and stand with the people of Israel. He would not be voting against the motion but he could not support it as it stood, as he felt it was incomplete. Council should stand with all good law-abiding peace-loving people affected by this conflict, be they Israeli or Palestinian. He referred to his previous comments at the Corporate Services Committee, stating that Alliance unequivocally condemned Hamas as a terrorist organisation, the recent actions were horrifying and unjustifiable. There was no legitimacy and there could be no excuses for its actions. Countries had the right to self-defence under International Law and the use of force and self-defence must be proportionate to the armed attack and necessary to respond to it.

His Party was deeply concerned that the Netanyahu Government's siege of Gaza and the indiscriminate bombings on civilians went beyond self-defence and was collective punishment. If Council was to make a statement, then in addition to offering support to all affected by the terrible conflict, it should condemn in addition to any acts of terrorism, any disproportionate actions and breaches of International Law that would only serve to inflict more pain and destruction, widen divisions, and increase tensions in the Middle East. Council's message should be a call for peace or ceasefire for the release of hostages, for an end to the siege of Gaza and for International Law to be upheld.

Before inviting the next speaker, the Mayor advised that she had received four proposed amendments to this motion. However in line with Standing Orders amendments for Notices of Motion were required to be submitted one clear day in advance. She would therefore not be accepting any of the amendments as Members had been given clear prior notice that the current Notice of Motion would be heard this evening.

Accepting that position, Councillor Boyle explained that one of the four amendments had been his own. He felt it was regrettable that Council was dealing with a one-sided motion with reference to the recent horrific killings, rapes, brutal murders, bombings, hostage takings and all those horrific scenes that had been broadcast across the world.

He wished to condemn, at the outset, without reservation, the actions of Hamas. However, those actions did not excuse the Israeli government for carrying out war crimes against innocent civilians in Gaza. He recognised that of course the conflict in the Middle East had been ongoing for 56 years with Israel illegally occupying Palestinian territory involving the Gaza Strip and West Bank since 1967. He posed the question, what was the difference between an innocent child from Israel or Palestine being butchered or blown apart or riddled with gunfire. It was critical that all blocking of humanitarian aid was lifted and it was disgraceful of situations of babies not being able to be kept alive in incubators because of lack of failing facilities and lack of supplies getting through were still taking place.

One would have thought that having lived through a conflict here for 40 years, everyone would have been awakened to the fact that no one organisation was responsible for all shootings, killings and bombings. Flying the flag of one nation would give the impression that this Council and all its people would support the actions of Israel which had included the indiscriminate bombings of civilian locations, the ordering of hundreds of thousands to leave their homes and taking action that amounted to collective punishment and violation of International Law.

There were no words that could express what the people of Gaza and Israel were going through right now and the horror and pain that was being felt by innocent people was just unimaginable. They were caught up in a war not of their making and would suffer the brutality of that war with the loss of their homes and loved ones and would witness devastation, destruction and despair, hunger and much more.

Instead of Governments sending military aid to the region, he urged countries to send ships of food and medical aid as further bloodshed was not the answer. This island had shown what could be done when men and women persevered, and shown it could end conflict, division and hatred. Our peace here was not perfect but it could be a blueprint for others.

Speaking on behalf of the Green Party, Councillor Woods stated that it unequivocally condemned the killing of civilians by Hamas and by the State of Israel.

The Party recognised that this conflict had emerged from years of injustice, the illegal occupation of Palestine, and the cruel conditions in which Palestinians in Gaza and the West Bank were forced to live.

Renewed efforts to find peace needed to be a priority, and true and lasting peace meant a just settlement. The current apartheid system would continue to bring harm to Israeli and Palestinian civilians alike as long as it persisted.

As a Party committed to non-violence, its thoughts and compassion extended to all those who had lost loved ones.

The Green Party urged Israel to immediately cease retaliatory attacks on Gaza and its people, and it urged Hamas to release the people taken hostage. The atrocities committed by Hamas were utterly wrong, and collective punishment carried out on innocent Palestinians should never be accepted or allowed to be normalised.

Ongoing atrocities and media coverage of attacks, deaths and destruction would of course raise questions, comments and debate on why, what was this all about. It would raise history, and it would shine a light on global responsibility. It would call into question things that had happened and by whom - people would take 'sides', and the history of things would be depending on who was asked. It would and had done, created debate and difference on fault and blame. She wanted to be clear that the disgraceful attacks by Hamas would never be condoned or defended.

A terrorist organisation slaughtering civilians and a state responding by slaughtering thousands of civilians – she noted that the common thread here was the killing of civilians and children. Images and videos of people with no access to basic human

rights - days of violence and fear, of lack of water, of food, of safety of shelter. The impact of war would continue, even if violence stopped. Half of Gaza's residents were children. This would impact on generations to come of children and their families, from all sides and none. The immediate priority should be de-escalation in order to protect lives.

All sides needed to uphold international law and provide for full humanitarian access of aid and support for those who needed it and avoid further civilian casualties, preventing the alarming loss of life we had all seen so far.

What was needed was ceasefire, meaningful peace talks, with respect and adherence of international law and the Geneva Convention. Lip service had been paid internationally for years on a two-state solution yet nothing had been delivered. Human rights abuses had been ignored. There was a long road to peace, it did not happen overnight, but this required a peaceful political solution and the international community needed to step up. In closing, Councillor Woods added that we all deserved to live in safety and security, enjoying equal rights, fundamental freedoms and democracy.

Speaking in support of the Notice of Motion, Councillor Kennedy stated that if anyone had any doubt about the existence of evil in this world, the events of the last few weeks and the images that had been beamed across the world from Israel should have shattered any notion that mankind was ultimately good and that it was society's fault that he did not demonstrate exemplary behaviour to his fellow man. All mankind was corrupted by depravity and the actions of Hamas had plummeted the depths of this depravity.

He referred to the brutal killings including the kidnapping, mutilation and dumping of children. Women had been brutally beaten, raped and murdered while those responsible held aloft and spat upon the corpses of those who had been massacred. Not since he had witnessed on the TV the brutal murders of two corporals in West Belfast had his stomach been turned to such a degree. He was referring to witnessing a young woman bundled in the back of a vehicle by a baying mob, blood dripping from beneath her waist

The Hamas charter read, 'Then the Jews will hide behind rocks and trees, and the rocks and trees will cry out, 'oh Muslim there's a Jew hiding behind me, come and kill him'. He referred to reported comments from the Hamas leader which stated; 'Today you [Israelis] are fighting divine soldiers, who love death for Allah like you love life, and who compete among themselves for Martyrdom like you flee from death.'

He spoke about Hamas' desire for the annihilation of the Jewish people and how it had absolutely no interest in accommodation on any level, or a two-state solution. Everyone who protested in support of Hamas, who placed a Palestinian flag on social media – all those people expressed support for the extermination of the Jewish people. In every realm of war were the innocents that suffered. In this case he joined with comments that had already been made, urging the Israeli response to be as tactical as possible and to always remain within the confines of the Geneva Convention, unfortunately Hamas did not subscribe to that convention.

He referred to those who looked at the spectre of Hamas butchering civilians and their reaction was to start talking about root causes or various forms of 'whataboutery', whilst bringing in other distractions. Even though they may not have applauded the depravity directly, they were nevertheless still complicit in it.

The talking heads in the media attempted to create some sort of moral equivalence between the manifest evil of Hamas and Israeli's legitimate right to self-defence, this was utterly reprehensible. The problem for those who believed that humans were meat puppets with chemistry kits inside was that without any transcendent moral framework, it all quickly devolved into relativism and radical personal anatomy. By their own admission no single point of view was of greater value, less or more than any other, there was no objective right or wrong.

He added that it should have been no shock when Irish nationalism and republicanism celebrated and lauded the murders and machinations of Hamas, when they wallowed in the glory of their own bloody deeds. It should have been no surprise when those who enthusiastically endorsed the LGBTQIA alphabet-soup agenda in the West, were the very same people who were now seeking to defend Hamas who were not averse to tossing gay people off the roofs of houses. What bound those causes was a deep-seated hatred of the West.

The Deputy Mayor, Councillor Irwin, rose to interrupt the speaker, urging the Member to retract the statement. The Mayor asked the Deputy Mayor to clarify the Point of Order that she was using. The Deputy Mayor responded that she did not want to repeat the comments made by Councillor Kennedy, but that they referred to support for Hamas.

The Mayor recalled that within the Standing Orders there was a Point of Order where a Member seeks a personal explanation and wondered if that was relevant but she did not believe that the statement was made by a Member against another Member in the Council Chamber.

The Deputy Mayor asked for an Explanation or for the Member to retract his comments.

The Mayor repeated that she did not believe the comments were made against anyone in the Chamber but the Deputy Mayor then said that as she was a member of the LGBT community she had taken personal offence at the statement.

The Mayor repeated that she did not believe the comments were made against any individual in the Chamber and that it would be for the Member to decide on whether he wished to withdraw his statement.

Councillor Kennedy said that he would not withdraw his comments but said he was happy to speak to the Deputy Mayor after the meeting to assuage any concerns she might have.

He continued with his contribution to the debate, adding that at the same time, there were many in the West who were rendered impotent by secularism who were willing to say they were repulsed by Hamas but if you asked them their grounds for

objecting to it all they could do was blink slowly. Ultimately there could be no ethical judgements between nations unless someone had been established by the Ancient of Days as the Lord of Nations and the good news was that it had been.

(Councillor McKimm and Councillor Woods left the meeting – 9.38pm)

The Mayor said that Councillor McKimm was due to be brought in to speak next but as he was leaving the Chamber she invited the Deputy Mayor to speak.

The Deputy Mayor said she wished to applaud Councillor McKimm for his action and indicated that she was only standing to speak in order to bring the tone down again.

She said the Alliance representatives, and all members, would have received an outpouring of correspondence from constituents deeply offended by what was happening. This included from constituents from the region; people with family in both Israel and Palestine and Jewish and Muslim families who were currently experiencing profound distress and fear. Councillors could recognise the diverse and sincerely held perspectives on this conflict but it should strive to maintain an inclusive and respectful approach for all constituents especially those who were grieving. It was well known in Northern Ireland that ‘hate begets hate’. The loss of any child, Israeli or Palestian was a tragedy that should never have occurred in this conflict and like Alderman Armstrong-Cotter, she too had been avoiding the coverage of it, finding it hard to stomach.

She said that Councillors had an opportunity to send a powerful message that the communities of Ards and North Down mourned the loss of all life in the region and were committed to seeing an immediate end to suffering, death and destruction. Constituents were looking for a balanced and respectful approach that recognised our shared humanity. Therefore, Council should extend its sympathy and compassion to Israelis and Palestinians who were enduring an emotional loss and fear.

(The Deputy Mayor, Councillor Irwin left the meeting – 9.40pm)

Alderman Smith commented that all right thinking people would condemn the Hamas attacks on October 7th, recalling a discussion at the Corporate Services Committee where he had identified two examples that stuck with him that reenforces the whole awfulness of the situation that had affected both Israel and Palestine. The first one was a female Israeli soldier who had been kidnapped and brought to Gaza, the full horror of the incident and its reaction displayed on social media.

Sometimes you do have to look at this to realise how appalling it was and what people had actually suffered. He recalled a poor woman being pulled out of the back of a jeep by an armed Hamas soldier by the hair. You could see the bindings on her wrists which had dug in and the blood was coming out. You could see the back of her, she had obviously been very violently assaulted and she was being thrown into the back of a jeep to go who knew where for who knew what. She turned and looked at the camera and when you looked in her eyes it was clear she knew what awaited.

He recalled further footage – a social media post of a Palestinian man holding his young son, around six or seven years of age, dead as he pulled him out of the rubble after a bombing.

Those were just two human examples of this conflict. So far there were 10,000 people dead within a month. He had no doubt that figure would rise. He feared that there was danger of a regional conflict that could involve Lebanon and Iran and who knew what thereafter.

He believed Israel had a right to self-defence and that it needed to eradicate the military capability of Hamas but it had to do that in a way that was proportionate and minimised the casualties to the civilian population of Palestine.

(Councillors Woods and Irwin return to the meeting – 9.43pm)

Alderman Smith had watched a television drama from Israel about the conflict of Palestine and Israel, made about seven or eight years ago. Explaining the scenario, he recalled that Hamas had a Weapon of Mass Destruction that it was going to release and its purpose was to provoke Israel into a disproportionate response. It was a case of reality following art and the challenge for Israel was not to fall into that trap.

He hoped that the USA, the UK and the West could influence Israel to be proportionate. Israel was no doubt going to exercise a land campaign which could be bloody for all sides. Invariably there would be negotiations and he hoped they would come soon and the number of casualties would be minimised. He believed that the book of condolence put forward was appropriate and provided people with an opportunity to sympathise with Israel and also now with the Palestinian community as well because suffering knew no borders. We in Northern Ireland would have known that when people from outside commented on our situation it could be mightily ill informed so he thought it important to comment with humility and with a level of proportionality and hopefully we could do that as a Council.

Alderman McIlveen stood to address what he felt was a misinterpretation of the motion, noting that a number of speakers had expressed a view that it was incomplete. He explained that the Notice of Motion had been submitted on the day of the deadline and no other motions had been submitted.

The Mayor had given five days' notice to Members that it was going to be heard at this meeting and he noted that no other member had submitted an amendment within the required timeframe under standing orders which would have been one day in advance. It was therefore as complete as the Members of this Council had made it. His colleagues had submitted what he felt was a balanced Notice of Motion and he drew Members' attention to its last line which condemned the slaughter of all innocents.

There was nothing in the motion that differentiated between Palestinians and Israelis. That was something Members could all unify behind. In some ways what had been said tonight had caused a distraction from the horror of what actually happened on October 7th when Hamas gunmen came in and meticulously planned an attack

knowing that they were going to be mowing down young students attending a peace concert and kidnapping the elderly and young children. This was not a spur of the moment thing, nor an attack on a military installation. This was a deliberate terrorist attack to cause mayhem, fear and murder and the horror of that alone deserved a stand-alone motion.

He commended his colleagues for bringing the motion and commended the words that had been spoken in support of it from Alderman Armstrong-Cotter and Councillor Douglas along with other Members in the Chamber. He felt it was important to focus on what it said and what it meant and it had come from the heart. He hoped everyone would take this Motion as it appeared on their order paper. It called for the end of bloodshed in Israel and Gaza. While some may have wanted to dress it up in other fancier words, the intention was still the same.

Adding her support, Councillor MacArthur explained she had visited Israel on two separate occasions and on one had worked there within Nazareth which was a 70% Muslim area. She had dealt with many individuals who had converted their faith from Muslim to Christianity and had a first-hand experience of the dynamics and politics in Israel.

With that experience, she wanted Members to realise that they were looking at this conflict with Western values; something that should not be done, given how Hamas were not supporters of these.

They did not like freedom of worship or the freedom of declaring whatever sex or gender a person may ascribe to. Israel was the only democratic state in the Middle East and the war was about freedom and democracy. This was a war she believed was similar to that of this nation who had suffered at the hands of the Nazis in the Second World War. In the time that had passed since the initial attack, there had been 533 anti-semitic incidents; the highest total since World War II, recorded in the United Kingdom. She asked Members to put themselves in the shoes of a Jewish mother in Manchester who could not take her child to school for fear of being attacked. She did not believe anyone would understand that point of view from their own experiences. She had visited the Holocaust Museum where she had heard the cries of Jewish people for the loss of their loved ones a generation before.

Councillor MacArthur explained that she was the wife of a former RUC officer and explained how her husband had watched the brutal murders of soldiers in Northern Ireland. Once again, she had watched the children who were tagged and burned, one young person put on a motorbike, of those who were celebrating life, something valued in western culture. They were taken away and murdered. Councillor MacArthur explained that war was war, that it was bloody, never nice, never pleasant and that people were killed on all sides who were innocent and that this would have to be accepted. However, it did not give Israel a carte blanche to do as it pleased. Councillor MacArthur explained that Israel did not start the war and that some estimated the planning took up to five years for the attack meaning Hamas had come prepared.

Finally, one image stood out for her, the Israeli hostage who was released, and an 84-year-old woman who turned and shook the hand of her hostage taker. As a

Christian, Councillor MacArthur explained her beliefs dictated that the person she served was one day going to walk in that land which gave her hope. Like Alderman Armstrong-Cotter, Councillor MacArthur wanted to shut herself off from the news but the hope she had was that one day it would all be resolved, not by war or politics but when the king of kings set his foot again in the land of Israel.

Summing up on the debate, Alderman Armstrong-Cotter explained that she did not want the purpose of the Motion to be lost; to have the Council stand with Israel in its hour of mourning and pray for those who pray and hope for those who hope for the end of bloodshed. She explained that no mother would ever wish to see a child of any description, shade or religious background suffer at the hands of anyone; a sentiment which was at the heart of the Notice of Motion She spoke of how Israel had a right to defend itself and had prayed for mercy, that in their wrath, there would be mercy and wisdom. She thanked those who had passionately spoken and those who could not support the Notice of Motion.

Continuing, Alderman Armstrong-Cotter explained that she had purposefully not gone into details of right and wrong given it was a matter of both life and death and good and evil and would be happy to discuss the Notice of Motion with any Member.

The Motion was for Members to stand with the people of Israel and send a letter to the Ambassador. As for those that did not speak, Alderman Armstrong-Cotter advised that she would leave the circumstances to the consciences of those present, but that she stood with Israel and hoped the Council would make sure it did as well.

Given there had been differing views expressed during the debate, the Mayor advised that a vote would be taken. The Chief Executive explained that the vote would be on the Notice of Motion as presented with the addition of, "that the book of condolence be reopened and the availability of the book be promoted". The Proposer and Secunder were content with those words,

On being put to the meeting with 22 voting FOR, 2 voting AGAINST, the motion was declared CARRIED.

Councillor McRandal referred to Standing Order 27.6 – Conduct during the meeting, he asked Members to reflect on the situation whereby a Member of Council felt that they had to leave the meeting as they were no longer able to stay in the room given certain comments that were made during the debate.

The Mayor explained that during the earlier debate the Member who had been giving the speech had indicated a willingness to speak to the Deputy Mayor after the meeting as there had been a request for a Personal Explanation. It had also been pointed out that , the behaviour of Members was subject to being reported to the Local Government Commissioner for Standards.

Councillor Woods wished to clarify that two Members had felt the need to leave the room during the debate, one of whom had not returned.

Alderman McAlpine referred to the Code of Conduct for Councillors and noted the Good Relations section referred to the need to maintain respectful relationships. The

Mayor advised that would be a matter for the Local Government Commissioner for Standards or the Ombudsman if it was referred there.

RESOLVED, on the proposal of Alderman Armstrong-Cotter, seconded by Councillor Douglas, that the notice of motion be adopted, and further agreed that Council reopens the Book of Condolence and notifies the public of its availability.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Alderman McIlveen, seconded by Alderman Armstrong-Cotter, that the public/press be excluded during the discussion of the undernoted items of confidential business.

6. MINUTES OF COUNCIL MEETING DATED 27 SEPTEMBER 2023 (Continued)

Item 17 – Disposal Of Kinnegar Logistics Base Update

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

16. LMP TENDER FOR THE PROVISION OF A TRANSPORT ACADEMY IN ARDS AND NORTH DOWN

*****IN CONFIDENCE*****

NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

A report updating Members on the outcome of the Transport Academy Tender. The report included details of the tender award.

The report recommended that the Council award the contract for the provision a Transport Training Academy in the Ards and North Down area to DFPP.

The recommendation was agreed.

17. LMP TENDER FOR ACADEMY FOR PEOPLE WITH DISABILITIES

*****IN CONFIDENCE*****

NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

A report updating Members on the outcome of the Academy for People with Disabilities Tender. The report included details of the tender award.

The report recommended that the Council award the contract for the provision of an Academy for People with Disabilities in the Ards and North Down area to NOW Project.

The recommendation was agreed.

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED, on the proposal of Alderman McIlveen, seconded by Alderman Armstrong-Cotter, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 10.10pm.

Item 7.1

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ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting (in person and via Zoom) of the Planning Committee was held at the Council Chamber, Church Street, Newtownards on Tuesday 7 November 2023 at 7.00 pm.

PRESENT:

In the Chair: Alderman McIlveen

Alderman: Graham
McDowell
Smith

Councillors: Cathcart
Creighton
Harbinson
Kerr
Martin
McKee (zoom)

McRandal
McLaren (zoom)
Morgan
Wray

Officers: Director of Prosperity (A McCullough), Senior Professional & Technical Officers (C Rodgers, P Kerr & A Todd), Principal Professional & Technical Officers (C Blair & L Maginn) and Democratic Services Officer (J Glasgow)

1. APOLOGIES

An apology for inability to attend was received from Councillor McCollum.

Apologies for lateness were received from Alderman Graham and Councillor Kerr.

2. DECLARATIONS OF INTEREST

Councillor Harbinson declared an interest in Item 4.2 - LA06/2021/0282/F - 46 Newtownards Road, Bangor.

3. MATTERS ARISING FROM MINUTES OF PLANNING COMMITTEE 03 OCTOBER 2023

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

AGREED TO RECOMMEND, on the proposal of Alderman Smith, seconded by Councillor Wray, that the minutes be noted.

RE-ORDERING OF AGENDA ITEMS

To accommodate the speakers in attendance, the Chair advised that the planning applications would be taken in a different order than detailed on the agenda.

4. PLANNING APPLICATIONS

4.1 LA06/2022/0794/F - Lands 30m East of 7 Cardy Road, Greyabbey - Dwelling and shed (addition of retrospective shed and minor alteration to site boundary to Approval LA06/2021/0917/F). (Appendix I)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Ards Peninsula

Committee Interest: A Local development application 'called-in' to Planning Committee from the delegated list by Councillor Martin

Proposal: Dwelling and shed (addition of retrospective shed and minor alteration to site boundary to Approval LA06/2021/0917/F).

Site Location: Lands 30m East of 7 Cardy Road, Greyabbey

Recommendation: Grant Planning Permission

The Principal Professional & Technical Officer (C Blair) outlined the detail of the application.

Members should note that four letters of objection had been received from one address, No.9b Cardy Road, the occupants of which were in attendance and due to speak on the application. The objection letters principally related to the siting and potential impacts of the new shed, as well as the shed's use. Referring to the visuals, No.9b was situated on lower land to the north of the site.

(Alderman Graham entered the meeting – 7.05 pm)

The site comprised a parcel of land within a larger agricultural field. The site was set back from the road frontage by approximately 220m and was towards the south-eastern corner of the field. Access was taken from an existing farm lane and the application site was adjacent and immediately north of small farm holding with several existing agricultural sheds. The farm buildings and existing dwelling at No.7 Cardy Road were located at the top of a small hill with the application site occupying lands adjacent and on the northern side of the hill.

There was relevant planning history with regard to this site.

Firstly, a farm dwelling and garage was originally approved on the site in January 2011 (X/20090622/F). In 2018 an application for a Certificate of Lawfulness for Proposed Development was submitted to confirm that works of the original permission had lawfully commenced. The Planning Department agreed, and a certificate was issued.

Referring to the visuals the officer highlighted that which was approved under a further change of house type application in January 2022 under LA06/2021/0917/F, which did not expire until January 2027 and what was that proposed under this current planning application.

The main difference was the location of the domestic shed tight against the southern boundary shared with the adjacent farm holding. That had resulted in three trees being proposed to be removed from this boundary with No.7 Cardy Road to accommodate the shed, and one tree being removed further left to the end gable of an adjacent agricultural building.

The application site did not fall within any zoning/designation or policy provision outlined in the Ards and Down Area Plan 2015.

PPS 21 "Sustainable Development in the Countryside" contained the relevant policy tests in relation to this application. In terms of the proposed dwelling, it was previously considered that the policy tests in relation to policy CTY10 of PPS 21 were satisfied and a farm dwelling was subsequently approved. As previously advised, the 2021 approval remained extant on the site, and in light of this history and legitimate fall back, the Planning Department considered that the principle of a dwelling on this site had already been established.

In relation to the proposed dwelling, the Planning Department considered that it complied with the requirements set out under PPS 21.

The main difference between the current application and the extant permission was the addition of the domestic shed in exchange for the garage. There was no material change in the size of the curtilage with the shed located on land within the approved curtilage.

The shed was 14m x 9m and had a 5m ridge height. The objector considered the shed too big to be considered domestic. However, there were no restrictions in planning legislation in terms of the scale, size and height of domestic buildings that could be applied for through planning permission, and which was reflected across many different sites in Northern Ireland.

Referring to the visuals, the Officer stated that it was evident that there was a significant separation distance between the partially constructed shed and the neighbouring property at No.9B. When measured building to building, the shed was 95 metres from the neighbouring dwelling at No.9B. Slides showed:

- An aerial image and a photo taken from the access laneway to the neighbouring property at No.9B.
- a photo from the shed in the direction of the neighbouring property
- a single photo of the shed taken from inside the objector's house.

The shed was sited against the application site's southern boundary and had a backdrop of the existing agricultural outbuildings when viewed from the north and appeared grouped with the existing agricultural buildings when viewed from the road. There was intervening vegetation along the boundary with No.9B and, although the shed was on higher ground, the separation distance between the two buildings

would not result in a significant adverse impact in terms of overlooking or loss of privacy to neighbouring amenity or to habitable rooms. The Planning Department considered the shed to meet the policy requirements of PPS 21 including those under Policies CTY 13 and CTY 14 in terms of integration and rural character.

In terms of the shed's use, the objector considered that the shed would be used for commercial purposes. The applicant had submitted additional information earlier in the process to outline that it would solely be used for domestic purposes. Should the application be approved the Planning Department would condition the shed's use solely for ancillary domestic purposes.

Policy FLD 3 of PPS 15 'Planning & Flood Risk' dealt with Development and Surface Water (Pluvial) Flood Risk outside Flood Plains. In terms of this application, the proposal did not meet any of the thresholds requiring a Drainage Assessment to be submitted, as it was a small scale development.

(Councillor Kerr entered the meeting – 7.12 pm)

Additionally, it stated in PPS 15 that the onus was on the applicant in relation to this matter when there was likely to be lower levels of surface water run-off and would be dealt with under separate regulations outside the Planning Act. It stated-

Even in circumstances where a drainage assessment is not required by the policy it remains the responsibility of the applicant (or suitably qualified person with demonstrable experience in flood risk assessments) to assess the flood risk and drainage impact of the proposed development and to mitigate the risk to their development and that beyond the site.

In terms of sewerage disposal the applicant had provided details in the application form indicating the use of a septic tank, as per the previous approval. Also, the applicant had obtained a Consent to Discharge from NIEA and it was therefore considered there was negligible risk from disposal of effluent. This Consent was granted in February 2023.

The Planning Department's recommendation was approval for this change of house type application including retrospective shed.

(Councillor McLaren entered the meeting during the course of the presentation – via zoom)

The Chair reminded those Members that arrived during the presentation of the application, that as per the planning protocol they were unable to vote or partake in the discussion of the application. The Chair then invited questions from Members.

Councillor Martin read off aspects of the Case Officer's report and was of the view that a reliance was being put on the extant permission as an argument that it did not affect the rural character of the area yet the extant permission was not being considered. The Officer explained that there was an existing permission for a dwelling and garage. The proposed shed was tucked up against the adjacent

agricultural buildings and it was considered that the proposal was not contrary to Policy CTY 14 of PPS 21 in terms of impact on rural character.

Councillor Martin further explained his point regarding the reliance on the extant permission. The Officer outlined that the consideration detailed was for the proposed dwelling and there was no determining impact on rural character.

The Chairman invited David Gallagher and Keith Gallagher to come forward who were speaking against the application.

Mr David Gallagher explained that he would speaking on behalf of his son Keith Gallagher and his wife who lived at 9b Cardy Road, adjacent to the site of this retrospective application. If the developer had communicated with the planners and neighbours in a timely manner the objection may not have been necessary. The developer had already committed several planning breaches which might have been avoided through better communication on his part. He explained that his son would not have lodged an objection if a visually appropriate shed had been built to the east of the house which was the location proposed for a garage in all previous planning applications. PPS7 specifically highlighted that garage and outbuildings to the front of a property would generally be resisted. It also stated they should be subordinate in scale and similar in style. The proposal met neither of the policy requirements and he questioned how the Council could approve the large unattractive and imposing development which was the first building to be seen when approaching the property. He felt that an approval of that nature would create an undesirable precedent. The developer commenced the unapproved building of a shed measuring 7x14m x 5m on an elevated site which overlooked bedroom windows. His son was aware that planning approval had not been granted and when he brought the matter to the attention of the Planning Department the unapproved development was halted. Some of the area where the shed was being built was zoned for the planting of trees and shrubbery in the plans which the developer had submitted himself. Those plans made no provision for a garage or other outbuildings. Mr Gallagher questioned when did the developer decide a shed on this scale was required and why had it not been included in the original planning application.

The developer's P1 form stated that the shed was being built on agricultural land and was going to be used for running a business of which he was listed as an administrator. Mr Gallagher thought that surely contradicted the developer's view that it was a domestic garage. The Planning Officer's report also highlighted that the shed was being built on land which the developer did not own.

The retrospective planning application now sought approval for the completion of the partly built shed and the relocation of the septic tank to the west side of the house. Mr Gallagher questioned where the developer proposed disposing of effluent and surface water from the house and shed. The ditch on the boundary to 9b Cardy Road was not a watercourse and discharging into that ditch could have an adverse environmental impact. A senior Planning Officer had previously stated in writing that the ditch was not a watercourse and such a view had been confirmed in writing more recently by DfI Rivers. Furthermore, DfI Rivers had stated in writing that commencement of work in advance of approval was likely to lead to legal proceedings.

As there were no questions for the speakers, they returned to the public gallery.

The Chair invited questions from Members for the Planning Officer.

Referring to points raised by Mr Gallagher in his address, Alderman Smith asked for the Planning Officer’s perspective regarding:

- PPS7, the style and size of the garage and outbuildings;
- Water discharge; and
- Domestic use.

The Planning Officer explained that PPS7 related to new housing developments in the urban area. The key policy for the proposal was PPS21 – Sustainable Development in the Countryside. The Planning Department was content in terms of design in the countryside location and that it was in line with that policy provision under PPS21.

The Planning Officer stated that, as highlighted, the Planning Department did confirm under the previous planning application that there was no designated watercourse. In relation to the points raised by Mr Gallagher, he considered those issues fell within a Schedule 6 consent under the Water Order which was a matter for DfI Rivers. The onus was on the applicant to ensure his proposal was in line with the requirements of DfI Rivers. The application would be conditioned to ensure that the shed was for domestic use only.

In response to a question from the Chair, the Planning Officer stated that the shed was tucked in beside existing agricultural buildings. When viewed from the roadside it was in line with the group of buildings. Therefore, the proposal was able to integrate into the countryside landscape.

Proposed by Councillor Morgan, seconded by Councillor McRandal, that the recommendation be adopted and that planning permission be granted.

Councillor Morgan recognised the concerns expressed by the objectors although she was assured by the conditions set and that the application met the policy requirements.

Councillor McRandal had nothing to add.

The proposal was put to the meeting and declared carried with 6 voting FOR, 0 AGAINST, 5 ABSTENTIONS and 2 ABSENT.

FOR (6) Alderman McDowell	AGAINST (0)	ABSTAINED (5) Aldermen Smith McIlveen	ABSENT (2)
Councillors Creighton Harbinson		Councillors Cathcart Martin	Councillors Kendall McCollum

McKee
McRandal
Morgan

Wray

**Alderman Graham, Councillor Kerr and Councillor McLaren were unable to vote on the application.*

RESOLVED, on the proposal of Councillor Morgan, seconded by Councillor McRandal, that the recommendation be adopted and that planning permission be granted.

4.2 LA06/2021/0282/F - 46 Newtownards Road, Bangor - Dwelling, landscaping, widened road access and associated parking (amended plans)
(Appendix II)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Ards Peninsula

Committee Interest: A local development application attracting six or more separate individual objections which are contrary to officers' recommendation.

Proposal: Dwelling, landscaping, widened road access and associated parking (amended plans).

Site Location: 46 Newtownards Road, Bangor

Recommendation: Grant Planning Permission

Having previously declared an interest in the item, Councillor Harbinson withdrew from the meeting.

The Planning Officer (A Todd) outlined the detail of the application. The site was located within the development limit of Bangor on the Newtownards Road just south of the city centre. The immediate context was residential consisting mainly of semi-detached dwellings; however, there was also a nursing home, chemist, petrol filling station and Spar shop in close proximity to the site. There were no Development Plan zonings or designations applicable to the site.

The site itself was occupied by a two storey semi-detached dwelling which had an existing access onto the Newtownards Road. It was proposed to widen the existing access and extend the driveway down the side of the existing dwelling to provide access to the rear of the site. The rear garden area of the property, where it was proposed to site the dwelling, was relatively level with no significant changes in topography in the immediate area. Photos showed views from the rear garden towards the adjacent nursing home to the side and towards the existing semi-detached dwellings along Church Crescent to the rear, the boundaries of the site being well defined by mature hedgerows.

The application as originally submitted was for three residential units comprising a pair of semi-detached dwellings and one detached dwelling. The Planning Department advised the agent that this proposal was fundamentally unacceptable due to overdevelopment of the site and an adverse impact on neighbouring

properties. The agent then submitted an amended scheme in March 2022 for two two-storey detached dwellings. Again, the Planning Department advised that this proposal was also considered to be unacceptable due to overdevelopment of the site and an adverse impact on the privacy of existing dwellings.

The final amended proposal for a single dwelling on the site, as shown on slides, was now considered to be acceptable, meeting all of the relevant planning policy requirements as set out in Planning Policy Statement 7 Quality Residential Environments. Both the existing dwelling at No. 46 and the proposed dwelling would have adequate in-curtilage parking with two spaces each. Adequate private amenity space would also be provided to the rear of each dwelling with approximately 43sqm for No. 46 and approximately 126sqm for the proposed dwelling. Those areas were in line with the guidance contained within Creating Places which recommended a minimum of 40sqm. When assessing the amount of private amenity space provided, the context of the site was also a material consideration. In this case, there were a variety of private amenity space sizes in the immediate area including a significant number with areas around the minimum of 40sqm. It was therefore not considered that the reduction in amenity space to No. 46 would be out of character with the area.

The height of the dwelling had been limited to 1 ½ storey measuring 6.5m to the ridge thereby ensuring that it would appear subordinate to the surrounding development with no unacceptable dominant impact on the adjacent dwellings.

To ensure that privacy to the rear of No. 46 would be maintained, a 2m high close-boarded timber fence would enclose its rear private amenity space, providing screening to the rear of the dwelling. There would also be no first floor windows on the proposed dwelling which would overlook the first floor rear windows of the existing dwelling.

In terms of the potential impact on the privacy of Nos. 18-20 Church Crescent to the rear of the site, the first floor windows would be located 10m from the common boundary. The Creating Places guidance recommended a minimum of around 10m separation to the common boundary and also recommended a separation distance of around 20m between first floor opposing windows. As was demonstrated on the site layout plan, a separation distance of 19.5m would be in place between the opposing first floor windows of the proposed dwelling and Nos. 18-20 Church Crescent. As there was only one small dormer bedroom window and roof lights at first floor level which would face Nos. 18-20, this separation distance was considered to be acceptable. It was therefore considered that the development would not result in any unacceptable adverse impact on the amenity or privacy of the adjacent properties.

It was also considered that the proposal would cause no harm to the overall character of the area. The area was already characterised by medium to high density development with a precedent for backland development already established at a number of other locations in the immediate vicinity. Policy LC1 of PPS7 Addendum 'Safeguarding the Character of Established Residential Areas' which specifically considered density of developments did not apply to sites such as the application site which were located along key transport corridors within cities and large towns.

That was in recognition of the desirability of promoting increased housing density in appropriate locations in line with the Regional Development Strategy's aim to encourage the provision of accessible housing in existing urban areas. However, the density of the proposed development had still been assessed by the Planning Department. The proposed density on the site would equate to 29dph. As detailed in the planning report, that was comparable to numerous other existing densities within the immediate area.

As already outlined, the dwelling would be modest in height and massing and would not appear dominant within the locality. Given the backland location, the development would have minimal visual impact from the public road. The alterations to the existing access would also create minimal additional impact and the small front garden area to No. 46 similar to others along the road, would be retained.

A number of objections to the proposed development had been received. At the time of drafting the planning report, a total of 26 letters of objection from six separate addresses had been received throughout the processing of the application. Eight of these letters of objection from four separate addresses were in relation to the final amended scheme for a single dwelling. Following publication of the planning report, a further two objections were received from a Mr O'Neill and a Ms Maitland. Those had been considered and the Planning Department was content that no new material considerations had been raised.

The main objections raised in relation to the final amended proposal for a single dwelling included:

- The dominant impact of the proposed dwelling on existing properties
- The loss of privacy to existing properties
- Overdevelopment of the site and a failure to respect the character of the area
- Inadequate parking and turning.

As already outlined, the Planning Department was content that the proposed development complied with PPS 7, both in terms of the potential impact on the character of the area, and potential impact on the amenity of existing dwellings and all of these concerns had been considered in detail in the planning report. With regard to access, parking and turning, DfI Roads had been consulted on numerous occasions during the processing of the application, and having also reviewed the submitted representations, was content with the proposal.

In summary, the proposal was considered to comply with the Development Plan and all the relevant policy requirements of PPS7 Quality Residential Environments. The proposal would cause no demonstrable harm to the character or appearance of the area, the proposed density of development would be comparable to that already prevalent in the area, adequate private amenity space and parking would be provided for both the existing and proposed dwelling, and there would be no unacceptable adverse impact on the amenity of adjacent properties. On this basis it was recommended that full planning permission should be granted.

There were no questions for the Planning Officer at that stage. The Chair invited Anne Maitland to come forward who was speaking against the application.

Mrs Maitland outlined her reasons for being against the planning application as follows:

1. Insufficient depth of site for the development. DCAN 8 Point 5.7 (i) specified "A fundamental requirement for successful backland development is for the backland plot to be of sufficient depth to accommodate new housing in a way which provides a quality residential environment for new and existing residents. Backland development on plot depths of less than 80 metres is unlikely to be acceptable". As confirmed by the planning report, the backland plot depth at 46 Newtownards Road was 45m and therefore over 40% less than the suggested minimum for backland development approval. Previously an email from the Planning department confirmed that not having a recommended minimum of 80 metres was an obstacle to any backland development.
2. The proposed development did not respect the scale and density of the surrounding houses. DCAN 8 Point 5.7 (ii) specified that the proposed development should be "of a form and scale which respects the local context and existing development". Further it stated, "the scale and massing of new housing in backland areas should not exceed that of the existing dwellings fronting the surrounding streets." At approximately 175sqm the house was approximately 30% bigger than all the surrounding houses. In fact, the proposed dwelling spanned the entire width of both plots of 18 and 20 Church Crescent, which it backed onto, highlighting how much this proposal was not in scale with the local context.
3. Unacceptable adverse effect on existing neighbouring houses in terms of being overlooked, loss of light and overshadowing. This application included a large upstairs back window and three Velux windows which overlook the gardens 18 and 20 Church Crescent and two Velux windows overlooking the gardens of 44 and 46 Newtownards Road. The back windows and Velux windows faced directly into the upstairs bedroom windows of 18 and 20 Church Crescent. In contravention to DCAN 8 Point 4.12 which stated, "A key consideration is the need to respect the privacy of the occupants of residential properties, which are adjacent to the proposed development." Emphasised in *Creating Places*, Chapter 7, paragraph 7.16, the specific guideline "... schemes likely to result in a significant loss of privacy or overlooking, particularly of existing properties, will not be acceptable".
4. Insufficient separation distance between the rear of the new house and the common boundary. With reference to "Creating Places", Chapter 7 paragraph 7.18 stated, "Where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between the rear of new houses and the common boundary." This development had only a 17m separation between this proposed new house and 18 and 20 Church Crescent. Furthermore, there was only 8.5 metres between the rear of new house and the common boundary and only 1.5 metres between the front of the new house and the common boundary with number 46 Newtownards Road.

5. Irrelevant comparison with other backland site developments on the road. Comparison to other “higher density development in close proximity” and the “two-storey care home” was irrelevant. Both developments were built well before the current planning guidelines were introduced and so could not be used as a precedent. Also Abbey View Care Home replaced a very large derelict and long neglected site and was an improvement to the area, new use to this site and a benefit to Bangor.

In summary, Mrs Maitland viewed the application as unacceptable back garden development which was contrary to planning guidelines as outlined. The development did not respect the surrounding context, was inappropriate to the character of the area and would result in dominance and overlooking of existing residential properties. If approved, the application would not only override the planning guidelines but would also create a precedent to allow developers to get around important planning guidelines and allow inappropriate development of back lands. Mrs Maitland urged the Committee to reject the application.

There were no questions for Mrs Maitland and she returned to the public gallery.

The Chair invited David Donaldson (Agent) and Mr Logan (Applicant) who were speaking in support of the application.

Mr Donaldson outlined that, as detailed, the proposal was initially for three dwellings and to address concerns identified by Planning Officers the Applicant had reduced the application to a single dwelling. Whilst objectors were entitled to their opinions, the Case Officer’s report objectively assessed the planning considerations in commendable detail.

Paragraph 3.8 stated that the guiding principle for planning authorities in determining applications was that sustainable development should be permitted, having regard to the Development Plan and all other material considerations, unless demonstrable harm would be caused. As outlined, the North Down and Ards Area Plan and the draft BMAP did not set out any design considerations for the Newtownards Road. The Regional Development Strategy for Northern Ireland 2035 encouraged sustainable housing in urban areas. As noted in the Case Officer’s Report, PPS7 Addendum did not apply to the proposal, as sustainable development was encouraged by policy on sites which were adjacent to main arterial routes such as Newtownards Road. PPS 7 ‘Quality Residential Environments’ was important in relation to the principle of development, Policy QD1 set out a number of criteria which all proposals would be expected to meet. Key aspects were addressed as follows: -

- The development was appropriate to its context;
- It would respect its setting in terms of local character, especially with the adjacent care home and the nearby Church View Cottages;
- There was also a similar arrangement of dwellings at Nos 2 and 2a Church View;
- The density of the development was 29 dwellings per hectare and
- The development would have a rear garden;

- The development would provide amenity space which was in excess of the 'Creating Places' guidance; provision would be made, within curtilage, for parking, with safe access and egress to Newtownards Road.
- As this was a main transport corridor, the site was already in a sustainable location for public transport;
- The proposal would utilise a simple form, with a rendered chalet bungalow type house, incorporating appropriate materials; and there would be no adverse impact upon the privacy of adjacent properties.

Neighbouring amenity appeared to be a key concern of some objectors; however, Planning Officers had ensured that this aspect had been addressed with reference to policy and guidance. The new dwelling had been carefully designed to minimise overlooking. All of the main windows would be at ground floor, with only Velux and a single dormer at first floor. The separation distance between the rear dormer bedroom window and the first floor windows of the opposing houses at 18 and 20 Church Crescent would be 20 metres which was entirely in accordance with the guidance in 'Creating Places'. It must be concluded that this proposal represented the sustainable development of a plot of land within the urban area. It was not contrary to PPS7 or other relevant guidance. No demonstrable harm would be caused and there were no sustainable reasons why permission should therefore should not be granted.

Adding to that, Mr Donaldson noted that Mrs Maitland had referred to DCAN 8 which was a guidance document. He noted that it did state that back land development would likely be unacceptable unless the urban grain was very urban in character and were carefully design could overcome concerns of overlooking and daylighting which was precisely what this application did.

As there were no questions from Members, Mr Donaldson and Mr Logan returned to the public gallery.

The Chair invited questions from Members for the Planning Officer.

Councillor McRandal referred to the points raised by Mrs Maitland and asked the Officer's opinion regarding the backland development and the minimum of 80m. The Planning Officer highlighted that DCAN 8 was a guidance document and there were other material considerations that needed to be taken into account. As alluded to by Mr Donaldson, the guidance stated that plot sizes less than 80m may be acceptable where the existing urban grain was very urban in character and it was considered that this area was very urban in character, it was on a main transport corridor, and it was high density area. Also careful design could overcome concerns of overlooking and in this case she felt efforts had been made to achieve this.

Councillor McRandal referred to the concerns expressed regarding overlooking at Nos 18 and 20 Church Crescent. The Planning Officer explained that the Creating Place guidelines recommended around 20m of a separate distance between opposing first floor windows. In this instance the scale was 19.5m. In such an urban area there was always going to be a degree of overlooking and complete privacy could not be completely guaranteed. The proposal contained one small dormer window with the remaining windows being roof lights which would minimise

overlooking. On balance, in the judgement of the Planning Officer, it was considered that was acceptable.

In response to a question from Councillor Cathcart regarding the PPS7 Addendum, the Planning Officer stated that the road was key transport corridor. She referred to PAC decisions in another area in the Borough and that was considered.

Councillor Cathcart referred to the windows and asked if the property behind was at a higher elevation. The Planning Officer stated that the surrounding property levels were relatively comparable. The separation distance was deemed as adequate with being only 0.5m off the general recommendation specified in Creating Places guidance.

Councillor Martin questioned how the proposal sat with other properties in the Newtownards Road. The Planning Officer explained that PPS7 Addendum was to be considered alongside PPS7. It was Policy LC1 of aPPS7, which primarily dealt with density which was not applicable in such area – however, density had been assessed and it was in line. She also referred to the built form to garden ratio and in this case 52% garden, 48% built compared to as an example 20 Church Crescent, 43% garden and 57% built. It was therefore difficult to say that the proposal was overdevelopment of site.

In relation to Creating Places and the separation distances, he asked if the dormer window was considered as a high level window. The Planning Officer stated that the window was small in size and there was only one, the other windows were roof lights, the views out of those were quite restrictive. Creating Places did allow for greater flexibility when accessing applications in inner urban locations. The professional planning judgement was that it was acceptable.

Councillor Morgan referred to the sewage disposal and expressed an overall concern regarding the sewage infrastructure in the Borough.

Proposed by Alderman Smith, seconded by Councillor Wray, that the recommendation be adopted and that planning permission be granted.

Alderman Smith sympathised and understood the concerns from objectors though, having heard the considerations and mitigations that would be put in place, he was happy to accept the recommendation.

Councillor Wray had no comment to make.

RESOLVED, on the proposal of Alderman Smith, seconded by Councillor Wray, that the recommendation be adopted and that planning permission be granted.

Councillor Harbinson re-entered the meeting – 8.03 pm.

- 4.3 LA06/2021/0834/F - Zoned housing land (HPA 1) and former builders yard, lands to rear of 10 Prospect Road accessed from and north of 100-118 Oakdale, south of 1-4 Prospect Court, south west of 14-30 (even) Prospect Road and east of 9 and 10 The Paddock, Ballygowan - Residential development of 40 units comprising 14 detached, 22 semi-detached and 4 apartments, car ports, landscaping and associated site works**
(Appendices III, IV)

PREVIOUSLY CIRCULATED: Case Officer's Report and Addendum.

DEA: Comber

Committee Interest: A Local development application attracting six or more separate individual objections which are contrary to the officer's recommendation.

Proposal: Residential development of 40 units comprising 14 detached, 22 semi-detached and 4 apartments, car ports, landscaping and associated site works (reduced no. of units from 41 to 40).

Site Location: Zoned housing land (HPA 1) and former builder's yard lands to rear of 10 Prospect Road, accessed from and north of 100-118 Oakdale, south of 1-4 Prospect Court, southwest of 14-30 (even) Prospect Road, and east of 9 and 10 The Paddock, Ballygowan.

Recommendation: Grant Planning Permission

The Planning Officer (P Kerr) outlined the detail of the application. The initial proposal was for 41 units; however, it was considered to be unacceptable in terms of the site layout and relationship between existing and proposed properties. An amended scheme was received on 18 October 2022 which reduced the scheme from 41 units to 40 units and included changes to the design layout, communal open space and amenity relating to the proposed apartments.

The site was located at Zoned housing land (HPA 1) and former builders' yard, lands to rear of 10 Prospect Road accessed from and north of 100-118 Oakdale, south of 1-4 Prospect Court, south west of 14-30 (even) Prospect Road and east of 9 and 10 The Paddock, Ballygowan.

All consultees were content aside from NIW.

This was a local application as it was under 50 units and under 2 ha in area. The application was being presented at Committee as there were six objections from six separate addresses when the application was first advertised and neighbour notified. There were amendments made to the proposal as referred to and after readvertisement and neighbours notification no further objections were received.

The initial objections raised the following planning issues:

- Out of character, higher density, would cause overlooking and loss of light to existing properties abutting the site;
- Increase in traffic, especially when added to the traffic generated from the extant approval for 15 dwellings on the adjoining site;
- Water pressure and capacity issues;

- Concerns about TPO trees;
- Concerns about site boundary treatments;
- Parking issues at 114 and 116 Oakdale.

With regard to traffic increase, DfI Roads had been consulted regarding this application and was satisfied that the existing road infrastructure could accommodate the additional traffic generated from this development. It had stated it had no objections to the proposed development in terms of road safety. With regard to parking standards, each dwelling was to be provided with two in-curtilage parking spaces, as well as on street visitor parking. There would be six parking spaces provided for the four x 2-bed apartment block which was in line with parking standards.

With regard to the ongoing NIW capacity issue, a negative condition was proposed to deal with this, as NI Water had advised that the existing water supply network was operating at, or above, design capacity. The applicant was advised to consult directly with NI Water to ascertain whether a solution could be agreed. The Planning Officer was aware that that had already been happening in the background. An Impact Assessment would be required for consideration by NI Water. On this basis a negative condition could be included so that no development could take place until the method of water supply had been agreed in writing with NI Water.

The Council was aware of recent planning permission for a new WWTW. NI Water anticipated that would be completed prior to the occupation of any proposed dwelling; however, as a precaution, as previously stated, a condition could be included that no development shall take place on-site until the method of sewage disposal had been agreed in writing with NI Water or a Consent to Discharge had been granted under the terms of the Water (Northern Ireland) Order 1999 by the relevant authority. The agent had indicated that he had reached a solution with NIW.

With regard to concerns regarding TPO trees, there were no TPO trees to be removed as part of this application. Mitigation measures had been conditioned to ensure TPO trees were protected. Any works to TPO trees would require a separate application for consent to carry out works. Any specific requests for works to be carried out to protected trees on the site boundary for amenity reasons should be made in writing in a separate request to the Council in relation to that TPO. TPO trees were to be protected and retained within the site.

Regarding concerns about site boundary treatments, a new hedgerow was to be planted along the site boundary adjacent to the properties on Prospect Court and Prospect Road, as shown on the landscape plan. There was existing vegetation to be retained and augmented, where necessary. The existing boundaries of adjacent dwellings were outside the site outlined in red and should not be impacted upon by the proposed development.

Regarding loss of parking for 114 and 116 Oakdale, there was a detached garage on each property so there was off-street parking provision at each property for one car. There was also on-street parking at the front of the dwellings at Oakdale.

With regard to the Development Plan context, the site was within the settlement limit of Ballygowan as designated within the Ards and Down Area Plan 2015 and was largely designated for housing – ‘HPA 1 Gardens and land to the rear of Ballygowan House’. Key site requirements were set out in the Plan, some of those were now deemed unnecessary or unachievable as detailed in the report. There was portion of the site outside the designation, previously used for industry but had since been cleared.

The proposal was in line with the SPPS and PPS2 Natural Heritage, PPS3 Access Movement and Parking, PPS7 Quality Residential Environments and the Addendum to PPS7 Safeguarding the Character of Established Residential Areas, PPS8 Open Space and Outdoor Recreation and PPS12 Housing in Settlements.

The density of the proposed development was not considered as significantly higher than the surrounding residential area. The list of Key Design Considerations for the designation does not include density specifications. The density of the proposed development was approximately 22 dwellings per hectare, compared with approximately 29 dwellings per hectare in Oakdale, so was lower. The density was calculated taking a hectare sized area adjacent and opposite vehicular access in Oakdale.

With regard to residential amenity, the properties at prospect court and Prospect Road will avail of separation distances of around 20m back to back between the opposing rear first floor windows in accordance with Creating Places guidance. At Oakdale, the proposed dwellings are side-on, with no upper floor windows proposed. Given the separation distances and layout, there would be no significant impact on surrounding residents. This was land designated for housing in a medium density area with a proposed development in line with this density. The ridge heights in the surrounding area varies. The proposed ridge heights range between 8-8.5m which was in no way excessive for an area such as this. All the roofs would be pitched or hipped which would mitigate any possibility of dominance. Boundary vegetation was to be retained where possible and augmented. All properties would have close-boarded timber fencing surrounding each plot.

With regard to visual amenity, the proposal lies within a settlement limit and was located adjacent to a variety of residential properties. The site did not lie within an ATC or Conservation Area. The layout, scale and massing of the proposed dwellings would respect the topography of the site and the character of the area. The design and materials to be used were of a quality that would result in high specification finish. The finishes included a mix of smooth, white painted, render and facing brick, and dark grey concrete roof tiles. The site layout had been designed to respect the topography of the site which fell to the south. Changes to the levels of the site were minimal. The character of the area was a mix of dwelling types including 2-storey dwellings as could be seen in the visual.

It was important to have a mix of dwelling types in a development and that could include apartments, as this proposal did. That was essential to deliver balanced communities as stated in the SPPS in order to meet different needs and contribute to creating and enhancing shared space.

The majority of the proposed dwellings would have more than 70sqm amenity space provided and more than the required amount. As the proposal was over 25 units at least 10% of usable amenity space had to be provided as stated under Policy OS 2 of PPS8. 12% of open space had been provided in the western portion of the site and was considered usable as defined under Annex A, PPS8.

In conclusion, the Officer stated that the site was largely land designated for housing, aside from the builders' yard area. It was proposed to be developed at a lower density than the surrounding area. The builders' yard area had been cleared and an appropriate use for this site, considering it was surrounded by housing, would be a residential use, as any industry on the land would have multiple restrictions due to proximity of housing. The loss of industrial land was outweighed by the community benefit of the provision of a range of housing types. DfI Roads was content and NIW issues could be addressed through a negative condition with a solution forthcoming. There would be a certain amount of overlooking expected in a suburban area like this. As the residents currently enjoy being adjacent to unused land it was understandable that they had concerns; however, there would be no significant loss of amenity suffered due to layout and design considerations, and on this basis approval was recommended.

The Chair invited questions from Members.

Alderman McDowell thanked the Planning Department for the Addendum that had been circulated. He had concerns that the area had been referred to as builders' yard as that area had been much more than a builders' yard - it had provided a number of varied jobs and manufacturing elements. In relation to the Addendum, he quoted that '*planning permission should not normally be granted for the loss of such land or buildings to other uses unless alternative proposals that offer community, environmental or other benefits that are considered to outweigh the loss of land for economic development use*'. Alderman McDowell questioned what those benefits were when there was currently no available space for jobs.

The Planning Officer outlined that the benefits were a mix of housing types including apartments for varying budgets to create a shared residential development. It was felt that the benefits of providing that housing, adjacent to the designated housing land outweighed the loss of industrial land. She highlighted that if an application was to be submitted for industry on the site it would be overly restrictive due to the modern day standards required in industry with the residential properties surrounding the site.

Alderman McDowell noted that it was the cumulative effect of such decisions was having on that employment lands in areas throughout the Borough. In relation to PPS7, he referred to the small block of flats contained within the proposal, and he queried how that was in keeping with the area.

With new housing developments, the Planning Officer explained that the SPPS advocated a mix of house types within a development. Considering the area as a whole, there was mix of houses and the small apartment building would not look out of place within the character of that area.

Alderman McDowell disagreed, as the mix was semi-detached and detached properties. He was concerned regarding the loss of employment lands and the cumulative effect made Ballygowan a dormitory town where people had to travel out off to work.

Alderman Smith asked the Officer to confirm that there would be no development until the water and sewerage would be sorted. The Planning Officer confirmed that conditioning.

Referring to a visual and the access point between 114-116 Oakdale and noted that entrance was narrow, and he questioned if DfI was content in that regard. The Planning Officer advised that DfI was satisfied that access was sufficient.

The Chair asked for Mr McAuley (Agent) to be admitted to the meeting who was speaking in support of the application and was in attendance via zoom.

Mr McAuley outlined that, from a planning policy perspective, the proposed site fell within the planned settlement limit for Ballygowan as defined in the current Ards & Down Area Plan. The vast majority of the site was zoned for housing development under HPA 1 of the Plan, with the balance of the site defined by brownfield land (the former Micwall Developments builders' yard). As Members would be aware, inside settlement development limits, and especially on zoned housing land, planning policy operated a clear presumption in favour of development. The SPPS directed that the guiding principle for Council planning authorities, in determining all planning applications, was that sustainable development should be permitted, having regard to the Development Plan and all other material planning considerations, unless the development would cause demonstrable harm to interests of acknowledged importance. Prior to the submission of the planning application, extensive site investigations and environmental reporting was completed including Drainage Assessment, Ecological Appraisal, Contaminated Land Preliminary Risk Assessment and Transportation Assessment.

In the context of PPS4, relating to the retention of land formerly used for economic development purposes inside settlements, the redevelopment of the small portion of the site for housing provision would not lead to any significant effect on employment lands within the locality or indeed the wider Borough. The former builders' yard use was abandoned some 13 years ago in 2010 and the site buildings were demolished and appropriately disposed of in 2017 due to the presence of asbestos and other contaminants. As detailed by the Planning Officer any future use for employment lands would be limited given the surrounding residential uses and a limited vehicular access width. The vast majority of the site fell within the designated policy area, the proposal complied with all key site requirements listed in HPA 1 of the Plan, with the exception of the provision of a right turn lane on Belfast Road. A detailed Transportation Assessment and pre-application engagement with DfI Roads was undertaken by qualified transport engineers. The Transportation Assessment concluded that the provision of the right turning lane was unnecessary as the road network in this location had three connections from the site access to the main road network, resulting in a split of traffic leaving the site to a variety of journey destinations. Following analysis of the transportation assessment information, DfI Roads returned a response of no objections concluding that it would not have any significant effect on road safety or traffic progression within the village. The

development proposals included provision of 0.26 hectares of public open space and an additional 0.17 hectares of urban woodland which included the retention and future management of long established and mature trees protected by TPO. The combined open space and urban woodland amounted to in excess of 24% of the overall site area, far exceeding current policy requirements of 10% of the site area as required by PPS 8 Policy OS 2. This generous open provision would deliver an accessible landscaped open space, promoting biodiversity, health and wellbeing, and catering for both established and new residents. The initial scheme of 41 units received a total of six objections. Following consideration of the objections and subsequent discussions with planning officers, the revised scheme for 40 units was submitted and no further objections were received. Following a lengthy Wastewater Impact Assessment process with NI Water, his clients had identified a storm water off-setting solution to achieve the necessary capacity for the sewage disposal requirements of the proposed development. This solution was summarised in the engineer's summary report.

In summary, the development represents a sustainable use of a vacant and derelict brownfield site alongside a site zoned for housing. As endorsed in the officer's report, the development proposals were compliant with the general policy requirements set out in the Ards & Down Area Plan and the SPPS, nature conservation policies set out in PPS 2, traffic & transportation issues covered by PPS 3, and residential development and public open space policies established in PPS 7 and PPS 8. Mr McAuley was pleased to endorse the planning authority's recommendation to approve this application and commend the development proposals for positive consideration by the Planning Committee.

The Chair invited questions for Mr McAuley.

Alderman Smith referred to the open space and asked Mr McAuley to confirm the management arrangements for that space. Mr McCauley advised that there was a management and maintenance plan in place and that was submitted alongside the landscape proposals. That would be conditioned and linked to the planning approval. Once developed, the open space would be managed and maintained by a Management Company with the planning condition ensuring the delivery of that.

Alderman Smith referred to the water access and asked how that issue was likely to be resolved. Mr McAuley explained that in September 2021, a water impact application had been submitted. A reply from NI Water was received in December 2021 when it confirmed that the development could be supplied from the network without a detrimental impact to existing customers. Therefore, Mr McAuley confirmed that issue had been addressed.

As there were no further questions for Mr McAuley, he was returned to the virtual public gallery.

The Chair invited further questions for the Planning Officer.

Councillor Cathcart sought clarity regarding dealing with the negative condition of water matters. The Director advised that legal advice had been obtained from planning lawyers regarding the ability to apply the negative conditions. It had been made clear to NI Water that the conditions were prior to development taking place

rather than prior to occupation. With regard to this development, as specified, an upgrade in the area was underway.

Alderman McDowell referred to access and was of the view that there was another access to the site on northern side. The Planning Officer could not comment regarding the integrity of that access.

The Director explained that that access was into the housing land and it would not be made available for the development of industrial land.

Proposed by Alderman Graham, seconded by Councillor Cathcart, that the recommendation be adopted, and that planning permission be granted.

The proposer and seconder were content not to comment further.

Councillor Morgan commended the development for the open space and the management plan proposed, which she viewed as really positive.

The proposal was put to the meeting and declared CARRIED, with 12 voting FOR, 1 AGAINST, 1 ABSTENTION and 2 ABSENT.

FOR (12)	AGAINST (1)	ABSTAINED (1)	ABSENT (2)
Aldermen	Alderman	Alderman	
Graham	McDowell	McIlveen	
Smith			
Councillors			Councillors
Cathcart			McCollum
Creighton			Kendall
Harbinson			
Kerr			
Martin			
McLaren			
McKee			
Morgan			
McRandal			
Wray			

RESOLVED, on the proposal of Alderman Graham, seconded by Councillor Cathcart, that the recommendation be adopted, and that planning permission be granted.

(Councillor Martin withdrew from the meeting – 8.39 pm)

4.4 LA06/2022/1141/F - Land within 'Hightrees' Development, 90m SE of No.25 Hightrees Drive, Donaghadee - 14no. two storey detached houses, garages and associated works: (Change of house type to plots 23-37 of approval LA06/2016/0982/RM and overall reduction from 15, 9 detached and 6 semi-detached houses).

(Appendix V)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor East and Donaghadee

Committee Interest: A planning (legal) agreement or modification to a legal agreement forms part of the consideration.

Proposal: 14no. two storey detached houses, garages and associated works: (Change of house type to plots 23-37 of approval LA06/2016/0982/RM and overall reduction from 15, 9 detached and 6 semi-detached houses)

Site Location: Land within 'Hightrees' Development, 90m SE of No.25 Hightrees Drive, Donaghadee

Recommendation: Grant Planning Permission

The Planning Officer (P Kerr) outlined the detail of the application. There were no objections to this application and all consultees were content with the proposal.

The approval LA06/2016/0982/RM and associated outline X/2014/0473/O were extant as the permission had been implemented.

The site was located on land within 'High Trees' development, 90m South-East of No 25 Hightrees Drive, Donaghadee. The site was located within the boundary of the larger development site with the previously mentioned associated permissions for 390 dwellings.

The site was located within the designated settlement limit of Donaghadee in the Ards and Down Area Plan 2015 and on land zoned for housing and adjacent to land proposed for open space amenity and recreation.

(Councillor Martin re-entered the meeting – 8.41 pm)

The proposal was in line with the SPPS and also the relevant planning policy that applied, namely PPS2 Natural Heritage, PPS3 Access Movement and Parking, PPS7 Quality Residential Environments, PPS7 Addendum - Safeguarding the Character of Established Residential Areas, and PPS12 Housing in Settlements.

The proposal was acceptable in terms of density as it was a decrease in units from that which was previously approved and was appropriate for the character of the area.

With regard to visual amenity, as the principle of dwellings had already been established under LA06/2016/0982/RM, the main area for discussion was the change in design from a mixture of detached and semi-detached dwellings to all detached dwellings and the associated design changes that involved. The proposed siting and design were similar to extant and there would be no adverse impact on the

character of the area. Similar materials and design had been proposed (red facing brick and some areas of smooth render with roofs to match in with existing development) and so it was appropriate for the character of the overall development.

With regard to residential amenity, the separation distances were comparable to the previously approved scheme and the siting and design was similar, therefore the privacy and amenity of each individual dwelling was respected and the proposal would not create any further adverse impact. No further loss of light or overlooking would be created. Amenity space had been provided in accordance with Creating Places guidance.

With regard to the issue of a planning agreement relating to the provision of a distributor road - as noted previously, the present application was for a change of house type for a pocket of land within the wider development known as "Hightrees". As part of the original planning permission for the whole site, a series of phasing conditions were imposed to restrict the development of the site under that planning permission to ensure the delivery of the distributor road in full prior to the occupation of 200 dwelling units. In addition, those restrictions sought to limit the total number of units accessing onto Cannyreagh Road before the completion of the distributor road to no more than 30 dwellings. However, the developer had lodged a series of applications for pockets of the wider, original- approved site. To avoid any issue arising, and in response to a request by the Planning Department, the developer had voluntarily entered into a planning agreement to secure the delivery of the distributor road, which bound the land as a whole and was registered as a statutory charge on the land. That agreement secured the same restrictions as the original planning permission, but through the planning agreement which bound any future planning permission that may be granted on the site, over and above those already issued. This application was such a case, and if a resolution to approve was passed by the Committee, and a permission were to issue, it would be bound by the agreement and the restrictions imposed upon it through the planning agreement, rather than planning condition. As such the planning agreement executed by the Council on 26th October 2023 would restrict this development – such an execution which postdates the preparation of this report. In line with the planning policy and planning agreement, it was believed that the proposal was policy compliant, and approval was therefore recommended.

The Chair invited questions from Members for the Planning Officer.

Councillor Cathcart sought clarity that previously there was no legal agreement regarding the distributor road and was contained with the phasing conditioning. The Planning Officer advised that distributor road was contained within the overall conditioning within the first approval.

Councillor Cathcart was of the view that it was normal practice to have a legal agreement for distributor roads that were seen as key infrastructure routes.

The Planning Officer stated that was dependent on the type of development and the phasing.

In response to further questions from Councillor Cathcart, the Planning Officer stated that the planning agreement would supersede any conditioning with regard the distributor road. The Director added that any future amendments to the development would be subject to the legal agreement and would not necessarily need to come before the Planning Committee.

The Chair invited David Donaldson (Agent) and Mr Wilson (Strand Homes) to come forward who were speaking in favour of the application.

Mr Donaldson welcomed the recommendation to grant planning permission with the Case Officer's report being comprehensive and addressing all the key considerations.

Planning permission on this part of the site already exists for 15 houses. This proposal had been submitted to facilitate a change from the approved nine detached and six semi-detached to instead provide 14 detached houses. The overall layout remains much as before. An application such as this would not normally have to be presented to Committee, especially when there were no objections. The application had been placed on the Schedule because there was an associated Section 76 Legal Agreement between the Council and the developer. This Agreement had been presented to and ratified by full Council. Its purpose was to ensure that the distributor road which was already approved through the High Trees site (between Newtownards Road and Cannyreagh Road) would be delivered by the developer prior to 200 houses being completed on the site. At present about 100 houses had been completed on the site. Planning permission for this phase of development was now urgently required and there were further applications in the system. Mr Donaldson asked the Committee to endorse the Officer's Report and grant permission.

There were no questions for the Mr Donaldson and Mr Wilson and they returned to the public gallery.

Proposed by Councillor Wray, seconded by Councillor Cathcart, that the recommendation be adopted, and that planning permission be granted.

Councillor Wray was content that the application was policy compliant and there were no objections raised.

Councillor Cathcart welcomed and thanked the Planning Officers and the applicant for coming together to ensure that the key distributor road was built for Donaghadee as part of this development.

RESOLVED, on the proposal of Councillor Wray, seconded by Councillor Cathcart, that the recommendation be adopted, and that planning permission be granted.

4.5 LA06/2023/1500/F - Lands at and to the rear of 18 – 52 Main Street (Reeds Rain to TK Maxx), 2 – 34 King Street, 5 -17 Southwell Road, 5 – 41 Queen’s Parade, Marine Gardens car park, the Esplanade Gardens, and area around McKee Clock, Queen's Parade, Bangor.
(Appendix VI)

DEA: Bangor Central

Committee Interest: An application in the major category of development.

Proposal: Queen’s Parade Development

Variation of Condition 2 and 3 of previous approval LA06/2020/0097/F

Site Location: Lands at and to the rear of 18 – 52 Main Street (Reeds Rain to TK Maxx), 2 – 34 King Street, 5 -17 Southwell Road, 5 – 41 Queen’s Parade, Marine Gardens car park, the Esplanade Gardens, and area around McKee Clock, Queen's Parade, Bangor.

Recommendation: Grant Planning Permission

The Planning Officer (A Todd) outlined the detail of the application. The site occupied a central location within Bangor City Centre, immediately south of the Marina, and covered an area of just over five hectares. It incorporated the current Marine Gardens car park along with the area to the south of Queen’s Parade bound by Main Street, Southwell Road and King Street. The vast majority of the buildings within the site had been vacant for a considerable time now, pending redevelopment.

The previous planning permission on the site was granted on 29th September 2022 and was therefore extant until September 2027. The full description of the approved development was set out on the slide but to summarise, the main elements included demolition of existing buildings, the erection of a mixed-use development comprising culture and leisure facilities, a 66 bedroom hotel, retail units, food and beverage outlets, offices, 137 residential units, the creation of new public squares and courtyards and the redevelopment of Marine Gardens Car Park to create a public realm space.

Referring to the visuals which displayed the general layout of the approved development, the Planning Officer highlighted the approved public realm area at Marine Gardens which included a series of lawn areas, a playpark, multi-purpose event space, a central water feature and kiosks and pavilion buildings for food and beverage use.

Furthermore, the Planning Officer displayed the approved layout for the mixed-use development on the landside of Queen’s Parade which included primarily residential development at the Southwell Road and King Street side of the site, and then a mix of offices, leisure, hotel, retail and food beverage at the Main Street side of the site. Areas of public open space are also proposed throughout, including the main Market Place and pedestrian linkages through from Main Street to Queen’s Parade.

The Planning Officer showed a CGI of what the approved development would look like viewed from Pickie direction.

The Planning Officer outlined the phasing of the development as approved. That was divided into four phases:

- **Phase 1** included the eastern half of the Marine Gardens public realm area along with a number of other works to the buildings on Main Street.
- **Phase 2** included the remaining half of the Marine Gardens public realm along with the undercroft carpark and residential development blocks fronting Queen's Parade and Southwell Road.
- **Phase 3** then included the hotel, kids' zone, offices, the Market Place and the completion of the pedestrian links from Main Street.
- **Phase 4** would include the residential development along King Street and the leisure or cinema building.

As the application was made under Section 54 of the Planning Act for the variation of planning conditions, it was only matters relating to those conditions that could be considered under the application and the principle of the development itself could not be revisited.

Condition 2 of the original planning permission, required the development to be carried out in accordance with the sequential numeric phasing plans as proposed by the developer, commencing with phase 1 and to be built out sequentially thereafter. No subsequent phase of the development was to be commenced until the preceding phase had been completed. That was to ensure the timely delivery and completion of the development as a whole.

The developer had applied to vary this wording advising that a greater degree of flexibility was now required in terms of the delivery of the development to enable more than just one phase to be under construction at any given time. In particular, the developer sought permission to construct phases 1 and 2 of the Marine Gardens public realm in tandem. The amended condition had been carefully worded following discussions with the developer's agent to provide both a greater degree of flexibility for the delivery of the development and to retain the safeguards which would ensure the completion of each phase and, most importantly, the provision of the various public realm areas.

The amended condition incorporates the following stipulations:

1. Phases 1, 2 and 3 may now be commenced concurrently.
2. Phases 1, 2 and 3 may not be occupied or commence operation until the areas of open space within phases 1 and 2 have been completed in full.
3. Development within phase 3 may not be occupied or commence operation until the areas of open space and pedestrian linkages within phase 3 had been completed in full.
4. Prior to the commencement of construction of any building within phase 4, the construction of phases 1 and 2 (excluding interior fit out) must be completed.
5. Prior to the occupation or operation of any building within phase 4, the construction of phases 1, 2 and 3 (excluding interior fit out) must be completed.

Condition 3 then was also proposed to be amended to reflect the revised wording of condition 2, removing the requirement for the phases to be delivered in sequential order with regard to the public realm areas.

The Planning Department had also carefully considered the potential cumulative impact of various phases being constructed in tandem and was content that there

would be no significantly greater impact on the area as a result. DfI Roads had been consulted and was content with the amendments to the phasing from a road safety and traffic progression perspective. In terms of potential noise, dust and vibration impacts caused during construction, the detailed assessments carried out as part of the original planning application were already based on the premise of all phases being constructed at the same time and were considered to be acceptable by the relevant statutory bodies. The various planning conditions in relation to noise and dust would be repeated in the new planning permission and must also still be discharged in consultation with the relevant statutory bodies.

In addition, condition 16 of the original permission which required the submission and approval of both a Construction Environmental Management Plan and a Construction Site Traffic Management Plan also must still be discharged in consultation with the relevant statutory bodies and those plans when submitted would now reflect the revised phasing.

In summary, the Planning Officer detailed that the Planning Department was content that the proposed revised wording of conditions 2 and 3 was acceptable in the context of the Development Plan and the relevant planning policies, allowing a greater degree of flexibility in terms of the delivery of the development but also still maintaining the various safeguards to ensure the completion of the important public realm aspects of the development. All other aspects of the approved development would remain unchanged, and all other conditions of the original approval remain applicable to the development. On this basis it was recommended that full planning permission should be granted.

The Chair invited questions from Members for the Planning Officer of which there was none.

Proposed by Councillor Cathcart, seconded by Councillor Martin, that the recommendation be adopted, and that planning permission be granted.

Councillor Cathcart welcomed the flexibility for the development brought with the application. He felt the change in the order of development occurring was a sensible one.

Councillor Martin welcomed the three stages working concurrently and felt constituents would welcome work occurring on site.

Alderman Graham added his support of the application.

RESOLVED, on the proposal of Councillor Cathcart, seconded by Councillor Martin, that the recommendation be adopted, and that Planning Permission be granted.

RECESS

The meeting went into recess at 9.03 pm and resumed at 9.14 pm.

4.6 LA06/2021/0118/F - West of Nos. 39 and 80 St Andrews Avenue Ballyhalbert, immediately West of 45 Longfield Way and North of Nos. 72 and 84 Longfield Way. Ballyhalbert - Housing development of 98 units and detached garages, site nos. 175 to 272 inclusive.
(Appendix VII)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Ards Peninsula

Committee Interest: An application in the major category of development.

Proposal: Housing development of 98 units and detached garages, site nos. 175 to 272 inclusive.

Site Location: West of Nos. 39 and 80 St Andrews Avenue Ballyhalbert, immediately West of 45 Longfield Way and North of Nos. 72 and 84 Longfield Way. Ballyhalbert

Recommendation: Grant Planning Permission

The Planning Officer (C Rodgers) outlined the detail of the application. The application site was located immediately to the west of the existing St Andrews development to the north of Ballyhalbert Park Homes.

The site formed part a zoned housing policy area in the Ards and Down Area Plan. As detailed in the case officer report, there was a long history of planning approvals associated with the wider housing designation. Many of the houses in the St Andrews development had been constructed and were now occupied. The principle of residential development on this site had therefore clearly been established.

Outline planning permission for the wider zoning was originally granted in 2000 and was followed by approval of the reserved matters. Numerous applications to amend house types have since been granted planning permission. However, the overall layout in terms of the open space and the internal roads network was broadly in line with the original approval.

In specific relation to the current site, an application to amend house types was previously granted permission in 2012. The current proposal was for 98 dwellings – which represented one additional dwelling to that approved in 2012. The proposed overall layout corresponded very closely to the 2012 approval.

The planning history of this site was an important material consideration in the determination of this application.

The design and finishes reflect the house types previously approved within the site and the wider development. The proposed finishes comprise red brick and painted render with white uPVC windows and doors.

Planting was proposed throughout the site to soften the visual impact of the development and assist integration. Three main areas of open space were proposed in accordance with that previously approved planning permission. Planning conditions would ensure that the open space was provided, and subsequently

managed and maintained in perpetuity by a management company on behalf of the residents.

The layout and separation distances provided would ensure there would be no unacceptable adverse impact on the residential amenity of existing or proposed properties.

The site was accessed via the existing Shore Road access. DfI Roads had provided no objection to the proposal - subject to conditions, and the streets had been determined for adoption. A short extension to pedestrian footpath along Shore Road was proposed and that would be conditioned as part of any approval.

Subject to mitigation, no objection had been provided from key consultees in terms of natural heritage interests or designated sites. DfI Rivers provided no objection to the proposal in terms of flood risk.

As this was a major application for planning permission, the applicant had carried out pre-community consultation in line with section 27 of the 2011 Planning Act. The Pre-Application Community Consultation Report, which was subsequently submitted with the application, indicated there was no response to the applicant's efforts to engage with the local community prior to submission of the application. The Council received one letter of objection during the processing of the application, and issues raised had been considered in the Case Officer's Report.

As previously stated, this site was located within a designated Housing Policy Area and benefitted from a long history of planning approvals for similar residential development. Having considered all material planning considerations, it was recommended that planning permission was granted.

The Chair invited questions from Members for the Planning Officer.

Councillor Wray largely welcomed the addition of the dwellings for Ballyhalbert which was growing area. Referring to the Case Officer's report, he sought reassurance from Officers that they were content with the revised storm drainage layout. He highlighted that recently there had been issues with flooding in the locality.

The Planning Officer referred to condition 16 which required submission of a final drainage assessment prior to commencement of development and would have to demonstrate the safe management of any out-of-sewer flooding emanating from the surface water drainage network. She was of the understanding that the proposal was discharge the surface water to an existing watercourse north of the site and to do that would require consent from DfI Rivers.

Councillor Wray expressed concern regarding the infrastructure in the area. He referred to the area of green space and questioned the threshold requirements for a play park.

The Planning Officer outlined under PPS8 the number of units proposed did not meet the threshold for a play park which was 100 units. Outline permission for the wider area was submitted prior to the introduction of PPS8 in 2004 and therefore that

permission did not include a play park. Much of the wider zoning had already been developed and it would be considered unreasonable to revisit the issue now. Ample amenity space had been provided. Under policy where a development exceeds 25 units, open space was required as part of the development.

Councillor Wray expressed his disappointment in that regard stating the Council was struggling to provide play facilities in the area.

Alderman Graham had no objection to the principle of the development, although sought assurances that there would be no risk of flooding. The Planning Officer advised that a drainage assessment had been submitted, that had been considered by DfI Rivers and it had provided no objection to the proposal in terms of drainage and potential flood risk. As a further safeguard, a condition was attached which required the final drainage assessment to be agreed by the Council in consultation with DfI. The drainage infrastructure would have to be put in place as agreed.

Proposed by Alderman Graham, seconded by Councillor Wray, that the recommendation be adopted, and that planning permission be granted.

Councillor Wray reiterated his disappointment regarding a play park and suggested that matter be raised with the developer for consideration in the future.

Alderman Smith expressed his frustration regarding the matter given that the number of houses was in the development was close to 100.

The Chair agreed and highlighted the needs of the Ballyhalbert village as whole.

RESOLVED, on the proposal of Alderman Graham, seconded by Councillor Wray, that the recommendation be adopted, and that planning permission be granted.

- 4.7 LA06/2020/1052/F - 136 and 136a High Street, Holywood - Demolition of existing retail shop and offices and redevelopment comprising of 2 No. three storey units with retail shops on the ground floor and office accommodation above**
(Appendix VIII)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Holywood and Clandeboye

Committee Interest: A local development application attracting six or more separate individual objections which are contrary to officers' recommendation.

Proposal: Demolition of existing retail shop and offices and redevelopment comprising of 2 No. three storey units with retail shops on the ground floor and office accommodation above

Site Location: 136 and 136a High Street, Holywood

Recommendation: Grant Planning Permission

The Principal Planning and Technical Officer (C Blair) outlined the detail of the application.

Members should note that the original application was not deemed acceptable, with subsequent amendments submitted on 25 May 2021, and further amendments which was the current scheme before Planning Committee, received on 19 July 2021. The proposal when fronting onto High Street had changed from 3-storey to 2½-storey. Since this date the applicant had submitted an Additional Supporting Statement in July 2023 which considered parking arrangements within the site and surrounding area, including within the adjacent St Helen's Business Park, which was also within the applicant's control.

The site was within the settlement limit of Holywood where there was a presumption in favour development. The site comprised two flat-roofed two-storey buildings with an area of hard standing to the rear used as informal parking by the adjoining end terrace building located at the junction of Ean Hill and High Street and used by the funeral directors. The existing buildings on the site were in use by a Credit Union and the adjacent funeral directors. A Boots pharmacy formerly occupied one of the units.

This was an application for the ground floor retail space to be retained with the addition of a third unit with office accommodation on the first and second floors above.

The surrounding area was mixed use, comprising primarily retail, residential and office use. It was within the town centre as defined by both the North Down and Ards Area Plan (NDAAP) 1984-1995 and the Draft Belfast Metropolitan Area Plan (dBMAP) 2015. It lay outside of the primary retail core identified in Draft BMAP. The site was located at the edge of and within the proposed Holywood South Area of Townscape Character (ATC).

Although this site was outside the primary retail core which was the preferred location for comparison and mixed retail development, the Planning Department must take into account the site's existing use. There remained a very high occupancy rate within Holywood's Primary Retail Core, and there were no suitable vacant units currently within the core which could accommodate the proposed development.

The proposal met Policy OF 1 of the draft BMAP which stated that planning permission would be granted for office development within Classes A2 and B1 of the Planning (Use Classes) Order (NI) in the designated town centres. In this proposal the office space was to be located on the upper floors with the ground floor retail element retained, which would encourage continued footfall within the town centre area, as well supporting job creation in the local area and ensuring a sustainable form of development.

The proposal was compliant with the SPPS and Policy PED 1 of PPS 4, which both support and permit office developments within town centres.

Policy ATC 1 related to demolition control in an Area of Townscape Character. The existing buildings on the site have no particular design merit and make no material contribution to overall appearance of this ATC, as the flat roof design and large

picture windows were at odds with the design and proportions of the more traditional built development along the street.

The upper section of High Street comprised mainly 2.5-3 storey buildings. The proposed design of a 2.5 storey building fronting High Street was therefore in keeping with the established built form with the proposed materials and finishes also complementing and blending sympathetically with the existing buildings. As such the proposed development would not harm the overall appearance of the proposed ATC and would comply with the principles of good design as set out in the SPPS.

It should also be noted that Historic Environment Division was content that the proposed development was acceptable and would not detract from the overall setting of the nearby listed buildings.

In terms of the proposed access to the public road onto Ean Hill at the rear of the site and a second vehicular access proposed via the existing access that serves the adjacent St Helen's Business Park, that was assessed against Policy AMP 2 of PPS 3. DfI Roads had no objections to the proposal in terms of road safety or traffic progression at this location.

Having considered the detailed information submitted in respect of proposed formal parking arrangements within the site of 10 spaces plus an area for cycle storage, and the parking spaces availability in the surrounding area (for a further 16 spaces), as well as links to nearby public transport, the Planning Department considered the proposal to be considered before the Council to be acceptable. It should be noted that the existing development on the site did not benefit from any formal parking arrangements or provision. Additionally, the planning agent had clarified that there was no legal requirement for residential parking to be provided for Nos. 2 and 4 Ean Hill, with their designated parking being on-street.

The Supporting Statement also referred to the additional option of parking availability within the adjacent St Helen's Business Park, which was in the control of the applicant. A parking survey was undertaken in the area and was carried out on a Thursday between the hours of 8am–7pm. That included all existing public/on-street parking provision within a 200m radius of the application site. 200m radius was an established benchmark for a reasonable walking distance from a mode of transport to a given facility. The results demonstrated that there was in excess of 31 no. available parking spaces within the study area at any time of the day. The majority of available spaces were found to be within the Spafield car park and along High Street and My Lady's Mile, with very little availability, if any, along Church View and Downshire Road.

Whilst there was a shortfall of formal parking provided within the site, the Planning Department considered that the additional supporting statement with parking survey provided by the agent met the requirements of Policy AMP 7 of PPS 3, which advised that beyond areas of parking restraint identified in a Development Plan, a reduced level of parking provision may be acceptable in circumstances where the development was in a highly accessible location well served by public transport or where the development would benefit from spare capacity available in nearby public car parks or adjacent on-street parking. Taking all the matters into the account, the

Planning Officer advised that the Planning Department's recommendation was approval.

The Chair invited questions from Members for the Planning Officer.

Councillor McRandal expressed concern regarding car parking in the area. He noted that the St Helen's Business Park which was adjacent to this site was in the applicant's control and asked if it could be conditioned that parking be made available in that site for the tenants/occupiers of the premises. The Planning Officer did not feel the Planning Department would have the ability to impose that condition. As detailed, there was available spaces within the area.

Alderman Graham was unsure how relevant it was to the application that the developer had control of the site adjacent and questioned how the parking requirement could be defined. The Planning Officer advised that the retail and office development would require 27 spaces. 10 spaces were due to be provided within the application site. As a result of the parking survey, 31 spaces were available in the surrounding area. There was availability of the bus, train and people may chose to cycle.

Alderman Graham did not mean to be negative regarding the proposal as he believed it to be an excellent proposal; however, he was concerned regarding car parking.

Councillor McLaren shared the concerns regarding car parking. She thought the applicant would be using the car park for their own customers. The Planning Officer had indicated that there were a number of free spaces.

Councillor Morgan did not feel the car parking survey was comprehensive. The Planning Officer confirmed that the survey was undertaken on a weekday.

In response to further questions regarding car parking, the Planning Officer outlined the policy requirements which had been met. The car parking survey had been carried out by the consultant employed by the applicant.

The Director advised that the parking standards were published in 2005. The Council was pushing for a modal shift encouraging the use of active travel and public transport. That had to be taken on board and as detailed, the site was highly accessible.

Alderman Smith questioned how the policy could be taken into consideration. The Planning Officer stated that the PPS3 was the relevant planning policy. He reiterated it was a highly accessible location, parking was available nearby and cycling provision had been provided within the site.

Proposed by Councillor Cathcart, seconded by Alderman Smith, that the recommendation be adopted, and that planning permission be granted.

Councillor Cathcart agreed that the proposal was a betterment to the town centre. Quite often with office accommodation a designated car parking space was not provided.

Alderman Smith agreed and highlighted the need to encourage active and public transport.

Councillor McRandal agreed with the betterment; however, he had grave concerns regarding the parking. He noted the need to encourage active travel; however, felt the infrastructure did not allow at the current time. He was not prepared to make a decision that puts any additional parking pressure on the side streets.

Councillor McLaren outlined the benefits to the town that the proposal brought and although she remained concerned regarding car parking she felt those benefits outweighed the parking issues.

Alderman Graham agreed that it was an excellent scheme; however, he did have reservations regarding the concept of increasing office use in Holywood. There was no availability for all day parking. He remained unconvinced that car parking was available.

Alderman McDowell supported the proposal as it brought extra jobs to the town. Any town needed a good mix of town and office accommodation which assisted in the regeneration of business. The proposal improved the appearance of the area. He recognised parking was an issue, it was a difficult and emotive issue.

The proposal was put to the meeting and declared CARRIED, with voting 8 FOR, 2 AGAINST, 4 ABSTENTIONS and 2 ASBENT.

FOR (8)	AGAINST (2)	ABSTAINED (4)	ABSENT (2)
Aldermen		Alderman	
McDowell		Graham	
Smith		McIlveen	
Councillors	Councillors	Councillors	Councillors
Cathcart	McRandal	Kerr	Kendall
Creighton	McKee	Harbinson	McCollum
Martin			
McLaren			
Morgan			
Wray			

RESOLVED, on the proposal of Councillor Cathcart, seconded by Alderman Smith, that the recommendation be adopted, and that planning permission be granted.

- 4.8 **LA06/2022/0689/F - Land at Craigantlet Quarry, 73 Holywood Road, Newtownards - Erection of a Coated Roadstone Plant and associated ancillary development to include bitumen storage tanks, aggregate storage bays, staff facilities, weighbridge and recycled asphalt pavement (RAP) processing and storage area**
(Appendix IX)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Comber

Committee Interest: An application in the major category of development.

Proposal: Erection of a Coated Roadstone Plant and associated ancillary development to include bitumen storage tanks, aggregate storage bays, staff facilities, weighbridge and recycled asphalt pavement (RAP) processing and storage area

Site Location: Land at Craigantlet Quarry, 73 Holywood Road, Newtownards

Recommendation: Grant Planning Permission

The Principal Professional and Technical Officer outlined the detail of the application. Members were asked to note that the Planning Department was satisfied that all statutory pre-application requirements had been fulfilled. There were no representations submitted regarding this proposal, either in support of or objecting to the application.

Members were also asked to note that there were no concerns raised through the consultation process, subject to conditions which were listed in the case officer's report. The Industrial Regulation & Radiochemical Inspectorate's (IRPI) response advised that the tar and bitumen activities detailed in the application would be regulated under separate legislation, which was outwith any Planning Enforcement powers.

The application site was located within the left-hand side portion of the existing quarry, close to and northeast of the road access from Holywood Road. The existing quarry area covered some 32 hectares with the application site measuring approximately 2 hectares.

The existing part of the quarry was currently used as a concrete batching plant and block yard. The site was in the countryside, which was principally characterised in the surrounding area by agricultural lands, single dwellings and the quarry. The existing access into the quarry would remain unchanged.

The development included a Coated Roadstone Plant which would be 35m high, bitumen storage tanks 14m high, aggregate storage bays 10m high, staff facilities building 3m high, weighbridge and recycled asphalt pavement (RAP) processing and storage area.

Firstly, an Environmental Impact Assessment screening was carried out regarding this proposal, and it was determined that the application did not require to be accompanied by an Environmental Statement.

The proposed development was not contrary to any policy within the North Down and Ards Area Plan 1984-1995 (NDAAP) or Draft BMAP, which were silent in relation to policy provisions for mineral works. The site was not located within an AONB or other environmental designation.

PPS 21 "Sustainable Development in the Countryside", Policy CTY 1 stated under the sub-heading for Non-Residential Development that planning permission would be granted for mineral development in accordance with the mineral policies in A Planning Strategy for Rural Northern Ireland ("the Rural Strategy").

As the site was located within an existing quarry, the principle of development had therefore already been established.

Policy MIN 2 of the Rural Strategy related to visual implications. It stated that to minimise the visual impact, advantage should be taken of existing landforms and features, and it required the preservation of skylines. Given the surrounding topography, the short distant views of the proposed development were obscured from Holywood Road and Craigantlet Road. There were critical views from longer distances along the Ballymiscaw Road, and as such the planning agent submitted a Landscape and Visual Appraisal.

The siting of the plant was on lower land to ensure that it could avail of the landform to the rear providing a backdrop for the proposed plant. It further demonstrated that it would not have an adverse impact on the skyline.

The Planning Department considered that the proposal complied with Policy MIN 2 and would visually integrate into the landscape and would cause no unacceptable harm to the rural character of the area, in accordance also with Policies CTY13 and CTY14 of PPS 21.

In terms of residential amenity, the nearest dwelling to the application site was 69 Holywood Road (south-west of site) which was approx. 150m from the application site. 9 Craigantlet Road (north-west of site) was approx. 169m from the application site. A Noise Impact Assessment was submitted as part of the application and the Council's Environmental Health Department was content with the predicted noise levels, subject to conditions which could be added, should the application be approved.

The application was sited approximately 1.2km north of Craigantlet Woods ASSI. An Air Quality Assessment report was also submitted. The Natural Environment Division considered that the proposal was unlikely to have any significant impacts on any designated sites and the Environmental Health Department was content that the predicted process emissions were acceptable.

Taking all of the above into account the Planning Department's recommendation was to grant full planning permission.

The Chair invited questions from Members for the Planning Officer.

Councillor Cathcart questioned why the application was classed as a major application. The Director advised that was due to the size of the site.

Councillor Cathcart noted that there were no objections and questioned the reasoning for the delay in the application. The Planning Officer highlighted that such matters at the air quality assessment and noise impact assessment took time to be reviewed and assessed in detail.

Councillor McRandal highlighted that the site was adjacent to Cairn Wood and he questioned the visibility for walkers and users as a material planning consideration. Referring to the visual, the Planning Officer did not consider that the proposal would have a significant visual impact for the users of Cairn Wood.

Councillor McRandal advised when walking at the side of Cairn Wood the infrastructure on the site was visible. He noted the height proposed and again questioned if that was a material consideration.

The Planning Officer advised that the short term views into the site were obscured. Whilst that was a material consideration, the existing typography and vegetation was deemed to obscure those views.

Councillor McRandal stated that there were no trees at that side of Cairn Woods with unrestricted views into the quarry lands.

Alderman Graham referred to the image of the tower and questioned if the colour and finishes of that could be conditioned. He stated that he had some concerns regarding the visual impact particularly in the countryside.

The Planning Officer stated that the proposal complied with policy and therefore he did not believe the application could be conditioned in that respect.

The Chair questioned if there was anywhere else on the site that the towers could be accommodated that would have had less impact. The Planning Officer stated that the rest of the quarry was in full operating use and the applicant had indicated this location as the best position for the proposal.

Councillor Creighton was of the view that the proposal was very obstructive in the countryside and questioned if anything could be done regarding the aesthetics. The Planning Officer referred to the existing vegetation in the backdrop. He believed the ability to plant trees around the operating quarry would be unlikely.

Councillor McRandal was unsure of the impact on the local amenity had been fully considered, and as such it was therefore;

Proposed by Councillor McRandal, seconded by Councillor Creighton, that the application be deferred until the impact on local amenity including Cairn Wood was considered.

Alderman Graham welcomed the principle of the development; however, he was concerned regarding the visual impact.

Alderman Smith stated that he could support the proposal, the towers were situated due to the nature of the production process. It was a matter of balance, did the Council wish for the material to be produced within the Borough and the benefits that brought versus the visual appearance of the proposal. Whilst Alderman Smith understood the concerns, he was supportive of the application.

Councillor McKee was supportive of the proposal to defer the application. For a proposal as high he felt visuals should have been displayed from all angles.

Councillor Morgan asked if the application had been publicised in the normal way. The Planning Officer confirmed that the application had been advertised in the press and neighbour notification issued. As with all major applications a pre community consultation was also carried out.

Councillor Morgan was unsure why the application would be deferred if no objections were submitted.

Councillor McRandal made it clear that he was not proposing to object to the application; however, he felt the users of Cairn Wood and the amenity value had not been considered.

The amended proposal was put to the meeting and declared LOST, with 6 voting FOR, 7 AGAINST, 1 ABSTENTIONS and 2 ABSENT.

FOR (6)	AGAINST (7)	ABSTAINED (1)	ABSENT (2)
Alderman Graham	Aldermen Smith McIlveen	Aldermen McDowell	
Councillors Creighton Harbinson McKee McLaren McRandal	Councillors Cathcart Kerr Martin Morgan Wray		Councillors McCollum Kendall

Proposed by Councillor Martin, seconded by Councillor Cathcart, that the recommendation be adopted and that planning permission be granted.

The proposal was put to the meeting and declared CARRIED with 7 voting FOR, 3 AGAINST, 4 ABSTENTIONS and 2 ABSENT.

FOR (7)	AGAINST (3)	ABSTAINED (4)	ABSENT (2)
Alderman Smith McIlveen	Aldermen	Aldermen Graham McDowell	
Councillors Cathcart	Councillors Creighton McRandal	Councillors McLaren	Councillors McCollum

Kerr
Martin
Morgan
Wray

McKee

Harbinson

Kendall

RESOLVED, on the proposal of Councillor Martin, seconded by Councillor Cathcart, that the recommendation be adopted, and that planning permission be granted.

5. UPDATE ON PLANNING APPEALS

(Appendices X, XI)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity attaching appeal decision notices. The report detailed that the following appeal was dismissed on 25 September 2023. The terms of the Notice were varied.

PAC Ref	2021/E0026
Application ref	LA06/2017/0337/CA & EN/2020/0013
Appellant	Mr J Hair (J Hair Car Sales)
Subject of Appeal	Alleged change of use from yard area to car sales
Location	Premises on land behind Dicksons Garden Centre, 79 Cootehall Road, Crawfordsburn

The appeal was brought on Grounds (a), (e), (f) and (g) as set out in Section 143(3) of the Planning Act (Northern Ireland) 2011. There was a deemed planning application by virtue of Section 145(5).

Ground (e) that copies of the Enforcement Notice were not properly served - The Commissioner considered that the Notice was appropriately served, and this ground of appeal failed.

Ground (a) that planning permission ought to be granted - The appeal site comprised a small area of hardstanding which sits within the existing boundaries of a vacant garden centre. The garden centre was approved in 1988 as part of approval W/1988/0115 for the demolition of existing complex and erection of new indoor garden centre and restaurant with associated external horticultural areas. The garden centre was now vacant, and the wider site was occupied by several other businesses including a pet shop specialising in tropical fish, a conservatory supply and installation showroom and a concrete products retailer. These businesses all involved the sale of goods to the public. The appellant argued that the appeal site was part of an approved retail complex and as such this represents a reasonable fallback position. The appellant further advised that any other type of retail at the site other than vehicle sales, which was sui generis, would not require further planning permission.

The Commissioner considered that the use of the site was retailing and prevailing policy within the SPPS stated that retailing would be directed to town centres and the development of inappropriate retail facilities in the countryside must be resisted. No sequential test was submitted, and the Commissioner was not convinced that the

appeal development represented an appropriate use in the countryside in accordance with the policy. It therefore did not meet the requirements of the SPPS.

In respect of the appellant's reliance on a fall-back, the sale of vehicles had a distinct character which separated it from other retail uses. Therefore, to use the previous use of the site to justify vehicle sales does not account for the fact that any change of use to vehicle sales must require permission. There was clear distinction between the nature of those uses and the fallback position as a garden centre. The previous use of the site was not adequate to establish the principle of the appeal development.

In respect of the deemed application, the Commissioner found that the Council's objections to the principle of the car sales use of the appeal site in respect of Policy CTY 1 of PPS 21 were sustained in that it was not demonstrated that there were any overriding reasons why the development was essential in this countryside location and could not be located within a settlement.

Ground (f) – that the steps required by the Enforcement Notice exceed what is necessary to remedy any breach of planning control or to remedy any injury to amenity caused by any such breach – the Commissioner did not consider that there was any ambiguity within the wording of the Enforcement Notice, and the appeal under this ground failed.

Ground (g) – that the period for compliance specified in the Enforcement Notice falls short of what would reasonably be allowed - The Council had stipulated a 90-day timescale for the cessation of the use and the removal of the portacabin and return of the land to its condition before the breach took place. The Commissioner varied the terms of the Notice to provide a period of six months.

The following appeal was dismissed on 12 October 2023.

PAC Ref	2022/A0184
Application ref	LA06/2021/0375/O
Appellant	Mr John McKee
Subject of Appeal	2 detached dwellings with garages and ancillary works
Location	Lands located between Nos. 20 and 20a Lower Balloo Road, Groomsport, and No. 160 Springwell Road, Bangor

The Council refused planning on 16 November 2022 for the following reasons:

- i. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement;
- ii. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8 of Planning Policy Statement 21,

Sustainable Development in the Countryside in that the site does not constitute a small gap sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and would, if permitted, create a ribbon of development along the Springwell Road and Lower Balloo Road, resulting in the loss of a valuable visual break within the existing road frontage; and

- iii. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwellings would, if permitted, result in a suburban style build-up of development when viewed with existing and approved buildings and would add to a ribbon of development which would therefore result in a detrimental change to further erode the rural character of the countryside.

The main issues in this appeal were whether the proposal was acceptable in principle in the countryside and would erode the rural character of the area.

The Commissioner considered that there were no designations or zonings in the Development Plan and that the proposal was contrary to the SPPS and prevailing planning policies under PPS 21 applied namely CTY 1, CTY 8 and CTY 14.

The Commissioner concluded that despite the curvature of the road at the intersection between Springwell Road and Lower Balloo Road, the proposed development site fronts onto the roads and therefore belongs to two distinct and separate frontages (see map below). As such there was no substantial and continuously built-up frontage along this section of the Lower Balloo Road, as it depends on development fronting onto Springwell Road acting as a bookend to establish a line of three or more buildings within which the proposal would be located. As such, the appeal site cannot constitute a small gap site within an otherwise substantial and continuously built-up frontage.

In terms of the size of the gap at the location it was determined that the subject gap was sufficient to accommodate more than two dwellings, which would respect the existing development pattern along the frontage in terms of size, scale, siting, and plot size, based on the range of plot sizes within this area. As such the proposal does not meet the exceptional test.

Finally in terms of CTY 8 the Commission concluded that the appeal development would still create a built-up appearance along the road, resulting in a ribbon of development and the loss of an important visual break.

In terms of CTY 14 the Commissioner determined that a ribbon of development would be created as per CTY 8. Further, development on the appeal site would lead to the built-up appearance of the area, resulting in a suburban style build-up of development that would cause a detrimental change to the rural character.

With regard to Policy CTY 1 of PPS 21 Policy CTY 1 of PPS 21 as it was not demonstrated that there were any overriding reasons why the development was

essential in the countryside location and could not be located within a settlement, the policy requirement was also not sustained.

New Appeals Lodged

The following appeal was lodged on 11 September 2023.

PAC Ref	2023/A0056
Application ref	LA06/2020/0483/O
Appellant	John Gracey
Subject of Appeal	Refusal of planning permission for 2 no. dwellings and detached garages
Location	Land immediately adjacent to and NE of 9 Corrog Lane, Portaferry

Details of appeal decisions, new appeals and scheduled hearings can be viewed at www.pacni.gov.uk.

RECOMMENDED that Council notes the report and attachments.

(Alderman Smith withdrew from the meeting – 10.28 pm)

AGREED TO RECOMMEND, on the proposal of Alderman Graham, seconded by Councillor Kerr, that the recommendation be adopted.

6. PLANNING SERVICE BUDGETARY CONTROL REPORT – SEPTEMBER 2023

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity detailing that the Planning Service's Budgetary Control Report covers the 6-month period 1 April to 30 September 2023. The net cost of the Service was showing an overspend of £82k (10.7%) – box A on page 2.

Explanation of Variance

The Planning Service's budget performance was further analysed on page 2 into 3 key areas:

Report	Type	Variance	Page
Report 2	Payroll Expenditure	£105k favourable	2
Report 3	Goods & Services Expenditure	£20k adverse	2
Report 4	Income	£168k adverse	2

Explanation of Variance

The Planning Service's overall variance can be summarised by the following table: -

Type	Variance £'000	Comment
Payroll	(105)	Vacant posts within Planning include Manager's post and Administration posts. Vacant posts are expected to be filled over the next few months.
Goods & Services	20	Legal fees – 2/3 large on-going cases which require significant legal advice. Planning portal costs – higher than expected. These overspends have been partially offset by small underspends in areas such as advertising and printing.
Income	168	Planning application fees. No major applications received. General slowdown in applications in NI.

REPORT 1 BUDGETARY CONTROL REPORT					
Period 6 - September 2023					
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance
	£	£	£	£	%
Planning					
730 Planning	848,987	766,600	82,387	1,541,500	10.7
Total	848,987	766,600	A 82,387	1,541,500	10.7
REPORT 2 PAYROLL REPORT					
	£	£	£	£	%
Planning - Payroll					
730 Planning	1,086,303	1,191,500	(105,197)	2,383,000	(8.8)
Total	1,086,303	1,191,500	(105,197)	2,383,000	(8.8)
REPORT 3 GOODS & SERVICES REPORT					
	£	£	£	£	%
Planning - Goods & Services					
730 Planning	154,906	134,900	20,006	308,100	14.8
Total	154,906	134,900	20,006	308,100	14.8
REPORT 4 INCOME REPORT					
	£	£	£	£	%
Planning - Income					
730 Planning	(392,222)	(559,800)	167,578	(1,149,600)	29.9
Totals	(392,222)	(559,800)	167,578	(1,149,600)	29.9

RECOMMENDED that the Council notes this report.

(Alderman Smith re-entered the meeting – 10.29 pm)

AGREED TO RECOMMEND, on the proposal of Councillor Martin, seconded by Councillor Cathcart, that the recommendation be adopted.

7. **QUARTER 1 STATISTICS 2023/24**

(Appendix XII)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity attaching Statistical Bulletin. The report detailed that the Department's Analysis, Statistics and Research Branch published provisional statistics for Planning activity on 12 October 2023 for Quarter 1 (April – June) of 2023/24.

Members could view the full statistical tables at

<https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-april-june-2023>

Local Applications

The Council determined 175 residential applications in Quarter 1 of 2023/24 compared to 180 such applications in the same period of the year before. Residential applications include a range of proposals, but notably dwellings and residential extensions. Some residential extensions or applications for single dwellings in the countryside, whilst seeming innocuous, can attract a high volume of objection which triggers referral to the Planning Committee for determination, or are called into Committee from the delegated list, which obviously adds time to the processing timeline.

Processing times were also dependent on the quality of the application when submitted (i.e. whether additional information was required by Council or statutory/non-statutory consultees), staff resource and volume of representations raising material planning considerations to be considered. They also have to be considered in the context of all other work within the section i.e. assessment and determination of applications for Certificates of Lawfulness, Non-Material Changes, Discharge of Conditions, preparation of Statements of Case for planning appeals, and planning enquiries.

The average processing time for applications in the local category of development in Quarter 1 was 15 weeks, in line with statutory performance indicators.

Major Applications

Recorded in the statistics was one application determined in the major category of development with an average processing time of 93.2 weeks against the statutory performance target of 30 weeks.

The detail of that application was set out below:

LA06/2021/0817/F Residential development of 58 No. dwellings (comprising detached and semi-detached dwellings), garages, landscaping, open space, internal road network, right hand turn lane at Ballygowan Road and all other associated site and access works (Amended landscaping/ landscape management plan) Lands adjacent to and West of Ardara Grove and Ardara Elms, to the rear and West of Nos 8 and 9 Swallow Close, and South of Nos 24 to 38 (evens) Heathermount Court, and Nos 20 to 22 Dalton Glen, Comber

The application, on land zoned for housing within the Ards and Down Area Plan, was submitted 28 June 2021.

Consultations were required with the following bodies:

DFI Roads – initially considered the application unacceptable as submitted due to there being insufficient detail provided on transportation issues

DFI Rivers – required further information in order to fully assess the submitted Drainage Assessment in respect of the viability of the proposals

Natural Environment Division – which requested further information

Water Management Unit – advised that the proposal had the potential to adversely affect the surface water environment.

Shared Environmental Service – initially required additional information to enable a Habitats Regulations Assessment to be carried out.

NI Water - advised that the receiving foul sewerage network had reached capacity and recommended refusal. As a consequence the applicant had to consult directly with NIW to ascertain whether an alternative drainage/treatment solution could be agreed, and NIW required submission of an Impact Assessment for consideration.

Historic Environment Division – initially had concerns regarding the proposal in the context of adjacent listed buildings.

All of the above required submission of additional information and amended designs, which in turn required to be re-advertised and re-neighbour notified, and the carrying out of further consultation and all subsequent further objections assessed.

NI Water and the applicant eventually agreed a downstream engineering solution to mitigate the foul capacity issue and allow connection for this development proposal, the solution to be fully funded and delivered by the applicant. However, the agreement could not be carried out through use of planning conditions, therefore a separate legal agreement required to be drafted by the Council's Planning lawyers and then executed between the Council and the applicant and sealed by the Council.

The last information submitted by the applicant was November 2022 and the application was presented to Planning Committee on 06 December 2022 with a recommendation of approval, subject to execution of the legal agreement referred to above. The legal agreement was then draw up between the Council's lawyers and the developer's lawyers and was given approval to be signed and sealed at the Council meeting on 26 April 2023. The agreement was then signed and sealed once the call-in period had expired, and the decision notice was issued dated 17 May 2023.

Further information on majors and locals was contained in Tables 3.2 and 4.2 respectively of the Statistical Tables.

Enforcement

The Planning Service opened 100 new enforcement cases in the first quarter of 2023/24.

73 cases were closed with the reasons as follows:

Closure Reason	Number
Remedied/Resolved	27
Planning permission granted	14
Not expedient	6
No breach	22
Immune from enforcement action	4

Enforcement case conclusion times against the statutory performance indicator are not yet available.

Householder Applications

During Quarter 1 the Planning Service processed 112 applications within the householder category of development.

74 of these were processed within the internal performance target of 8 weeks (66%), with 97 being processed within the 15 week statutory performance indicator (87%) while the remaining 15 were processed within 28 weeks.

Additional Activity

Additional activity details the "non-application" workload of the Planning Service, and includes Discharge of conditions, Certificates of Lawfulness (Proposed & Existing), and applications for Non-Material Changes.

Type	No. Received	No. Processed
Discharge of Conditions	29	29
Certificates of Lawfulness (Existing/Proposed)	7	15
Non-Material Changes	18	12
Pre-Application Discussions (PADs)	8	8
Proposal of Application Notice (PANs)	2	2
Consent to carry out tree works	18	11

Further detail on the above table was contained in Table 9.1 of the Department's Statistical Tables.

RECOMMENDED that the Council notes the content of this report and attachment.

(Councillor Creighton withdrew from the meeting – 10.29 pm)

The Director spoke to the report, she was pleased to highlight that the average processing time for applications in the local category of development in Quarter 1 was 15 weeks which was in line with statutory performance indicators.

(Councillor McLaren withdrew from the meeting – 10.30 pm)

Proposed by Councillor Cathcart, seconded by Councillor Morgan, that the recommendation be adopted.

(Councillor McLaren re-entered the meeting – 10.30 pm)

Councillor Cathcart was pleased with the processing time for local applications and hoped that would continue.

Councillor Morgan thanked the Planning Officers for their hard work and noted that the efficient turnaround time processing planning applications was important to the residents.

(Councillor Creighton re-entered the meeting – 10.31 pm)

AGREED TO RECOMMEND, on the proposal of Councillor Cathcart, seconded by Councillor Morgan, that the recommendation be adopted.

8. NIPSO OWN INITIATIVE INVESTIGATION – TREES

(Appendices XIII- XV)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity attaching Covering Letter from NIPSO 29/09/23, NIPSO Report - 'Tree Protection: Strengthening Our Roots', Covering letter from Chief Executive 16/10/23, ANDBC Response to NIPSO Report and Extract from ANDBC Response to DFI consultation on Implementation of the Planning Act. The report detailed that in July 2022 the Northern Ireland Ombudsman wrote to all local councils and the Department for Infrastructure (the Department) proposing an Own Initiative investigation, under section 8 of the 2016 Act¹, into how public bodies effectively promote, administer and enforce the statutory protection of trees.

She advised that concerns had been raised with her office about the actions of public bodies in carrying out their statutory duties to protect trees. Following an assessment of this matter she identified potential systemic issues which included, but were not limited to concerns about:

- The availability of information to the public about the protection of trees, planned works on trees, and enforcement outcomes;
- The extent to which Councils are following the correct procedures when granting permission for works to protected trees (including situations in which Councils submit applications for works on their own land);
- The level of independent evidence which Councils are seeking from applicants in support of applications for works to protected trees;
- The responsiveness and robustness of enforcement activity in respect of potential breaches of Tree Preservation Orders (TPOs); and
- How information was used within Councils to align environmental and planning strategies and decision making to ensure the effective protection of trees.

In setting out her proposal, the Ombudsman requested considerable information from each council and the Department to help inform her decision making; and further information was provided for clarity on some points.

The Ombudsman had now written to all Chief Executives to advise that she had chosen not to proceed to full investigation at this time, referring to the comprehensive information gathered during the proposal stage which she states has enabled her to draw out significant observations and recommendations. Those were presented in a Report entitled '*Tree Protection: Strengthening Our Roots*'. Each Council was asked to comment on factual accuracy by mid-October 2023.

The Planning Service reviewed the content of the Report and its recommendations and determined that it was necessary to comment, not just in respect of points of accuracy, but also raised concern regarding some of the recommendations which would present an additional resource and financial burden to Council.

RECOMMENDED that Council notes the Ombudsman's Report entitled '*Tree Protection: Strengthening Our Roots*' and the response issued in respect of the observations and recommendations contained therein.

The Director spoke to the report highlighting the salient points. She highlighted that in July 2022 the Northern Ireland Ombudsman wrote to all local councils in respect of concerns that had been raised with the Ombudsman in respect of trees in Northern Ireland. That had resulted in a substantial amount of information having been gathered and submitted to the Ombudsman Office in respect of the Councils' processes. The Director wished to highlight concerns regarding the remit and what was recommended as that had significant ramifications for the department in terms of resources bringing additional work for the Tree Officer and a large amount of money would have to be spent taking some of the recommendations forward. The matter would be discussed further at the Heads of Planning group and with the Department.

Proposed by Councillor Wray, seconded by Councillor McRandal, that the recommendation be adopted.

Councillor Wray noted that this Council was an area of good practice and felt that was really positive. He highlighted the benefits of trees and thanked the Planning Officers for their diligence on the matter. He referred to the Council's response regarding the recommendation and supported the response.

Councillor McRandal congratulated those involved in the preparation of the information. He noted that one of the issues was the lack of enforcement action and matters being listed as not expedient and asked for comment in that regard.

The Director advised that the planning department had responded in that regard and assured Members that an explanation was provided. She explained that if works were carried out to a listed building or to an protected tree that was classed as a criminal offence. However, it was an extremely high bar to prove and achieve a

conviction in Court. If a tree had been felled or damaged in a storm, the Council would enforce the replanting notice.

Councillor McKee welcomed the report and noted that it was evident that there were serious issues of openness and transparency in the planning system and this matter was one part of that. With regards the report, he felt there was lack of clarity and context on occasions throughout the report and concerns regarding the public accessibility and engagement on the Council's TPO process. The Ombudsman had sought to increase accessibility however the opportunity to contextual had been missed by the failure to align the aims with the pillars of the Aarhus Convention. He was of the view that there was a strong argument that TPO's did constituent environmental decision making and if that was the case any failure to facilitate participation in the TPO process could be a breach of the Convention. Councillor McKee expressed his concerns that the response from Council was a rejection of the recommendations from the Ombudsman and a diversion on access to information and environmental decision-making. He sought assurances that matters in relation to the Aarhus Convention would not be compromised.

(Councillor Wray withdrew from the meeting – 10.41 pm)

The Director advised that considerable legal advice had been sought in relation to the Notice of Motion presented in 2022 from Councillors McKee and Kendall and the advice obtained was that the Council's Planning Department was not in breach. There was no legislative requirement to neighbour notify regarding TPOs.

(Councillor Wray re-entered the meeting – 10.42 pm)

The Director advised that a further report would be brought to the Committee regarding the matter.

Councillor Creighton referred to the re-planting order, she asked if Officers checked that a tree had replanted and if there were enforcement powers in that regard. The Director advised that it was an offence if that order was not complied with. The planning department did not have the resource to check compliance. Neighbours normally kept the department informed and she assured the member that the department would seek re-planting in an appropriate location of normally a native species and had the powers to enforce.

AGREED TO RECOMMEND, on the proposal of Councillor Wray, seconded by Councillor McRandal, that the recommendation be adopted.

9. PROPOSAL FOR BOROUGH DESIGN AWARDS

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity detailing that some members may recall that the Committee sent letters of congratulations (via the then Chair) to a local architectural firm based in Newtownards, and another architect, back in 2018.

At that time the architectural firm, BGA Architects Ltd, based in Newtownards, won an RSUA Design Award and an RIBA Regional Award in the category of

Contemporary for a dwelling/site know as Maison Wedge, located off the Ballydorn Road, Killinchy. This dwelling was recently used in filming of the crime drama Bloodlands with James Nesbitt.

Another RSUA Design Award winner in our Borough relates to a barn conversion, designed by Micah T Jones Architect, at The Brae, Ballygowan. This barn conversion featured on Grand Designs a number of years ago. At that time there was some discussion around the Council presenting a design award to developers in respect of well designed development within our Borough, however, the idea was never progressed.

Further to some developers making enquiries, some research had been carried out by officers concerning other councils making such awards, with examples being reviewed from Dumfries and Galloway and Argyll and Bute councils.

Members can see examples here:

[Dumfries and Galloway Council Design Awards 2023 - Dumfries and Galloway Council \(dumgal.gov.uk\)](https://www.dumgal.gov.uk)

[Design Awards 2022 | Argyll and Bute Council \(argyll-bute.gov.uk\)](https://www.argyll-bute.gov.uk)

[Sefton Design Awards 2023](https://www.sefton.gov.uk)

The reviewed Council Design Awards aimed to recognise, promote and celebrate examples of exceptional design and sustainability across the whole of the respective Planning Areas. Each category was open to residential, commercial, community etc., and also to renovations. The categories represented different ways in which good design could be interpreted or be successful, as follows:

- Sustainable Design
- Aesthetic Design
- Community – Led Regeneration
- Built Heritage
- Design for under £100k

Another example was from Sefton Council which stated that it was committed to achieving high quality design within the borough's built environment, and presented awards across a number of categories as follows:

- Best heritage scheme
- Best small housing scheme (under 10 houses)
- Best individual new house
- Best large housing scheme (10 houses or over)
- Best conversion scheme (any use)
- Best commercial scheme
- Best home extension
- Best affordable housing scheme
- Best public building
- Best public art or public realm scheme
- Best sustainable/climate change resistant scheme

It was proposed that the Planning Committee considers such an award scheme, which could invite applications for developments completed between April 2015 and end of 2023, in the likes of the categories set out above. Judging could be undertaken by a mix of elected members and planning officers, with recommendations being presented to full Committee for decision. It was envisaged that an award, such as that presented as long service award, could be presented,

alongside lunch in the Mayor's Parlour for the successful candidates. Appropriate budgeting through the upcoming estimates process could include awards, and officers could work up application forms for launch of the scheme in January 2024, for presentation in April 2024.

RECOMMENDED that Council considers the report and:

- a. approves the introduction of a Council Design Awards scheme for 2024, agreeing the categories as appropriate, and that could be repeated every four years, subject to rates setting process;
- b. approves officers to work up an appropriate application process for Members' approval;
- c. agrees appropriate members and officers to form the judging panel at a later date.

The Director outlined the detail of the report for Members.

Proposed by Councillor Cathcart, seconded by Alderman Smith, that the recommendations be adopted.

Councillor Cathcart welcomed the report and encouraging good design.

Alderman Smith agreed and felt that it would be useful to encourage and enhance good design and architecture.

AGREED TO RECOMMEND, on the proposal of Councillor Cathcart, seconded by Alderman Smith, that the recommendations be adopted.

10. UPDATE ON REGIONAL PLANNING IMPROVEMENT PROGRAMME (RPIP)

(Appendices XVI - XVIII)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity attaching report to SOLACE from Heads of Planning, Joint Work Programme, RPIP Overview September 2023 and RPIP Governance Arrangements. The report detailed that following publication of a report by the Northern Ireland Audit Office on Planning in Northern Ireland in February 2022, the Public Accounts Committee met in February and March 2022 to consider its contents. It published its own Report on Planning in Northern Ireland shortly after, making 12 recommendations relating to the following:

- The establishment of an independent Commission;
- Streamlining of the Local Development Plan process;
- Transparency;
- Engagement;
- The financial sustainability of the planning system; and
- The culture of those operating and engaging in the planning system.

In the absence of a functioning Executive, no updates had been provided to a successor Public Accounts Committee; however, work was continuing on what was known as the 'Regional Planning Improvement Programme'.

A report was attached to the report which was prepared by Heads of Planning in local government and presented to SOLACE recently. It set out an update on the work undertaken to date.

Members could read further information on the Planning Improvement Programme on the Department for Infrastructure's website here [Planning Improvement Programme | Department for Infrastructure \(infrastructure-ni.gov.uk\)](https://www.infrastructure-ni.gov.uk/planning-improvement-programme)

RECOMMENDED that Council notes the content of this report and attachments.

The Director spoke to the report and advised that regular updates would be brought forward to the Committee regarding the matter.

Proposed by Councillor Morgan, seconded by Councillor McRandal, that the recommendation be adopted.

(Alderman Graham withdrew from the meeting – 10.49 pm)

Councillor Morgan welcomed the good work that was occurring.

AGREED TO RECOMMEND, on the proposal of Councillor Morgan, seconded by Councillor McRandal, that the recommendation be adopted.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Alderman Smith, seconded by Councillor Martin, that the public/press be excluded during the discussion of the undernoted items of confidential business.

11. LOCAL DEVELOPMENT PLAN – HOUSING GROWTH OPTIONS AND ALLOCATION

(Appendix XX)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6:3. Exemption: relating to the financial or business affairs of any particular person

A report from the Director of Prosperity setting out 'policy in development' pertaining to options for Members' consideration and agreement in respect of Spatial Growth Strategy and detail related to Housing Growth Options and allocation to be set out within the Local Development Plan (LDP).

12. ADDRESSING FINANCIAL STABILITY OF PLANNING

(Appendix XXI)

*****IN CONFIDENCE*****

Schedule 6: 3.Exemption: relating to the financial or business affairs of any particular person

A report from the Director of Prosperity setting out a proposal for potential hard charging on some elements of planning work, subject to legal advice which is awaited. Members are asked to approve the concept, with specific charges, for introduction subject to receipt of positive legal advice.

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED, on the proposal of Alderman Graham, seconded by Councillor Cathcart, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 11.04 pm.

1 April to 30 September 2023. The net cost of the Directorate was showing an underspend of £281k (2.0%) – box A on page 3.

Explanation of Variance

Environment's budget performance was further analysed on page 3 into 3 key areas:

Report	Type	Variance	Page
Report 2	Payroll Expenditure	£28k adverse	3
Report 3	Goods & Services Expenditure	£457k favourable	3
Report 4	Income	£148k adverse	3

Explanation of Variance

The Environment Directorate's overall variance could be summarised by the following table (variances over £25k): -

Type	Variance £'000	Comment
Payroll	28	Waste and Cleansing £240k – mixture of overtime £103k and HRC agency staff £160k. The agency staff relate to the HRC recycling scheme and this overspend is offset by savings in waste disposal costs below. Assets and Property (£124k) and Regulatory Services (£88k) have a number of vacant posts.
Goods & Services		
Waste & Cleansing	(189)	Waste disposal costs are under budget which is offsetting the HRC agency staff cost (see above). Main waste stream tonnages compared to budget: - Landfill down (886T) – (5%). Blue bin waste down (76T) – (2%). Garden waste down (102T) – (3%). Food waste up 367T – 3%.
Assets & Property	(266)	Electricity – (£192k) – significantly lower cost per kwh against budget. Gas – £33k. Tariff Risk – (£152k). Vehicle fuel – (£146k) price per litre fallen since end of 2022 though starting to increase again.

Type	Variance £'000	Comment
		Vehicle maintenance - £13k Technical Services – £175k – statutory work £74k; other technical work £72k; legal fees Aurora issues £28k.
Income		
Regulatory Services	165	Car Park income £91k. Licensing income £16k. NET – fine income £49k

REPORT 1 BUDGETARY CONTROL REPORT					
Period 6 - September 2023					
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance
	£	£	£	£	%
Environment					
200 Environment HQ	102,410	102,300	110	203,300	0.1
210 Waste and Cleansing Services	8,905,222	8,858,750	46,472	16,707,500	0.5
220 Assets and Property Services	4,612,872	5,015,150	(402,278)	10,967,800	(8.0)
230 Regulatory Services	174,613	99,700	74,913	256,500	75.1
Total	13,795,116	14,075,900	A (280,784)	28,135,100	(2.0)
REPORT 2 PAYROLL REPORT					
	£	£	£	£	%
Environment - Payroll					
200 Environment HQ	84,733	84,200	533	168,400	0.6
210 Waste and Cleansing Services	4,693,498	4,453,400	240,098	8,840,300	5.4
220 Assets and Property Services	1,035,285	1,159,400	(124,115)	2,308,700	(10.7)
230 Regulatory Services	1,012,712	1,101,000	(88,288)	2,202,600	(8.0)
Total	6,826,227	6,798,000	B 28,227	13,520,000	0.4
REPORT 3 GOODS & SERVICES REPORT					
	£	£	£	£	%
Environment - Goods & Services					
200 Environment HQ	17,677	18,100	(423)	34,900	(2.3)
210 Waste and Cleansing Services	4,871,558	5,060,250	(188,692)	9,333,000	(3.7)
220 Assets and Property Services	3,717,081	3,982,850	(265,769)	8,913,000	(6.7)
230 Regulatory Services	266,681	268,500	(1,819)	565,700	(0.7)
Total	8,872,996	9,329,700	C (456,704)	18,846,600	(4.9)
REPORT 4 INCOME REPORT					
	£	£	£	£	%
Environment - Income					
200 Environment HQ	-	-	-	-	-
210 Waste and Cleansing Services	(659,833)	(654,900)	(4,933)	(1,465,800)	(0.8)
220 Assets and Property Services	(139,494)	(127,100)	(12,394)	(253,900)	(9.8)
230 Regulatory Services	(1,104,780)	(1,269,800)	165,020	(2,511,800)	13.0
Totals	(1,904,107)	(2,051,800)	D 147,693	(4,231,500)	7.2

RECOMMENDED that the Council notes this report.

Proposed by Councillor Edmund, seconded by Alderman Cummings, that the recommendation be adopted.

Alderman Cummings had a question in relation to the Council's use of agency staff and he had understood part of the adjustments made to the budget were to remove the demand for such. In response the Director informed the Committee that

Members would recall that when the Council was setting estimates for the current financial year part of the pruning back had been the decision to take £300k out of the waste budget. The budget for agency staff came from the projected additional in year savings in waste disposal, over and above this £300k reduction in the budget for the current year. There was currently a net saving in those in the budget, therefore the cost of the extra agency staff at HRCs was more than being covered by the additional waste disposal cost savings that were being accrued.

Councillor Harbinson referred to the parking charges under regulatory services and the depressed income being shown. The Director explained that that income had been reduced since the Covid-19 pandemic and had not yet fully recovered. The Council was in the process of putting in place new parking enforcement services and envisaged that that would have a beneficial financial impact moving to the future.

AGREED TO RECOMMEND, on the proposal of Councillor Edmund, seconded by Alderman Cummings, that the recommendation be adopted.

5. REVIEW OF LICENCE FEES

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that in line with the Council's Charging and Income Policy, Pavement Café licence fees and charges levied by the Licensing Service required to be reviewed.

The Council was permitted to charge a fee to administer the Pavement Café Licensing regime.

In June 2020 the Council reduced the application fee from £225 to nil, to help premises in their recovery from the Covid-19 emergency. That was reviewed in June 2021 and the nil fee was retained.

Currently 42 premises held a current pavement café licence, and nine other applications were currently being processed.

It was now considered appropriate to reinstate the fee for the grant and renewal of licence from 1 April 2024. The following fees were proposed which also included an increase for inflation. A licence was only renewed every three years:

	Previous fee	Proposed fee
Grant fee	£225 (£147 non-refundable plus refundable £78)	£240 (£157 non-refundable plus £83)
Renewal fee	£150 (£103 non-refundable plus refundable £47)	£160 (£110 non-refundable plus £50)
Variation fee	£85	£91

The Council would need to follow a statutory process to impose the new fee:

- Determine the proposed fee,
- Publicise the proposed fee on the Council webpage and consult with current permit holders. Allowing 28 days for return of comments or objections,
- Consider the comments and confirm the new fee.

It was proposed:

- That the Council agrees the above proposed new fees, publicly advertised them and notified the current licence holders.
- If there were no objections received after 28 days, the proposed new fee was considered confirmed, or
- If objections were received, those would be reported back to Council for further consideration.

RECOMMENDED that the Council agrees the above proposed new fees, publicly advertises them and notifies the current licence holders.

- If no objections are received after 28 days, the proposed new fee is considered confirmed, or
- If objections are received these will be reported back to Council for further consideration.

Proposed by Councillor Boyle, seconded by Councillor Wray, that the recommendation be adopted.

Proposing the recommendation Councillor Boyle said that he had understood the need for the licences during the pandemic, but he remained mindful that even now the café trade remained depressed in some places due to the rising costs of living. He asked what happened to the current stock of licence holders if there were no objections received after 28 days and, if there were objections, would those be reported back to the Council.

The Director explained that the Council would write to the current licence holders to explain the proposals and allow them to make representations if they wished, and Members would be informed of any representations made. When the legislation was introduced, it had always been the intention for Councils to be able to recoup the costs involved in administering, managing and enforcing the licences.

Councillor Cathcart pointed out that at the moment some businesses did not pay anything and the Director confirmed that if businesses did already have a licence it would still be current until the time of renewal, at which time the reinstated charges would apply. The Member suggested that the Council needed to make it clear that the charge was for administration only and the intention was to keep the fee as low as possible, and in his opinion a £160 charge for renewal every three years was reasonable.

AGREED TO RECOMMEND, on the proposal of Councillor Boyle, seconded by Councillor Wray, that the recommendation be adopted.

6. STREET NAMING REPORT – SOLITUDE MILL, BALLYGOWAN

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that a small development comprising of four dwellings was planned for construction on a site at 61 Tullyhubbert Road, Ballygowan. Three of the four dwellings were awaiting planning permission. It was planned that two dwellings would be created by converting the old existing mill if planning permission was approved. The other dwelling awaiting planning approval was located at the top of the new street. The fourth dwelling was currently under construction and as it was accessed from the street serving the planned converted mill, the dwelling would be addressed off the new street and required a name which would also be the street serving the other three dwellings if they received planning permission.

The estate at 61 Tullyhubbert Road, had historically been known as Solitude and appeared on maps from circa 1829, with the existing mill appearing on the estate named Solitude.

RECOMMENDED that the Council adopts the street name of Solitude Mill for this development.

That the Council accepts the general name and delegates acceptance of suffixes to the Building Control department.

AGREED TO RECOMMEND, on the proposal of Councillor Douglas, seconded by Alderman Cummings, that the recommendation be adopted.

7. RENAMING OF A STREET – 78B, 78C AND 78D NEWTOWNARDS ROAD, BANGOR

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that a small development comprising of 5 dwellings was currently at the final stages of construction at 78 Newtownards Road, Bangor. Three dwellings were now occupied and two were still under construction. The site was issued with postal numbers 78, 78a, 78b, 78c and 78d Newtownards Road, Bangor in November 2020.

78 and 78a Newtownards Road (Sites 1 and 2) had their front door access off the main Newtownards Road, Bangor. As the five dwellings were built with the same external design and 78 and 78a Newtownards Road had to be postal addressed as was, to keep the development as one, the department postal numbered the other three dwellings 78b, 78c and 78d Newtownards Road, Bangor. Those three dwellings were accessed via a narrow tarmac cul-de-sac lane, with limited turning access for large vehicles. The department postal addressed those all off Newtownards Road to avoid confusion and access issues.

The developer had marketed the development as Primrose Lane, which the residents thought would be their address. Primrose Lane was an existing street name in Bangor and would never have been granted. The developer did not apply

for a street name, and used Primrose Lane solely for marketing purposes, accepting in 2020 the postal layout the department provided for 78, 78a-d Newtownards Road, Bangor. The relevant statutory bodies - NIE, Phoenix Gas, NI Water, Royal Mail, emergency services, LPS rates, OSNI maps and the electoral office, were informed in November 2020. Furthermore, the department was contacted by the developer in July 2023, who wished for the postcode to be the same for the five dwellings; that was granted by Royal Mail.

Subsequently, the residents of 78b, 78c, 78d Newtownards Road, Bangor had submitted a signed petition dated 12 September 2023 to change their address to a new street name, in line with the requirements of the Council's Street Naming and Numbering Policy. That policy now required Council approval of the survey and action part of the process to be enacted.

The residents had been informed that the Council was not responsible for any costs in changing legal documentation, utilities, banks, if the street name change was approved; they had accepted they would cover any such costs that would be required. The residents had suggested Morston Manor as the new street name. That name was in keeping with the general locality, as Morston Avenue and Morston Park were in the general neighbourhood of their access point.

Regardless of the outcome of the application, the addresses 78 and 78a Newtownards Road, Bangor would remain and not be changed, even though they were part of the same development.

RECOMMENDED that the survey actions be commenced as set out in Council's policy and be reported back to Committee once completed, with a recommendation for action based on the finding of the survey process.

Proposed by Councillor Cathcart, seconded by Councillor Harbinson, that the recommendation be adopted.

Councillor Cathcart thought that this was a curious case and wondered how it could have come about and the impact it would have in terms of costs and administration on the new residents of the properties. The Building Control Services Manager explained that the desire to change the name had come from the new residents and they were prepared to take responsibility for the costs involved in doing that. The mechanism for facilitating a name change request was provided for within the new street naming policy.

Councillor McKee was pleased to see that the Council's Street Naming and Numbering Policy had been useful to the residents in this area and supported them in taking ownership of the matter.

AGREED TO RECOMMEND, on the proposal of Councillor Cathcart, seconded by Councillor Harbinson, that the recommendation be adopted.

8. Q4 BUILDING CONTROL ACTIVITY REPORT

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that the information provided in the report covered, unless otherwise stated, the period 1st April 2023 to 30th June 2023 (Q1) and the period 1st July 2023 – 30th September 2023 (Q2). The aim of the report was to provide Members with details of some of the key activities of Building Control, the range of services it provided along with details of level of performance. The report format had been introduced across Regulatory Services.

Applications

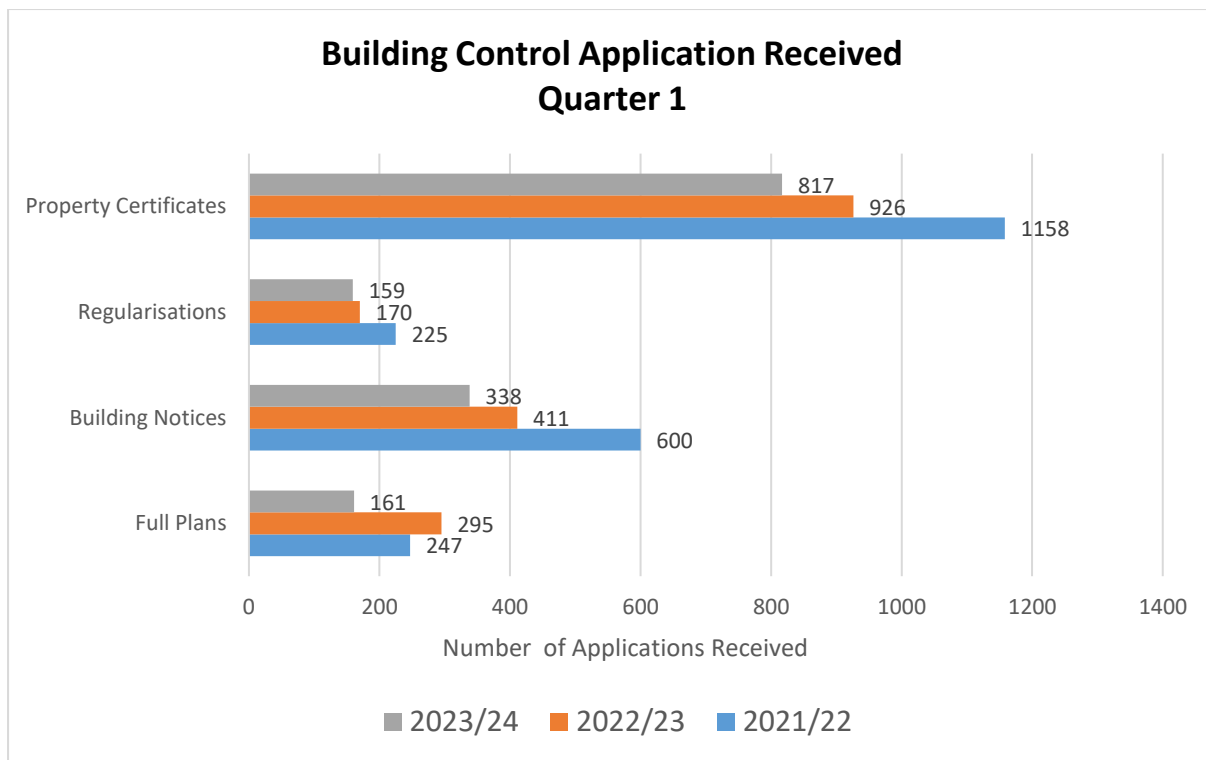
Full Plan applications were made to Building Control for building works to any commercial building, or for larger schemes in relation to residential dwellings.

Building Notice applications were submitted for minor alternations such as internal wall removal, installation of heating boilers or systems, installation of all types of insulation and must be made before work commenced. Those applications were for residential properties only.

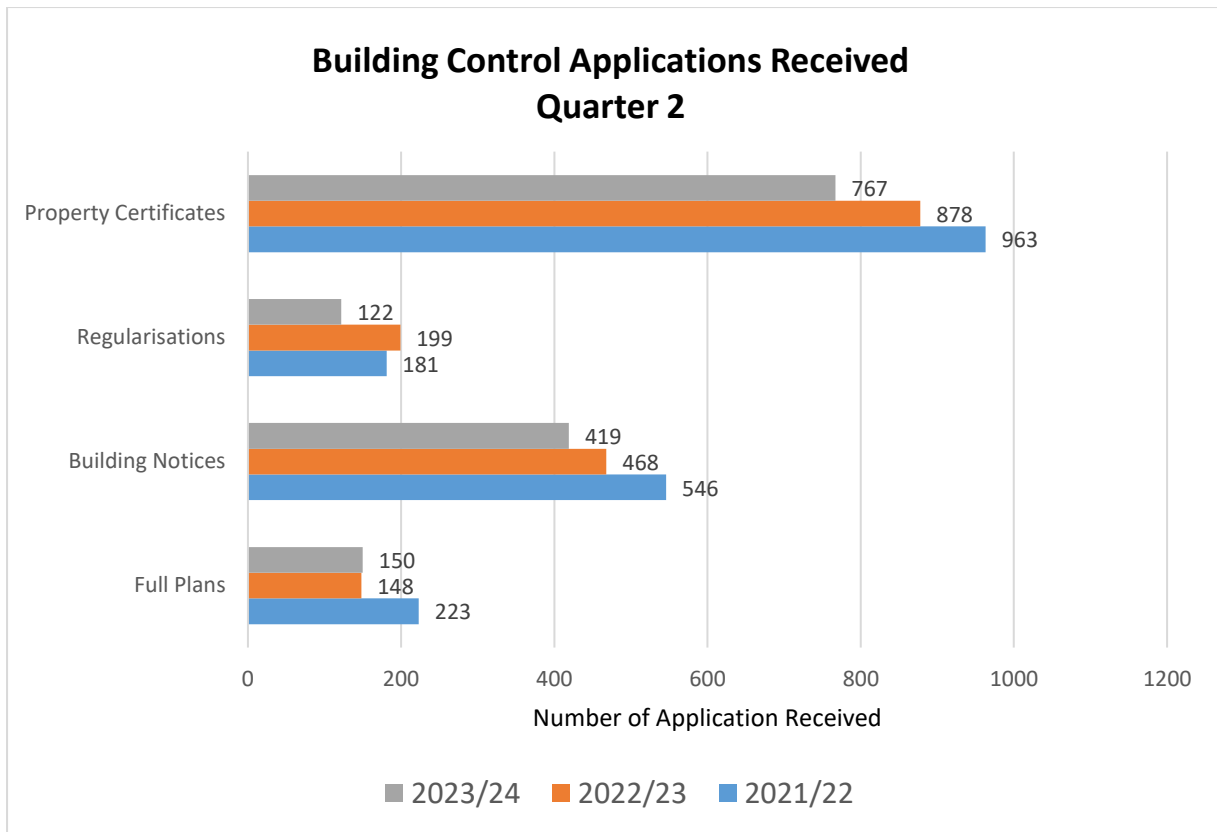
Regularisation applications considered all works carried out illegally without a previous Building Control application in both commercial and residential properties. A regularisation application considered all types of work retrospectively and under the Building Regulations in force at the time the works were carried out.

Property Certificate applications were essential to the conveyancing process in the sale of any property, residential or commercial, and provide information on Building Control history and Council held data.

QUARTER 1	Period of Report 01/04/2023 – 30/06/2023	01/04/2022- 30/06/2022	01/04/2021 – 30/06/2021
Full Plan Applications	161	295	247
Building Notice Applications	338	411	600
Regularisation Applications	159	170	225
Property Certificate Applications	817	926	1158



QUARTER 2	Period of Report 01/07/2023 – 30/09/2023	01/07/2022- 30/09/2022	01/07/2021 – 30/09/2021
Full Plan Applications	150	148	223
Building Notice Applications	419	468	546
Regularisation Applications	122	199	181
Property Certificate Applications	767	878	963





The number of Full Plan applications received was very much determined by the economic climate, any changes in bank lending or uncertainty in the marketplace may cause a reduction in Full Plan applications. There was no internal means to control the number of applications received.

Regulatory Full Plan Turnaround Times

Turnaround times for full plan applications were measured in calendar days from the day of receipt within the Council, to day of posting (inclusive).

Inspections must be carried out on the day requested due to commercial pressures on the developer/builder/householder, and as such any pressures on that end of the business reflected on the turnaround of plans timescale.

QUARTER 1	Period of Report 01/04/2023 – 30/06/2023	Same quarter last year	Comparison	Average number of days to turnaround plan
Domestic Full Plan Turnarounds within target (21 calendar days)	57%	57.8%	↓	27
Non-Domestic Full Plan Turnarounds within target (35 calendar days)	67%	62.7%	↑	31

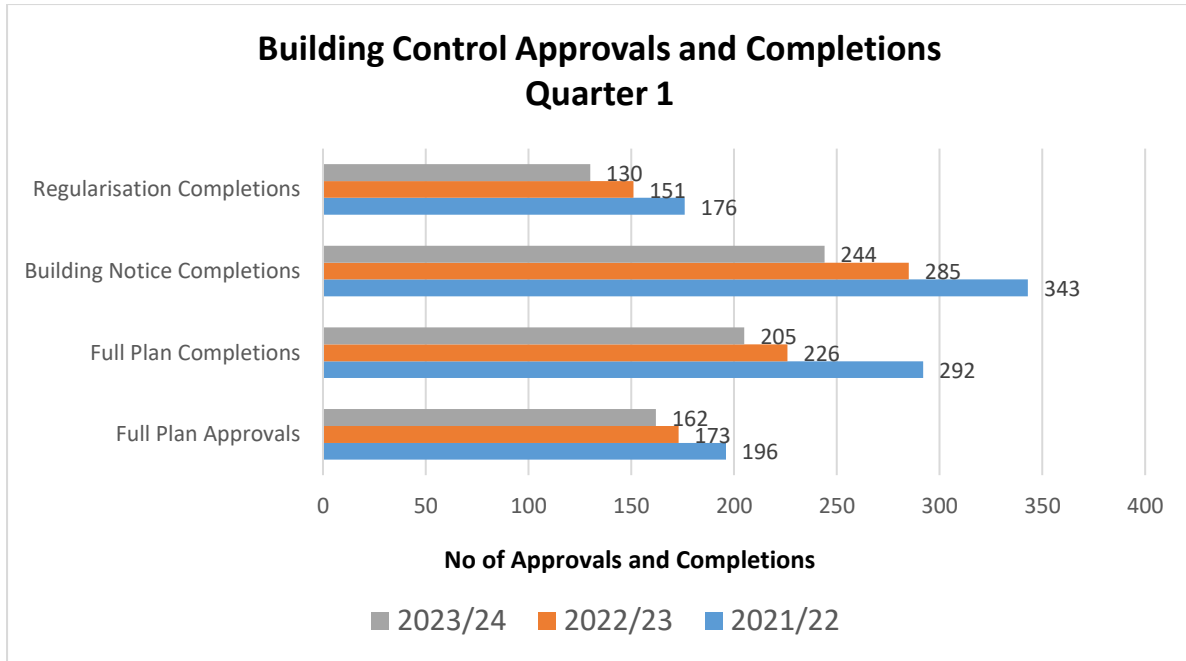
QUARTER 2	Period of Report 01/07/2023 – 30/09/2023	Same quarter last year	Comparison	Average number of days to turnaround plan
Domestic Full Plan Turnarounds within target (21 calendar days)	69%	55%		21
Non-Domestic Full Plan Turnarounds within target (35 calendar days)	65%	75%		31

Regulatory Approvals and Completions

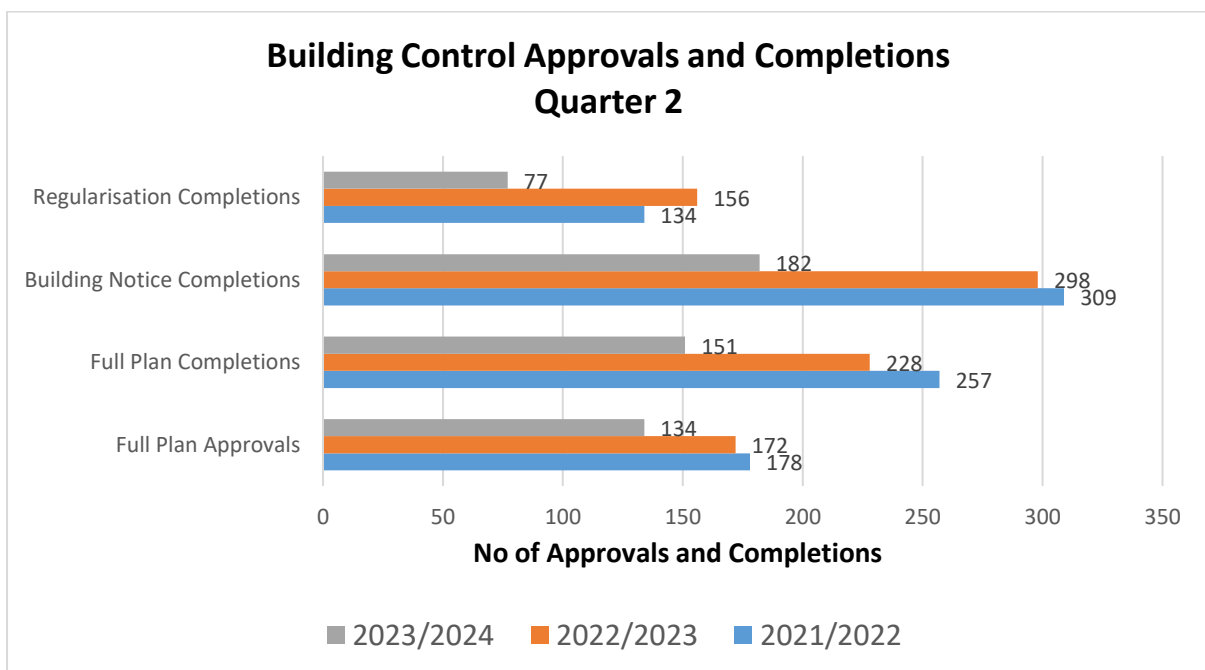
The issuing of Building Control Completion Certificates indicated that works were carried out to a satisfactory level and met the current Building Regulations.

Building Control Full Plan Approval indicated that the information and drawings submitted as part of an application met current Building Regulations and works could commence on site.

QUARTER 1	Period of Report 01/04/2023 – 30/06/2023	01/04/2022 – 30/06/2022	01/04/2021 – 30/06/2021
Full Plan Approvals	162	173	196
Full Plan Completions	205	226	292
Building Notice Completions	244	285	343
Regularisation Completions	130	151	176



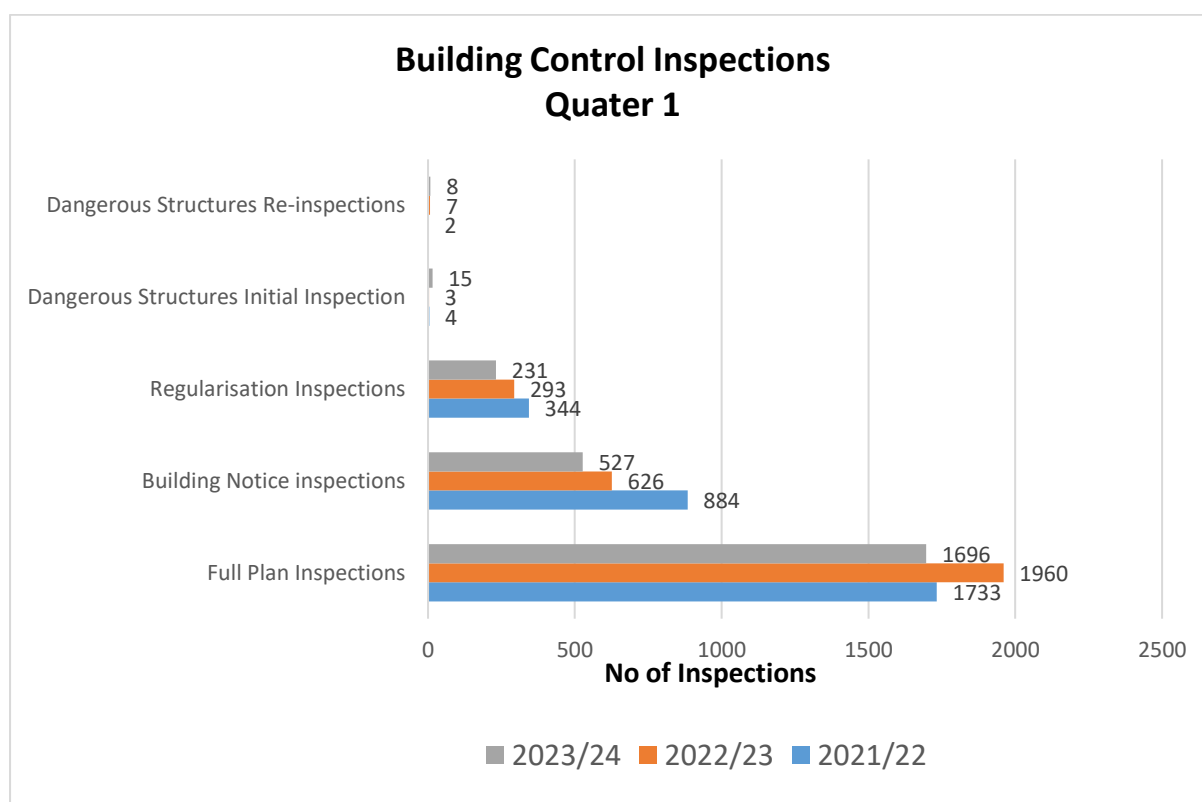
QUARTER 2	Period of Report 01/07/2023 – 30/09/2023	01/07/2022 – 30/09/2022	01/07/2021 – 30/09/2021
Full Plan Approvals	134	172	178
Full Plan Completions	151	228	257
Building Notice Completions	182	298	309
Regularisation Completions	77	156	134



Inspections

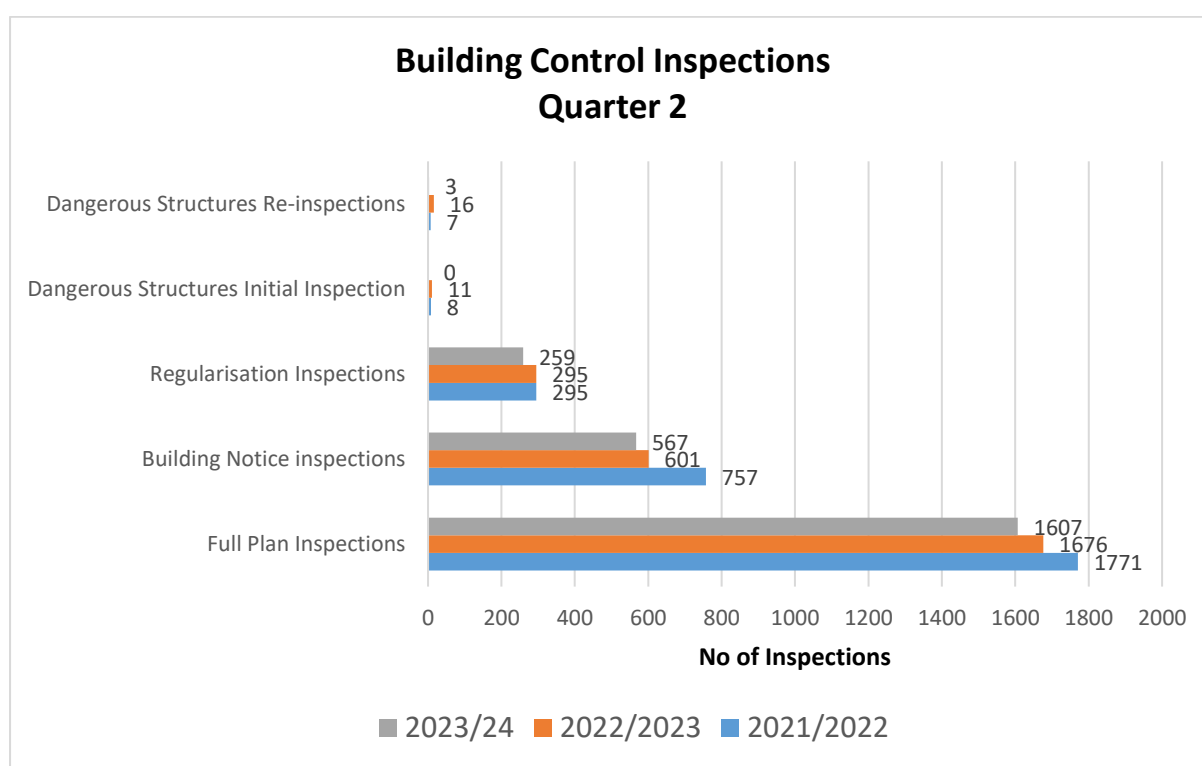
Under the Building Regulations applicants were required to give notice at specific points in the building process to allow inspections. The inspections were used to determine compliance and to all for improvement or enforcement.

QUARTER 1	Period of Report 01/04/2023 - 30/06/2023	01/04/2022 – 30/06/2022	01/04/2021 – 30/06/2021
Full Plan Inspections	1696	1960	1733
Building Notice Inspections	527	626	884
Regularisation Inspections	231	293	344
Dangerous structures initial inspection	15	3	4
Dangerous structure re-inspections	8	7	2
Total inspections	2477	4622	2967



QUARTER 2	Period of Report 01/07/2023 - 30/09/2023	01/07/2022 – 30/09/2022	01/07/2021 – 30/09/2021
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Full Plan Inspections	1607	1676	1771
Building Notice Inspections	567	601	757
Regularisation Inspections	259	295	295
Dangerous structures initial inspection	0	11	8
Dangerous structure re-inspections	3	16	7
Total inspections	2436	2599	2838

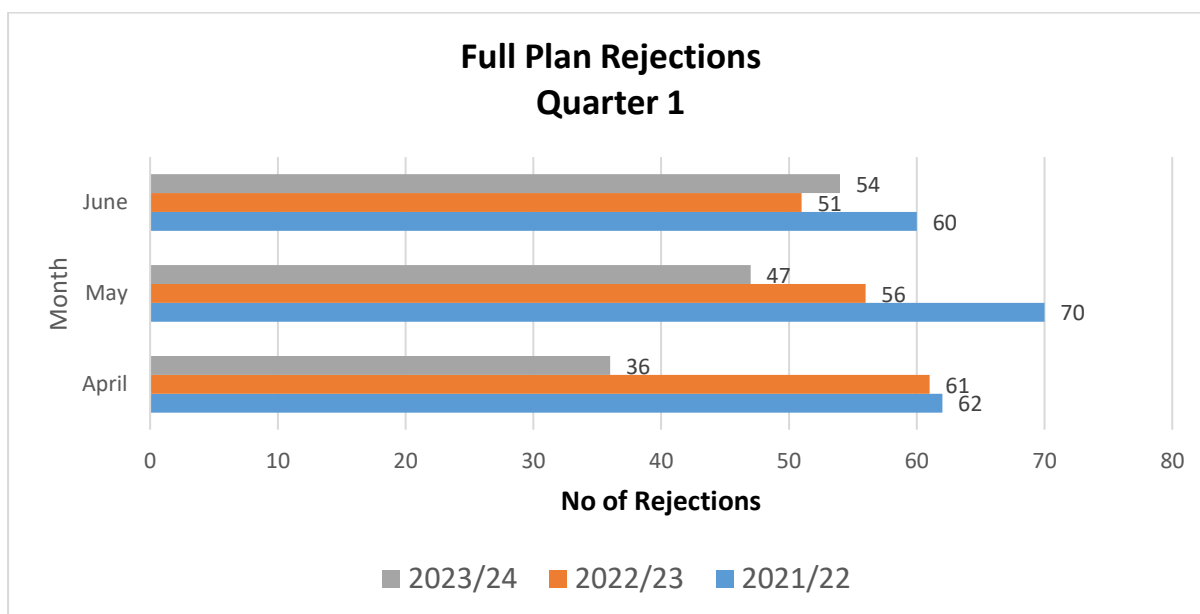


Non-Compliance

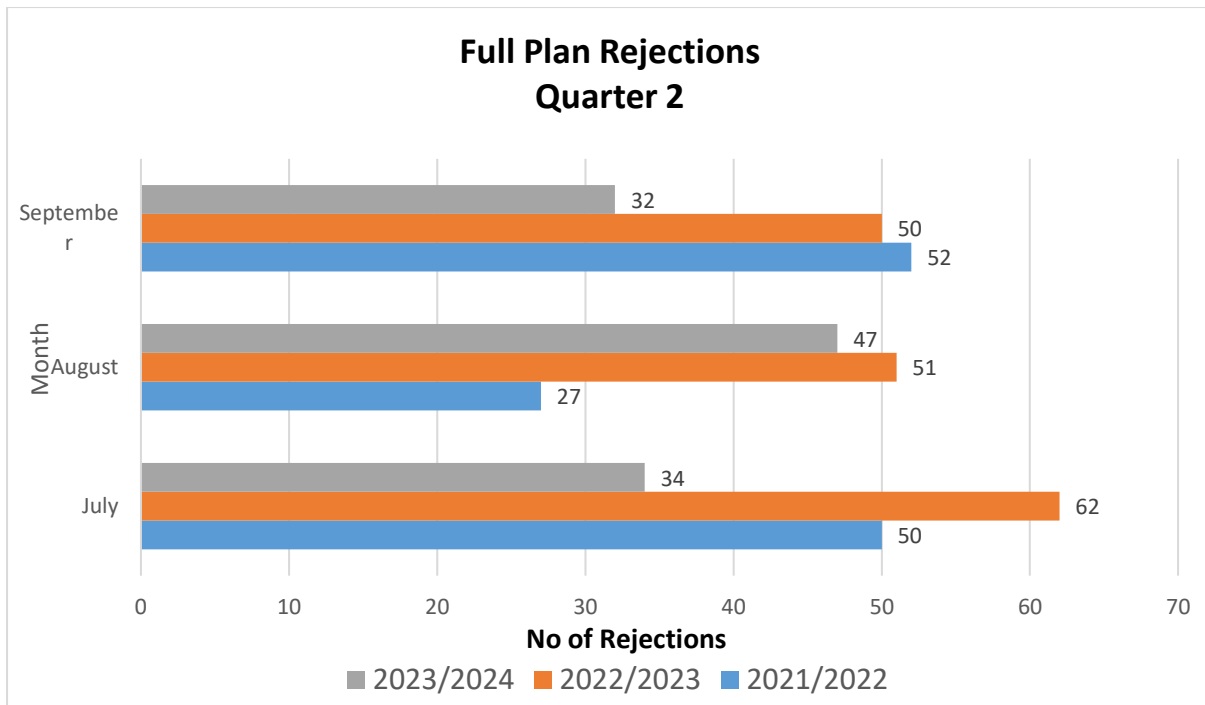
Where it was not possible to Approve full plan applications they were required to be rejected. Building Control Full Plan Rejection Notices indicated that after assessment there were aspects of the drawings provided that did not meet current Building Regulations. A Building Control Rejection Notice set out the changes or aspects of the drawings provided that needed to be amended. After those amendments were completed, the amended drawings should be submitted to Building Control for further assessment and approval.

QUARTER 1	Period of Report 01/04/2023 – 30/06/2023	01/04/2022 – 30/06/2022	01/04/2021 – 30/06/2021
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Full Plan Rejection Notice	137	168	192
Dangerous Structure Recommended for legal action	0	0	0
Court Cases	0	0	0
Other	0	0	0



QUARTER 2	Period of Report 01/07/2023 – 30/09/2023	01/07/2022 – 30/09/2022	01/07/2021 – 30/09/2021
Full Plan Rejection Notice	113	163	129
Dangerous Structure Recommended for legal action	0	0	0
Court Cases	0	0	0
Other	0	0	0



RECOMMENDED that the Committee notes the report.

Proposed by Councillor Cathcart, seconded by Councillor Edmund, that the recommendation be adopted.

Councillor Cathcart welcomed the fact that most of the work under Building Control was meeting the turnaround time but was conscious that in one area that was not being met even though the number of plans for approval had gone down.

The Building Control Services Manager explained that the plans under consideration could vary greatly in detail and consequently took different lengths of time to complete. The section as a whole was aware that the target was not being fully met, but that that target had been set by the Department some time ago when applications were much less complex. Overall, the section provided a good service to the public and he believed that it was satisfactory in almost every application.

Councillor Edmund noticed the fall in the number of Property Certificates being issued, but the officer explained that the section remained busy and the property market was still relatively buoyant despite the interest rate rises and a reduction in house sales.

AGREED TO RECOMMEND, on the proposal of Councillor Cathcart, seconded by Councillor Edmund, that the recommendation be adopted.

9. CONSULTATION RESPONSE – REVIEW OF PART F OF BUILDING REGULATIONS

(Appendix I)

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that back in 2019 the Council agreed to write to the Department of Finance to lobby for an overhaul of the legal standards relating to the conservation of heating and power, as set out under the Building Regulations in Northern Ireland – which had lagged well behind the equivalent standards applied anywhere else in the UK and were inadequate to contribute appropriately to the UK and now NI statutory net zero carbon emission targets. The Council subsequently wrote to the DoF Minister and Permanent Secretary on the subject.

The Department of Finance was now carrying out a Pre-Consultation exercise on a review of energy efficiency requirements and related areas of the NI Building Regulations. That Pre-Consultation would be used to inform the proposals to uplift the requirement of Part F (Conservation of Fuel and Power in Dwelling and Buildings other than Dwellings).

The proposed changes were wide ranging and far reaching in terms of carbon reduction and changes to current practice. That would be the first in a series of uplifts over the coming years, which would take buildings towards zero carbon, which was to be welcomed.

Aspects of the proposals would affect the nature of development and the construction industry locally, along with communities which were off the gas grid, highlighting that reinforcement of the electricity grid was required.

Many of the proposals were such that development would be dependant (in the shorter term) on provision of mains gas or a robust electricity grid, neither of which were present throughout sizable areas of the borough. Whilst that sat outside the scope of the pre-consultation, every effort had been taken in the proposed pre-consultation response to highlight those important issues.

RECOMMENDED that the attached response is submitted in relation to the pre-consultation review.

Proposed by Alderman McAlpine, seconded by Councillor Harbinson, that the recommendation be adopted.

Alderman McAlpine offered congratulations to the officers on getting the substantial amount of work done and those sentiments were shared by Councillor Harbinson and Councillor McKee who hoped that the intended outcomes would come to pass soon.

AGREED TO RECOMMEND, on the proposal of Alderman McAlpine, seconded by Councillor Harbinson, that the recommendation be adopted.

10. NEVIS STRATEGY AND INSIGHTS TOOLKIT (Appendix II)

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that rapid EV charging facilities were currently being installed across the Borough under the FASTER Project which was funded through the EU.

South-West College in support of the FASTER Project had been collaborating with non-profit research and technology consultancy Cenex in recent months to offer temporary access to an online platform to support the development of Council level strategies for the decarbonisation of transport systems and the transition to sustainable vehicle use.

The National EV Insight and Support (NEVIS) platform which had been developed with the support of the UK's Office for Zero Emissions Vehicles (OZEV) had been rolled out to over 300 organisations across England and Wales with 99% of Tier-1 English local authorities and 100% of Welsh local authorities currently having access.

South-West College had reached an agreement with CENEX to provide access to three key components of the platform for a 12-month period.

- **Module 1:** Insights Toolkit – regularly updated Cenex analysis on current status, projected scenarios, benefits, outline business, spatial and information mapping
- **Module 2:** Knowledge Repository – a growing resource of OZEV-approved articles, guidance and videos to equip and resource local authority officers. The knowledge repository was designed to guide Councils through each stage of the EV journey from strategy development to vehicle procurement, mobilisation, installation and operations.
- **Module 3:** Networking – a community that connected local authority officers with responsibility for fleet management and transport decarbonisation goals.

The base price for NEVIS access per local authority was £10,000 (ex VAT) per annum, however as an associate of the FASTER Project Ards and North Down would be given 12 months complimentary access subject to the following commitments:

- Ards and North Down Borough Council commits to undertake a needs assessment and resource planning exercise for EV charging provision within **6 months** of gaining access to the platform and sharing this with South-West College not later than **30 April 2024**.
- Ards and North Down Borough Council would produce a plan for its EV charging strategy within 12 months of gaining access to NEVIS, including a timetable for the strategy publication and share those documents with South-West College not later than **31 October 2024**.

The list was not exhaustive and South-West College reserved the right to add to or amend those commitments if necessary, during the 12-month period. Continued access to the resource throughout the 12-month period was contingent upon Council meeting the above targets outputs.

South-West College at the end of the 12-month period would be required to provide a follow-up report to the Special EU Programmes Body (SEUPB) on the activity, which would serve as a legacy extension of the FASTER Project.

It was considered that this was an excellent opportunity for the Council to access relevant information and data to fully understand the decarbonisation of transport systems and the transition to sustainable vehicle use within the Borough and potentially expand on the Council's existing EV charging strategies. Whilst NI Councils were somewhat different from GB Councils in terms of their strategic role as roads/transport authorities, and this was likely to affect the scale of our potential role and influence in this policy area, officers considered that the offer of this free resource was to be welcomed.

South-West College had requested that the Council signs up to an agreement with them for 12 months. A copy of the agreement was attached.

RECOMMENDED that the Council enters into a 12-month Agreement with South-West College to allow access to the NEVIS Strategy and Insights Toolkit.

Proposed by Alderman Armstrong-Cotter, seconded by Alderman Cummings, that the recommendation be adopted.

Alderman Armstrong-Cotter sought reassurance that there would be no obligation on the Council in terms of cost and hoped also that there would be no unreasonable demands made on officers. In response the Director stated that officers working in that service area would be assisted by this resource, which should be very valuable.

The Member stressed the importance of the EV charging technology to Newtownards which was a gateway to the Ards Peninsula and she hoped that the Council would continue to press for the facilities funded by central government.

AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Alderman Cummings, that the recommendation be adopted.

11. TECHNICAL BUDGET 2024/25

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that the Council's agreed Maintenance Strategy incorporated a "needs based" budgeting model, rather than a more traditional "fixed amount" approach for its refurbishment programme.

Properties were condition scored (as a percentage) and a threshold for action was to be agreed by the Council, subject to budget considerations.

By making this budgetary decision at this stage, ahead of the Rates setting process, Members were able to see the detail behind each option in order to inform the decision and give officers guidance on the amount to include in the next draft of the budget estimates for 2024/25. Members would of course have the ability to change

any decision taken in relation to this report, as part of the overall final Rates setting process.

Area of Focus for 2024/25

In 2024/25 works would focus on Admin Buildings, Leisure Centres and Sports Pavilions.

Year 1	Year 2	Year 3
Cemeteries & assoc. buildings	Tourism Buildings	Administrative Buildings
Community Centres	Public Toilets	Leisure Centres
Car Parks	Waste Recycling Centres & Transfer Stations	Sports Pavilions

Notable Trends of Improving Condition Scores and Lower Costs

Historically the Council's threshold for action had been between 75% and 80%, with costed options for revising that threshold up or down. In 2022/23 there was a lower than usual requirement for operational works, enabling the budget to stretch to allow a higher-than-normal condition acceptability threshold. Conversely, last year there were several large-scale operational projects required, and the threshold had to be lowered to 70% to meet budget demands.

Generally, there had been a trend of improving condition scores within the estate. Subsequently, the agreed threshold for action had had an upward trend whilst at the same time the revenue budget required for refurbishment projects had been reduced, as demonstrated by the table below.

	2018/19	2019/20	2020/21	2021/22	2022/23	23/24
Condition Related Works	£291,000	£169,000	£98,500	£48,000	£166,000	£50,000
Operational Works	£20,000	£84,000	£154,000	£143,500	£20,000	£131,000
Revenue Budget	£311,000	£253,034	£252,079	£191,500	£185,924	£181,000
Acceptability threshold	70%	75%	75%	80%	85%	70%

That clearly demonstrated that the planned proactive refurbishment programme was actively improving the condition of the Council's estate on a reducing budget requirement, and in time would reduce the reactive maintenance burden as envisaged within the maintenance strategy.

As noted in the previous report however, care should be taken not to deplete the revenue budget too much, as that naturally limited the Council's ability to maintain the estate in good order and was liable to create a bigger impact on future maintenance budgets when it was reinstated.

Limitations of the Process

It should be noted that the surveys focused solely on condition i.e., how functional the various aspects of the building were. The surveys did not capture or reflect whether a building looked “dated”, or its suitability with regard to its intended (potentially changed) purpose. Those aspects were covered during stakeholder conversations (see next section).

Cross-Departmental Working

Cognisance of wider strategies and plans for those assets was essential to meet the expectations of internal customers and reduce the likelihood of spending significant sums of money on assets that may be disposed of or replaced in the foreseeable future. Therefore, discussions with relevant officers had taken place and the proposed works reflected any known plans for the assets concerned.

In addition to the condition-based works, there were a number of project works that had either been requested by the Council or were otherwise required to maintain the safe and effective operation of the buildings. Those “operational” works therefore needed to be completed irrespective of the overall condition of the building and were quantified within the table in section 6.0.

Condition Scores and Costs

The condition scores and corresponding costs were shown on the table below:

Building name	Location	Condition Score	Percentage Score	Costs for Condition	Operational requests	Notes
Ward Park Bowling	Bangor	7.9	98.75			
Seapark Pavilion	Holywood	7.88	98.50			
Cloughey Road, Portaferry	Portaferry	7.85	98.13			
Blair Mayne	Newtownards	7.84	98.00			
Aurora Leisure Centre	Bangor	7.82	97.75			
Town Hall, The Castle	Bangor	7.82	97.75			See seperate section for info.
Spafield Pavilion	Holywood	7.8	97.50			
Crommelin Park Football, Donaghadee	Donaghadee	7.8	97.50			
Bangor Sportsplex	Bangor	7.79	97.38			
Ards Leisure Centre	Newtownards	7.79	97.38			
Kingsland Pavilion	Bangor	7.79	97.38			
Comber Lesiure Centre	Comber	7.77	97.13			
Ballygowan	Ballygowan	7.76	97.00			
The Commons, Donaghadee	Donaghadee	7.75	96.88			
Ward Park Tennis	Bangor	7.73	96.63			
Carrowdore	Carrowdore	7.73	96.63			
Church Grove, Kircubbin	Kircubbin	7.7	96.25			
Parkway, Comber – Football/hockey	Comber	7.69	96.13			
Anne Street, Portaferry	Portaferry	7.68	96.00			
Signal building	Bangor	7.65	95.63			See seperate section for info.
Bloomfield Pavilion	Bangor	7.64	95.50			
Londonderry Park, Newtownards	Newtownards	7.62	95.25			
West Winds Playing Fields	Newtownards	7.62	95.25			
Ballywalter	Ballywalter	7.59	94.88			
Donaghadee Rugby Club	Donaghadee	7.59	94.88			
Cloughey football	Cloughey	7.58	94.75			
Cloughey Bowling	Cloughey	7.56	94.50			
Groomsport Pavilion	Groomsport	7.55	94.38			
Queens Leisure Complex	Holywood	7.54	94.25	£ 35,000		Refurb showers. Repair damp at windows old hall
Council Offices, Newtownards	Newtownards	7.53	94.13			See seperate section for info.
Islandview Road, Greyabbey	Greyabbey	7.52	94.00	£ 22,500	£ 26,000	20k for additional car parking and 6k for wheelchair ramp
Crommelin Park Hockey, Donaghadee	Donaghadee	7.4	92.50			no works needed- used as store only
Abbey Road, Millisle	Millisle	7.31	91.38	£ 24,500	£ 6,000	ramp
Harbour Road, Portavogie	Portavogie	7.22	90.25			Building to be replaced as part of 3G pitch project.
Ward Arras Pavilion	Bangor	6.63	82.88	£ 86,000		
stoma friendly toilets adaptations					£ 10,000	As per report
<90%				£ 86,000	£ 77,000	£ 163,000
<92%				£ 110,500	£ 77,000	£ 187,500
<94%				£ 133,000	£ 77,000	£ 210,000

Office Buildings

It should be noted that whilst the three staff office buildings; Bangor Castle, Signal and Church Street, appeared to score reasonably well for condition, there were significant issues at each that would normally be highlighted under the “operational requests” section of this report.

Church St	New double glazing throughout south block	£25K
	Replace oriel windows	£45K
Signal	Replace render	£60K
	Replacement of conference rooms air conditioning	£25K
	Replace skylights	£10K
	Replace decking at rear of building	£6K
Bangor Castle	Lightning Protection	£100K
	Fire alarm upgrade	£45K
	Replace ground floor windows	£30K
		£346K

It would be unaffordable to address all those issues from existing revenue or capital budgets, and the information would be relayed to the Capital Project Service Unit for further consideration.

The work mentioned above was the absolute minimum to allow the buildings to stay in use and did not address any issues associated with the buildings being fit for purpose as modern office facilities, delivering organisational working efficiencies or sustainability outcomes, and did not include elements like DDA compliance.

Options Available

Option 1

If Members opted to adopt a condition threshold for action of 90%, **only** Ward Arras Pavilion would receive a refurbishment. By consequence, **£163k** would be included in the 2024/25 estimates for refurbishments, resulting in a **10% reduction (£18k)** over the 2023/24 revenue allocation.

Option 2

Alternatively, Members had the option to implement a condition threshold for action of 92%, meaning that, in addition to the refurbishments highlighted in option 1, a refurbishment would also take place at Abbey Road Pavilion, Millisle. By consequence, **£187.5k** would be included in the 2024/25 estimates for refurbishments, resulting in a **3.6% increase (£6.5k)** over the 2023/24 revenue allocation.

Option 3

Alternatively, Members had the option to implement a threshold of 94%, meaning that, in addition to those refurbishments highlighted in options 1 & 2, refurbishments would also take place at Islandview Greyabbey Pavilion. By consequence, **£210k** would be included in the 2024/25 estimates for refurbishments, resulting in a **16% increase (£19k)** over the 2023/24 revenue allocation.

RECOMMENDED that in order to replenish the depleted refurbishment budget from previous years and ease the potential for future increases it was recommended that the Council approves Option 3 above as its preferred option, subject to finalisation as part of the forthcoming 2024-25 budget estimates process.

Proposed by Councillor Wray, seconded by Councillor Boyle, that the recommendation be adopted.

Councillor Wray proposed Option 3 and was aware that the repairs would have to be done at some stage and believed that the decision was the right one for Greyabbey and Millisle which desperately needed to see improvements.

Seconding the recommendation Councillor Boyle agreed with the comments made by Councillor Wray.

AGREED TO RECOMMEND, on the proposal of Councillor Wray, seconded by Councillor Boyle, that the recommendation be adopted.

12. NOTICE OF MOTION REPORT – PROVISION OF SELF-HELP GRIT PILES

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that at the October meeting of the Environment Committee, ratified by the Council, it was agreed that a report be brought back to Committee on the potential use of Household Recycling Centres, community centres and other supervised Council facilities for self-help grit piles.

With limited space and access control procedures now in operation, it was not thought practical to utilise HRCs for grit piles. As operational workplace sites, Council depots were subject to access controls and safe systems of work, which would not lend themselves to safe access and use by the general public to collect grit. However, community centres were ideally positioned throughout the Borough and most had adequate space in car parks to facilitate the provision of self-help grit supplies.

Following advice from the DfI, referenced in last month's report, it was clear that in order to be effective the grit must be kept dry. If grit was to be provided at Community Centres, it was therefore deemed necessary to provide that in large grit boxes.

A full review of the suitability of each centre had not yet taken place but it was thought that most centres would have adequate space for a grit box.



1000l capacity grit box

If the Council agreed to place grit boxes at each of community centres the following would apply:

- Purchase of 20no. grit bins at £525 = £10,500

- Delivery of bins to sites = £1,500
- Initial fill of 20T of grit (provided FOC by Dfl) to be distributed to Centres and filled by hand: £1,750
- Routine topping up of bins £1,000. Estimated 4 tops ups per year £4,000.

Initial cost was therefore estimated to be £17,750, plus £4,000 per year thereafter for ongoing top-up. The latter cost element may vary depending on how much grit was used.

If the option of providing the service was adopted by the Council, it was suggested that a review report should be brought back to the Council thereafter to consider impact and effectiveness. There was no provision for the cost in the current year's budgets, and so if the Council wished to proceed then provision would need to be made in the 2024/25 Estimates Budget.

RECOMMENDED that the Council considers whether to proceed with the provision of self-help grit boxes as outlined in the report and makes provision within the 2024/25 budget.

Proposed by Councillor Cathcart, seconded by Alderman Armstrong-Cotter that the recommendation be adopted.

Councillor Cathcart thanked officers for reconsidering the matter and believed this to be a sensible way forward. The Motion had been brought by him and Alderman McIlveen and had come about through serious concern for residents following the prolonged freeze that had occurred the previous Winter when many, particularly elderly people, had been confined to their homes for a full week.

The Member accepted that while it was not the Council's role to grit common areas grit boxes may assist some people in times of freezing conditions where communities could support one another. He was happy to see the proposal for the next financial year and meanwhile hoped that the coming Winter would be mild.

Alderman Armstrong-Cotter added her thanks and hoped that some funding could be provided for this Winter as she thought of some of her elderly constituents. She urged officers to try to source further grit boxes this Winter and agreed that this was outside the responsibility of the Council but nevertheless she believed it was the Council's role to facilitate its vulnerable residents who had felt trapped and alone previously.

Alderman McAlpine asked the proposer, Councillor Cathcart, if he would accept a slight amendment to the recommendation to include funding being subject to approval during the estimates process for 2024-25. Responding Councillor Cathcart thought that was a 'given' and did not think the caveat was necessary since the estimates process allowed Members as a Council to make final budget decisions in line with financial realities.

The Director indicated that every proposal for additional expenditure next year was subject to the estimates process and the scrutiny of the full Council.

Councillor Boyle thanked officers and said that he would not oppose the recommendation but believed that it would only scratch the surface of a much bigger problem. If the Winter was very cold the Council would need to brace itself for a lot of complaints even if it did not hold responsibility. He referred to the size of the grit bins as being small and the grit would be used quickly when it was needed. He also was mindful of the costs that the Council would incur.

The Director advised that until the Council implemented the proposal it would not know the full implications of it, and officers were aware of the problem of managing expectations.

Councillor Smart was supportive and commended those who had brought the Motion forward and he knew it would help many residents who were in hardship but sadly this reflected the failure on the part of government and DfI to keep public areas safe in times of frost. The level of coverage by government departments in recent years had been poor and so the Council, and ratepayers, were ultimately left filling the gap and paying the cost. After a question by the Member in relation to the funding of the salt it was confirmed that DfI would provide that to the Council at no cost.

AGREED TO RECOMMEND, on the proposal of Councillor Cathcart, seconded by Alderman Armstrong-Cotter, that the recommendation be adopted.

13. BUDGETTING OF HYDRAULIC BOLLARDS AND BANKS LANE

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that at the October Environment Committee, it was agreed that the Council would install hydraulically operated bollards at a cost of around £80k at the entry to Bank Lane Car Park, with a further paper to be brought back to the Committee on what other work would need to stop within the department in order to facilitate the funding of that.

Subsequent discussions with relevant Council officers had confirmed:

- The expenditure would be considered Capital, and therefore would not be funded from revenue budgets.
- The works would require Planning Permission (due to the underground holding tank) and a Habitats Regulations Assessment (HRA), due to its proximity to Belfast Lough.
- Restrictions on works near Marine habitats may prohibit work taking place between October and March (to be confirmed by the HRA).

For those reasons, it would not be possible to begin the works immediately and one of the following options must therefore be selected to progress the project:

Option 1: Straddle the Project over Two Financial Years. Approximately £20k from the 2023/24 £50k Capital budget for car park resurfacing would be utilised to carry out a planned resurfacing of Clifton Road Car Park. The remainder (approximately £30k) would be used to order materials for the Banks Lane project in February/March 2024. The remaining £50k required for the Bank Lane bollard project would utilise the entire Car Park Capital Budget for 2024/25, with project completion in April 2024.

Option 2: Complete the Project Next Financial Year. An additional £30k (on top of the existing £50k) was added to the Car Park Capital Budget for 2024/25, with the project commencing in April 2024 with ordering of materials and onsite works undertaken as soon as possible thereafter.

Option 1: Straddle the Project over Two Financial Years

Pro's	Con's
An earlier start on the project is possible.	Planned car park resurfacing for 2024/25 would not take place until 2025/26, effectively sliding the existing programme back one year.
The effect on the Capital Budget is minimised with no overall increase in Capital spend.	
Some of the planned car park resurfacing work for the current year would be completed (Clifton Road Car Park)	

Option 2: Complete the Project Next Financial Year

Pro's	Con's
The planned car park resurfacing projects for the current year remain unchanged and the full £50k is spent on resurfacing this year.	The lead-in time for materials will likely delay project completion until May/June.
	If completion is delayed until June, it is likely to create a greater impact on car park users during the summer months.
	The Capital budget is increased by £30k, with associated additional borrowing fees incurred.
	Planned car park resurfacing for 2024/25 would not take place until 2025/26, effectively sliding the existing programme back one year.

RECOMMENDED that the Council approves Option 1 as set out in this report for the installation of hydraulically operated bollards at Bank Lane Car Park, straddling the project over two financial years.

Proposed by Councillor Harbinson, seconded by Alderman McAlpine.

Councillor Harbison agreed that Option 1 be put forward and thought that the pros and cons of that had been laid out well in the report.

Councillor Cathcart asked if he could put forward an alternative recommendation which was seconded by Alderman Armstrong-Cotter.

That this Council approves Option 1 as set out in this report for the installation of hydraulically operated bollards at Bank Lane Car Park, straddling the project over two financial years. Furthermore, the Car Park Capital Budget for 24/25 is reviewed during the estimates process to determine whether additional capital budget could be allocated.

He thanked officers for bringing the report forward and stated that the issues raised for this car park represented the biggest such challenge throughout the Borough. The work would require the entire car park budget for 24/25 and additional funds would need to be found. He had found the report to be encouraging and reported that the local residents were delighted with the decision to have bollards put in place and that would make a dramatic improvement to the local environment for them.

Alderman Armstrong-Cotter believed that Option 1 was the right and proper way forward and hoped that financing the bollards could straddle two financial years as suggested. She accepted that it was not the ideal scenario since the PSNI should be dealing with the issues in the area but thought that it was sometimes necessary to take the initiative to fill the gap to do the right thing. This was a bitter pill to swallow, and the police could have stepped up to the mark to ramp up other avenues of dealing with this.

Councillor Boyle pointed out that the reality was that the Council was spending £80k and that would not fully address the problem and in his opinion that would only be done when the police stepped in.

The amendment was agreed.

AGREED TO RECOMMEND, on the proposal of Councillor Cathcart, seconded by Alderman Armstrong-Cotter, that the Council approves Option 1 as set out in this report for the installation of hydraulically operated bollards at Bank Lane Car Park, straddling the project over two financial years. Furthermore, the Car Park Capital Budget for 24/25 is reviewed during the estimates process to determine whether additional capital budget could be allocated.

14. REVIEW OF HARBOUR FEES 2024/25

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that a pricing structure for the use of the Council's five harbours was first introduced in 2018 to coincide with the implementation of the Council's new management arrangements and terms and conditions introduced at that time.

Fees were reviewed in 2020 and were largely unchanged at that time; they had since remained static during the Covid-19 Pandemic.

The Council generally had a policy of cost recovery on its services however harbours were slightly different than most services as a majority of costs were not incurred as a direct result of providing a service to berth holders i.e., if we had no berth holders, the Council would still bear harbour costs in relation to rates, basic maintenance, cleansing etc. Some staff costs would also need to remain, in order to deliver that basic provision.

For the above reasons, the service costs directly related to service delivery had been separated out and calculated at around 30% of the total harbours management cost, and compared to the income generated from berths.

Officers had calculated that a 5% increase in berthing fees was needed to recover the costs directly related to service delivery, in line with the Council Pricing Policy.

That would bring the average berthing fee across all harbours up from £299 to £314, although the actual costs of berthing a specific vessel would depend on the size of that vessel and the harbour in which it was berthed.

In accordance with the Council's Pricing Policy, future pricing adjustments would be subject to one annual Council approval which would then be applied across all service provisions.

RECOMMENDED that Members note the 5% increase in harbour fees, in line with the Council's Pricing Policy on cost recovery.

Proposed by Councillor Edmund, seconded by Councillor Smart that the recommendation be adopted.

Proposing the recommendation Councillor Edmund did not like proposing increases to fees but he believed it to be important if the Council was increasing the quality of its facilities. A figure of 5% increase was reasonable so that the facilities in those areas could be continually improved and kept safe, and that explained the need.

Councillor Smart was in agreement with the proposer reminding Members that the Council had some beautiful harbours across the Borough and those came with significant financial liabilities. The increase proposed was substantially under inflation and was simply to help with cost recovery and was not in any way profitable. He was happy to support it.

Councillor Boyle agreed and considered that great work was being done for a relatively small fee. That was well below inflation and users of the harbours would likely not mind minor increases if work was carried out to keep them in good condition.

AGREED TO RECOMMEND, on the proposal of Councillor Edmund, seconded by Councillor Smart, that the recommendation be adopted.

15. NOTICE OF MOTION

15.1 Notice of Motion submitted by Alderman Adair, Councillor Edmund and Councillor

That Council recognise the value of our beaches and coastal environment to our residents and tourists alike and note the new DEARA regulations for the cleaning and maintenance of our beaches and task officers to bring forward a report on cleaning and maintaining our beaches on a proactive basis in line with the new DEARA regulations to ensure our beaches continue to be a clean, safe, attractive and well-managed coastal environment.

Proposed by Alderman Adair, seconded by Councillor Kerr, that the recommendation be adopted.

Councillor Adair thanked the Committee for allowing him to present on behalf of his constituents and began by reminding Members that Ards and North Down was a beautiful Borough which had the largest coastline in Northern Ireland. Many of its beaches were award winning and tourists visited from all over Northern Ireland and further afield. Currently, in the cost of living crisis, a visit to a beach was viewed as a great day out without the need to spend much money. The beaches were a fine resource and it was good to see people of all ages out enjoying them. He referred to the beaches in his area including Cloughey, Ballywalter, Millisle, Portavogie and Knockinelder since he was most familiar with them.

He explained that in 2021 new DAERA regulations had come in to force which had had an adverse effect on the cleaning regime which had been carried out by the Council. At that time the Council had suspended its own mechanical beach cleaning retaining only manual litter picking and the Member stated that that policy was not working. He pointed to the practices of other Councils with significant coastlines such as Causeway Coast and Glens which had installed beach cleaning stations and that was working well. He thought that the 'do nothing' approach was unacceptable and had resulted in increasing numbers of flies in those areas. Beaches were one of the jewels in the Borough's crown and needed to be protected.

He called for a report on how the Council could work within the DAERA regulations as other Councils were and urged Members to support his Motion so that beaches were clean, safe, attractive, well managed coastal environments.

Seconding the Motion Councillor Kerr stressed the importance of the coastal landscape on the Ards Peninsula and called for it not to be abandoned or neglected

and hoped that the matters raised could be addressed and a regular cleaning schedule implemented in time.

Councillor Edmund, Councillor Wray and Councillor Boyle, as representatives of the local area, were also in support and referred to the seaweed and flies in Ballyhalbert particularly with the seaweed even covering the main road. It was a serious matter and was unpleasant for residents and tourists alike.

The Chair hoped that the report would cover all areas with sea frontage.

The Director advised that the report being called for would be followed up by the Parks and Cemeteries Department and brought back through the Community and Wellbeing Committee for consideration.

Councillor Smart was very supportive of the Motion and hoped the report would take account of the excellent beach cleaning groups and recognise their input in keeping beaches clean.

Alderman Adair thanked Members for their positive comments and paid tribute to the work of beach cleaners. He reminded everyone that the Council had undertaken beach cleaning prior to 2021 and so did not think budget should be a consideration. All beaches in the area were amenity beaches which meant that they were leased by the Council, so it had a duty to protect them and keep them beautiful.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Councillor Kerr, that the Notice of Motion be adopted.

15.2 Notice of Motion submitted by Councillor Wray and Alderman Smith

That this Council asks officers to include the repainting of the traditionally styled bus shelter (owned by council), located in Main Street Grey Abbey, in the 2024/25 maintenance budget.

Furthermore, Council seeks an officer's report on the feasibility of council painting the decorative Grey Abbey lamp posts (in the ownership of DFI). This is a feature of the historic village, and we understand the current shabby condition impacts not only residents of the village, but the wider tourism and regeneration potential of this scenic conservation area.

AMENDED by Councillor Wray and Alderman Smith

Council seeks an officer's report on the feasibility of Council painting the decorative Greyabbey lamp posts (in the ownership of Dfi). This is a feature of the historic village, and we understand the current shabby condition impacts not only residents of the village, but the wider tourism and regeneration potential of the scenic conservation area.

FURTHER AMENDMENT submitted by Councillor Cathcart and Councillor Edmund

That Council welcomes the repainting of the traditionally styled bus shelter located on Main Street, Greyabbey, and tasks officers to ensure it is maintained to a high standard going forward. Furthermore, Council writes to the Department of Infrastructure to ask for the decorative lamp posts on Main Street, Greyabbey, to be repainted to ensure they are maintained as a feature of this historic village; and writes to the Department of Agriculture, Environment and Rural Affairs to seek funding to deliver a mini public realm or streetscape project in Greyabbey.

Councillor Wray began by proposing his amended Notice of Motion and that was seconded by Councillor Smart. He explained that his original Motion had been submitted on 19 October 2023 and the bus shelter had been painted almost immediately after that. Greyabbey was a very attractive town with a strong community association and was unique in its history and style. It was also home to two of the Borough's top tourist destinations namely Mount Stewart and Grey Abbey.

The Friends of Grey Abbey organised tours and many visited from the cruise ships that came to Belfast. Greyabbey village was the first impression visitors got of the area and it was disappointing to have the town looking neglected. The lampposts were owned by DfI so the obvious question was why were they not being refurbished by them. When Councillor Wray had written to the Department it was explained that there was no funding available to carry out that function and that is why he was bringing the Motion.

He referred to the amendment to his Motion which had been brought by Councillor Cathcart and Councillor Edmund to write to the DfI which he had done and so he suggested his proposal go forward and the further amendment by Councillors Cathcart and Edmund be brought as a separate Motion. DfI had stated that it did not have funding so the Council needed to support the community association in Greyabbey and he urged Members present to support his Motion.

Seconding Councillor Wray's Motion, Councillor Smart said that the case had been stated well by his colleague. Greyabbey was a fantastic village and was a driver for local tourism and the huge success of the Abbey bringing in international visitors needed to be recognised. He suggested that it was sometimes the small things that could let an area down, the town did look tired and while the DfI should be maintaining he believed the Council needed to step in being mindful of its own limited resources. He called for the support of the Committee.

Councillor Cathcart proposed his amendment, seconded by Councillor Edmund, and thought that a separate Motion would only waste time. He agreed that Greyabbey was a fantastic village and in terms of writing to DfI it would do no harm to give the matter a corporate push and that was useful to have in the amendment. He wished Greyabbey well and hoped that the Council would continue to push for the restoration of the lampposts.

Councillor Edmund believed that the Council needed to keep up the pressure on the Department and hoped the lighting would in time be extended across the entire village centre. The Friends of Grey Abbey were doing a marvellous job and substituting the work that could have been done by NIEA. He thought it important to continually remind the Department of its responsibility.

Councillor Boyle said that he had had the privilege of representing the area for a long period of time. Greyabbey used to think itself the forgotten village and it was clear that DfI had given its response, and that the original proposers were being 'up ended'.

A vote was taken on Councillor Cathcart's amendment and 6 voted For, 4 voted Against and 4 Abstained and it was declared CARRIED.

AGREED TO RECOMMEND, on the proposal of Councillor Cathcart, seconded by Alderman Edmund, that the Council welcomes the repainting of the traditionally styled bus shelter located on Main Street, Greyabbey, and tasks officers to ensure it is maintained to a high standard going forward. Furthermore, Council writes to the Department of Infrastructure to ask for the decorative lamp posts on Main Street, Greyabbey, to be repainted to ensure they are maintained as a feature of this historic village; and writes to the Department of Agriculture, Environment and Rural Affairs to seek funding to deliver a mini public realm or streetscape project in Greyabbey.

16. ANY OTHER NOTIFIED BUSINESS

There were no items of Any Other Notified Business.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Councillor Edmund, seconded by Councillor Douglas, that the public/press be excluded during the discussion of the undernoted items of confidential business.

17. PROPOSED EXTENSION OF EXISTING GLASS PROCESSING CONTRACT

*****IN CONFIDENCE*****

NOT FOR PUBLICATION SCHEDULE 3 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON

A report relating to the extension of a contract for glass reprocessing services was considered.

It was agreed that the contract is extended for a further 12 months at the current rates.

18. ITEM WITHDRAWN

RE-ADMITTANCE OF PUBLIC/PRESS

EC 08.11.23PM

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AGREED, on the proposal of Alderman Cummings, seconded by Alderman Armstrong-Cotter, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 8.45 pm.

employment within the Town centre should be more defined and clearly stated within the Masterplan. The Council subsequently agreed to this proposal.

Within the document this action was implied under Priority B Tackling Hotspots, but not stated as a strategic aspiration of the Council. A meeting with Alderman McDowell was held and he emphasised that he believed that this objective should be explicitly stated.

Following this, a conversation was held with James Hennessey of the Paul Hogarth Company, which undertook the review process, and he was content that if the Council agreed to this additional measure being included that it was in keeping with the review and could be added to the document.

RECOMMENDED that Council approve the Newtownards Masterplan with the addition as outlined in this report.

AGREED TO RECOMMEND, on the proposal of Alderman McDowell, seconded by Alderman Armstrong-Cotter, that the recommendation be adopted.

4. RURAL ADVISORY GROUP AND REVIEW OF VILLAGE PLANS (FILE 160135)

PREVIOUSLY CIRCULATED:- Report from the Director of Place stating that the Council's Rural Regeneration Section supported the development and regeneration of the rural businesses and communities throughout the Borough.

At present there were several partnerships and/or advisory groups set up within the rural villages which were working well. However, there was a need to establish a group that brought together all the villages across the Borough that would aid and promote positive working relationships with the Council and statutory agencies to progress rural regeneration.

As members would be aware, Advisory Groups were established for the city and towns across the Borough to support urban regeneration. Such forums had proved very successful with a range of positive outcomes, most recently the cross collaboration to produce reflective and visionary masterplans.

In order to strengthen, build upon, and promote rural regeneration and community development throughout the Borough, it was proposed to establish a Rural Advisory Group.

Rural Advisory Group

The Rural Advisory Group would bring valuable expertise, provide a forum for information and knowledge sharing, and provide direction for the regeneration and community development of the rural villages.

The Group would take a consultative and non-decision-making role which would help to shape, influence, and inform rural regeneration and community development.

It was proposed that the group would comprise of:

- A maximum of two elected members from DEAs that had a rural village (Five DEAs).
- A representative from the County Down Rural Community Network.
- A maximum of two representatives nominated from each Village Community Association/Regeneration Group, whereby one representative attended each meeting (fifteen in total per meeting).
- A representative from the Department for Infrastructure and the Department for Agriculture, Environment and Rural Affairs.

Officers from the Rural Regeneration and Community Development Sections would service the group.

Further members of the group may be co-opted as required and the Chair would be nominated at the first meeting of the Rural Advisory Group. It was also suggested that meetings took place quarterly. It was proposed that the first meeting of the group would take place in person, and it would then be decided as to the format of subsequent meetings (in person or virtual).

The considerations of the group and any proposals that the group recommend, would only be adopted if agreed by the Council. The minutes of the group would be brought to the Place and Prosperity Committee for consideration.

A Terms of Reference to include a Code of Conduct would be developed for discussion at the first meeting, although the group would have a role in defining its activities. The Terms of Reference were to facilitate meaningful engagement and discussion between the Council, the rural villages and statutory bodies.

Review of the Village Plans

As members would be aware at the beginning of 2023, the Rural Regeneration Section commenced a review of each of the existing Village Plans, with the purpose being to establish the current priorities within each of the villages.

Due to budget constraints, officers were tasked with undertaking the reviews. However due to a number of posts within the Rural Regeneration team being vacant this had somewhat been delayed.

It was agreed that the process would include a review of the current plan with the Village/Community Groups, followed by a public meeting and a survey. To date a soft review process had been completed for seven villages.

A mid-point review of the process was undertaken as it was identified that the level of engagement in the majority of the villages was low in comparison to the level of engagement during the initial development of the plans, summary below.

Village	Public Mtg to develop Plan	Public Mtg to review Plan	Survey responses to develop Plan	Survey responses to review Plan
Ballyhalbert	Unknown	22	67	12
Carrowdore	15	8	97	17
Conlig	Unknown	15	35	10
Crawfordsburn & Helen's Bay	60	28	66	15
Greyabbey	Unknown	11	127	4
Groomsport	30	27	30	13
Kircubbin	Unknown	13	35	10
Lisbarnett & Lisbane	16	16	83	11
Millisle	90	39	162	76

It should also be noted that a number of the existing plans were nearing or had reached their end date, indicating that a review of the existing plan may not be sufficient, and instead a new plan would be required.

Village	Plan Start Date	Plan End Date
Ballygowan	2018	2023
Ballyhalbert	2016	2026-2031
Ballywalter	2016	2026-2031
Carrowdore	2018	2023
Cloughey	2018	2023
Conlig	2016	2026-2031
Crawfordsburn & Helen's Bay	2018	2023
Greyabbey	2016	2026-2031
Groomsport	2018	2023
Killinchy	2018	2023
Kircubbin	2016	2026-2031
Lisbarnett & Lisbane	2018	2023
Millisle	2014	2024
Portaferry	2016	2026-2031
Portavogie	2018	2023
Six Road Ends	2013	2028

In conducting this mid-point review the requirement to improve engagement was evident. Feedback also highlighted the need to review the public survey process and communications to ensure a clear and simplistic approach was used.

It was proposed to reassess the review of the Village Plan process. This assessment should identify an improved process that would seek to increase engagement levels, community support and buy-in. It was recommended that each plan including those that had received a soft review were revisited, determining whether a soft review was adequate, or a new plan was required.

Further reports on the out workings of this would be brought to the Council in due course.

RECOMMENDED that the Council agrees to the establishment of a Rural Advisory Group as outlined within the report.

Alderman Adair proposed, seconded by Councillor Edmund, that the recommendation be adopted.

The proposer Alderman Adair welcomed the report noting that during the Covid19 pandemic a Rural Advisory Group had been set up which had brought together the business and voluntary community along with elected members. As such he agreed that this was the best way forward to deliver the Rural Development Programme. As recently appointed Local Government spokesperson on Rural Development, Alderman Adair reported that he had attended a meeting in Hillsborough earlier that week with representatives of the five major parties to discuss the success of the Rural Development Programme in Northern Ireland. He added that it had been noted how successful it had been in the Ards and North Down Borough to date. As such he was hopeful there would be further funding opportunities to be availed of and he thanked officers for their work on this, adding that he looked forward to the Group getting up and running.

Councillor Ashe sought clarification on the make-up of the Group and asked if that would be carried out using the D'Hondt method. In response the Head of Regeneration indicated that level of detail had not yet been considered; however, it was noted a report on that would be brought back for members' consideration.

Acknowledging a number of vacancies currently within the Rural Regeneration section, Councillor McLaren sought an update on whether or not those positions were now filled. In response the Head of Regeneration confirmed that a Temporary Manager was now in post until June 2024, outlining that two further officers had been promoted to other posts within the Council. One of those posts had since been filled on a temporary basis with the other yet to be.

Endorsing the comments made to date, Councillor McCollum referred to the current terms of reference for the Council's Town Advisory Groups and suggested careful consideration was given to those with a mechanism built in to review every four years to ensure their relevancy. The Head of Regeneration agreed that such a review should be undertaken on a regular basis and as such that was something which would be considered.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Councillor Edmund, that the recommendation be adopted.

5. ARMED FORCES DAY (FILE TO/EV 107)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity stating that this report intended to update members in relation to the potential to host Armed Forces Day within the Borough in 2025.

Background

In December 2022, in response to a request from the Chief Executive of the Reserve Forces and Cadets Association (RFCA), the Council approved a recommendation to register its interest with regard to hosting a future Armed Forces Day (AFD) (see Item 9 of Regeneration & Development Committee - 08 December 2022).

The Council had been advised that the offer and honor of hosting the event on 21 June 2025 had been made to Ards and North Down Borough Council, which would be the seventeenth year of the celebrations. Council had also been advised that Antrim and Newtownabbey Council would be hosting the event in 2024.

Detail

As members would be aware, AFD presented an opportunity for people to come together in recognition and celebration of the wonderful service provided by regular and reservist soldiers, sailors, airmen and marines, past and present, and the families that had supported them in turn. Additionally it presented the opportunity, in conjunction with the pre-programmed Sea Bangor event (which was normally held each year in June), to attract thousands of visitors to the Borough, supporting the local food and drink traders and the tourism industry, showcasing maritime heritage with a range of events, activities and artistic performances staged on land, sea and air.

Ards and North Down Borough Council previously hosted AFD very successfully in 2017 as part of the Sea Bangor event. The total Tourism budget allocated was £118,000 with income of £10,000 from each of Tourism NI and RFCA (total event cost £138k). Additional costs for various other elements of the weekend activity were attributed to a separate Administration budget.

Early discussions held with military representatives to date suggest the offer to Council to facilitate a full programme of activity for AFD could best be resourced, in respect of both finance and staffing, by linking with the Sea Bangor event. To facilitate this, Council would be required to move the date of Sea Bangor to slightly later in the month of June. Although this would be an exceptionally busy month, this would allow the scheduled tourism events to be delivered by the Council's Tourism Events team with the support on the required AFD elements by the Council's Civic/Administration team. The scheduled Comber Earlies Food Festival could still run as intended on 28 June 2025.

The offer by MOD/RFCA would be more attractive by taking the opportunity to include not just land-based "assets", but also air and sea (RAF and Royal Navy), which was why co-joining the main event with Sea Bangor was appropriate in order to take advantage of such assets.

Below was an outline of a combined event, celebrating the event in both Bangor and Newtownards.

Friday evening 20 June – Conway Square, Newtownards

Musical performance by military/silver band on staging with seating for members and dignitaries, and public enjoyment, with a civic reception in the Town Hall followed by Mayoral address and military response.

Saturday 21 June – host the main AFD at Sea Bangor, McKee Clock Arena and Waterfront, Bangor

1. Parade
 - Parade from the City Hall to Bangor Marina to include military personnel and military bands.
 - Civic breakfast or lunch (potentially in the Court House)
2. McKee Clock Arena (set up with Stage and Tiered seating)
 - Drumhead service
 - Musical performances throughout the afternoon to include military bands
 - Capability demonstrations e.g. working dogs
 - Sports demonstrations or participative activities.
3. Eisenhower Pier/Bangor Waterfront/Quay Street Car Park
 - Royal Navy Ship
 - Parachute display team on water or land
 - Flypast/Rotary display. This Bangor location was key to allow any ability to secure a Red Arrows or Battle of Britain memorial display. (Costs from Council would be required to secured either of those elements)
 - Military village to include NI units stands
 - Military equipment display e.g. Battle Tank, Armoured vehicles
 - Family focussed programme of entertainment

Sunday 22 June

- Family focussed programme of entertainment at Eisenhower Pier and car park – or Bangor Waterfront as available
- Staging retained and varied musical programme (McKee Clock)
- On-water family focussed activity

It should be noted that the securing of military assets was dependent upon availability and resource as required. External sources of funding were also dependent upon funding streams available at the time of planning.

Whilst putting pressure on resources, this would be a significant opportunity to host a full weekend of activity combined with the maritime festival.

RECOMMENDED that Council accepts the honour to host the main Armed Forces Day as part of Sea Bangor on 21 June 2025 with a musical event in Newtownards on 20 June and approves officers to liaise with the RFCA to confirm programming opportunities and to budget accordingly, subject to lead in to Estimates process for 2025/26.

Councillor Gilmour proposed, seconded by Alderman Adair, that the recommendation be adopted.

The proposer, Councillor Gilmour, indicated that she fully endorsed the report, recalling how both legacy Councils had previously successfully hosted this event. She commented that it was important to recognise the role the Armed Forces played and noted that both legacy Councils had also bestowed the Freedom of the Borough upon the Royal Irish Regiment, the Ulster Defence Regiment, the Royal British Legion and the Royal Air Force, to name a few. With both Palace and Kinnegar Barracks situated within the Borough, she acknowledged the importance of paying tribute to the Armed Forces and their families. As such she reiterated that she was more than happy to propose the recommendation.

Alderman Adair commented that it gave him great pleasure to second the proposal, adding that it would be a very special occasion given the Council's great history with the military. Continuing he reported on the successful recent opening of a Veteran's Centre in Portavogie and reiterated that events such as this provided an opportunity to express thanks to all veterans.

Referring to the proposed musical performance on the evening of Friday 20 June 2025, Councillor Hollywood asked if that would be in the format of a musical tattoo. In response the Head of Tourism confirmed that it would comprise of a military performance with a band in Conway Square, Newtownards, followed by a speech from the Mayor, all easily viewed by members of the public.

AGREED TO RECOMMEND, on the proposal of Councillor Gilmour, seconded by Alderman Adair, that the recommendation be adopted.

6. RESPONSE TO NOTICE OF MOTION: TT RACES 2028 (FILE)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity stating that the purpose of the report was to update members on proposals stemming from Notice of Motion agreed in June 2022 in relation to the celebration of the 100 year anniversary of the Ards TT Races.

Background

The Council debated the following Notice of Motion in June 2022:

'That this Council notes that 2028 will mark the centenary of the internationally renowned Ards TT Races and tasks officers to prepare a report in relation to options on events to best commemorate this sporting anniversary and celebrate the area's rich motorsport heritage.'

During the discussion at that time, members acknowledged that a 're-run' of the race would be cost prohibitive; however, a number of other options were referred to as follows:

- An exhibition in Ards Town Hall
- A vintage festival in the vein of the Goodwood Vintage Festival over a weekend – including vintage music, fashions, car shows etc.

- A potential drive of vintage vehicles along the route, as occurred for the 75th anniversary
- A service to remember those who lost their lives at the event, focussed at the site of the 1936 tragedy (side of Ards Hospital on Church Street)

Memorial Plaque

Members should note that planning permission was granted in August 2022 for a memorial plaque (as detailed below). This application was further to another Notice of Motion approved by the Council in November 2018 that read as follows:

That this Council bring back a report regarding the erection of a memorial to the eight people who were killed on Church Street during the 1936 Ards TT race, which ultimately lead to the cancelling of the event, and that this memorial might be placed on the western end of the wall at Ards Hospital on Church Street.



It was currently proposed to unveil the plaque on Thursday, 5 September 2024 (the anniversary) at a lunch event in the Londonderry Room of the Town Hall, following which the plaque would be taken to the site at the hospital wall for installation. This was being taken forward by officers in Corporate Services Directorate.

Centenary Detail

Officers had met with representatives of The Ulster Vintage Car Club, TT Historians and other local vintage car enthusiasts to seek their thoughts on how to appropriately mark the occasion. An initial conversation with the elected member who proposed the Notice in relation to the centenary had also taken place, with further discussion on potential sponsorship opportunities and sprint race(s).

18 August 2028 would be the centenary date and there was potential to hold a weekend festival at this time to mark the occasion.

It was envisaged that this could be a motor sport themed weekend celebration similar in style and presentation to the Goodwood Revival Festival.

Goodwood was a historic race meeting staged entirely in period dress and stated as being 'a return to the halcyon days of Goodwood as the spiritual home of British motor racing'.

The event could feature sprint races, a drive of the original route, a display of vintage cars, family friendly activity, entertainment, and displays of memorabilia etc. and/or also feature a hill climb event at Craigantlet.

Early indications would point toward usage of the Ards Airfield given its accessibility, potential for large scale parking, and opportunities for the spectacle of sprint races; however, other venues within the Borough could be investigated.

Budget and Funding

Whilst the event was still some years away, it would be prudent given the likely cost, to consider costings now in light of the upcoming estimates process, with detail on final costings obviously dependent upon Council's aspirations and budget.

In addition to Council budgeting, external funding could be sought, such as the National Lottery Heritage Fund, The Big Lottery, Tourism NI, with the potential for private sponsorship via the motor industry. Additionally, there was potential for recouping of some monies via ticketing, obviously dependent on quality of weekend and potential reach beyond the Borough.

It was considered that, in order to fully examine the potential programme and costings for such a weekend of celebration, it may be appropriate for a working group to be set up, with contributions from members, supported by Tourism and Heritage Officers, and motorsport historians/enthusiasts, the outworkings of which could then be reported back to Place and Prosperity Committee for final approval by Council.

RECOMMENDED that Council:

- i. Consider the formation of an Ards TT Working Group of Members and could draw on expertise externally to plan and propose programming of a centenary event; and
- ii. approves officers to seek opportunities for external funding for the event, subject to outworking of the stakeholder group.

Alderman Adair proposed, seconded by Alderman Armstrong-Cotter, that the recommendation be adopted.

The proposer, Alderman Adair welcomed the report and proposed formation of a Working Group to oversee the centenary event which he noted had been brought forward via a Notice of Motion from his colleague Alderman McIlveen. He agreed that the Working Group would bring together all interested parties and enable the Council to draw on any funding opportunities which may be available.

Commenting as seconder, Alderman Armstrong-Cotter also welcomed the report, adding that Alderman McIlveen had been involved with this from the outset and she added that it was only right and proper that this was done. Continuing, she suggested that the Working Group be opened up to other elected members. In response the Director of Prosperity indicated that membership of the Working Group would be open to any interested parties. Alderman Armstrong-Cotter welcomed the Director's comments adding that she would discuss the matter further with her party colleagues adding that it was a very exciting prospect for the town of Newtownards.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Alderman Armstrong-Cotter, that the recommendation be adopted.

7. PLACE DIRECTORATE BUDGETARY CONTROL REPORT – SEPTEMBER 2023 (FILE FIN45)

PREVIOUSLY CIRCULATED:- Report from the Director of Place advising that the Place Directorate's Budgetary Control Report covered the six-month period 1 April to 30 September 2023. The net cost of the Directorate was showing an underspend of £24k (3.4%) – box A on page 3.

Explanation of Variance

The Place Directorate's budget performance was further analysed on page 3 into three key areas:

Report	Type	Variance	Page
Report 2	Payroll Expenditure	£36k favourable	3
Report 3	Goods & Services Expenditure	£32k adverse	3
Report 4	Income	£20k favourable	3

Explanation of Variance

The Place Directorate's overall variance could be summarised by the following table (variances over £10k): -

Type	Variance £'000	Comment
Payroll	(36)	Mainly due to vacant posts within Regeneration.
Goods & Services		
Regeneration	35	Urban Development – Covid recovery projects post project research - £17k . Rural Development project spend - £22k but this is mostly offset by additional grant income (see below).

Type	Variance £'000	Comment			
Income					
Regeneration	(20)	Rural Development project (see above).			
REPORT 1 BUDGETARY CONTROL REPORT					
Period 6 - September 2023					
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance
	£	£	£	£	%
Place					
800 Place HQ	152,359	151,700	659	266,400	0.4
810 Regeneration	351,384	390,600	(39,216)	1,186,800	(10.0)
820 Strategic Capital Development	197,925	183,700	14,225	365,100	7.7
Total	701,668	726,000	A (24,332)	1,818,300	(3.4)
REPORT 2 PAYROLL REPORT					
	£	£	£	£	%
Place - Payroll					
800 Place HQ	84,424	83,700	724	167,200	0.9
810 Regeneration	266,164	320,500	(54,336)	651,700	(17.0)
820 Strategic Capital Development	196,809	179,500	17,309	358,900	9.6
Total	547,396	583,700	(36,304)	1,177,800	(6.2)
REPORT 3 GOODS & SERVICES REPORT					
	£	£	£	£	%
Place - Goods & Services					
800 Place HQ	67,935	68,000	(65)	99,200	(0.1)
810 Regeneration	104,985	70,100	34,885	535,100	49.8
820 Strategic Capital Development	1,116	4,200	(3,084)	6,200	(73.4)
Total	174,036	142,300	31,736	640,500	22.3
REPORT 4 INCOME REPORT					
	£	£	£	£	%
Place - Income					
800 Place HQ	-	-	-	-	-
810 Regeneration	(19,764)	-	(19,764)	-	-
820 Strategic Capital Development	-	-	-	-	-
Totals	(19,764)	-	(19,764)	-	-

RECOMMENDED that the Council notes this report.

Councillor McCracken proposed, seconded by Councillor McCollum, that the recommendation be adopted.

The proposer Councillor McCracken, referred to the ongoing staff vacancies within the Place Directorate and given the many up and coming reports being put forward for a wide variety of projects he asked if action was being taken to recruit staff.

The Director of Place commented that levelling up funding received had been used to fill a number of posts within the Strategic Capital section. She acknowledged, however, that challenges remained in filling posts within the Regeneration section.

Also commenting on this matter, the Head of Regeneration stated that the current structure within Regeneration needed to be re-visited, particularly in respect of funders requirements and the challenges with DAERA funding. He added that now the Council's vacancy control measures had been lifted, efforts would be made to fill the two vacant posts.

AGREED TO RECOMMEND, on the proposal of Councillor McCracken, seconded by Councillor McCollum, that the recommendation be adopted.

8. PROSPERITY DIRECTORATE BUDGETARY CONTROL REPORT – SEPTEMBER 2023 (FILE FIN45)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity stating that the Prosperity Directorate's Budgetary Control Report covered the six-month period 1 April to 30 September 2023. The net cost of the Directorate was showing an underspend of £54k (3.7%) – box A on page 3.

Explanation of Variance

The Prosperity Directorate's budgetary performance was further analysed on page 3 into three key areas:

Type	Variance £'000	Comment
Payroll	(48)	Mainly vacant posts within Economic Development.
Goods & Services	(13)	Small underspends within Economic Development and Tourism.
Income		
Economic Development	28	Budget profiling (timing) of Labour Market Partnership funding. This will probably be rectified in the next couple of months.
Tourism	(21)	Tourism Experiences – (£7k). Visitor Information Centres – (£6k). Tourism Events – (£10k).

Explanation of Variance

The Prosperity Directorate's overall variance could be summarised by the following table (variances over £10k): -

REPORT 1 BUDGETARY CONTROL REPORT					
Period 6 - September 2023					
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance
	£	£	£	£	%
Prosperity					
700 Prosperity HQ	72,826	66,000	6,826	132,000	10.3
720 Economic Development	594,238	634,300	(40,062)	1,303,000	(6.3)
740 Tourism	747,323	768,400	(21,077)	1,530,700	(2.7)
Total	1,414,387	1,468,700	A (54,313)	2,965,700	(3.7)
REPORT 2 PAYROLL REPORT					
	£	£	£	£	%
Prosperity - Payroll					
700 Prosperity HQ	67,945	60,900	7,045	121,800	11.6
720 Economic Development	368,094	430,600	(62,506)	862,000	(14.5)
740 Tourism	488,665	481,500	7,165	933,800	1.5
Total	924,705	973,000	B (48,295)	1,917,600	(5.0)
REPORT 3 GOODS & SERVICES REPORT					
	£	£	£	£	%
Prosperity - Goods & Services					
700 Prosperity HQ	4,880	5,100	(220)	10,200	(4.3)
720 Economic Development	375,298	381,300	(6,002)	935,500	(1.6)
740 Tourism	347,129	354,000	(6,871)	684,300	(1.9)
Total	727,307	740,400	C (13,093)	1,630,000	(1.8)
REPORT 4 INCOME REPORT					
	£	£	£	£	%
Prosperity - Income					
700 Prosperity HQ	-	-	-	-	-
720 Economic Development	(149,154)	(177,600)	28,446	(494,500)	16.0
740 Tourism	(88,471)	(67,100)	(21,371)	(87,400)	(31.8)
Totals	(237,625)	(244,700)	D 7,075	(581,900)	2.9

RECOMMENDED that the Council notes this report.

Councillor McCracken proposed, seconded by Councillor Edmund, that the recommendation be adopted.

Commenting as proposer, Councillor McCracken again sought reassurance that there were sufficient staff resources in place to carry out the up and coming work.

The Director of Prosperity indicated that there were a number of vacant posts within the Economic Development and Tourism sections, including issues with long term sickness, and resourcing the Labour Market Partnership. However, she reported that those issues had subsequently been, or were due to be, resolved.

The seconder Councillor Edmund, referred to page 2 of the report, Report 4 Income Report and sought further information on the income variance highlighted of approximately £7,000.

In response the Director of Prosperity advised that could be attributed to the timing of Labour Market Partnership funding from DFC and it was hoped, as advised in the report, it would be rectified in the next couple of months.

AGREED TO RECOMMEND, on the proposal of Councillor McCracken, seconded by Councillor Edmund, that the recommendation be adopted.

9. ANY OTHER NOTIFIED BUSINESS

The Chairman advised that there were no items of Any Other Notified Business.

NOTED.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Councillor Edmund, seconded by Councillor Gilmour, that the public/press be excluded during the discussion of the undernoted items of confidential business.

10. COUNCIL REGENERATION SITES – NIE SITE BALLOO (FILE RDP209/RDP51)

3. Exemption: relating to the financial or business affairs of any particular person

The report updates Council on its vision for the development of the old NIE site in Balloo and recommends potential way forward for the regeneration of the site to support employability and business growth.

The recommendation was adopted.

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED, on the proposal of Councillor Edmund, seconded by Alderman Adair, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 7.41pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting (in person and via Zoom) of the Corporate Services Committee was held at the Council Chamber, Church Street, Newtownards and via Zoom, on Tuesday 14 November at 7.00 pm.

PRESENT:

In the Chair: Councillor Moore

Aldermen: Brooks McIlveen
Graham Smith

Councillors: Chambers Irwin (Zoom)
Cochrane Kennedy (Zoom)
Gilmour (7.02pm) McCracken
Irvine, S (Zoom) MacArthur (8.20pm)
Irvine, W McRandal

Officers: Director of Corporate Services (M Steele), Head of Administration (A Curtis), Head of Human Resources and Organisational Development (R McCullough), Head of Finance (S Grieve) and Democratic Services Officer (R King)

1. APOLOGIES

An apology for inability to attend was received from Alderman McAlpine and apologies for lateness were received from Councillor MacArthur and the Mayor, Councillor Gilmour who was attending a Mayoral engagement.

2. DECLARATIONS OF INTEREST

The Chairman sought declarations of interest and the following were declared:

Councillor MacArthur – Item 24 - Sir Samuel Kelly Lease - Request For An Additional Strip Of Land (declared at 8.47pm)

(The Mayor Councillor Gilmour entered the meeting – 7.02pm)

3. PRESENTATION – NORTHERN IRELAND HOUSING EXECUTIVE

(Appendices I – II)

PREVIOUSLY CIRCULATED:- Copy of presentation and Housing Investment Plan 2023-2026 from NIHE.

The Chair welcomed the following representatives from the Northern Ireland Housing Executive:

- Grainia Long - Chief Executive
- Eileen Thompson – Area Manager
- John McCartan - South Region Manager

Ms Long outlined the attached presentation and the Chair invited questions from Members.

Alderman Smith referred to a local issue around housing allocation and intimidation in terms of bypassing normal processes. He was aware that it was a situation that the NIHE and Housing Associations were trying to address but asked how that work was progressing in the absence of a working Northern Ireland Assembly and how it was trying to ensure no repeat of situations locally where groups were taking over housing estates by gaming the system to access housing.

In response, Ms Long spoke of the importance of having public trust in an open and fair allocation system, particularly in Northern Ireland. There was an extremely high bar for intimidation points allocation. Threats would have to be verified by the PSNI and the NIHE would also consider additional information and the risk of danger to the household would need to be a serious and imminent one. She explained that there were currently 45,000 households on the waiting list with around 160 households which had intimidation points.

Continuing, Ms Long explained that because that bar was so high the NIHE experienced routine challenges and there were two ongoing judicial reviews. She felt it was important to educate people on the allocation of intimidation points as there was a public perception.

She referred to an ongoing government review of allocations and the Minister for the relevant department had taken the view that the NIHE should progress with all but two recommendations. One of those included the allocation of intimidation points which was currently undergoing further research and would be dependent on budget approval and a Ministerial decision.

In a separate query, Councillor W Irvine praised the work of the now retired regional NIHE manager, Owen Brady. He noted the increased use by the NIHE on non-standard temporary accommodation such as hotels and B&Bs and asked if there was a programme to seek more traditional, single let, temporary accommodation.

Ms Long advised that there was work ongoing and believed it would be a number of years before the shortage could be addressed. Part of the issue had been a result of the Covid-19 pandemic and people forced to choose their social isolation bubble. There was also a growth in the number of landlords selling properties and leaving the sector. As a result the number of temporary accommodation placements and spend had increased.

There were no further questions so the Chair thanked the delegation for attending and they left the meeting.

4. BUDGETING POLICY (FIN58) (Appendix III)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services that this was the fourth policy to come to the Committee as part of the Finance Service policy development programme. The policy regularised and enhanced current practice. The policy statement was contained in chapter 1 and was for Council approval subsequent chapters were procural in nature and subject to management review from time to time.

The objectives of the policy were set out on page 3 and were:

1. Financial plans were affordable, sustainable and prudent
2. Decisions were evidence-based at strategic and operational levels
3. There was a framework for a multi-year integrated business planning process
4. There was an efficient and effective framework for financial management, forecasting and accountability, that allowed budget holders to make decisions in line with the scheme of delegation and within appropriate timescales.
5. There was appropriate time for the Finance team to actively engage with Services.

The document covered the following areas:

Chapter	Title
1	Policy Statement
2	Financial Resilience
3	High Level Budgeting Process
4	Investment Decision Making
5	Budgeting for Major Income and Expenditure Streams
6	Revenue Budget Reporting
7	Capital Budget Reporting
8	Budget Management
9	Engagement

RECOMMENDED that Council approves the Budgeting Policy and Procedures set out in the appendix to the report.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Alderman Graham, that the recommendation be adopted.

5. BUDGETARY CONTROL REPORT – SEPTEMBER 2023 (FIN45)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services detailing that this Budgetary Control Report covered the 6-month period 1 April to 30 September 2023.

The Revenue Budgetary Control Report by Directorate was set out in Report 1 on page 3 and showed an overall surplus of £410k. This indicated that the Council was in line to achieve its end of year forecast surplus of £1,562.2k.

Explanation of Variance

The Council's budget performance was further analysed on pages 5-7 into 3 key areas:

Report	Type	Variance	Page
Report 2	Payroll	£239k favourable	5
Report 3	Goods & Services	£199k favourable	6
Report 4	Income	£28k adverse	7
	Total	£410k favourable	

Explanation of Variance

The Council's overall variance could be summarised by the following table (Service variances over £50k):

Type	Variance £'000	Comment
Payroll Expenditure	(239)	Vacancies - (£287k) - Currently approx. 44 vacant FTE posts. Other Payroll - £48k – overtime £111k; casuals (£94k); other £29k. Payroll expenditure includes agency staff for the HRC Recycling Scheme (£160k). When the 2023/24 budgets were finalised, it was agreed that the cost of these agency staff would be met by budget savings on Waste Disposal costs – see below.
Goods & Services Expenditure		
Parks & Cemeteries	77	Parks & Cemeteries operating costs – mostly offset by increased cemeteries income (see below).
Waste & Cleansing	(189)	Waste disposal costs for main waste streams (£199k): - <ul style="list-style-type: none"> • Landfill down 886T plus lower gate fee than budget (£8.01 per tonne). • Blue bin waste down 76T plus lower gate fee than budget (£2.77 per tonne). • Garden waste down 102T plus gate fee higher than budget (£2.76 per tonne). • Food waste up 367T plus gate fee higher than budget (£3.32). This underspend (£189k) more than offsets the cost of the agency staff for the HRC Recycling scheme (£160k) – see above.
Assets & Property	(266)	<ul style="list-style-type: none"> • Electricity – (£192k) – significantly lower cost per kwh against budget. • Gas – £33k. • Tariff Risk – (£152k) – significantly lower utility costs.

Type	Variance £'000	Comment
		<ul style="list-style-type: none"> • Vehicle fuel – (£146k) price per litre fallen since end of 2022 though starting to increase again. • Vehicle maintenance - £13k • Technical Services – £175k – statutory work and other work £146k (unplanned essential remedial works Aurora, Balloo ERC, North Rd Depot, Ards Blair Mayne, Bangor Castle); legal fees Aurora issues £28k.
Administration	68	Insurance Premiums - £73k
Chief Executive's Office	106	Election costs - £101k. Electoral Office costs higher than expected.
Income – Services		
Parks & Cemeteries	(54)	Cemeteries income (£68k).
Regulatory Services	165	<ul style="list-style-type: none"> • Car Park income £91k. • Licensing income £16k. • NET – fine income £49k.
Planning	168	Planning application income - £175k. No major applications received. General reduction in number of applications in NI.
Finance	(162)	Investment income. Higher interest rates.
Non-Service Income	20	LPS are now estimating a clawback for 23/24 rates finalisation based on latest data. In addition, DfC are estimating small positive 23/24 de-rating grant finalisation.

Report 1					
BUDGETARY CONTROL REPORT					
Period 6 - September 2023					
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance
	£	£	£	£	%
Community & Wellbeing					
100 Community & Wellbeing HQ	105,814	106,600	(786)	211,800	0.7
110 Environmental Health	1,008,484	1,164,800	(156,316)	2,336,900	13.4
120 Community and Culture	983,991	1,170,400	(186,409)	2,495,000	15.9
140 Parks and Cemeteries	2,047,876	2,192,900	(145,024)	4,466,700	6.6
150 Leisure	1,119,299	1,198,700	(79,401)	2,692,400	6.6
Totals	5,265,463	5,833,400	(567,937)	12,202,800	9.7
Environment					
200 Environment HQ	102,410	102,300	110	203,300	0.1
210 Waste and Cleansing Services	8,905,222	8,858,750	46,472	16,707,500	0.5
220 Assets and Property Services	4,612,872	5,015,150	(402,278)	10,967,800	8.0
230 Regulatory Services	174,613	99,700	74,913	256,500	75.1
Totals	13,795,116	14,075,900	(280,784)	28,135,100	2.0
Prosperity					
700 Prosperity HQ	72,826	66,000	6,826	132,000	10.3
720 Economic Development	594,238	634,300	(40,062)	1,303,000	6.3
730 Planning	848,987	766,600	82,387	1,541,500	10.7
740 Tourism	747,323	768,400	(21,077)	1,530,700	2.7
Totals	2,263,373	2,235,300	28,073	4,507,200	1.3
Place					
800 Place HQ	152,359	151,700	659	266,400	0.4
810 Regeneration	351,384	390,600	(39,216)	1,186,800	10.0
820 Strategic Capital Development	197,925	183,700	14,225	365,100	7.7
Totals	701,668	726,000	(24,332)	1,818,300	3.4
Corporate Services					
1000 Corporate Services HQ	79,763	79,000	763	153,700	1.0
1010 Internal Audit	50,000	50,000	-	100,000	-
1020 Finance	213,459	380,700	(167,241)	868,700	43.9
1030 Strategic Transformation and Performance	960,903	1,023,800	(62,897)	2,066,800	6.1
1040 Human Resources & Organisation Developn	533,002	567,900	(34,898)	1,119,700	6.1
1050 Administration	1,936,610	1,875,700	60,910	3,734,400	3.2
Totals	3,773,737	3,977,100	(203,363)	8,043,300	5.1
Chief Executive					
600 Chief Executive	748,368	636,800	111,568	918,400	17.5
610 Community Planning	94,099	95,800	(1,701)	192,400	1.8
630 Communications and Marketing	355,157	376,200	(21,043)	848,900	5.6
Totals	1,197,625	1,108,800	88,825	1,959,700	8.0
9010 Payroll Savings Budget	-	(550,000)	550,000	(1,100,000)	-
Total	-	(550,000)	550,000	(1,100,000)	-
NET COST OF SERVICES	26,996,983	27,406,500	(409,517)	55,566,400	1.5
Non Service Income and Expenditure					
Non Service Income and Expenditure	(27,407,326)	(27,406,500)	(826)	(55,566,400)	(0.0)
Grand Totals	(410,343)	-	(410,343)	-	-

Report 2					
PAYROLL REPORT					
Period 6 - September 2023					
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance
	£	£	£	£	%
Community & Wellbeing					
100 Community & Wellbeing HQ	84,733	84,400	333	168,400	0.4
110 Environmental Health	1,211,797	1,347,800	(136,003)	2,679,100	10.1
120 Community and Culture	785,772	912,100	(126,328)	1,768,300	13.9
140 Parks and Cemeteries	1,778,319	1,947,100	(168,781)	3,863,100	8.7
150 Leisure	2,173,247	2,266,900	(93,653)	4,576,300	4.1
Totals	6,033,868	6,558,300	(524,432)	13,055,200	8.0
Environment					
200 Environment HQ	84,733	84,200	533	168,400	0.6
210 Waste and Cleansing Services	4,693,498	4,453,400	240,098	8,840,300	5.4
220 Assets and Property Services	1,035,285	1,159,400	(124,115)	2,308,700	10.7
230 Regulatory Services	1,012,712	1,101,000	(88,288)	2,202,600	8.0
Totals	6,826,227	6,798,000	28,227	13,520,000	0.4
Prosperity					
700 Prosperity HQ	67,945	60,900	7,045	121,800	11.6
720 Economic Development	368,094	430,600	(62,506)	862,000	14.5
730 Planning	1,086,303	1,191,500	(105,197)	2,383,000	8.8
740 Tourism	488,665	481,500	7,165	933,800	1.5
Totals	2,011,008	2,164,500	(153,492)	4,300,600	7.1
Place					
800 Place HQ	84,424	83,700	724	167,200	0.9
810 Regeneration	266,164	320,500	(54,336)	651,700	17.0
820 Strategic Capital Development	196,809	179,500	17,309	358,900	9.6
Totals	547,396	583,700	(36,304)	1,177,800	6.2
Corporate Services					
1000 Corporate Services HQ	74,828	73,700	1,128	143,500	1.5
1010 Internal Audit	-	-	-	-	-
1020 Finance	464,526	488,100	(23,574)	976,200	4.8
1030 Strategic Transformation and Performance	369,747	424,400	(54,653)	868,100	12.9
1040 Human Resources & Organisation Developm	398,533	434,600	(36,067)	869,200	8.3
1050 Administration	1,012,626	994,400	18,226	2,005,600	1.8
Totals	2,320,261	2,415,200	(94,939)	4,862,600	3.9
Chief Executive					
600 Chief Executive	208,357	202,700	5,657	446,300	2.8
610 Community Planning	92,551	91,900	651	183,900	0.7
630 Communications and Marketing	283,444	297,900	(14,456)	602,000	4.9
Totals	584,352	592,500	(8,148)	1,232,200	1.4
9010 Payroll Savings Budget	-	(550,000)	550,000	(1,100,000)	-
Total	-	(550,000)	550,000	(1,100,000)	-
NET COST OF SERVICES	18,323,112	18,562,200	(239,088)	37,048,400	1.3
Non Service Income and Expenditure					
Non Service Income and Expenditure	40,615	40,300	315	77,000	0.8
Grand Totals	18,363,727	18,602,500	(238,773)	37,125,400	1.3

Report 3					
GOODS AND SERVICES REPORT					
Period 6 - September 2023					
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance
	£	£	£	£	%
Community & Wellbeing					
100 Community & Wellbeing HQ	22,642	23,800	(1,158)	45,000	4.9
110 Environmental Health	92,242	111,600	(19,358)	265,200	17.3
120 Community and Culture	709,588	746,200	(36,612)	1,725,800	4.9
140 Parks and Cemeteries	545,634	468,300	77,334	1,062,600	16.5
150 Leisure	564,252	522,000	42,252	1,320,200	8.1
Totals	1,934,357	1,871,900	62,457	4,418,800	3.3
Environment					
200 Environment HQ	17,677	18,100	(423)	34,900	2.3
210 Waste and Cleansing Services	4,871,558	5,060,250	(188,692)	9,333,000	3.7
220 Assets and Property Services	3,717,081	3,982,850	(265,769)	8,913,000	6.7
230 Regulatory Services	266,681	268,500	(1,819)	565,700	0.7
Totals	8,872,996	9,329,700	(456,704)	18,846,600	4.9
Prosperity					
700 Prosperity HQ	4,880	5,100	(220)	10,200	4.3
720 Economic Development	375,298	381,300	(6,002)	935,500	1.6
730 Planning	154,906	134,900	20,006	308,100	14.8
740 Tourism	347,129	354,000	(6,871)	684,300	1.9
Totals	882,213	875,300	6,913	1,938,100	0.8
Place					
800 Place HQ	67,935	68,000	(65)	99,200	0.1
810 Regeneration	104,985	70,100	34,885	535,100	49.8
820 Strategic Capital Development	1,116	4,200	(3,084)	6,200	73.4
Totals	174,036	142,300	31,736	640,500	22.3
Corporate Services					
1000 Corporate Services HQ	4,955	5,300	(345)	10,200	6.5
1010 Internal Audit	50,000	50,000	-	100,000	-
1020 Finance	39,696	21,100	18,596	149,800	88.1
1030 Strategic Transformation and Performance	591,156	599,400	(8,244)	1,198,700	1.4
1040 Human Resources & Organisation Developr	135,519	134,300	1,219	255,800	0.9
1050 Administration	1,152,999	1,084,800	68,199	2,127,500	6.3
Totals	1,974,324	1,894,900	79,424	3,842,000	4.2
Chief Executive					
600 Chief Executive	540,065	434,100	105,965	472,100	24.4
610 Community Planning	2,548	3,900	(1,352)	8,500	34.7
630 Communications and Marketing	71,713	78,300	(6,587)	246,900	8.4
Totals	614,326	516,300	98,026	727,500	19.0
9010 Payroll Savings Budget	-	-	-	-	-
Total	-	-	-	-	-
NET COST OF SERVICES	14,452,251	14,630,400	(178,149)	30,413,500	1.2
Non Service Income and Expenditure					
Non Service Income and Expenditure	3,938,288	3,959,600	(21,312)	7,866,800	0.5
Grand Totals	18,390,539	18,590,000	(199,461)	38,280,300	1.1

Report 4					
INCOME REPORT					
Period 6 - September 2023					
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance
	£	£	£	£	%
Community & Wellbeing					
100 Community & Wellbeing HQ	(1,560)	(1,600)	40	(1,600)	(2.5)
110 Environmental Health	(295,555)	(294,600)	(955)	(607,400)	(0.3)
120 Community and Culture	(511,369)	(487,900)	(23,469)	(999,100)	(4.8)
140 Parks and Cemeteries	(276,077)	(222,500)	(53,577)	(459,000)	(24.1)
150 Leisure	(1,618,200)	(1,590,200)	(28,000)	(3,204,100)	(1.8)
Totals	(2,702,761)	(2,596,800)	(105,961)	(5,271,200)	(4.1)
Environment					
200 Environment HQ	-	-	-	-	-
210 Waste and Cleansing Services	(659,833)	(654,900)	(4,933)	(1,465,800)	(0.8)
220 Assets and Property Services	(139,494)	(127,100)	(12,394)	(253,900)	(9.8)
230 Regulatory Services	(1,104,780)	(1,269,800)	165,020	(2,511,800)	(13.0)
Totals	(1,904,107)	(2,051,800)	147,693	(4,231,500)	(7.2)
Prosperity					
700 Prosperity HQ	-	-	-	-	-
720 Economic Development	(149,154)	(177,600)	28,446	(494,500)	(16.0)
730 Planning	(392,222)	(559,800)	167,578	(1,149,600)	(29.9)
740 Tourism	(88,471)	(67,100)	(21,371)	(87,400)	(31.8)
Totals	(629,847)	(804,500)	174,653	(1,731,500)	(21.7)
Place					
800 Place HQ	-	-	-	-	-
810 Regeneration	(19,764)	-	(19,764)	-	-
820 Strategic Capital Development	-	-	-	-	-
Totals	(19,764)	-	(19,764)	-	-
Corporate Services					
1000 Corporate Services HQ	(20)	-	(20)	-	-
1010 Internal Audit	-	-	-	-	-
1020 Finance	(290,762)	(128,500)	(162,262)	(257,300)	(126.3)
1030 Strategic Transformation and Performance	-	-	-	-	-
1040 Human Resources & Organisation Developme	(1,050)	(1,000)	(50)	(5,300)	(5.0)
1050 Administration	(229,015)	(203,500)	(25,515)	(398,700)	(12.5)
1060 Data Protection & Compliance Officer	-	-	-	-	-
Totals	(520,848)	(333,000)	(187,848)	(661,300)	(56.4)
Chief Executive					
600 Chief Executive	(53)	-	(53)	-	-
610 Community Planning	(1,000)	-	(1,000)	-	-
630 Communications and Marketing	-	-	-	-	-
Totals	(1,053)	-	(1,053)	-	-
9010 Payroll Savings Budget	-	-	-	-	-
Total	-	-	-	-	-
NET COST OF SERVICES	(5,778,380)	(5,786,100)	7,720	(11,895,500)	(0.1)
Non Service Income and Expenditure					
Non Service Income and Expenditure	(31,386,228)	(31,406,400)	20,172	(63,510,200)	(0.1)
Grand Totals	(37,164,608)	(37,192,500)	27,892	(75,405,700)	(0.1)

RECOMMENDED that the Council notes this report.

Proposed by Alderman Smith, seconded by Alderman McIlveen, that the recommendation be adopted.

Noting some of the variances, Alderman McIlveen accepted that was the nature of some costs such as fuel expenditure which were variable. He noted though that the election costs had been £101,000 more than anticipated and he queried the reasoning behind that, particularly as there had been a reduced number of staff working at the election.

The Head of Finance advised that the cost of the previous election had been around £400,000, so in preparation, the Council had been setting aside £100,000 per year. In the case of the recent election though, the charges by the electoral office had increased from £188,000 to £288,000 and the total cost had been in the region of £560,000.

Alderman McIlveen was disappointed by that arrangement with the final costs only revealed after the election had taken place. He asked if there had been any indication of the increased costs in advance.

The officer explained the difficulties in budgeting for the election and confirmed that an indication of costs was only provided a few months in advance. As a result of the variance this year though, the Council would now be increasing its annual savings for the election from £100,000 to £150,000.

The Director of Corporate Services added that the additional costs had been established early enough in the year though to include them in the Council's outturn forecast.

Reflecting on the total cost of the election, Alderman Graham wondered if the ratepayer would feel that £14,000 for every Councillor elected represented good value.

AGREED TO RECOMMEND, on the proposal of Alderman Smith, seconded by Alderman McIlveen, that the recommendation be adopted.

6. PRUDENTIAL INDICATORS & TREASURY MANAGEMENT – 2023/24 Q2 REPORT (FIN161)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services detailing the undernoted:

Introduction

In February 2023, Council approved its annual Capital and Treasury Management Strategies, including the setting of Prudential Indicators (PIs) for the current financial year ending 31 March 2024. These were statutory requirements in accordance with the Local Government Finance Act (NI) 2011, the CIPFA Prudential Code and the CIPFA Treasury Management Code.

The purpose of this report was to provide Members with an update on the PIs and treasury management activity at the end of quarter 2 of the financial year, as

required by the CIPFA Codes. The figures presented in this report were based on knowledge and information held at 30 September 2023.

1.1 Capital - Expenditure & Financing

The Pls for capital expenditure and financing should ensure that, within a clear framework, the capital investment plans of the Council were affordable, prudent and sustainable. Updates to these Pls were set out below.

	Original Forecast	Revised Forecast
Table 1.11	£m	£m
Capital Expenditure 2023/24 (Current Year)	17.406	7.658

The original estimate of £17.406m had been revised to £7.658m, reflecting the capital expenditure that was now expected to be incurred by 31 March 2024. The reduction in the forecast was primarily due to programme slippages in the planned major capital schemes, particularly

- Greenway Schemes – Comber to Newtownards and Newtownards to Bangor, due to delays in the planning process, including awaiting responses from statutory consultees;
- Bangor Aurora Pool Floor – currently undergoing a detailed assessment of business needs;

The revised capital expenditure forecasts for the three-year plan, together with the capital financing implications and previous year activity were summarised below.

	Actual	Revised Forecast		
	2022/23	2023/24	2024/25	2025/26
Table 1.12	£m	£m	£m	£m
Capital Expenditure	5.187	7.658	16.834	21.888
Financed by:				
Loans	2.427	5.337	8.815	15.143
Grants	1.384	1.493	6.869	5.966
Capital Receipts	1.080	0.828	1.151	0.780
Revenue/Reserves	0.296	-	-	-

1.2 Capital – Capital Financing Requirement and External Borrowings

The Council's cumulative outstanding amount of debt finance was measured by the Capital Financing Requirement (CFR). This increased with new debt-financed capital expenditure and reduces with MRP (minimum revenue provision). See section 1.4 for further information on MRP.

Statutory guidance was that debt should remain below the capital financing requirement, except in the short term. The Council had complied and expected to continue to comply with this requirement in the medium term as shown below.

Table 1.2	Actual	Revised Forecast		
	2022/23	2023/24	2024/25	2025/26
	£m	£m	£m	£m
Capital Financing Requirement (CFR)	76.328	76.205	78.880	87.407
External Gross Borrowing	63.725	59.651	61.226	71.591
Gross Borrowing within CFR	Yes	Yes	Yes	Yes

The difference between the CFR and the Gross Borrowing figures represented the Council's underlying need to borrow (£16.5m 23/24 forecast) and indicated that historic capital expenditure had been temporarily financed from internal revenue resources. This had been made possible due to an increase in the Council's cash reserves in the current and previous years. The position had been similar for several years now with the Council last taking out long-term borrowings in November 2018.

1.3 Capital - Debt and the Authorised Limit and Operational Boundary

The Council was legally obliged to set an affordable borrowing limit each year, known as the 'Authorised Limit'. In line with statutory guidance, a lower 'operational boundary' was also set as a warning level should debt have approached the limit.

The revised forecast for external gross borrowing at 31/03/24 was £59.6m (table 1.2). The Council was therefore forecast to remain well within both the Authorised Limit and the Operational Boundary set for the year as follows:

Table 1.3	2023/24
Authorised limit – borrowing	£ 86.235m
Operational boundary – borrowing	£ 81.235m

1.4 Capital - Revenue Budget Implications

Capital expenditure was not charged directly to the revenue budget. Instead, interest payable on borrowings and MRP (minimum revenue provision), together known as capital financing costs, were charged to revenue. These financing costs were compared to the net revenue stream i.e.. the amount funded from District Rates and general government grants, to show the proportion of the net revenue stream which was made up of capital financing costs.

Table 1.4	2022/23 Actual	2023/24 Forecast	2024/25 Forecast	2025/26 Forecast
Financing costs (£m)	8.158	7.868	8.526	9.367
Proportion of net revenue stream (%)	14.0%	12.6%	13.2%	14.1%

The forecast financing costs for 2023/24 of £7.8m was in line with the budget set for the year.

2.1 Treasury Management – Debt Activity

The following table summarised the position on long-term borrowings at 30/09/2023.

Table 2.1				
Lender	Balance 01/04/23	New Loans	Repayments	Balance 30/09/23
Dept of Finance	£ 56.450m	£ -	(£ 1.604m)	£ 54.846m
Banks (LOBOs)	£ 7.275m	£ -	(£ 1.000m)	£ 6.275m
Totals	£ 63.725m	£ -	(£ 2.604m)	£ 61.121m

The Council did not currently hold any short-term borrowings.

The revised capital financing requirement (table 1.2) showed that the Council could increase its level of external borrowings to £76.2m by 31 March 2024. However, an assessment of the Council's cashflow position forecasted that there would be adequate cash reserves to temporarily finance capital expenditure for the remainder of the current year and therefore no further borrowing was anticipated before 31 March 2024.

Therefore, after further repayments on existing long-term loans were made in February 2024, the level of external borrowings at 31 March 2024 was forecast to be £59.65m.

2.2 Treasury Management - Debt Related Treasury Activity Limits

The table below showed the position of all debt related treasury activity limits.

Table 2.21		
Interest rate exposures	Limit 2023/24	Actual at 30/09/23
Quantity of debt held at variable interest rates - upper limit	30%	2%
Quantity of debt held at fixed interest rates - upper limit	100%	98%

Table 2.22			
Maturity structure of fixed interest rate borrowing	Lower Limit 2023/24	Upper Limit 2023/24	Forecast 2023/24
Under 12 months	0%	15%	4.7%
12 months to 2 years	0%	15%	6.0%
2 years to 5 years	0%	20%	13.8%
5 years to 10 years	0%	30%	27.2%

10 years and above	30%	90%	48.3%
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2.3 Treasury Management - Investment Activity

The objectives of the Council's investment strategy were safeguarding the repayment of the principal and interest on its investments on time, with the investment return being a secondary objective. The current investment climate continued to be one of overriding risk consideration, particularly that of counterparty risk. In line with advice provided by treasury management consultants, officers continue to implement an operational investment strategy of placing short-term investments with approved high-quality counterparties.

For the period from 1 April to 30 September 2023, Council had earned interest of £274k on investment deals with approved financial institutions as summarised below:

Table 2.31	Average Deposit Size	Average Term	Average Interest Rate	Interest Earned
CCLA Public Sector Deposit Fund	£2.5m	Call A/c	4.71%	£59,090
Invesco Investment Mgt Ltd	£1.8m	Call A/c	4.40%	£46,120
State Street Global Advisors	£2.5m	Call A/c	4.65%	£58,203
Barclays Bank	£1.5m	Call A/c	4.67%	£26,664
Bank of Scotland	£1.8m	Call A/c	4.70%	£43,626
Santander	£1.0m	Call A/c	2.87%	£8,805
Other Local Authorities	£3.0m	3 mths	4.20%	£31,414
Totals				£273,922

This compared favourably to the budget set for the year of £220k. The forecast investment interest income for the financial year was expected to be a minimum of £400k, which would result in a favourable variance of £180k.

The total balance of funds held in investment accounted at 30 September 2023 was £11.4m. The table below showed the risk and return metrics on these investments against other NI Councils.

Table 2.3	Counterparties		Investments	
Table 2.32	Credit Score	Credit Rating	Liquidity	Rate of Return (%)
ANDBC	5.07	A+	100%	5.20%
NI Council Average	4.92	A+	76%	4.84%

Source: Arlingclose Ltd Local Authority Quarterly Investment Benchmarking report Sept-23

The Council's limit for total principal sums invested for periods longer than 364 days was £500k. The Council had not entered into any such investments.

RECOMMENDED that Council notes this report.

AGREED TO RECOMMEND, on the proposal of Alderman McIlveen, seconded by Alderman Graham, that the recommendation be adopted.

7. MEMBER DEVELOPMENT CHARTER PLUS ASSESSMENT PLUS UPDATE (HR27)

(Appendix IV - VII)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services stating that Council was awarded Charter Accreditation for Member Development in March 2018 and was now progressing towards Charter Plus Assessment at the end of January 2024 at a cost of £2,500. The purpose of pursuing the next level of recognition was to ensure the continuing professional development of Members. For information the Assessment Criteria was set out in appendix 1, and the current Member Development Programme could be accessed on MANDI.

In line with the criteria requirements, following initial review by the Member Development Steering Group, the attached documents were set out for consideration:

1. Draft Learning and Development Strategy for Members

The Strategy reflected and reinforced the approach to Elected Member learning and development within the Council. The purpose was to ensure that Elected Members were appropriately developed and supported in terms of their professional development.

The Strategy aligned with the Northern Ireland Councillor Development Charter as the Framework used to develop and support Elected Members and build Elected Member capacity.

The Strategy also included a Plan for Training and, importantly, how training would be evaluated to assess its qualitative impact and ensured continuous improvement in Member learning and development in the future.

2. Draft Learning, Training and Development Policy for Members

The Policy set out how relevant learning, training and development initiatives were progressed for Members. The primary purpose of this policy was to set out the parameters governing member led requests for training.

The aim was to ensure Members could avail of training and development interventions to increase their skills capacity.

3. Draft Member Role Profiles

Role Profiles, including a list of competencies, skills and knowledge, were set out for the role of Councillor, the role of Chairperson and the Mayor.

The skill set within this document would be used when sourcing and designing development events in terms of empowering Members towards the 21st Century Councillor, as set out in the Charter Plus criteria (as shown in Appendix 1).

RECOMMENDED that Council, following initial review by the Member Development Steering Group, approve the following documents:

1. The Learning and Development Strategy;
2. The Learning, Training and Development Policy; and
3. Member Role Profiles.

Proposed by Alderman McIlveen, seconded by Councillor W Irvine, that the recommendation be adopted.

Alderman McIlveen asked how outcomes were measured in terms of demonstrating better decision making. The Head of HR and OD advised that while that was difficult to evaluate, outcomes were largely assessed through a process of participant feedback at various intervals after the training. That feedback would then be used to shape the training programme for the following year.

In a further matter, Alderman McIlveen had an issue with the non-mandatory nature of the training and also felt that it did not go into sufficient depth to assist new Members in decision making. He pointed to Planning in particular where he felt that training needed to be mandatory and more detailed in order to give Members all the tools necessary to understand and scrutinize reports.

The officer advised that the training manager was always open to Members' thoughts and views on the Member Development Programme and she would pass on Alderman McIlveen's comments.

AGREED TO RECOMMEND, on the proposal of Alderman McIlveen, seconded by Councillor W Irvine, that the recommendation be adopted.

8. AGENCY WORKER POLICY (HR)

(Appendix VIII)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services detailing that Members would be aware that an Agency Worker Policy was agreed in 2015, outlining when and how agency workers would be used and their entitlements.

The Swedish Derogation Model which had been adopted in 2015, was discontinued by Council in 2019 as it was felt this model no longer represented Council values and basic hourly pay parity from day one was introduced instead.

The Policy was to be amended in line with the changes but due to the pandemic and other pressures within the HR and OD Service, this was not actioned at the time. A new agency tender had recently been awarded and the Policy had now been updated to reflect existing agency worker entitlements and arrangements.

RECOMMENDED that Council approves the attached updated Agency Worker Policy.

Proposed by Alderman Graham, seconded by Councillor McRandal, that the recommendation be adopted.

Alderman McIlveen had noted that the proposed new policy wording had not included tracked changes. While he appreciated that Members were provided with a summary of the changes, he felt it was important to see the changes to the specific wording of the policy and would appreciate that approach going forward.

AGREED TO RECOMMEND, on the proposal of Alderman Graham, seconded by Councillor McRandal, that the recommendation be adopted.

9. REQUEST FOR CIVIC RECEPTION - RNLI

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services a letter had been received from the Mayor, Councillor Jennifer Gilmour, Alderman Armstrong-Cotter and Councillor Cathcart requesting that the RNLI be considered for a civic reception to acknowledge its 200th anniversary.

Members would note that the legacy Ards Borough Council and North Down Borough Council bestowed the Freedom of the Borough upon the RNLI - an honour that carried through to Ards and North Down Borough Council.

Members would be aware that the RNLI was also one of the Mayor's chosen charities this year, in recognition of the selfless sacrifice of the crewmen and volunteers who were always on call. There were lifeboat stations in Bangor, Donaghadee and Portaferry, covering the entire Borough and further afield.

Officers were asked to liaise with the RNLI to ascertain if it has 200th birthday celebrations planned and to consider how the Council, in recognition of their status as freemen of our Borough, could celebrate this with them.

Council Policy on Civic Receptions

The Council's policy for Civic Receptions required requests to be submitted in writing to the Chief Executive and signed by at least three Elected Members. The request, once received, was assessed against set criteria and an officer's report, with an appropriate recommendation, was prepared for consideration by the Corporate Services Committee.

Assessment Criteria

The subject of requests needed one of the two criteria outlined below: -

1. Demonstrate exceptional service to the Borough/Local Community and had a significant anniversary (the exceptional service should be in the areas of voluntary or charitable work. The anniversary should be a milestone of 25, 50 or 100 years).

OR

2. Mark a very significant or unique achievement. (Defined as an achievement which would be recognised throughout Northern Ireland and beyond and the recipient had a strong association within the Borough).

It should be noted that the RNLI had already been in contact with Council officers in respect of its bicentenary and plans were in place for an Exhibition to be held in North Down Museum. The intention was for the Exhibition to tour around the Borough visiting facilities in each of the Lifeboat locations – Bangor, Portaferry and Donaghadee. A historical talk was also planned.

Plans were also in place for a concert, in aid of the Mayor's Charities, to mark the bicentenary of the RNLI. Choirs from the RNLI locations - Bangor, Donaghadee and Portaferry would perform at the event. This event was scheduled for May 2024.

Members would be aware, that the Council had also approved the RNLI's commemorative tree planting request, which would see 200 oak trees planted in Castle Park, Bangor.

In respect of this request, it had been submitted in line with the agreed procedures and as 200 years was considered to be very significant milestone it was suggested that the request should be acceded to.

Council Officers would liaise with the Councillors requesting the civic reception to discuss event options and remaining budget availability from the 22/23 civic budget.

RECOMMENDED that the Council proceeds to offer the RNLI a Civic Reception to acknowledge its 200th anniversary and proceeds to arrange same on a date to be agreed by relevant parties.

Proposed by Councillor Gilmour, seconded by Councillor McCracken, that the recommendation be adopted.

The Mayor, Councillor Gilmour, explained at the outset that the RNLI was one of the three charities that she had chosen to support during her Mayoral term. She felt that did not require her to make a declaration of interest and exclude herself from the discussion as she was not benefiting personally.

The Mayor paid tribute to the work of the RNLI and its volunteers who were vitally important to the community given the Borough had a significant stretch of coastline which posed a risk to the lives of residents. The RNLI responded to calls day and night, 365 days a year, responding both locally and assisting in incidents further afield.

The Mayor recalled that the organisation was previously awarded Freedom of the Borough by both legacy Councils, an honour which extended to the existing Council. She spoke of the significance of a 200-year anniversary, particularly for an organisation made up of volunteers who served entirely selflessly.

Reflecting on the history of the organisation locally, she was mindful of the Sir Samuel Kelly lifeboat which had responded to the Princess Victoria disaster. It was a very simple boat compared to the modern boat that was now in operation in Donaghadee but that boat was no use without the brave men and women who volunteered.

Having made the initial request for a civic reception, the Mayor added that she was more than happy to propose the recommendation and alerted Members to a fundraising concert that she was organising as Mayor for the RNLI of which details would follow.

The seconder, Councillor McCracken, paid further tribute to the organisation, pointing to the importance of the sea to the local area which could be seen from nearly all areas of the Borough and was used by many for water sports. The men and women of the RNLI provided a valuable service and it was important that Council did something special to mark what was a significant anniversary.

AGREED TO RECOMMEND, on the proposal of Councillor Gilmour, seconded by Councillor McCracken, that the recommendation be adopted.

10. LAND AND PROPERTY POLICY

(Appendix IX)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services that the Council's current Land and Property policy was last reviewed in April 2016. It provided a high-level overview of Council's approach to management of its land and property assets, but it lacked detail and clarity in several key areas and consequently was the subject of a number of external audit recommendations (13 recommendations in total were linked either directly or indirectly to the policy). Further to this, the policy underwent a thorough review, and, in its place, a new and comprehensive Land and Property policy had been drafted, a copy of which was attached.

The policy review was undertaken by the Compliance team who had experience of and responsibility for progressing lands matters and who liaised regularly with internal and external stakeholders. In drafting the new policy, officers drew upon their knowledge of various issues that had arisen which would have been simpler to resolve or progress if the current policy was more detailed or clearly defined. Officers reviewed the legislative framework and undertook desktop research to ensure best practice was incorporated into the document. This included a review of the policies in place in some of the other Councils in Northern Ireland, guidance documents from central government, the findings of the Council's external auditor, and the Northern Ireland Audit Office extraordinary audit of Causeway Coast and Glens Borough Council which set out a series of findings and recommendations in relation to land disposals and easements, and related asset management policies and procedures. The draft policy was issued via an internal consultation to all Service Unit Managers, Heads of Service and CLT, and the Compliance Manager held discussions with management in the main service areas affected by the policy, with the final draft policy reflecting the feedback received.

Overview

The principles and processes that were set out in the draft policy were mostly already followed by Council when dealing with land matters, but the current policy did not provide much detail in relation to these. Therefore, the draft policy was 'new' in the sense that it would be the first time a lot of this information had been

documented in writing, as opposed to it signalling a change in how Council managed its land and property portfolio.

The draft policy aimed to set out the framework the Council follows in relation to four main types of land and property transactions:

- 1. Acquisition of land and property** (sections 6 and 8) – this set out the procedures to be followed if Council was considering acquiring land or property for any purpose. It cross references the Council's Asset Management Strategy, in particular the principle that assets should only be acquired where they were "required to allow Council to meet identifiable needs, in an economic, efficient and effective way, in order to achieve its stated outcomes."
- 2. Disposal of land and property** (section 7) - this set out the procedures to be followed if Council is considering disposing of land or property and it also cross-referenced the Council's Asset Management Strategy.

Disposals may have occurred through the proactive identification of land that was 'surplus to requirements', and this would take place in a managed way through the recently established Estates Development Programme Board. Another reason Council may be considering disposing of land was following a request from a third-party. Such requests were regularly for small parcels of land, and often in the context of people wishing to extend their back garden. Processing such requests was reactive rather than proactive (i.e. Council hadn't already identified the land as surplus) and could be resource intensive for little financial reward. To better manage this, the draft policy provided for the introduction of a new system whereby third-party requests would be processed by officers at six monthly intervals, rather than being processed immediately upon receipt (although there would be discretion to consider requests sooner than the next six-monthly date in exceptional circumstances).

The sale price of any disposal should be determined by the Council's Valuer (Land and Property Services). The draft policy provided that the default method of disposal would be by listing the land for sale on the open market as this is fair and transparent, and it will usually ensure Council achieved best value which was a statutory requirement when disposing of land (if Council proposed to sell or lease land for less than best value, it must seek the consent of the Department for Communities). There would be circumstances where Council may be advised by its Valuer that best value would be achieved by an alternative method of disposal such as by direct sale to a special purchaser (it may have been, for example, that the land was landlocked and only an adjacent landowner could access it, therefore they would pay a higher value than the open market would attract). Other circumstances where Council might not wish to put the land or property on the open market may have been that it was being disposed of as part of a Development Agreement, or that agreement had been reached to dispose of the land to a partner agency. In any such cases, Council would be informed before making any decisions by its professional advisors (legal and valuation) and if there was to be a disposal of the land at 'less than best value', then the approval of the Department would be sought.

- 3. Leases and Licences** (section 9) this set out the procedures to be followed if Council was considering granting a lease or licence in relation to land or property. It also set out the governance arrangements in place to ensure that existing arrangements were appropriately managed, that rent reviews and lease renewals were instigated in a timely manner, that Landlord/Tenant responsibilities as regards maintenance and repairs were clearly defined and enforced, and that periodic inspections took place to ensure Tenants were keeping property in good condition.

Of the 13 outstanding lands external audit recommendations, 11 relate to Council's management of leases, so it was hoped that through the introduction of this much more detailed policy, which clearly defined roles and responsibilities, in conjunction with an updated lease/licence register, that the external audit recommendations would be deemed by the auditors to be implemented. An update in this regard would be brought to the Audit Committee in December 2023.

- 4. Requests to use land and property** (section 10) – hundreds of requests from third parties who wished to use Council land were processed every year (nearly 300 so far in 2023), for a wide range of reasons, and from a wide range of individuals/organisations. Officers had delegated authority to give permission where appropriate for most of those requests, but where a formal licence was to be put in place for the use (e.g., for larger commercial events such as funfairs or the international market), Council authority must have been obtained as a licence was a legal agreement drawn up by solicitors and requiring the Chief Executive's signature on behalf of the Council.

The draft policy set out the time frames within which use of land requests should be made, the process that would be followed by officers in granting approval or declining requests, and it attached in the appendices a range of terms and conditions that would be tailored to the request if approval was being given.

The terms of reference for the Safety Advisory Group (SAG) (these had already been agreed by Council) were attached to the draft policy. The SAG provided a quality assurance process in terms of the safety arrangements for events by bringing together as required officers of the Council, police, fire and ambulance services and other relevant partners. The aim of the SAG was to consider the event safety plan submitted by the organiser and offered advice in order to ensure the highest possible standards of public safety at events and to encourage the wellbeing of those that could be affected by the event. The draft Land and Property policy provided that where appropriate, some event organisers would be required to participate in a SAG as a condition of approval to use Council land for the event. This would signal a new approach to giving lands approval for events considered higher risk, and it was hoped it would assist event organisers with submitting timely and high-quality event management plans and risk assessments, with input at an early stage from all relevant partners.

In addition to setting out how Council would process the 4 main types of land transaction as referenced above, the policy also set out governance information in relation to roles and responsibilities of officers (section 3); the use of legal and valuation services (section 4); record keeping (section 5.1); how Council would

protect its land from unauthorised encroachments (sections 5.3 and 5.4); and the need for officers progressing land transactions to consult with and keep key service areas such as Finance and Risk informed throughout (section 5.5). The latter point was emphasised throughout the policy, as was the need to seek legal and valuation advice when required, as the importance of ensuring legal and financial regularity and best practice in all land dealings could not be over-stated.

Abatement Policy

The current Land and Property Policy provided:

'The legacy arrangement from North Down Borough Council with regard to 50% rental abatement for exclusive sporting and recreational use by clubs of its land or property (to be implemented over a five year period from 2015 to 2019) will be adopted by the new Council and rolled out across relevant former Ards Borough Council land and properties.'

Section 9.3.2 of the new draft policy retains a 50% rent abatement policy provided the Tenant could demonstrate that they were:

- A not-for-profit club, society or organisation that will occupy the land or property solely for sports or recreational purposes;
- Open to the whole community without discrimination, with any membership fees set at a level that does not pose a significant obstacle to membership or use of the club's facilities; and
- Recognised by a relevant sporting body where applicable.

The draft policy further provided that the abatement would only apply to those parts of the premises that were used solely for sporting or recreational purposes, for example, pitches, grounds, courts, pools, and tracks. Facilities such as car parking, toilets or rooms used by people who were engaging in the prescribed activity would also be included. Areas not used in connection with the prescribed activity such as ancillary social facilities like bars or licensed clubrooms were not entitled to the abatement.

The scope of the abatement in the new draft policy was more specifically defined than in the current policy, with officers drawing from some of the principles LPS applied when determining which clubs and organisations who were eligible for rates relief.

Assuming Council agreed they wished to retain an abatement policy, officers would recommend that a blanket approval to apply this policy was secured from the Department for Communities as granting a 50% abatement is on the face of it not 'best value'. The case would be made to the Department that applying this policy was in furtherance of the Council's obligations under section 10 of the Recreation and Youth Service (Northern Ireland) Order 1986 "to secure the provision for its area of adequate facilities for recreational, social, physical and cultural activities and for that purpose may, either alone or together with another district council or any other person.... (c) assist, by financial contributions or otherwise, any person to establish, maintain and manage any such facilities or to organise any such activities."

Screening

The draft policy had been subjected to equality, rural and sustainability screening and was considered by the internal screening panel at a meeting on 17 October 2023. No adverse impacts were identified and opportunities to promote sustainability had been weaved throughout the policy, with other relevant policies and strategies cross-referenced throughout e.g. if Council was considering disposing of land that it didn't currently use, the draft policy required that before agreeing to the disposal consideration be given to other potential uses Council may have for the land, with attention drawn to the Council's commitments to a climate emergency and climate adaptation planning, and other associated plans such as the Tree and Woodland Strategy.

RECOMMENDED that Council:

1. Agree to adopt the Land and Property policy attached to this report at Appendix 1; and
2. Agree to make an application to the Department for Communities to seek approval to apply the abatement policy outlined in the policy to sports and recreational leases.

Proposed by Councillor W Irvine, seconded by Alderman Smith, that the recommendation be adopted.

Alderman Graham sought assurances that the policy would cover every eventuality given that the Council would be held to it.

The Head of Administration advised that the policy was based on the knowledge and experience of officers and land teams over the years. There could be no guarantees though of extreme exceptions where issues were not covered by the policy, although the policy was subject to review, however.

Coming from a governance perspective, the Director explained the importance of having a Land and Property Policy and that it had addressed a number of audit recommendations.

Alderman McIlveen expressed surprise at the absence of this type of policy given the number of transactions the Council had done. He queried the terms and conditions around use of Council property in terms of notice periods and if those had been in place previously. The Head of Administration explained that there was a threshold in relation to time frames and notice periods but given the number of late applications, discretion was often exercised. She clarified that there had always been a policy in place though it had now been modified in order to address audit recommendations as referred to by the Director.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Alderman Smith, that the recommendation be adopted.

11. ALLEGED PUBLIC RIGHTS OF WAY AT ANDREWS SHOREFIELD, GROOMSPORT (PROW52) (Appendix X)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services stating that this report was in response to the following Notice of Motion heard at Corporate Committee in February 2020:

‘That this Council brings back a report on the closing of a public right of way at Andrews Shorefield, Groomsport which includes what measures this Council can take to reopen this public right of way.’

The routes between Andrews Shorefield (both sides of 9 Andrews Shorefield) and the lane from Donaghadee Road to the shore and to 20-22 Donaghadee Road, Groomsport (the Lane) (on which there is an asserted public right of way, marked in red on map at Appendix 1), were alleged public rights of way, as set out on the attached map in Appendix 1, marked in green. The alleged public rights of way were recognised as such by Council, however, the same had never been formally asserted by Council. An obstructing fence erected alongside the Lane brought the matter to the attention of the Council and an investigation ensued.

In accordance with The Access to the Countryside (Northern Ireland) Order 1983 there was a statutory requirement for Councils to assert, keep open and free from obstruction or encroachment the public rights of way in their area.

Investigation

Evidence had been collated to investigate the existence of these public rights of way. In accordance with legislative guidance, this was summarised below:

- Fifteen completed witness evidence forms were received by Council supporting the allegation that the routes are public rights of way.
- Six out of fifteen witness evidence forms had no map attached but described the routes as Andrews Shorefield (both sides of 9 Andrews Shorefield) to the Lane.
- Nine out of fifteen witness evidence forms included a drawing of the routes and described the routes as Andrews Shorefield (both sides of 9 Andrews Shorefield) to the Lane.
- The map of the alleged public rights of way in Appendix 1 reflected the description and diagrams of the routes in the witness evidence forms received by Council. It was important to note that the routes started/finished at Andrews Shorefield.
- Andrews Shorefield had a private sign at its entrance. DFI Roads confirmed in an email dated 28 September 2023 that Andrews Shorefield was not adopted or maintained by DFI Roads thus confirming that Andrews Shorefield was a private road.
- The common law criterion that a public right of way should connect two public places was not satisfied, by virtue of the private status of Andrews Shorefield.
- Therefore, the investigation by the Council into the assertion of the alleged public rights of way on Andrews Shorefield could not proceed any further.

RECOMMENDED that Council do not pursue the assertion of the alleged Public Right of Way at Andrews Shorefield.

Proposed by Alderman McIlveen, seconded by Alderman Graham, that the recommendation be adopted.

Responding to a query from Alderman McIlveen, the Head of Administration understood that officers had verified that the land was private, as signposted.

Alderman McIlveen understood from the report that pursuing the right of way was meaningless as the Council had no legal way of enforcing it and the officer confirmed that was correct.

AGREED TO RECOMMEND, on the proposal of Alderman McIlveen, seconded by Alderman Graham, that the recommendation be adopted.

12. REQUEST FROM BALLYHOLME YACHT CLUB TO USE COUNCIL LAND AT KINGSLAND, BANGOR DURING EUROPEAN YOUTH CHAMPIONSHIPS 2024

(Appendix XI - XII)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services stating that The Council had received a request from Ballyholme Yacht Club to use Council Land at Kingsland, Bangor during the European Youth Championships from Saturday 20th July to Saturday 10th August 2024.

The land would be used for support areas for officials, competitors and their families, spectators, and other visitors.

They were requesting to use the land at the following locations:

1. **Kingsland Car Park** – campervans for competitors and families. They would also like to use the section closest to the play park for overflow car parking – Appendix 1 images 1 & 2
2. **Pitch and Putt** (to front of Kingsland Pavilion) – camping for competitors and families – Appendix 1 image 3
3. **Kingsland Sunken Gardens** - 24th July to 4th August from 9.30am - 6.30pm. They were requesting to use this area for clothing stalls, a craft area, a sand pit, food vendors and interactive talks for the participants and their families. There will be stalls for sailing merchandise, crafts for kids and talks using gazebos / marquees to cover and quiet zones for competitors and their coaches to talk (seating and tables) – Appendix 1 image 4
4. **Kingsland Tennis courts** – bottom 2 tennis courts surrounded by wooden fencing, for boat storage – Appendix 1 image 5

Council officers had been consulted and had no objections to the request. They had advised that an application will needed to be made to Environmental Health for a caravan site licence for the facilitation of the motorhomes.

Members should have noted that the Club would shortly be submitting a business case to the Council Tourism events fund. Should scoring meet the required threshold, the event would receive Council funding from 2024/5 budget. Additionally, tourism staff had been assisting the Club in relation to the requirement for the

overnight accommodation aspect of the request, by way of the temporary caravan site licence and the associated conditions that would be necessary. The event had the potential to see approximately 350 competitors (children) accompanied by parents and siblings for the week of competition and additional time either side of competition week aiding borough spend across local tourism and retail businesses.

Any approval should be subject to the following terms and conditions:

- I. Providing a list of all traders attending the event and paying the appropriate fee in line with Council policy (£30 for up to 3 traders and £10 per trader after this).
- II. Providing a risk assessment and event management plan.
- III. Display public notices for at least two weeks before the event to notify the public that said event is due to take place in the area. Signage to be agreed in advance with appropriate Council officer.
- IV. Public notices must be removed after the event within seven days.
- V. Provide evidence of relevant insurances and fully indemnifying Council against all risks associated with the use of land or property.
- VI. Make good any damage caused during the use to the satisfaction of Council officers. Should the Council have to undertake remedial works the costs will be recovered from the organiser.
- VII. Put in place protective measures for areas where important natural heritage is present.
- VIII. Arrange for the collection and subsequent removal of all litter and other debris from the main event and adjacent areas during the event, as well as once the event had concluded, however, should the Council have to do any additional cleaning the costs will be recovered from the organiser.
- IX. Put in place plans for recycling waste.
- X. Arrange for the prompt removal of any items used in connection with the event.
- XI. Put in place plans to limit any negative impact on the public using the land at the same time as the event.
- XII. Obtain and provide evidence of permits/licences/registrations and approvals.
- XIII. Indemnify the Council against all claims which may result from the event or use of the area, and to provide the Council with a copy of the relevant insurance policy.
- XIV. Ensure that only the designated area, or areas specified by Council officers are used for the event.
- XV. Ensure that adequate marshals/staff are placed throughout the designated area to ensure that members of the public are not endangered by the event.
- XVI. Where electrical supplies are being used, this must be agreed in advance with Council officers. Additional costs may apply depending on the services required.
- XVII. No petrol generators are to be used.
- XVIII. Provide the Council with a list of any suppliers/food providers for the event at least six weeks in advance of the event taking place.

RECOMMENDED that the Council accedes to the request from Ballyholme Yacht Club to use Council Land at Kingsland, Bangor during the European Youth Championships, subject to the terms and conditions outlined in this report.

Proposed by Councillor W Irvine, seconded by Councillor McCracken, that the recommendation be adopted.

The proposer, Councillor W Irvine asked if any alternatives had been put in place to allow the regular activities such as the tennis courts, in the Kingsland area to continue operation during what would normally be a busy period. The Head of Administration suspected that any issues would have been raised throughout the internal officer consultation but she would follow up on the query.

Councillor McCracken noted that the tennis courts referred to by Councillor W Irvine were currently without nets and as a separate issue that was something he was trying to address. However in terms of the current application, he asked if there would be any implications for two coffee vans that were licenced traders in the area. The Head of Administration advised that the Tourism team managed the contracts for those and would have flagged up any issues during the internal consultation but she would also check on that and respond directly to the Member.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor McCracken, that the recommendation be adopted.

13. NOTICES OF MOTION

13.1 Notice of Motion submitted by Councillor Cathcart and Councillor Martin

That this Council, further to recent positive discussions with landowners, agrees to reexamine the April 2014 decision of North Down Borough Council to accept a gift of open space at Ambleside, Bangor, which was never completed and tasks Council Officers to bring back a report looking at (i) acquiring the land and (ii) options around future uses for the land

The proposer, Councillor Cathcart, joined the meeting remotely.

Proposed by Councillor Cathcart, seconded by Councillor Gilmour, that the notice of motion be adopted.

The proposer provided some history around what was a designated area of open space located between Ambleside Drive and Windermere Drive in Bangor.

He was aware that the housing developments had been built in the 1960s and 1970s, at a time when there was no management arranged for maintenance of residential areas, as would be the case with modern developments. He understood that the area had been maintained by various landowners over the years but recalled as a child that the Council had placed up a sign prohibiting ball games at the site, so assumed the local authority had acquired an interest in the land at that point. From a period after that though, the land appeared to be abandoned and tests throughout the planning system had determined that it was designated open space.

The proposer recalled the previous decision of the legacy North Down Borough Council to accept the gift of the land which was never completed. He was unable to go into the confidential reasons behind that decision but it was left open for reengagement in the future.

During recent engagement around the local election, residents had highlighted concerns around the condition of the land, describing it as an eyesore and raising concerns around antisocial behaviour. As a result Councillor Cathcart, along with Stephen Dunne MLA, had continued that engagement which also included contact with NI Electricity which was keen to maintain its own access as it owned a section of the land.

Councillor Cathcart believed that local residents were not looking for extensive work to be undertaken, but just clearance of the site and improvements such as tree planting for example, to make it a useful and more attractive space.

In closing, he explained that the motion was just to explore options at this stage and he hoped that Members could give their support to address a terrible eyesore.

The Mayor, Councillor Gilmour, recalled the previous discussions at North Down Borough Council and remembered that the matter had been kept open for future engagement. She knew the reasoning why it wasn't pursued at that time but she felt now was an appropriate time to re-engage and reexamine the matter.

Adding his support to the motion, Councillor Chambers felt that the issue had rumbled on for too many years. Over the years various politicians had attempted to address the issue including representatives of his own party who had secured a decision for Council to take ownership of the land after a planning condition for it be kept as open land. It was mistakenly never signed off though despite being maintained for a number of years by the Council.

He further recalled that the owners had tried to develop housing on the site but had failed in a planning application and it was agreed that the Council would assume ownership, however the owners stalled on the matter. He hoped now though after many years the matter could be settled with the owners signing it over to the Council to allow it to be maintained as an open space for residents to enjoy. He recalled the Planning Appeals Commission previously confirming its purpose as a green lung to counteract carbon emissions from vehicles using the nearby ring road. He hoped it could be progressed.

Councillor W Irvine thanked Councillor Cathcart for bringing the motion and he hoped the matter could be resolved. He agreed that the area was an eyesore and he welcomed an opportunity to explore different options for future use.

AGREED TO RECOMMEND, on the proposal of Councillor Cathcart, seconded by Councillor Gilmour, that the notice of motion be adopted.

14. ANY OTHER NOTIFIED BUSINESS

There were no items of any other notified business.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Alderman McIlveen, seconded by Alderman Graham, that the public/press be excluded during the discussion of the undernoted items of confidential business.

15. LEISURE SPECIAL LEGAL REGIME VAT CASE UPDATE (FIN152)

(Appendix XIII - XIV)

*****IN CONFIDENCE*****

5. Exemption: a claim to legal professional privilege

Council was asked to agree to consent orders for North Down Borough Council and Ards Borough Council being signed and submitted.

The recommendation was that the consent orders for North Down Borough Council and Ards Borough Council Claims be signed and submitted by Council to withdraw the compound interest claims of both legacy Councils.

The recommendation was agreed.

16. BLAIR MAYNE BURSARY SUB-COMMITTEE - APPOINTMENT OF EXTERNAL CONTRIBUTORS

(Appendix XV)

*****IN CONFIDENCE*****

1. Exemption: relating to an individual

Council was asked to agree the Minutes of the Meeting of the Blair Mayne Bursary Sub-Committee held on 29th September 2023 and the appointment of External Members.

The recommendation was agreed.

17. ANDBC ABSENCE REPORT - QUARTER 1 (1 APRIL - 30 JUNE 2023)

(Appendix XVI - XVII)

*****IN CONFIDENCE*****

4. Exemption: consultations or negotiations

Council was asked to note the absence data and recommendations presented.

The recommendation was agreed.

18. REDUNDANCY POLICY

(Appendix XVIII - XX)

*****IN CONFIDENCE*****

4. Exemption: consultations or negotiations

The Council was asked to approve a Redundancy Policy for Ards and North Down Borough Council.

The recommendation was agreed.

19. SOCIAL MEDIA POLICY

(Appendix XXI)

*****IN CONFIDENCE*****

4. Exemption: consultations or negotiations

The Council was asked to approve a Social Media Policy for Ards and North Down Borough Council.

The recommendation was agreed.

20. LANDS AT REAR OF BEVERLEY CRESCENT, NEWTOWARDS

(Appendix XXII - XXIII)

*****IN CONFIDENCE*****

**NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE
FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON
(INCLUDING THE COUNCIL HOLDING THAT INFORMATION)**

Council was asked to agree an approach in relation to Council owned land at the rear of Beverley Crescent, Newtownards.

The recommendation was agreed.

21. REQUEST FROM NIE FOR A WAYLEAVE - LAND AT TULLYMALLY ROAD, PORTAFERRY

(Appendix XIV – XXVI)

*****IN CONFIDENCE*****

NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

The Council has received a request from NIE for a Wayleave over land at the play park at Tullymally Road, Portaferry. Council was asked to agree to the request and to enter into the Wayleave Agreement.

The recommendation was agreed.

22. LEASE TO ARQIVA - SITE AT BOWTOWN ROAD, NEWTOWNARDS
(Appendix XXVII-XVIII)

*****IN CONFIDENCE*****

NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

The Council leases land at Bowtown Road to Arqiva for telecommunications equipment. Council was asked to agree to renew the lease.

The recommendation was agreed.

23. REQUEST FOR A LEASE OF BUILDING IN WARD PARK - BANGOR SEA CADETS
(Appendix XIX - XXX)

*****IN CONFIDENCE*****

NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

Council was asked to agree to enter into a lease with the Sea Cadets in relation to the building they currently occupy beside the Castle Street entrance to Ward Park.

The recommendation was agreed.

24. SIR SAMUEL KELLY LEASE - REQUEST FOR AN ADDITIONAL STRIP OF LAND
(Appendix XXXI - XXXIII)

*****IN CONFIDENCE*****

NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

Council had previously approved a request to grant a new Lease to the Donaghadee Heritage Preservation Company Limited for the purposes of installing a temporary visitor centre at the site of the Sir Samuel Kelly lifeboat in Donaghadee. Council was asked to agree to include an additional strip of land within the boundary of the leased area.

The recommendation was agreed.

25. RENEWAL OF TENDER FOR SIGNANGE AND FIXINGS (2023/ADMIN/PROCUREMENT)

*****IN CONFIDENCE*****

3. Exemption: relating to the financial or business affairs of any particular person

Council was asked to approve an extension of the Signage and Fixings contract for a further 12-month period under the existing Tender Option.

The recommendation was agreed.

26. RENEWAL OF TENDER FOR EVENT SUPPORT SERVICES (2023/ADMIN/PROCUREMENT)

*****IN CONFIDENCE*****

3. Exemption: relating to the financial or business affairs of any particular person

The Council was asked to approve an extension of the Event Support Services contract for a further 12-month period under the existing Tender Option.

The recommendation was agreed.

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED, on the proposal of Alderman McIlveen, seconded by Councillor Gilmour, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 8.58pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A Hybrid Meeting of the Community and Wellbeing Committee was held on Wednesday 15 November 2023 at 7:00 pm.

PRESENT:

In the Chair: Councillor Martin

Aldermen: Adair
Brooks
Cummings

Councillors:	Ashe	Hollywood
	Boyle	Irwin
	Chambers (Zoom)	S Irvine
	Cochrane	W Irvine
	Creighton	Moore
	Douglas	Kendall (Zoom 7.11 pm)

Officers: Director of Community and Wellbeing (G Bannister), Head of Community & Culture (N Dorrian), Head of Leisure Services (I O'Neill), Head of Parks & Cemeteries (S Daye), Head of Environmental Health, Protection & Development (A Faulkner) and Democratic Services Officer (H Loebnau)

1. APOLOGIES

The Chair welcomed Councillor Kendall to the Community and Wellbeing Committee and noted that she had given apologies for lateness and would join the meeting later via Zoom.

NOTED.

2. DECLARATIONS OF INTEREST

The Chairman asked for any Declarations of Interest.

Councillor Kendall – Item 5 – Hardship Funding
Councillors Irwin and Cochrane – Item 12 – Ards and North Down Sports Forum Grants – WG October 2023

NOTED.

3. ENVIRONMENTAL HEALTH PROTECTION AND DEVELOPMENT ANNUAL ACTIVITY REPORT 2022-2023

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that under the Council's scheme of delegation and in order to allow for timely service delivery, the application of legislation relating to Environmental Health matters had been delegated through the Council's Scheme of Delegation to officers to implement. A condition of this delegated authority was that related activity was reported to the Council from time to time. The following was the report for the 2022-2023 year and included such delegated activity.

Summary of Environmental Health Protection and Development Service Activity 2022-23

The role of the Environmental Health Protection and Development Department was to contribute to ensuring a better quality of life for all. From the Health Protection perspective, the service monitored, advised and enforced compliance with Food, Public Health, Pollution, Health and Safety at Work, Consumer Safety and Housing legislation and standards to protect the public from physical, chemical and biological agents, and conditions that may cause ill health or harm.

Functions within the Department

The range of statutory and non-statutory functions delivered on behalf of the Council were as followed:

1. Food Control (including food manufacturing and fisheries)
2. Consumer Protection (safety of consumer goods)
3. Health and Safety at Work
 - Caravan Site Licensing
 - Petroleum Licensing
 - Sunbeds
 - Fireworks
4. Pollution Control
 - Noise
 - Air Quality
5. Public Health (nuisance)
 - Pest Control
 - Private rented Housing

6. Health and Wellbeing / Health Initiatives including:

- Affordable Warmth
- Tobacco Control
- Home Safety
- Community Planning lead for Age Friendly, Community Resuscitation,
- Whole Systems Approach to Obesity
- Health Development including Employee Health and Wellbeing

Service Provision

Service provision included

- service requests
- planned inspections and proactive visits to commercial premises and
- wellbeing intervention activities

Service Requests

Service requests related to individuals' requests for assistance for example in relation to pest control, or when the activities of one party caused an adverse effect on another for example in relation to nuisance and pollution.

The number of service requests by category 2022-23

Department Function	Number of Requests
Pest Control	572
General Environmental Health	451
Food Hygiene and Standards	491
Pollution Control	1138
Private Tenancies Complaints	104
Health and Safety	165
Consumer Protection	19
Tobacco Control	6
Caravan/Petroleum Licensing	6
Total	2952

In addition to the above, 75 property inspections were carried out under the Private Tenancies Order to have homes assessed against the fitness standard.

A total of 110 statutory notices were issued under the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, to secure environmental improvements and abatement of nuisances.

Officers responded to 281 consultations from the Council's planning department on planning matters that could potentially affect public or environmental health, and 202 licensing consultations in relation to entertainment premises.

The performance indicator target for a response to service requests was 94% within two working days. For the year 2022/23 the objective was achieved, with 94.5% of requests responded to within the target period.

The number of service requests received in 2022/23 was lower than for 2021/22, but still around 10% higher than pre-Covid levels.

Planned Inspection and Proactive visits to commercial premises

There were currently 4161 operating commercial premises on the Environmental Health database. During the year 3469 inspections were made to assess compliance with legislation, to educate business operators on new legislation and requirements and to obtain samples. In order to reduce the burden on businesses many of those visits were carried out concurrently with officers assessing a range of legislative compliance - for example food hygiene, food standards and tobacco control addressed by an officer during one visit. Businesses and premises were risk assessed to ensure that those which might present the greatest potential risk to public health were visited most frequently.

Area Specific Performance

Food Control

The Food Control Service continued to meet the requirements of the FSA's biannual returns in 22/23 to ensure alignment with the Food Law Code of Practice. In addition to the routine inspection of food premises and the reactive work in dealing with complaints and notification of food poisoning incidents, a food sampling programme was undertaken.

Food Hygiene

- Inspected all category A premises
- Investigated food poisoning 67 identifications on behalf of the Public Health Agency and dealt with 14 alleged food poisoning reports.
- Reacted to and actioned 414 complaints regarding premises hygiene.
- Collected 610 food samples for microbiological analysis.
- 164 new businesses received an onsite inspection.
- Served eight Hygiene Improvement Notices.
- Served one Remedial Action Notice.
- Two Food businesses closed voluntarily.

Food Standards

- Five A rated premises inspected for food standards.
- Collected 78 food samples for chemical analysis.
- Investigated 72 complaints regarding allergens, composition, and labelling irregularities.
- Participated in two Northern Ireland surveys, nutritional analysis of children’s meals in restaurants and prepared meals claiming under 500 calories.

Consumer Protection

The consumer protection team provided a support and advisory service to local manufacturers, suppliers, and distributors of non-food consumer products in respect of their safety. The activities that had been undertaken included:

- Populated a database with details of all known local manufacturers, importers, and first-time distributors (and most retail and other outlets)
- Planned a targeted programme of work on a quarterly basis
- Participated in the work of the Northern Ireland Consumer Protection Group (NICPG)
- Disseminated information and advice provided through NICPG various areas such as construction products, button batteries and structural steel manufacturers
- Investigated complaints
- Provided advice following requests from local manufacturers of toys, golf buggies, upholstered furniture, and cosmetics.

Health and Safety, Caravan Site and Petroleum Licensing

Health and Safety

A total of 2668 premises were registered for health and safety on 31 March 2023, and 461 health and safety visits were completed during the year. The breakdown of those visits was as followed;

350	Inspections & Revisits
36	Inspections of Tattooists and Overstocking Visits
38	Visits to investigate accidents
13	Visits in response to requests for advice
18	Visits in response to complaints about premises or work activities
6	Visits in relation to Firework Display applications

Visits to assess compliance with general Health and Safety legislation increased from the previous year with the relaxation in Covid-19 restrictions from February 2022 releasing resources that had been redirected to deal with service requests and visits regarding those restrictions.

One fatal accident, at a premises operating as a domiciliary care facility on 11/1/23 18 Improvement Notices were served in relation to serious contraventions or continuing non-compliance.

Five Prohibition Notices were issued in relation to circumstances presenting an imminent risk of injury.

One Formal Caution was issued following a serious accident.

Two prosecutions were instituted in respect of issues presenting a serious risk to health or safety.

One prosecution was completed for non-compliance with Improvement Notices served regarding the condition of roads, fencing and lighting at a residential home park.

Caravan Site Licensing

The Health and Safety team was also responsible for this function; involving an annual assessment visit to each of the 26 Caravan Sites located throughout the Borough, and revisited as necessary. 36 Visits to Caravan Sites were completed within the year. Officers also completed a Health and Safety inspection of sites where that was due.

Petroleum Licensing

This was another area of enforcement covered by the Health and Safety Team, with two Health and Safety Officers who had received topic specific training responsible for the licensing function.

During the period 46 inspections and seven revisits were completed of filling stations located within the borough in order to ensure that licences were issued in a timely manner. Health and Safety Inspections of the premises had been completed in a single combined visit where appropriate.

Firework Licence Applications

Officers were warranted by the Department of Justice Firearms and Explosives Branch (FEB) and provided comments and where necessary additional conditions to the FEB, who in turn issued Licences for fireworks display if officers were content that it was safe to do so.

Six Firework Licence applications were assessed by officers for displays held within the Borough. That was significantly less than the number assessed in previous years. Officers also inspected two premises where fireworks or flares were stored and which was registered under the Manufacture and Storage of Explosives Regulations.

Pollution Control

Pollution Control – Noise

754 complaints about noise were received in 2022-2023. That was similar to the number of complaints received in 2021-2022, maintaining the significant increase of complaints recorded between 2019/20 and 2020/21.

EHPD dealt with 100% of the complaints that were received. Of the 754 complaints received approximately 44% wanted to proceed after their initial contact. Complaints may not progress past initial information and advice for a number of reasons including; where a disturbance was reported as a side issue to a wider neighbour dispute or a reciprocal complaint; where complainants were unwilling to provide their details or engage in the necessary procedures; where complainants were reluctant to proceed fearing a negative reaction from noise sources or on social media, or where complainants were open to approaching the source directly.

At the stage of a formal investigation, complainants may again choose not to proceed if they were not prepared to collect the evidence required or appeared as a witness in court.

Clean Neighbourhoods and Environment Act (NI) 2011 – S.65 Noise Abatement Notices

Of the 118 complaints formally investigated, eight abatement notices were served within the financial year with other continuing investigations leading to further notices outside of this period. An abatement notice was served in all cases where a statutory nuisance was established, and legal proceedings consequently instituted, if continued disturbance was reported and breach of notice was established.

Of the abatement notices served four related to dogs barking excessively, two related to music and amplified noise from domestic property, one to music and radio playing through an outdoor PA system at a Filling Station and one to noise from external plant associated with the chill unit at a Butcher's Shop.

Clean Neighbourhoods and Environment Act (NI) 2011 – S.65 Summary Proceedings for Noise Nuisance

No legal proceedings were instituted during the period in relation to noise nuisance in breach of a Noise Abatement Notice.

Pollution - Prevention and Control

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

A scoping exercise in relation to the Council's obligations under this legislation was completed during the year. Letters were sent where there was evidence of an existing permit, to newly identified dry cleaners and vehicle re-sprayers and to categories of premises where permits may be required including powder coating, working of timber and manufacture of wood-based products and animal carcass incineration. Verification visits were completed as necessary to obtain or check information.

As a result of the scoping exercise, seven premises were confirmed as requiring permits;

- 4 dry cleaners
- 2 cement manufacturers
- 1 mobile crusher

Permits were issued for three of the dry cleaners, with application fees paid. One Dry Cleaner applied but the permit was not issued during this period as the dry-cleaning machine was not in operation.

Permits were issued to the two cement manufacturers. The permit for the mobile crusher was delayed pending requested information.

Air Quality

This was a shared service with Lisburn and Castlereagh City Council. Local air quality was monitored at 16 sites in the borough, with annual reports being submitted to DAERA as required by legislation. A successful grant application was made to DAERA for staff resource and equipment maintenance. Additional funds were also received in relation to the 'Engine Off, Prevent the Cough' campaign which aimed to reduce vehicle emissions outside local primary schools.

During the year the Council purchased a new NOx gas analyser as the existing component was no longer considered to be adequate in determining pollution levels against National Air Quality Objectives. This was funded through the DAERA grant scheme.

Monitoring was also undertaken in relation to radiation levels in the borough, via sampling of foodstuffs and a permanent monitoring station in Portavogie. There were no incidents of concern during the year.

Public Health

Service Requests

Much of the work of the Public Health and Housing service unit related to service requests from residents. For the year 2022/23, Officers responded to 1270 service

requests relating to pest control, housing/drainage issues and neighbourhood nuisance (excluding noise).

The most common types of service request related to pest control, with rodent and flying insect complaints being received in the greatest numbers. The service provided investigation and advice, which ensured that the root cause of pest problems could be properly identified, and effective solutions could be made. Support was also provided to Officers carrying out the food hygiene function when assistance was required in relation to pest control matters.

During the late autumn of 2022, a charged service to treat wasp nests was introduced, with 10 nests being treated. That tested the service during a quieter period in preparation for summer 2023.

Other types of service requests received included neighbourhood complaints in relation to housing defects, malodour, smoke, and problems with drainage/flooding. Dampness issues in rented accommodation accounted for the largest number of statutory nuisance notices issued by the Council.

Private Rented Housing

Regulation of the private rented housing sector was carried out, primarily through the enforcement of the Private Tenancies (Northern Ireland) Order 2006 and ancillary regulations. Officers inspect rented properties to ensure they were fit for habitation, free from disrepair and that they were not in a condition that was prejudicial to health. During 2022/23, the service unit issued 73 Certificates of Fitness, while three properties were found to be unfit and Notices of Refusal were served on the landlords.

Housing officers also worked to ensure that landlords complied with tenancy deposit and landlord registration requirements. The legislation was reviewed during the year with the aim of correcting current weaknesses in its wording; that would aid regulation but would likely increase demand for the services. Housing officers also proactively searched for properties which may require a Certificate of Fitness to ensure that residents in the private rented sector were living in acceptable housing.

At any given time, Officers would be investigating 75-100 properties to determine if there were any breaches of housing legislation.

Notices Issued and Prosecutions

102 notices were served using the Clean Neighbourhoods and Environment Act (NI) 2011, following service requests or housing standards inspections. In addition, seven Notices of Unfitness and three Notices of Disrepair were served on landlords of private rented properties.

While several matters were referred to the Council's solicitor to instigate legal proceedings during the year, only one case was concluded during 2022/23. That case concluded with a landlord paying the £3000 fixed penalty prior to the matter being heard in the Magistrate's Court.

Health Development and Wellbeing

The department supported the "Take Five Steps to Wellbeing" principles which developed public health and wellbeing both within the organisation and externally. That included initiatives to enhance the lives of the fuel poor, the safety of young and old in the home, mental health and other issues.

During the 2022–2023-year partnership work with Community Planning progressed, including rebuilding services and operations to as close to pre-pandemic levels as possible.

Affordable Warmth

The Affordable Warmth Scheme had been designed to target support at those households which needed to spend 25% or more of their income on heating and lighting their home. It was open to both owner occupiers and tenants from the private rented sector with a household income of less than £23,000. Full grant was available to owner occupiers and landlords made a 50% contribution towards the cost of the energy efficiency improvement work.

Working from targeted lists, the number of referrals that could be made each month was set at 30 for April & May 2022 then 20 for the remainder of 2022/23, resulting in a reduction of staff levels in the team.

In 2022/23 the NIHE statistics for the Ards and North Down area were as followed: -

Referrals to NIHE by Council	255
Approved Works	294
Value of Approved Works	£1,247,521.94
Measures Installed	427
Homes Improved	266
Grant Expenditure 22/23	£1,163,485.82

The management of the Scheme throughout the period remained challenging due to decreasing annual budgets and changing targets. The concerns of Members and Officers were regularly raised both at Council/DfC/NIHE meetings and in writing with the Department of Communities (DfC). A meeting with Elected Members, Council

Officers and Senior Officials from DfC, including the Director of Housing Supply Policy, took place on 16 March 2023 to address the main concerns regarding the scheme and seek assurances that it would continue to support and prioritise the interests of the most vulnerable in Ards and North Down.

Tobacco Control

The Tobacco Control function was currently operated as a shared service between Ards and North Down, Lisburn and Castlereagh and Newry, Mourne and Down. In Ards and North Down, 570 inspections were carried out and a written warning was issued for the single premises where smoking was evident. Concerningly 186 failed to display the correct signage but, where possible, those were issued to the proprietor/manager and displayed before the officer left the premises. 117 written warnings were subsequently issued for non-compliance. 165 ANDBC premises were signposted to smoking cessation services and 564 businesses were supported to promote smoke free policies.

Two targeted campaigns were undertaken this year, with 91 visits to licensed premises, snooker and bingo and 143 visits to taxi depots and premises with work vehicles to ensure those were smoke-free and had the correct signage displayed.

179 retailers were visited in ANDBC to promote compliance with age of sale legislation and ensure compliance with all tobacco related legislation. 147 visits were for tobacco and 162 provided information on the new nicotine inhaling products (including e-cigarettes) age restricted sales legislation which came into effect in February 2023. Some businesses sold both tobacco and NIP.

Tobacco test purchasing exercises were carried out in 40 premises with three sales, resulting in written warnings. A further 13 premises were test purchased for nicotine inhaling products (including e-cigs) and there were two sales, with written warnings issued and follow up visits undertaken.

Under Community Planning, a Community Resuscitation Group was established to promote the chain of survival across the Borough. As part of this work, Tobacco Control Officers promoted the NIAS Regional Registration programme for Defibrillators by assisting with citing location of those devices and providing signposting information to relevant premises regarding how to register their device. 44 premises were identified as having AEDs with 34 being registered and the remaining 10 encouraged to do so.

Home Safety

The Home Safety Scheme was operated as a shared service by Ards and North Down Borough Council, Lisburn and Castlereagh and the Down portion of Newry, Mourne and Down. Target visits to priority groups (older people, children under five, those with disabilities/vulnerabilities) was agreed with Public Health Agency (PHA)

which co-funded the service. A total of 725 home safety checks were carried out with 319 in Ards and North Down, (229 Older Persons & 90 under-fives) exceeding the PHA target of 270.

Home Safety Officers provided over 1324 pieces of equipment to older people in ANDBC and 815 to households with children under the age of five during those Home Safety Checks.

Home Safety Officers made a total of 273 onward referrals (179 of which were from Ards and North Down) to other organisations and departments.

BeeSafe was a multi-agency project aimed at Primary Seven children and designed to promote community, home and personal safety and reduce anti-social behaviour, crime and fear of crime within the borough. PHA and PCSP funding along with Education Authority support allowed the annual BeeSafe event to take place in person in Ards Arena over a two-week period from 20 February 2023, instead of the virtual sessions offered during the Covid-19 pandemic.

38 schools attended BeeSafe, with 1587 Primary Seven pupils participating. A further two schools (a total of 40 children) who were unable to attend the event were provided the virtual BeeSafe videos to watch in the classroom and activity books to complete in their own time. A total of 1627 children therefore participated in the BeeSafe scenarios, and all schools reported that they felt the event was worthwhile and of benefit to the children.

Social media campaigns were used to highlight regional safety messages including button battery dangers (April & Dec 2022) choking risks (Feb 23) and the Christmas Toy Safety campaign. Ards and North Down registrars gave out blind cord safety information to 1473 families registering births in the borough.

Age Friendly

Having committed to achieving the World Health Organisation's Age Friendly status in October 2017, work was undertaken to develop a Strategy and Action Plan 2019 - 2022 for the Council area through the establishment of an Age Friendly Alliance (AFA). Implementation was slow primarily due to the Covid recovery period, but the appointment of a full time Age Friendly Co-ordinator in February 2022 allowed good progress to be made in this financial year.

Key successes included:

- the completion of the "[Big Guide to Age Friendly Ards and North Down](#)" of which 5000 copies had been distributed to date, with Council buildings, libraries, Community Advice centres, Elected Members, MLAs, GP practices and Age Friendly Alliance partners. Requests for copies had come from hospital social workers, mental health practitioners, churches and NIFRS as well as from charitable organisations. The guide was also available on the Council website [The BIG Guide online publication \(dashdigital.com\)](#)

- the establishment of an Over 50s Council, following an open call recruitment process in the Summer of 2022, with 67 people aged 50 and over living within the Borough, meeting quarterly. The forum provided members with the opportunity to be representative of the older age group and have their say on local issues.
- the development of a Walking Audit toolkit which had been used by all ages and ability groups to provide key information to support the development and improvements planned for Ward Park.
- the production of a Positive Ageing Month calendar with 54 activities/events including the delivery of three roadshows around the Borough with over 27 exhibitors and 143 attendees.
- the formation of an internal Age Friendly Officers group to improve communication across departments and ensure that Age friendly was embedded into everyday Council activities.
- the delivery of a Spring Tea Dance with 81 attending.
- The re-establishment of the SE Dementia sub-group

The review of the Action Plan and Strategy was also undertaken alongside early discussions with the Over 50s Council and the Age Friendly Alliance partners to plan and develop the new one.

Health Development

Mind Body and Business

Working closely with Economic Development, the Mind, Body Business (MBB) project supported local businesses to put the health and wellbeing of their staff higher up on the business agenda. 13 new business signed up to MBB in 2022-23, exceeding the target of 10. On request, five were provided with an employee/lead officer health and wellbeing box containing information, games and ideas including a step challenge. The MBB website was kept updated and promoted, with 12 e-zines and several emails to connect with businesses and promote activities and health messages. MBB business cards were produced and distributed to promote programme, website, activities and fitness videos.

A survey was undertaken in May 2022 to assess the needs of businesses and employees, to inform the MBB programme. Further promotion of the exercise videos produced by MBB in 2020/21 took place to encourage those working from home/sitting at desks to be more active.

A small grant scheme was launched to provide financial support (up to £250) for businesses to complete a wellbeing initiative within their business relating to the Take 5 Approach to Wellbeing (24 participated representing 916 employees)

Employee Health and Wellbeing

Health and Wellbeing also led on Employee Health and Wellbeing, delivering over 20 different events and activities to improve staff morale, encourage self-awareness of health issues and promote the Take 5 messages.

56 employees under 50 were vaccinated as part of the flu prevention programme and 70 staff undertook Action Cancer Health Checks with a further 30 attending sessions with qualified Leisure and Fitness Instructors in Ards Blair Maine.

Men's Health Week was well supported in June with the usual activities of football, craft, lunches and newspapers.

The Menopause workshop in October provided the opportunity for HR to explain the new menopause policy and signpost staff to support, alongside an insightful healthy eating plan by Vital Nutrition, designed to help balance hormones and improve mood.

The new Employee Health and Wellbeing website STAY Well was proving very beneficial as it was an excellent source of reputable health and wellbeing information. It highlighted all the key health campaigns throughout the year and also provided space to advertise in house events, an online booking system to sign up and generated a waiting list for popular events.

The addition of a dedicated Health and Wellbeing Officer post in September 2022, funded from existing budgets, had allowed more employee outreach work to take place and it was anticipated that that face-to-face engagement would, over time, improve participation levels, learning opportunities for managing mental health and overall employee wellbeing.

Whole Systems Approach to Obesity

Statistics from the Department of Health (2019/20) showed that one in four children (aged 2 – 15) were living with overweight or obesity and almost two in three adults (65%) were either living with overweight (38%) or obesity (27%). Overweight and obesity rates were not evenly spread throughout the population with people living in the most deprived areas of Northern Ireland more likely to be overweight and obese.

In September 2022 the Council accepted a request from the Public Health Agency to become an early adopter of a Whole System Approach (WSA) to Obesity, having already identified that as a priority in the Big Plan.

Environmental Health had been working closely with Community Planning, the Public Health Agency (PHA) and the South Eastern Health and Social Care Trust (SEHSCT) to lead on the programme and work to date had included a training/information session for partner organisations and work to identify the target demography and geography.

That work would develop further in 2023/24 with mapping exercises and action plans being produced in partnership with statutory, voluntary, business and community sectors.

Summary

During the 2022-23 year the service met the KPI's and targets and had a significant positive impact on the community planning outcomes.

RECOMMENDED that the Council notes the report.

Proposed by Councillor W Irvine, seconded by Councillor Boyle that the recommendation be adopted.

Councillor W Irvine welcomed the report and was conscious that the Department for Infrastructure had been helpful to those in the community who had been affected by the recent flooding. He asked for a breakdown on what help had been given by Environmental Health.

In response the Head of Environmental Health, Protection & Development explained that the calls had come through the Department's Floodline. A scheme of emergency financial assistance was made available by Central Government to domestic property owners. The Council had received 225 requests for assistance which were filtered and visits had been made to 25 properties and 15 of those had been helped financially so far. During the week another scheme would be opened to support business owners who had been affected. The Councillor was happy to hear about the assistance being offered and he hoped that such severe flooding did not happen again soon.

Councillor Boyle put on record his thanks for the good work particularly over recent weeks and to the team more generally acknowledging the breadth of the work it carried out in many different areas.

Alderman Adair echoed those comments remarking that since he had joined the Council he had noticed at first hand the proactive work on the Environmental Health section. He added his thanks to Hannah Ogle in Environmental Health who had been quick to get grant aid out to homes in his area, and also the Councils the Safety and Risk Manager. He believed that it was unfortunate that Environmental Health was carrying out the work of regional government out of necessity.

While Alderman Cummings was pleased to see residents and businesses being helped following the flooding, he had witnessed the devastating consequences being faced by local farmers whose crops had been decimated and wondered if there was support being offered by the Department for Agriculture, Environment and Rural Affairs. In response the Director confirmed that it had been clarified that the Central

Government business support scheme was not available to support farmers and it was not currently expected that some financial aid would be therefore offered to the farming sector. The Alderman stated that the Agri sector locally was sizeable and was a large contributor to local employment and that the Council should explore every avenue at its disposal to encourage the government to help.

The Chair echoed the earlier comments of Councillor Boyle and praised the Environmental Health section of the Council and the breadth of work that it carried out very well.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor Boyle, that the recommendation be adopted.

4. CREATING A SMOKEFREE GENERATION AND TACKLING YOUTH VAPING: AN OPEN CONSULTATION

(Appendix I)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that smoking was the single most entirely preventable cause of ill health, disability, and death in the UK. It was responsible for around 80,000 deaths a year, including about 2,200 deaths per year in Northern Ireland (as reported by the [Northern Ireland Department of Health's tobacco control information](#)). No other consumer product killed up to two-thirds of its users. The Office for National Statistics' [Adult smoking habits in the UK 2022](#) reported that 6.4 million people in the UK were current smokers. That was 12.9% of people in the UK, and 14.0% in Northern Ireland.

Smoking caused harm throughout people's lives, not only for the smoker but for those around them. It was a major risk factor for poor maternal and infant outcomes, significantly increasing the chance of stillbirth and could trigger asthma in children. Smoking caused around 1 in 4 of all UK cancer deaths and was responsible for the great majority of lung cancer cases. Smoking was also a major cause of premature heart disease, stroke and heart failure, and increased the risk of dementia in the elderly. Smokers lose an average of 10 years of life expectancy, or around 1 year for every 4 smoking years.

On 4 October 2023, the Department of Health and Social Care (DHSC) published a command paper [Stopping the Start: Our New Plan to Create a Smokefree Generation](#) setting out proposed action to protect future generations from the harms of smoking by creating the first smokefree generation, which the UK Government and devolved administrations were now seeking to consult on.

The command paper also set out measures to crack down on youth vaping. The Action on Smoking and Health (ASH) report [Use of e-cigarettes among young people in Great Britain](#) showed that the number of children using vapes had tripled in

the past 3 years and a staggering 20.5% of children in Great Britain had tried vaping in 2023. According to the [Northern Ireland Young persons Behaviour and Attitudes Survey 2022](#), 21.3% of 11 to 16 year olds in Northern Ireland reported having ever used an e-cigarette.

The command paper also focused on new measures to ensure the law was enforced. Underage and illicit sales of tobacco, and more recently vapes, were undermining the work of the UK Government and devolved administrations to regulate the industry and protect public health. In England and Wales, the government was seeking to introduce new powers for local authorities to issue fixed penalty notices (on the spot fines) to clamp down on those irresponsibly selling tobacco products and vapes to underage people.

Consultation Overview

The consultation asked questions in 3 areas for which new legislation would be needed:

1. Creating a smokefree generation: on smoking, the case for change was clear and the UK Government and devolved administrations were consulting on the smokefree generation policy and its scope to inform future legislation.
2. Tackling youth vaping: while there was also significant evidence for action to tackle youth vaping, within each proposal the UK Government and devolved administrations were consulting on several options to ensure we take the most appropriate and impactful steps, building on England's [analysis of the youth vaping call for evidence](#).
3. Enforcement: the consultation also asked questions on the proposal to introduce new powers for local authorities in England and Wales to issue fixed penalty notices to enforce age of sale legislation of tobacco products and vapes. (Those powers already existed in Northern Ireland).

The UK Government and devolved administrations would like to receive as much detail as possible under each of the themes of the consultation. The questionnaire had therefore been designed with a multiple-choice question, with space to provide additional information and evidence to support your answer through free text boxes.

The UK Government and devolved administrations had advised that they would only make any decisions on those proposed measures after fully considering:

- the consultation responses received
- the evidence provided in those responses
- a further review of the international evidence base

Following that, impact assessments would be published.

The UK Government, Scottish Government and Welsh Government intended to bring forward legislation as soon as possible. In Northern Ireland, the outcome of that

consultation would inform decisions of incoming ministers and the Northern Ireland Executive, or in the absence of ministers, those decisions that could be taken under the [Northern Ireland \(Executive Formation etc\) Act 2022](#). That applied to all proposals in the consultation document.

Consultation Response

The full consultation along with associated information could be found here: <https://www.gov.uk/government/consultations/creating-a-smokefree-generation-and-tackling-youth-vaping>

A proposed response was attached to this paper, which broadly followed the regional response agreed by the NI Tobacco Task Group and supported the most stringent option in every case. That was to ensure that in the first instance young people were not given the opportunity to adopt a habit which had a strong likelihood of seriously damaging their health or even causing death. It also recognised that the use of vapes/e-cigarettes had become extremely popular with young people and there was growing evidence that groups of young people who would have previously been in a demographic that was unlikely to try cigarette smoking was now more likely to vape.

Every effort must therefore be made to protect public health, and young people, in particular, by introducing measures which would not only account for the current landscape but would minimise the risk of the industry introducing novel products designed to circumvent the proposed legislation put in place to minimise the attraction of smoking and vaping.

RECOMMENDED that the Council agreed to the submission of the attached Proposed Consultation Response, and that individual Members consider sending in individual responses using the link to propose that the most stringent measures were put in place to protect public health.

Proposed by Councillor W Irvine, seconded by Councillor Hollywood that the recommendation be adopted.

Proposing the recommendation Alderman W Irvine agreed with the submission to go forward. He noted that young people who may have never been tempted to smoke were now being attracted to vapes due to the variety of flavours and bright colours and he asked what could be done to deter them from taking up vaping.

The Head of Environmental Health, Protection and Development acknowledged the point and said it was related to health messaging and as yet there was no robust research to support that. Without doubt it would take a multi-agency approach with education, health, business and community planning and focus on accessibility for young people.

Councillor Hollywood agreed and referred to his experience working with young people in disadvantaged communities where he saw the effects of the habit and the growing number of young people who were becoming addicted. He hoped for swift legislation to tackle that.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor Hollywood, that the recommendation be adopted.

(Councillor Kendall declared an interest in Item 5 and left the meeting at 7.13 pm)

5. HARDSHIP FUNDING
(Appendix II)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that as reported in September 2023, Ards and North Down Borough Council had been awarded Hardship Funding from the Department for Communities totalling £344,027. The total fund available however was £330,699. (That was because Council in February 2023 agreed that the Borough Social Supermarket underspend for 22/23 would be divided equally amongst members of the Community Support Group, giving each £6,672, and, it was agreed to increase the amount awarded to Kilcooley Social Supermarket to £20,000. The difference of £13,328 was to be found in this year's Hardship funding allocation).

The purpose of this fund is to address hardship due to the current cost of living crisis, particularly because of recent increases in energy and food costs. The Hardship Funding Programme was developed in recognition of the difficult financial circumstances which exist in our communities.

Following Councils approval of the process and criteria, an application process was launched on 29 September 2023 and closed on 13 October 2023 at 4pm. The process was advertised on the Council grants webpage, Council social media and sent to all contacts on the Community Development Database. Grants were available up to £30,000 with a minimum amount of £10,000 being awarded. A total of 30 applications were received by the deadline, totalling to a value of £583,829.71.

The scoring panel consisted of the Community Development Manager, Community Planning Manager and the Community Grants and Funding Co-ordinator.

The panel met on 16 and 17 October 2023 to score the applications. The pass mark was agreed by the panel as 60%. 23 applications met the pass mark which equated to £492,815.83. The panel agreed that the budget should be proportionally allocated at 67% of the eligible awarded amount across all 23 of the successful applications, as detailed in the appendix.

Applications that did not reach the pass mark of 60% were detailed. There was one application that was not scored as it was deemed as ineligible.

RECOMMENDED that the Council approves the applications outlined in appendix table 1 totalling £330,186.61.

Proposed by Councillor Boyle, seconded by Councillor W Irvine that the recommendation be adopted.

Councillor Boyle stated that he was a firm believer in treating everyone equally and hoped that the allocation of funding was applied fairly. He noted that one application had brought different organisations under its umbrella and he asked if that was treated as lots or considered to be one application. Secondly, he would have liked to have had a conversation take place that if the Council accepted the report, it was doing the right thing in terms of fairness and although he knew it was hard to please everyone at all times he was interested to hear if there had been any feedback to the decisions made.

The Head of Community and Culture had spoken with that applicant when their preferred method was outlined, and the way forward had been agreed and incorporated as one application.

Councillor W Irvine welcomed the applications coming forward but explained that there was some unease within the community groups on how the funding had been divided. The officer indicated that the criteria had been brought to the Council in a report in August and the guidance was taken from that. It had been an open competitive process and applications had been spread widely throughout the Borough. There had been nothing in the criteria to prevent more than one application being submitted by any group unless there was overlap or duplication in those projects. The Member hoped that the funding would be passed on quickly to those who needed it.

Councillor Hollywood wondered if it was possible that some of the organisations may fall foul of financial regulations and all of the projects needed to be completed by 31 March 2023. He also asked if there was a role for the Council to play in managing those projects which involved food preparation. The Director explained that many of those already involved food and were registered with the Council and were subject to its food safety inspections.

Councillor Cochrane suggested that the Council could have been clearer when laying out the required criteria and he hoped that would be the case going forward. He felt that in the case of the funds being oversubscribed then one application only from any group should be permitted. He hoped that funding would be distributed as soon as possible and there were indications that could be before Christmas or if not as soon as possible afterwards.

Alderman Adair welcomed the funding being directed to St Vincent de Paul which had struggled to keep up with demand in the local community. That organisation made a real difference within his community and he was delighted to see it had been successful.

AGREED TO RECOMMEND, on the proposal of Councillor Boyle, seconded by Councillor W Irvine, that the recommendation be adopted.

(Councillor Kendall re-entered the meeting 7.28 pm)

6. SOCIAL SUPERMARKET

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that the Department for Communities (DfC) had awarded the Council funding of £100,277.48 in 2023/24 to be used for the provision the Borough social supermarket. Funding allocated in 2022/23 was £82,155.18.

As previously reported, an independent report was commissioned in 2022 which recommended that North Down Community Works (NDCW), Newtownards was selected as the organisation to lead the pilot Social Supermarket in Ards and North Down given its current wide-ranging activity, its networks, and partnerships with other organisations across the Council area and its accessible location in Newtownards. The pilot was developed through a codesign process. DfC recommended, a tailored model that best met the needs of the local community that built on existing structures and partnerships.

The North Down Community Works SLA for 2023/24 was prepared based on last year's budget (£82,155.18) but when funding was received a total of £100,277.48 was received by the Council. There was currently therefore an unallocated amount of £18,122.30.

NDCW had completed their quarter 1 return, which showed that demand was high for the current service. 36% of the allocated £82,155.18 had already been utilised. Within the first quarter 29 families had been reached from the following areas:

BT23 (Ballygowan)
 BT23 (Newtownards)
 BT19 (Bangor)
 BT21 (Donaghadee)
 BT23 (Ballywalter)
 BT22 (Portaferry)
 BT23 (Lisbane/Comber)

NDCW had confirmed they could utilise all of the £18k additional funding before 31 March 2024. However, Members would also be aware of the other Social Supermarket based in Kilcooley operated by Kilcooley Womens Centre (KWC) that

was currently not supported directly by DfC. They had also indicated that they could also make use of any additional funding effectively to serve its purposes. Therefore, an equal split of the additional funding, subject to DfCs approval and alteration to the letter of offer could be considered.

Members would be aware that the pilot was due to end on 31st March 2024. Officers intended to reconvene a meeting of the Community Support Group to begin a review that would map how the Social Supermarket was aligned with the Social Supermarket in Kilcooley and with the existing Food Bank infrastructure to ensure that all residents of the Borough, no matter where they resided, had access to appropriate support structures offered by those organisations collectively to help them in relation to their needs.

RECOMMENDED that the Council note the above proposed review, and in the meantime divide the additional £18,122.30 equally between to the NDCW and KWC Social Supermarkets for use in 2023/24, subject to approval from DfC. Furthermore, if approval is not given by DfC, that the additional £18,122.30 is allocated to NDCW.

Proposed by Councillor Hollywood, seconded by Councillor Boyle, that the recommendation be adopted.

Proposing the recommendation Councillor Hollywood agreed wholeheartedly with it and hoped that DfC would agree and hoped it would help those in grave economic hardship. Kilcooley was the only Neighbourhood Renewal Area in Ards and North Down and was a community in transition.

Councillor Boyle absolutely supported the recommendation and referred to the two great organisations which did sterling work and was happy to follow it to the end of its journey.

Also showing support Councillor Irwin welcomed the recommendation and echoed what Councillor Hollywood had said but she had a few questions on how the social supermarket pilot would work. It was known that DfC was providing funding to the Council for one social supermarket as a pilot and there were reasons why that one had been chosen. She was aware that other Council areas had funded more than one supermarket and she wondered how the funding could be best used throughout the Borough. The Director informed the Committee that this initiative had been chosen from the beginning and after that would be a review to decide what was suitable for the whole Borough going forward. Councillor Irwin thanked the Director and did not need to remind Members of the huge need throughout the Borough and making aid accessible for all.

Councillor W Irvine agreed that it seemed like there was a need for two supermarkets within the Borough and it felt unfair that one supermarket received the full funding. He was informed that the pilot would cease at the end of March and a

new, refreshed model would be established, work beginning on that the following week.

Alderman Cummings had a question in reference to DfC which indicated alterations to the letter and asked if that was a normal process and the officer confirmed that it was.

AGREED TO RECOMMEND, on the proposal of Councillor Hollywood, seconded by Councillor Boyle, that the recommendation be adopted.

7. DEPARTMENT FOR COMMUNITIES ACCESS AND INCLUSION GRANTS 2023-2024

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that the Department for Communities requested that Council administer the 2023/24 Access and Inclusion Grant for the Ards and North Down Borough.

The Grant was open for applications in relation to cultural organisations, outdoor recreation sites and Council facilities within the Borough and was a capital grant of up to £30,000 (10% minimum match funding required).

The Department was particularly keen to welcome applications for Changing Places facilities, accessible equipment for play parks and projects that would impact positively on sustainability and climate change.

The key objectives of the Department for Communities' Access and Inclusion Programme are to:

1. Improve access to arts, culture and active recreation venues across NI for people with disabilities;
2. Make arts, cultural and active recreation venues more inclusive across society; and
3. Increase participation in arts, culture and active recreation activities by people with disabilities.

The grant opened for applications on 22 August 2023 with a closing date of 13 September 2023. Applications were scored by a panel in Council and a recommendation sent to DfC for approval by its Moderation Panel.

Six applications were received and shortlisted by a panel comprising the Council's Arts and Heritage Manager, Outdoor Recreation Officer and Compliance Officer as followed:

Applicant	Project Title	% Score	Requested	Panel recommendation and award agreed by DfC
ANDBC Borough Wide	Equipment to make 44 public toilets in the borough Stoma Friendly	82	£30,000	£30,000
ANDBC Portavogie	Installation of an accessible roundabout at Portavogie Playpark	70	£11,497	£11,497
INSPIRING YARNS Newtownards	Installation of a ramp, new doors and adapted equipment for sewing/spinning. Installation of an Induction Loop system.	60	£17,440	Recommended to DfC for award but not approved. Added to a DfC contingency list if further funding is made available
BOOM STUDIOS Bangor	Installation of a remote door access facility.	60	£3,991.50	Recommended to DfC for award but not approved
DONAGHADEE HERITAGE PRESERVATION COMPANY	Ramp to access exhibition centre.	35	£3,000	Not recommended to DfC for award.
PORTICO, Portaferry	New sound system to improve available space for wheelchair users.	35	£29,72284	Not recommended to DfC for award.

A minimum pass rate of 50% was set by DfC. Four Applications scored over 50% and were recommended to DfC's Moderation Panel.

2 applications did not score above 50/100 and therefore did not go forward to the Moderation Panel.

The Council would be notified of the final outcome in due course.

All projects must be completed by 31 March 2024 and would be overseen by the Councils Arts and Heritage Manager.

RECOMMENDED that the Council notes the scoring panel's recommendations and the Department's decisions in this report.

Proposed by Alderman Adair, seconded by Councillor Boyle, that the recommendation be adopted.

Alderman Adair welcomed the officers' recommendation for the grants particularly for the disabled friendly roundabout at the playground in Portavogie which would be meeting a real need in that area and he hoped to see it progressed in the near future.

He also welcomed the roll out of Stoma Friendly within the Council's public toilets and believed that the Council's facilities should be open for everyone. He hoped to see more Changing Places facilities throughout the Borough in future.

Councillor Boyle echoed the comments of Alderman Adair and was pleased to read of the extension of play facilities for those with disabilities at Portavogie and the improvements to the Council's public toilet facilities. He asked why some of the projects had not been given approval and that was simply down to the amount of funding available.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Councillor Boyle, that the recommendation be adopted.

8. MULTI ANNUAL ARTS GRANTS 2024-2026

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that the Ards and North Down Borough Council offered two-year funding for Arts organisations operating in the borough. Organisations which operated an annual programme of arts activity could apply for core multi-annual grants up to a maximum of £5,000 per year. Organisations which carried out a large one-off arts project/festival per year could apply for up to £4,000.

The multi-annual arts grant opened for applications on Monday 4 September 2023 with a closing date of Thursday 19 October 2023 at 4pm.

Seven applications were received by the closing date.

An assessment panel made up of members from the Arts and Heritage panel met virtually on the morning of Tuesday 23 October 2023.

Panel members were:

Councillor Wray
Councillor Smart

Anna Donovan, Arts Specialist
Jane McCann, Arts Specialist

Administering the process was Arts Officer, Patricia Hamilton and Arts Administrative assistant Lauren Dawson.

A minimum pass rate for recommendation was set at 50% before scoring took place.

The Panel agreed at the start of the meeting that the definition of an arts organisation should be that their core function and purpose should be solely arts related. That was assessed using each organisation's constitution, submitted with their application.

Applicant	% Score	Amount Requested CORE / PROGRAMME	Awarded
Bangor Drama Club	81%	CORE £5,000	£5,000
Bangor International Choral Festival	71%	PROGRAMME £3,000	£3,000
BOOM! Studios	87%	CORE £5,000	£5,000
Hollywood Music Festival	83%	PROGRAMME £4,000	£4,000
Kilcooley Women's Centre	N/A	CORE £5,000	£0
Portico of Ards Ltd	92%	CORE £5,000	£5,000
Seacourt Print Workshop	90%	CORE £5,000	£5,000
TOTAL		£32,000	£27,000

Six applications met the criteria to go forward for assessment. Kilcooley Women's Centre did not meet the definition of an arts organisation according to their constitution.

The six applications scored, and all met the minimum 50% pass mark. The total amount requested for those six applications totalled £27,000. The panel agreed that they should be awarded their requested amount.

RECOMMENDED that the Council approves the recommendations of the scoring panel as detailed in the table to award the Multi-Annual Grants for 2024-26.

Proposed by Councillor Boyle, seconded by Councillor W Irvine, that the recommendation be adopted.

Councillor Boyle welcomed the grants and congratulated those who had been successful. He asked if there was any reason why Kilcooley Women's Centre had not been awarded a grant and in response the Head of Community and Culture explained that it was because Kilcooley Women's Centre did not have a definition of an arts organisation at its core. The Director reminded Members that an appeals process was available for any groups to query the outcome of decisions.

Councillor W Irvine considered the exclusion of Kilcooley Women's Centre to be a pity and did not want to see any barriers to the Arts. He thought that the criteria should be looked at for the coming year to enable more people to be involved.

AGREED TO RECOMMEND, on the proposal of Councillor Boyle, seconded by Councillor W Irvine, that the recommendation be adopted.

9. ACCREDITATION ACHIEVED BY NORTH DOWN MUSEUM

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that North Down Museum had recently achieved renewed accreditation after an extensive assessment process. The accreditation covered a period of five years until 2028, when re-assessment would take place.

Accreditation provided museums in the UK with a clear set of nationally agreed standards to work towards. Achieving accreditation built public trust and funders' confidence in how museums managed collections for the community, and how they managed public resources. Accreditation status enhanced a museum's presence and reputation and in turn bolstered the reputation of the Council.

The accreditation board required a museum to provide appropriate governance and management and to have a high standard in the management of their collections, including its documentation, conservation, and interpretation.

The benefits for Council in maintaining an accredited museum were:

- If Museum accreditation was not achieved, ANDBC would be the only local authority in Northern Ireland not to have an accredited museum.

- Increased access to funding - many funding streams were only open to accredited museums.
- Access to loans - accredited museums could only loan to other accredited museums. Without that the museum would lose many key loans that made up the permanent gallery displays. It would also mean that the Council would not be able to secure loans for any future temporary exhibitions.
- Maintaining accreditation would send a sign to the community and other institutions that the Council valued the history and heritage of the community.
- Public trust - the community lent and donated to the museum because they trusted the museum had high standards and that objects would be secure and appropriately cared for when under museum care.

RECOMMENDED that the Council welcomes the award of Accreditation to the North Down Museum until 2028.

Proposed by Councillor Moore, seconded by Councillor W Irvine, that the recommendation be adopted.

Councillor W Irvine welcomed the accreditation to the museum and stressed the importance of that going forward.

AGREED TO RECOMMEND, on the proposal of Councillor Moore, seconded by Councillor W Irvine, that the recommendation be adopted.

10. TRIAL OF DOGS IN THE COURTYARD AT NORTH DOWN MUSEUM

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that following a report to the Council in September recommending that the current trial of allowing dogs to access the museum coffee shop should end and adherence to the current by-laws continue, an amendment was proposed and agreed by the Council as followed.

That Council agree, that a site meeting is held with officers, museum staff, a Coffee Cure representative and Bangor Central DEA Councillors to discuss a potential solution involving cafe staff providing access to the Courtyard via the gate and not the museum which will allow continued access for dogs whilst providing better access for those with mobility issues. Dogs will continue to be permitted in the Courtyard until a further report is brought back to Council with potential options following the site meeting.

A scheme was trialled initially for July and August 2022 to allow dogs into the courtyard at North Down Museum. That was extended for one year until June 2023 to monitor a full year, the impact of winter conditions and the return of pre-Covid-19 footfall to the Museum.

As the original report agreed in June 2022 stated, dogs were not permitted into North Down Museum, or Coffee Cure, only into the courtyard at North Down Museum.

As requested, a meeting took place on Wednesday 25 October with the Elected Members representing the Bangor Central DEA, Director of Community and Wellbeing, Head of Community and Culture, relevant Arts and Heritage Officers, and a representative from Coffee Cure. The meeting was to discuss a potential solution to problems previously presented in a report to the Community and Wellbeing Committee on 13 September 2023.

All parties agreed that dogs could not be granted access to the Museum via the reception area as that was impractical and posed a number of operational and security issues.

A number of options were discussed in relation to the opening and locking of the side gate to the Museum's Courtyard to permit dogs. It was agreed that that was not the responsibility of Coffee Cure as the Museum Manager would be held accountable for the security of the building and associated collection and the resources required for Museum staff to do that, coupled with the high security risks outweighed the desire to permit dogs to the café.

It was agreed that permitting dogs to the courtyard at North Down Museum via the gate was therefore not practical due to the high security risk and potential impact on the Museum's reputation and accreditation.

Coffee Cure agreed that the trial to permit dogs had to work for both the Museum and Coffee Cure and although it was happy to permit dogs, it was accepted that the trial arrangements were not practical for the Museum and that the responsibility for security fell to the Museum and not to Coffee Cure.

All parties recognised that there was an appetite for dog friendly café services in the area and were committed to working in partnership to look at alternatives in the future. For example, the active promotion of café facilities at the Walled Garden as 'dog-friendly' or the placing of a coffee dock in Castle Park.

RECOMMENDED that the Council agree from 1st January 2024, following a one-year trial period, North Down Museum resort to the original Byelaw forbidding dogs to enter the Museum and accompanying courtyard and that Officers investigate alternative dog-friendly options going forward.

Proposed by Councillor W Irvine, seconded by Alderman Cummings, that the recommendation be adopted.

Councillor W Irvine explained that he and Councillor Cathcart had met the Museum Manager and staff and had come to the consensus that it was not suitable to have the side gate at the museum opened by its own staff and also was inappropriate in terms of being awarded accreditation. They had also spoken with the staff who ran the coffee shop at the Walled Garden Cafe and that would be promoted as dog friendly, and a new franchise planned for next year would look at other ways to encourage dog walkers to have refreshments when visiting the area such as a mobile unit similar to that serving tea and coffee at Cairn Wood. Alderman Cummings was happy to second the recommendation and shared the comments of Councillor W Irvine.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Alderman Cummings, that the recommendation be adopted.

11. ENDING THE VIOLENCE AGAINST WOMEN AND GIRLS STRATEGIC FRAMEWORK AND ACTION PLAN

(Appendices III-VI)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that at the Council meeting held on 26th July 2023, it was agreed that the consultation document – Ending Violence Against Women and Girls Strategic Framework and Action Plan be referred to the Community and Wellbeing Committee for a response.

As the closing date was 3rd October 2023 a draft response had been submitted and was attached for Members consideration and approval. Any further comments would be accepted by the Department and the draft response updated.

RECOMMENDED that the Council agree the attached Consultation response.

Proposed by Councillor Kendall, seconded by Councillor Irwin, that the recommendation be adopted.

Councillor Kendall very much welcomed the recommendation and hoped for a joined-up approach with the different agencies involved in bringing the required funding forward.

AGREED TO RECOMMEND, on the proposal of Councillor Kendall, seconded by Councillor Irwin, that the recommendation be adopted.

(Councillors Irwin and Cochrane declared an interest in Item 12 and withdrew from the meeting at 7.50 pm)

12. ARDS AND NORTH DOWN SPORTS FORUM GRANTS – WG OCTOBER 2023

(Appendix VII – XI)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that Members would be aware that on the 26 August 2015 the Council delegated authority to the Ards and North Down Sports Forum, in order to allow it to administer sports grants funding on behalf of the Council. £45,000 had been allocated within the 2023/2024 revenue budget for that purpose.

The Council further authorised the Forum under delegated powers to award grants of up to £250. Grants above £250 still required Council approval. In addition, the Council requested that regular updates were reported to Members.

During September 2023, the Forum received a total of 20 applications: 1 Event, 5 Equipment, 1 Goldcard and 13 Travel/Accommodation. A summary of the **20** successful applications was detailed in the attached Successful Equipment, Successful Event, Successful Goldcard and Successful Travel & Accommodation Appendices.

For information, the annual budget and spend to date on grant categories was as followed:

	Annual Budget	Funding Awarded September 2023	Remaining Budget
Anniversary	£1,000	£0	£250
Coaching	£3,000	£0	£1,603.75
Equipment	£14,000	*£3,573.98	£2,319.06
Events	£6,000	*£500	£1,468.00*
Seeding	£500	£0	£55.01
Travel and Accommodation	£14,500	*£1,960.00	-£2,174.51
Discretionary	£1,000	£0	£1,000
Schools/Sports Club Pathway	£5,000	£0	£4,500
*Goldcards proposed during the period September 2023 is 1 (15 Goldcards in total during 2023/24).			

*The proposed remaining budget for Equipment of **£2,319.06** was based on a proposed award of **£3,573.98** – for Approval/Noting. *The proposed remaining budget for Events of **£1,468.00** was based on a proposed award of £500 and Withdrawn costs of £1,000.00. *The proposed remaining budget for Travel and

Accommodation of **-£2,174.51** was based on a proposed award of **£1,960.00** – for Noting and Withdrawn costs of £100.

RECOMMENDED that the Council approves the attached applications for financial assistance for sporting purposes valued at above £250, and that the applications approved by the Forum (valued at below £250) be noted.

Proposed by Councillor Boyle, seconded by Councillor S Irvine, that the recommendation be adopted.

Councillor Boyle was happy to propose this and always gave support to local athletes and trainers across the Borough who in his opinion did sterling work. The funding pot was now low and he hoped that there would still be some available coming forward over the coming months.

The Head of Leisure reassured Members that leisure was working hard to find sufficient funds where there were underspends elsewhere in the pot and a full report would be brought back to the Community and Wellbeing Committee in December.

Councillor S Irvine was delighted with that news and thanked the Director and Head of Leisure in the hope of additional funding being made available.

Speaking as a new Member Councillor Douglas asked about the Gold Card and it was explained that it allowed a holder to have free access to the Council's leisure facilities to enhance training in preparation for international competitions.

AGREED TO RECOMMEND, on the proposal of Councillor Boyle, seconded by Councillor S Irvine, that the recommendation be adopted.

(Councillor Irwin returned to the meeting at 7.56 pm)

13. WARD PARK REDEVELOPMENT UPDATE

(Appendix XII-XVI)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that Ward Park was one of the Borough's most attractive assets, popular with residents and visitors of all ages. In 2021, the Council was granted planning permission (REF: LA06/2016/1108/F) for an Environmental Improvement Scheme for Ward Park. In 2021, Members also agreed a phased approach to the Scheme i.e., Phase One to proceed with the desilting of the pond network and Phase Two to proceed with the wider improvement scheme. In 2022, Members agreed the Project Brief.

The Environmental Improvement Scheme aspired to largely retain the traditional landscape and recreational benefits of the Park, while sympathetically creating a modern park environment that would enhance biodiversity and help safeguard the

park for future generations. The scheme also aimed to resolve the problem of silt build-up in the ponds and to mitigate against that recurring.

Desilting (or dredging) of the ponds was the first phase of work for the scheme and that work was due to start during the week commencing 13 November 2023. It was anticipated that those works would be completed before Christmas, subject to weather or unforeseen ground conditions.

In June 2023 the Council appointed Doran Consulting to lead an Integrated Design Team which would progress the Phase 2 elements of the Environmental Improvement Scheme. It was currently anticipated that the ground works in that phase would begin in winter of 2024/5. There would be several public information sessions in advance of the works starting, that would give stakeholders an opportunity to engage with the Council and the design team and put their ideas for the park improvements to the team, within the scope of the planning application.

RECOMMENDED that the Council note the above updates.

Proposed by Councillor W Irvine, seconded by Councillor Irwin that the recommendation be adopted.

Councillor W Irvine welcomed the update on it and saw that the desilting work was now underway and queried how long it would be before the public would have input into the designs. The Head of Parks and Cemeteries confirmed it was hoped that that would start early in the new year and would inform the other consultation processes.

Councillor Irwin was happy to second the recommendation and welcomed the progress on the Park and asked if the tennis courts fell in to the redevelopment since most of those were in a poor state of repair. The Director informed her that the tennis courts fell outside of the scope of the scheme but lay under leisure and sport and were being inspected on a regular basis. She asked if the Director would confirm that the Council would meet with Councillor McCracken and was informed that the request for a meeting was on the radar of officers.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor Irwin, that the recommendation be adopted.

14. RECEIPT OF PETITION

(Appendix XVII)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing detailing that on 25 October 2023 prior to the commencement of the Council meeting, a petition concerning the management of leisure services was submitted to the Chief Executive. Details of the petition were attached in the appendix to the report.

RECOMMENDED that the Council notes this report.

Proposed by Alderman Cummings, seconded by Councillor S Irvine, that the recommendation be adopted.

Alderman Cummings thought that it was worth noting the numbers and if the Council intended to use that information to help inform decision making. The Director replied that it was noted by officers and for Members to decide how they applied that information to their decisions.

AGREED TO RECOMMEND, on the proposal of Alderman Cummings, seconded by Councillor S Irvine, that the recommendation be adopted.

15. ANY OTHER NOTIFIED BUSINESS

There were no items of Any Other Notified Business.

NOTED.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Councillor Boyle, seconded by Councillor Councillor Ashe, that the public/press be excluded from the meeting.

16. PEACEPLUS PARTNERSHIP MINUTES

(Appendices XVIII – IXX)

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 3 – Exemption relating to the financial or business affairs of any particular person

A report presented to Community & Wellbeing detailing the confidential minutes of the PEACEPLUS Partnership meetings on 14th and 25th September 2023

The report recommended that Council note the minutes.

The recommendation was agreed.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Alderman Brooks, that the recommendation be adopted.

17. WHITESPOTS COUNTRY PARK APPOINTMENT OF INTEGRATED CONSULTANCY TEAM

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 3 – Exemption relating to the financial or business affairs of any particular person

A report was presented for the appointment of an integrated consultancy team managed through the Council's Procurement section aligned to the procurement policy.

The report recommended that Council award the tender in line with the evaluation.

The recommendation was agreed.

AGREED TO RECOMMEND, on the proposal of Alderman Cummings, seconded by Councillor W Irvine, that the recommendation be adopted.

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED, on the proposal of Councillor Boyle, seconded by Councillor Cochrane, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 8.07 pm.

Unclassified

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ITEM 8.1**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	29 November 2023
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	16 November 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	National Association of Councillors NI - Leadership Series 2023/24 - Developing a New Economy Workshops
Attachments	Appendix 1 - Correspondence Appendix 2 - Programme

The Council has received an invitation from the National Association of Councillors and Ulster University inviting Members and Council Officers to one of two workshops, entitled "Developing a New Economy".

These workshops will be held on Friday 19 January 2024, Ulster University, Belfast and Friday 26 January 2024, Ulster University, Londonderry.

The event is aimed at Councillors and Council Officers who have the passion to improve their understanding and delivery of new, transformative local enterprise, jobs and sustainable growth.

Information on the event is included in the attached correspondence at appendix 1 and 2. The workshops are free of charge to attend.

Unclassified

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RECOMMENDATION

It is recommended that Council considers whether it wishes to nominate a Member(s) to attend one of the workshops.



National Association of Councillors
Northern Ireland Region

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13 November 2023

Dear Stephen

On behalf of both the National Association of Councillors, (NAC NI Region) and Ulster University, we are writing to personally invite your attendance – and input – into one of our two workshops this coming January 2024, entitled “Developing a New Economy”.

These highly interactive workshops – hosted by Ulster University on 19th January in Belfast and on 26th January in Derry / Londonderry (*see attached Working Agenda*) have gathered a range of powerful and dynamic speakers, including your own Chair of SOLACE, Mr. David Burns.

As part of the NAC’s *Leadership Series* which commenced in March 2023, the principal aim of these interactive sessions is to highlight the massive potential of local communities and local government, in this case, in transforming our very fragile economy.

Participants will impart and gather enterprise knowledge and skills, outline and forecast how we might invest differently in local people and places, will encourage councillors and officers in local authorities to take stock of our current strengths and weaknesses, and plan new and existing ways to grow and sustain local economies - in partnership. As the title of the NAC series states, we aim to foster innovative **leadership** and actions with and for elected members, which in turn will embed greater social, economic and environmental governance with and for the entire community.

Speakers are being challenged to succinctly explain how they and their organisation assists or could assist councils to develop sustainable enterprise driven by local people and – candidly – to outline what you believe to be barriers to developing sustainable, locally driven enterprise and employment for all and what you and others might do differently, looking ahead.

The audience will be interactive throughout, so that participants from councils and partner bodies can share new enterprise ideas and strategies with each other, this being the essence of co-designing new policies and practices, as you well know.

The Leadership Series and additional corporate planning advice is being facilitated by your colleague Derek McCallan, no stranger to anyone here in councils and who unsurprisingly

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Sketrick House Jubilee Road
Newtownards BT23 4YH

Telephone: 028 9181 9413
Email: office@nac-ni.org



National Association of Councillors
Northern Ireland Region

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remains a fervent and committed advocate of local government and the massive potential referred to above.

We encourage you to email, via Linda Williamson, at office@nac-ni.org to register your attendance, and respectfully request that you table this information on your earliest full Council agenda, noting that both cross-party attendance as well as participation from yourself and Senior Officers from your Council will be most welcomed.

Thank you very much for actively considering the above and the attached.

Yours sincerely

A handwritten signature in purple ink that reads "Alan McDowell".

Alderman Alan McDowell
Chair, NAC NI

A handwritten signature in purple ink that reads "Joe Boyle".

Cllr Joe Boyle
Secretary, NAC NI



NAC N. Ireland Leadership Series 2023/24, Events II and III.

Local Enterprise Training Solutions (LETS):

“Developing A New Economy”

II. Friday 19 January 2024 – 12.00pm – 4.45pm, Ulster University, York Street Campus, Belfast &

III. Friday 26 January 2024 – 12.00pm – 4.45pm, Ulster University, Magee Campus, Derry / Londonderry

12.00pm	12.45pm	Registration & Light Lunch	Delegates, speakers, panellists & guests
12.45pm	12.55pm	Welcome and Introduction	Professor Duncan Morrow, Ulster University Cllr. Joe Boyle, Secretary, NAC (NI)
12.55pm	1.20pm	Session 1 We Must, We Can (Interactive) Can Councils, Councillors & Partners lead our future local economies? Embracing the Challenges: Why, What and How do we do it?	SOLACE Chief, Mr. David Burns Alderman Alan McDowell, Chair, NAC Steve Pollard – University of Ulster
1.20pm	2.00pm	Our Economy: Participative Workshop	First Round Table Session - Derek McCallan (Facilitator) & Steve Pollard
2.00pm	2.15pm	Tea / Coffee Break	Delegates, speakers, panellists & guests
2.15pm	3.25pm	Session 2 – Power Panel & Attendees (Interactive) Small Business & New Enterprise Perspectives – Future Economic Thinking & Delivery Support for Local Business Finance Community Wealth Building Local Enterprise Agencies Encouraging Equality, Diversity and Inclusion	Enterprise NI Neil Hutcheson – FSB (Federation of Small Businesses) Harbinson-Mulholland Bridget Meehan - Northern Mutual Bank DTNI (Development Trusts NI) Further and Higher Education Colleges Michael Holden – Disability NI EMEEN (Ethnic Minority Employment and Entrepreneurship Network)

3.25pm	4.15pm	Co-designing Future Local Economies - Interactive Discussion	Round Table Session - Derek McCallan and Steve Pollard
4.15pm	4.25pm	Outcomes & Offers	Derek McCallan Aid Alan McDowell
4.25pm	4.30pm	Thanks & Close	Cllr Beth Adger, President, NAC UK

Who Should Attend?

Councillors, senior officers and partner bodies who have a passion to improve their understanding and delivery of new, transformative local enterprise, jobs and sustainable growth. The workshop will gather, present and report on insights from speakers, panellists and attendees, which will enable new enterprise policies and actions at a time when Northern Ireland's economy desperately needs the innovation, impetus and inclusion of local entrepreneurs, local communities and embed local investment in people and place.

Who Is Key to these Events and their Outcomes?

YOU ARE.

Whilst panellists and specialists will be in situ, local councillors and council officers are the closest part of government to the community and as such should attend, be heard, and collaboratively create new, needed, co-designed approaches to enterprise, with local people themselves, locking in knowledge, skills, opportunities and sustainable investment in our local places - cities, towns and villages right across N. Ireland.

NB: places on each event are strictly limited & will be subject to capacity & related terms. To register free of charge please contact Linda Williamson, NAC NI, via email office@nac-ni.org stating your name, council / organisation, location preference (Magee, Derry – Londonderry OR Belfast) and any dietary requirements.

Unclassified

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ITEM 8.2

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 November 2023
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	24 November 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	National Council meeting and Non-Executive Director training in Cardiff
Attachments	Appendix 1

Alderman McDowell has been elected as APSE's Northern Ireland Vice Chair for 2023/24 and 2024/25. He has been invited to attend the next National Council meeting and an APSE training session in Cardiff on 30 November & 1 December 2023. APSE will cover the training costs of £850 and subsistence for the duration. APSE have indicated that the representative parent Council would ordinarily meet the cost of travel and accommodation. Alderman McDowell has requested that Council considers covering the cost of his travel and accommodation at a cost of approximately £210.00. Please see Appendix 1, email from Mo Baines, APSE Chief Executive, for full course information.

RECOMMENDATION

It is recommended that Council considers covering the cost of travel and accommodation for Alderman McDowell to allow him to participate in the APSE training session in Cardiff on 30 November and 1 December 2023.

Appendix 1

Dear National Council Colleagues,

Save the Date and please confirm your accommodation needs!

The next meeting of APSE's National Council will take place in **Cardiff** on **Friday 1 December** commencing at **10.00 AM** and ending with lunch at **12.30 AM**.

A pre-meeting dinner has been booked at the **Park Plaza Cardiff, Greyfriars Road, Cardiff, CF10 3AL** which will take place on **Thursday 30 November** commencing at **7.00 for 7.30 PM**. The dinner will end no later than 9.30 PM and will be held in the **Civic Suite**.

Non-Executive Director Training – Thursday 30 November 2023 2.30- 5.30 PM

In line with APSE's recent commitments on its Environmental Social and Governance (ESG) framework, and following discussions with the National Chair, a new **certified non-executive director training** course has been developed. This course is bespoke to APSE as an unincorporated association but will also provide National Council members with a certified course to add to their own CV's which will be highly useful in other situations as councillors or as officers. The course, which will be delivered by a qualified lawyer, with expert tutors and finance specialists, will include modules which will explore:

- **APSE and its legal status**
- **Principles of Good Governance**
- **Performance and Reporting**
- **Finance and Risk**
- **Culture**
- **Post-course: Learning and certification**

The course will be provided free of charge to APSE National Council members (though it is intended that to meet demand of APSE member councils the course will also be offered more widely to APSE member councils who deal with arms-length companies, trusts and airport boards and so forth). It is intended the first modules will be delivered as an in-person event and the second stage modules will be delivered through MS Teams.

Therefore, for those who are able to attend on Thursday 30 November, during the afternoon in Cardiff, the first set of modules will take place. The course will commence at 2.30 PM with a sandwich lunch available from 1.30PM which we hope will enable most attendees to travel on the day and minimise disruption to busy diaries. We are also looking at the possibility of livestreaming the sessions for those unable to make it to Cardiff.

Unclassified

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ITEM 9.1**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 November 2023
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	23 November 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Deputation Request - War Years Remembered
Attachments	Appendix 1 - Deputation request form

A deputation request has been received from War Years Remembered to present to the Council regarding their request for emergency funding and aid to the relocation and renovation of the new premises of the War Years Remembered museum to Newtownards.

RECOMMENDATION

It is recommended that Council accepts the request for a deputation from War Years Remembered and refers it to the Community and Wellbeing Committee.

Deputation Request Form

A 'deputation request' refers to a person or group of persons asking to appear in person before the Council or a Council Committee in order to address the Council or Committee (as the case may be) on a particular matter.

The procedure governing deputations is contained within section 12 of the Council's Standing Orders, a copy of which is set out below.

If you wish to make a deputation request, please complete this form and return it to Ards and North Down Borough Council via the following email address: member.services@ardsandnorthdown.gov.uk, providing us with a contact email or postal address and contact telephone number when doing so (please do not include your personal contact details on this form – see privacy notice below).

Please note that it will be for the Council to decide whether to accede to your request and, if it does, to determine when and where the deputation will be heard. The Council will draw upon the information you provide in this form in order to reach its decision, therefore you are encouraged to clearly outline the topic of your request and the reason why you wish to raise the matter before the Council or a Committee.

Applicant Details

I/we apply to Ards and North Down Borough Council to make a deputation and should this application be successful, I/we agree to comply with section 12 of the Council's Standing Orders.

Name of person(s) making the deputation request:	David McCallion
Date of request:	22/11/2023
If making the deputation on behalf of an organisation or a group of individuals, name of the organisation / individuals:	War Years Remembered
Name of Committee (if known) to which you wish to make your deputation:	

Please summarise below (continuing onto an additional page if required) the subject matter of your deputation request and the reason why you wish to raise the matter before the Council or a Committee.

Emergency Funding & Aid for War Years Remembered

War Years Remembered is in the process of moving to Crawfordsburn Road, Newtownards. We need council aid in carrying out this huge project and we are determined to come to the Ards & North Down Borough.

War Years Remembered offers to bring additional tourist visitors, increase community relations via our collection and to get the community of North Down involved.

We hope to build a healthy and positive working relationship with Ards & North Down council and we are now asking for your help to create a new museum and tourist attraction within the borough.

We are asking for emergency funding to help with the relocation of the museum and the renovation of the new premises to get open to the public as quickly as possible.

Extract from Ards and North Down Borough Council's Standing Orders, Version 8, September 2021

12. Deputations

(1) Deputations, from any source, shall only be admitted to address the Council provided the Chief Executive has received seven working days notice of the intended deputation and a statement of its objective, and subject to the agreement of the Council.

(2) In the case of an emergency, deputations, from any source, shall only be admitted to address the Council provided the Chief Executive has received one working day's notice of the intended deputation and a statement of its objective, and subject to the agreement of the Mayor.

(3) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed 10 minutes followed by a maximum 15 minutes question and answer session.

(4) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council will decline to accept another deputation on the same issue from the same individual or group for a period of six months.

(5) No further discussion or proposals beyond questions shall take place at a Council or Committee meeting until after the deputation has withdrawn. Any subsequent proposal made should be limited to a request for officers to bring back a report on the matters raised by the deputation.

Privacy notice – how we will use information about you

Ards and North Down Borough Council is a Data Processor under the General Data Protection Regulation (GDPR) for the personal data it gathers when receiving and administering deputation requests.

You are providing your personal data to the Council whose lawful basis for processing it falls within the following three categories:

- a) **Consent** - you consent to the information being processed for the specific purpose of the Council considering your deputation request;
- b) **Public task** - the processing is necessary in order for the Council to consider your request in line with its Standing Orders which were established under the Local Government Act (Northern Ireland) 2014; and
- c) **Legitimate interests** - the processing is necessary for your legitimate interests (or the legitimate interests of a third party) in order that Council may consider your deputation request.

The personal data you provide when making a deputation request may be shared internally within the Council with staff who are involved in decision making and administration in respect of Council and Committee meetings. This includes both the data contained within this form and any other data, such as an email address or other contact details, we may gather when you send the form to us.

The information you provide on this form only will be provided as a report to Council and potentially thereafter as a report to a Committee (depending on whether Council accedes to your request). Any such report will not usually be heard 'in confidence' and therefore the report will also be published on the Council website prior to the meeting. Members of the press and public may attend the Council (and Committee) meeting at which the report is discussed. An audio recording and written minute will be made of the meeting and both will be published on the website.

Your personal data will not be shared or disclosed to any other organisation without your consent, unless the law permits or places an obligation on the Council to do so.

Personal data is held and stored by the Council in a safe and secure manner and in compliance with Data Protection legislation and in line with the Council's Records Retention and Disposal Schedule.

If you have any queries regarding the processing of your personal data, please contact:

Data Protection Officer
Ards and North Down Borough Council
Town Hall, The Castle
Bangor
BT20 4BT
Email: dataprotection@ardsandnorthdown.gov.uk
Tel: 0300 013 3333

Unclassified

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ITEM 10**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 November 2023
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	16 October 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Nomination to Trustees on Northern Community Leisure Trust
Attachments	

Background

This report was considered at the October meeting of the Council and it was agreed to defer to the next meeting.

Places on working groups and most outside bodies are filled through nomination at the Council's Annual Meeting and are thus held by individual Members rather than Parties. When a position becomes vacant, it reverts back to Council to nominate a Member to fill the place rather than Party Nominating Officers.

Following the resignation of Councillor Woods from the Northern Community Leisure Trust, a place has now become available. The Council is represented by two Trustees, the other Trustee is Councillor W Irvine.

A nomination is sought from the Council to fill the above vacancy for the remainder of the four-year term.

Not Applicable

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RECOMMENDATION

It is recommended that Council nominate a Member as a Trustee on Northern Community Leisure Trust for the remainder of the term.

Unclassified

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ITEM 11**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 November 2023
Responsible Director	Director of Environment
Responsible Head of Service	Head of Waste and Cleansing Services
Date of Report	24 November 2023
File Reference	47045
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input checked="" type="checkbox"/> If other, please add comment below: N/A
Subject	Update Report on Implementation of HRC Access Booking System
Attachments	None

Members will recall that at the Council meeting in September 2023 the following was agreed in relation to an update report brought on the implementation of new HRC access booking arrangements:

1. Progress with the implementation of the new HRC access booking system be noted.
2. Officers continue to review the new HRC access booking system and onsite operational management arrangements, to identify potential for further improvement.
3. Waste statistics following the introduction of the new HRC management regime be reviewed as part of a report to the Environment Committee on Q3 Northern Ireland Local Authority Municipal Waste Management Statistics and Update on Recycling Progress, scheduled for March 2024.
4. That a further report to be brought to the November Council meeting to include:

Not Applicable

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- details and an assessment of reports of fly-tipping in the Borough since implementation of the booking system compared to previously.
- an assessment of whether the implementation of the booking system has had an impact on the total amount of waste deposited at each of the Borough's HRCs.
- an assessment as to whether there has been an increase in the misuse of grey bins as a result of the implementation of the booking system such as whether there has been an increase in the detection of misuse and the issuing of letters regarding such misuse or sampling of waste from grey bins against baseline figures.
- proposals to provide additional booking slots or additional means to address the traditionally busy festive period.
- a report on the handling of our constituents' data in line with GDPR obligations in particular those who have served or continue to serve in security sensitive roles.

This report sets out the additional update information requested, for the months of September and October.

1. Fly Tipping Statistics

Complaints about fly tipping vary in number throughout the year every year, and the table below provides statistics on the number of separate alleged incidents reported by month for the past 4 years.

	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec
2020	37	31	52	59	71	60	44	51	40	38	43	32
2021	37	58	51	55	39	53	27	38	31	33	30	28
2022	38	37	41	50	19	31	36	42	36	22	27	23
2023	53	47	40	21	32	34	36	40	56	47	21	

The statistics above indicate that reported fly-tipping incidents vary significantly from month to month throughout the year, and there is no identifiable pattern. The number of reported incidents for September and October this year are lower than previous maximum monthly totals. This information supports the reported experience elsewhere in the UK, that there is no proof to show a link between HRC booking systems and prevalence of fly-tipping.

2. HRC Waste

The following statistics show the tonnage of total HRC waste, and landfill HRC waste received during September and October 2023 following the implementation of the HRC accessing booking system, compared with the same period last year. These tonnages are provisional and have not yet been verified by NIEA through the WasteDataFlow reporting system that the Council must comply with; they are however unlikely to vary by a significant margin through the official verification process.

Not Applicable

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	Sept 2022	Sept 2023	% Change	Oct 2022	Oct 2023	% Change
Total HRC Waste (Tons)	2221	1495	-33%	1803	1426	-21%
HRC Waste Collected for Recycling (Tons)	1324	1056	-20%	1093	991	-9%
HRC Waste Collected for Landfill (Tons)	897	439	-61%	710	435	-39%

The summary **2-month impact** of the HRC access booking system and associated impact on landfill disposal and recycling costs, is illustrated in the table below.

	Sept – Oct 2022 (Tons)	Sept – Oct 2023 (Tons)	Change (%)	Change (Tons)	Waste Disposal/Recycling Cost Change
Total HRC Waste	4024	2921	-27%	-1103	£102,086 Saving
HRC Waste Collected for Landfill @ £127.42 per ton	1607	874	-46%	-733	£93,399 Saving
HRC Waste Collected for Recycling (main recyclable waste streams – wood, rubble, scrap metal, cardboard and green waste)	2417	2047	-15%	-370	£8,687 Saving

It is difficult to be precise about the 12-month financial saving that would accrue were this level of improvement in HRC waste management to be sustained on an ongoing basis. However, applying the above percentage reduction in landfill to the 12-month HRC landfill figure for 2022-23, would see a financial saving in landfill costs of £534K at the current landfill gate fee and tax rate (£127.42/ton). Any savings in recycling costs accrued from a nett reduction in the overall amount of recyclable waste streams received into HRCs, would add further to the total reduction in HRC waste disposal costs.

Not Applicable

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3. Use of Grey Bins

The following table provides statistics in relation to our monitoring and enforcement of grey bin misuse for the year to date.

	Total Number of Alert Stickers Applied for Misuse of Grey Bins
January 2023	433
February 2023	404
March 2023	309
April 2023	484
May 2023	720
June 2023	407
July 2023	428
August 2023	403
September 2023	449
October 2023	433

These statistics do not suggest a rise in the detected level of grey bin misuse associated with the HRC access booking system, and the peak level of detection this year pre-dates the introduction in the new system in September.

4. Proposals for Additional Booking Slots over the Christmas and New Year Period

As things stand, we are currently running with an average spare capacity rate of 65%, indicating that there is still headspace in the booking system for extra utilisation without provision of extra opening hours/booking slots over the festive period. However, it is certainly acknowledged that there is routinely a spike in demand at that time of the year – and in that context it may be prudent to take a precautionary approach to preparedness and extend opening hours of sites for several days/provide extra bookable slots.

Should Members wish to extend access opportunities over the Christmas period, on the basis of experience, officers would suggest that this would be most effectively done on Wednesday 27th, Thursday 28th December and Tuesday 2nd January. Extension of opening hours at all nine HRC sites on those dates to say 8pm, would provide an extra 6,120 bookable slots. The cost in overtime would be around £4,500. Extending opening hours at say five sites rather than all nine (suggested Balloo, Newtownards, Holywood, Comber and Portaferry) would provide an extra 4,176 bookable slots, with an overtime cost of £3,200.

Implementation of any extra HRC opening hours over the festive period would be dependent upon securing agreement of enough suitable staff to work additional hours (to be confirmed, should a decision be taken to provide extra opening).

Not Applicable

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5. Handling of Constituents' Data in Line With GDPR

The only personal data that is held on the system is a site user's address, car registration number and email address, and **not** the resident's name. Following consultation with Members prior to finalisation of the booking system, the initially proposed requirement for a resident to enter their name when booking a HRC visit was removed, as a consequence of concerns raised about security. The data is immediately encrypted upon entering the system by 24-bit encryption in line with ISO standards and uploaded to Pentagull Servers in England. It is anonymised after three months with the address and car registration being automatically removed. After thirteen months all data is automatically deleted. The data is used for statistical/reporting purposes, to allow scrutiny of site use to identify potential abuse for trade/business use and by those from outside the Borough, and to investigate any complaints received regarding sites etc.

6. Petitions

On 26 September 2023 a petition organised by Alex Easton MLA and Alderman Wesley Irvine was received, "objecting to the Council's decision to operate an online booking system across all recycling centres across North Down and Strangford, and call on Ards and North Down Council to immediately withdraw this disastrous online booking system decision and reopen all recycle centres to the way they were before". Whilst the petition listed 4066 signatories, examination of the list showed that 41% of these signatories gave addresses that were not within the Borough, indeed many of those were not NI or even UK addresses.

On 16 October 2023, a petition against the new HRC booking system was received from Portaferry Women's Institute comprising 23 signatories.

7. Summary

Whilst some level of opposition to the introduction of the new access booking system for HRCs has been received, most notably through the submission of two petitions, the Council has also received many expressions of support and satisfaction with the arrangements. Notwithstanding this, on all levels of objective assessment of the first two months' operation (as indicated by the information contained within this further update report), the new HRC access booking system is delivering upon the target strategic outcomes.

- There is no evidence to link it to a significant change in fly-tipping activity.
- The amount of waste received at our HRCs has decreased by 27% (landfill waste by 46%) as a consequence of preventing access for trade waste disposal and by out of Borough residents.
- The estimated cost to domestic ratepayers of waste disposal has fallen by £102K over the 2-month reporting period, extrapolated to a potential £534K saving over 12 months.
- There is no evidence of additional misuse of grey bins for disposal of recyclable household waste.
- Use of sites is now being managed in a much more efficient way, with utilisation of overall HRC capacity being effectively controlled across all

Not Applicable

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available opening hours. Where deemed desirable by Members, extra bookable slots can be created over the festive period to cater for any spike in demand.

- All data provided by residents in connection with the booking system is managed by Council in full compliance with its GDPR obligations.

RECOMMENDATION

It is Recommended that the Council considers making provision for additional bookable slots at HRCs over the Christmas and New Year period, as outlined in Section 4 of this report.

Unclassified

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ITEM 14**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 November 2023
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	21 November 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Notice of Motion Status Report
Attachments	Notice of Motion Status Report

Please find attached a Status Report in respect of Notices of Motion.

This is a standing item on the Council agenda each month and its aim is to keep Members updated on the outcome of motions. Please note that as each motion is dealt with it will be removed from the report.

RECOMMENDATION

It is recommended that the Council notes the report.

NOM REF	DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
-	31/05/15	Rory McIlroy recognition	Councillor Muir	Jun-15	Corporate Services Committee – October 2015	Corporate Services	Agreed	TBC	Further Report to follow in March 2024.
	21/01/19	Shelter at slipway in Donaghadee	Councillor Brooks & Cllr Smith	Jan-19	Environment Committee	Environment	Agreed	TBC	Officers awaiting feedback from potential funder
-	25/09/19	Report on feasibility of holding annual remembrance service for those lost to suicide	Councillor Martin	Oct-19	Corporate Services – November 2019	Corporate Services	Agreed	TBC	Further Report to follow during 2023, awaiting proposer feedback .
NOM118	16/01/20	Closing of a public right of way at Andrew Shorefield, Groomspoint	Alderman Keery	Jan-20	Corporate Committee – February 2020	Corporate Services	Agreed	TBC	Report at Nov 2023 CSC
	20/10/20	"I would like to task officers to produce a report to consider what could be a more environmentally friendly and benefit the wellbeing of the community for the use of the disused putting green on the Commons and play park at Hunts park in Donaghadee . Following the success of the Dog park in Bangor and the demand for a Dementia garden, both should be considered as options in the report. The process should involve consultation with the local community."	Councillor Brooks	Oct-20	Community & Wellbeing Committee – December 2020	Community & Wellbeing	Agreed	TBC	Officers to liaise with Regeneration and consideration of Masterplan and also take into account play strategy local consultation when it takes place in Donaghadee and bring back a report thereafter.
	10/05/21	That officers are tasked to bring back a Report on how the Council might approach a Climate Change Action Plan and perhaps including - but not limited to - a review of all Council long-term investment, a Borough-wide engagement via an Innovation Lab, a Conference of Ideas, and values-based recommendations for next steps.	Councillors Walker & Egan	Jun-21	Environment Committee – October 2021 (deferred from September Committee)	Environment	Agreed	TBC	Various strands of work taking place across different departments on development of Council Climate Action Plan - led within Corporate Services Directorate.
	31.12.21	Coastal and Storm Damage to Ballywalter Harbour, repair costs and reinstatement costs	Councillors Adair and Edmund	Jan-22	Environment February 2022	Environment	Agreed	TBC	Report to be brought back to a future meeting
	13.04.22	Environmental damage caused by modern day packaging	Councillors McRandal and Douglas	Apr-22	Environment Committee – June 2022	Environment	Agreed		Report to be brought back to a future meeting
	17.05.22	2028 Centenary of the internationally renowned Ards TT races. Asking Council how best to commemorate this important sporting anniversary.	Alderman McIlveen and Councillor Kennedy	May- 22	Community and Wellbeing June 2022 - Place & Prosperity	Place & Prosperity	Agreed	Reported to November 2023 P&P and agreed. Subject to ratification by Nov Council.	NoM transferred to P&P Committee.

	19.05.2022	Business case for redesign of the parallel sports pitches and facilities at Park Way, Comber	Councillors Cummings and Johnson	Jun-22	Community and Wellbeing Committee – September 2022 – deferred	Community and Wellbeing		TBC	Officers considering report to be brought back to future Committee
NOM164	20.06.2022	Review of health and safety process re community groups	Councillors MacArthur, Brooks, T Smith and Kennedy	Jun-22	Corporate Services Committee - deferred to October 2022	Corporate Services	Agreed	TBC	Further report to be brought back after the workshop which is to take place in January 2024.
NOM165	20.06.2022	Report exploring the possibility of introducing a policy that shows commitment to supporting the wellbeing of our workforce by ensuring appropriate support is available to anyone undergoing IVF.	Councillor Greer and Councillor McKee	Jun-22	Corporate Services Committee – deferred to October 2022	Corporate Services	Agreed	TBC	Further Report to follow during 2023.
	21.06.2022	Engagement with relevant community stakeholders to ascertain community need and desires in respect of the Queen's Leisure Complex	Councillors Kendall, McRandal and McClean	Jun-22	Community and Wellbeing Committee – September 2022 – deferred to October 2022	Community and Wellbeing		TBC	Officers considering report to be brought back to future Committee
NOM181	5.07.2022	That this Council changes the name of Queen's Parade to Queen's Platinum Jubilee Parade in honour and recognition of the 70th anniversary of the Queen's accession to the throne. *** Amendment Received from Councillor Cathcart - That this Council, in recognition of Her Majesty's Platinum Jubilee and her conferment of City Status upon Bangor, agrees to name an appropriate place or building within Bangor in her honour and that future Council Bangor entrance signs make reference to Bangor being a Platinum Jubilee City.	Alderman Irvine & Keery	Jul-22	Environment Committee - September 2022	Corporate Services	Amended and agreed	TBC	Officers considering report to be brought back to future Committee once advice from the Cabinet Office is received.
NOM167	24.08.2022	That this council withdraws all funding to any sporting organisations with any political objectives or named references to terrorism in their constitution, club names, stadiums or competitions, and tasks officers to bring back a report outlining the specific relevant council policy.	Cllrs Cooper, T Smith and Councillor Irvine	Aug-22	Corporate Committee – deferred to October 2022	Community and Wellbeing	Amended and agreed	TBC	NoM Transferred to C&W Committee. C&W Officers considering report to be brought to future Committee
	22.08.22	Street Clutter Audit for the Borough	Councillor Dunlop and Councillor Douglas	Sep-22	Environment Committee – October 2022	Environment	Agreed	Reported to October 2022 EC Committee	Report to be brought back to a future meeting
	21.09.22	Humane control of Pigeons in Conway Square, Newtownards	Alderman McIveen and Alderman Armstrong-Cotter	Sep-22	Environment Committee 2022	Environment	Agreed	Reported to October 2022 ENV Committee	Signage has been erected in Conway Square
	16.11.22	That Council officers open discussions with Historic Environment Division regarding the return of the 13th century 'Movilla Stones' to the Borough and the provision of a suitable site for these to be located. Officers are also tasked with promoting these extremely important archaeological artefacts in the local community and local schools when the stones have been returned.	Alderman McIveen & Councillor Cummings	Nov-22	Community & Wellbeing - December 2022	Community and Wellbeing	Agreed	March and June C&W Committee	Officers to discuss further with HED and report to future C&WC when final arrangements for return of the stones is agreed.

	09.12.22	That this Council adopts the White Ribbon Pledge to 'Never commit, condone or remain silent about violence against women and girls', agrees to sign the Pledge, and tasks Officers to bring back a report outlining how we can amalgamate existing relevant policies, undertake the Listen, Learn, Lead programme within the Council, and identify effective routes to encourage other agencies and organisations in our Borough to engage with the White Ribbon Project.	Councillors Douglas & Walker	Dec-22	Corporate Services Committee – January 2023 Community and Wellbeing Committee - TBC	Community and Wellbeing	Agreed	TBC	14/3 it has been agreed that this NOM will transfer to PCSP/C&W. Officers considering with a report to a future C&W Committee
	13.12.22	That this Council expresses concern with the number of residential and commercial bins left on public footways in the Borough long after the bin collection date. Bins left on public footways are not only unsightly, they can lead to hygiene and contamination issues, as well as safety concerns, forcing pedestrians onto the road due to the blocking of a footway. This Council notes its own lack of enforcement powers to tackle this issue and expresses concern at the Department for Infrastructure's reluctance to use its own enforcement powers. Accordingly, this Council agrees to write to the Department for Infrastructure asking the Department to engage with Councils with the aim of creating appropriate enforcement powers to tackle this issue. Council Officers, will in the meantime, bring back a report to the appropriate committee detailing action that the Council can take under current powers to try address the issue of bins left on public footways.	Councillors Cathcart and MacArthur	Dec-22	Environment Committee – January 2023	Environment	Agreed	June Committee	Alternative proposal agreed at June Committee. Update report to be brought to a future meeting (date to be confirmed) Letters sent to DfI and PSNI 12/10/23 - Acknowledgement rec'd from PSNI 13.10.23
	08.12.22	This Council acknowledges the environmental and health benefits associated with the recent increase in cycling and declares Ards & North Down a cycling friendly borough. The Council also recognises that people who cycle are among the most vulnerable road users, and tasks officers with producing a report detailing ways in which we can help improve safety. The report should include possible sources of funding, potential partnerships, and ways in which we can promote good relations between users of different forms of transport	Alderman Wilson & Councillor Douglas (Postponed from Dec Council to Jan Council)	Jan-23	Community and Wellbeing Committee – February 2023	Community and Wellbeing		June C&W Committee	Further report to future C&WC including the report to recommend declaration.
		Building on the practice of other council areas, that this council tasks officers to liaise with DfI Roads as a matter of urgency to offer its assistance in providing self-service grit piles for residents and to post locations of such grit piles on the council website	Alderman McIlveen & Councillor Cathcart	Jan-23	Environment Committee – February 2023	Environment	Agreed	November	Agreed to provide self-help grit boxes to be located at community centres
	08.01.2023	That this Council writes to the Permanent Secretary of the Department for Infrastructure expressing concern that the provision of a footpath at Shore Road Ballyhalbert is currently not considered a priority by the Department following the completion of a feasibility study which demonstrated need. That the Council highlights the road safety concerns raised by residents for pedestrians using the Shore Road from the village to the residential developments including Park Homes and St Andrew's. That Council requests that the Department for Infrastructure makes the installation of a footpath a priority and commits to deliver the scheme as a matter of urgency.	Councillors Adair & Edmund	Jan-23	Place & Prosperity – February 2023	Place & Prosperity	Agreed and ratified at Council 5.7.23	TBC - still awaiting response from DfI Perm Sec	Perm Sec's of DfI ltr of 10.8.23 reported to Sept P&P where it was agreed that that Council writes to the Permanent Secretary of the Department for Infrastructure expressing disappointment at the lack of understanding in the response...CEX issued letter 3.11.23, response to be reported to P&P when received.

	18.01.2023	The prolonged cold weather spells just before Christmas and last week resulted in icy, slippery, and dangerous footpaths and car parks in the Borough's City and town centres. It is not acceptable that in such circumstances the Council does not have a plan or the resources or facilities to grit these areas to enable residents to walk safely to and from the main shopping areas or fall when they step out of their cars onto ice. It is proposed that officers bring back a report with costs to outline what steps can be taken to ensure that Council car parks and footpaths in the City and town centres are gritted when the weather is forecast to have heavy snowfall or prolonged freezing weather conditions.	Councillors Morgan and McRandal	Jan-23	Environment Committee – February 2023	Environment	Agreed	October	Agreed that officers bring back a report detailing the legal advice that backs up this risk assessment and that this report is brought back to the Committee and a review is undertaken of other NI Council policies on Council owned carparks during freezing weather conditions. This should include analysis of how gritting of car parks and footpaths is delivered by any Councils that do so.
	18.01.2023	That Council, subject to consultation with addressees on the road, considers changing the name of that stretch of the A21 in Newtownards which runs from Portaferry Road to the junction with upper Greenwell Street, Newtownards currently named New Road to Viscount Castlereagh Avenue as a mark of the life and legacy of Robert Stewart, 2 nd Marquess of Londonderry, who was known by the courtesy title of Viscount Castlereagh during most of his life, in the 200 th year of his passing.	Alderman McIlveen and Alderman Armstrong-Cotter	Feb-23	Environment Committee March 2023	Environment	Agreed	TBC	Report to be brought to future meeting
	08.02.2023	That this Council tasks officers to begin discussions with the Education Authority with regards to the Future of Bloomfield playing fields, Bangor. This is to include the lease and the exploring of the possibility of bringing the facility up to intermediate level for football. A report to be brought back to Council following said discussions. football. A report to be brought back to Council following said discussions.	Alderman Irvine and Alderman Keery	Feb-23	Community and Wellbeing Committee March 2023	Community and Wellbeing	Agreed	TBC	Officers considering report to be brought back to future Committee
NOM180	14.02.2023	This Council rename the square at Portavogie War Memorial Queen Elizabeth Square in memory of our late Sovereign Queen Elizabeth II.	Councillor Adair and Councillor Edmund	Feb-23	Corporate Services March 2023	Corporate Services		TBC	Officers considering next steps for further report to be brought back once advice from Cabinet Office is
	20.3.2023	That this Council explores the possibility of supporting the Bookstart Early Years Pilot across Ards and North Down. A report is brought back detailing information about the programme, how it could be supported across the Borough, including cost and potential delivery partners.	Councillors Gilmour & Cathcart	Mar-23	Community & Wellbeing Committee 21/06/2023	Community and Wellbeing	Agreed - subject to ratification by June Council	TBC	Officers considering report to be brought back to future C&W Committee
TBC	20.3.2023	That this Council recognises the issues and concerns detailed in the letter sent to the Chief Executive by The Kircubbin Harbour Action Group and agrees to write to the Permanent Secretaries of the Departments of Infrastructure and Communities, asking them to provide details of the responsibility they have in ensuring the public safety of the harbour and listing any details of dealings their departments have had with the owner.	Councillors Thompson & Adair	Mar-23	Place and Prosperity Committee June 2023	Place & Prosperity	Agreed and ratified at Council 5.7.23	TBC - still awaiting response from Kircubbin HAG	CEx issued ltrs to Perm Secretaries of DfI and DfC 2.8.23 - Kircubbin HAG to consider response
573	09.06.2023	That this Council requests officers to bring back a report with full costings and budgetary options outlining pragmatic solutions to tackling anti-social behaviour in the Bank's Lane car park, Ballyholme including the restricting of access to the car park at night. In addition, officers should clarify ownership of the Bank's Lane as part of the solution.	Alderman K Douglas and Councillor Cathcart supported by Cllr W Irvine, Cllr Bianey, Cllr McKimm and Cllr McCracken	Council July 2023	Heard at Council - 05.07.2023	Environment Committee	Heard and Agreed at Council meeting 05.07.2023	November	Amendment Agreed. That this Council approves Option 1 as set out in this report for the installation of hydraulically operated bollards at Bank Lane Car Park, straddling the project over two financial years. Furthermore, the Car Park Capital Budget for 24/25 is reviewed during the estimates process to determine whether additional capital budget could be allocated.

575	31.07.2023	That this council notes that the number of households with homelessness status on the social housing waiting list across NI has increased from 12,431 to 26,310 households between 31 March 2013 and 31 March 2023, an increase of 111.7%; notes the enormous strain the homelessness system is under with the number of households in temporary accommodation at unprecedented levels; agrees that this council has a role to play in preventing homelessness in this borough alongside other organisations and bodies in the Public, Statutory and Voluntary sectors; calls on this Council to assess how it contributes to homelessness prevention through carrying out an audit of its services; and requests that Officers bring back a report detailing the homelessness prevention work currently supported as well as how the Council's community planning function can further support homelessness prevention work in the local area	Councillors Creighton and Moore	Council - August 2023	Community & Wellbeing Committee- September 2023		Agreed - ratified at September Council	TBC	Officers considering report to be brought back to future C&W Committee
576	01.08.2023	That this Council recognises the significant public concern created by the feud between rival organised crime groups within Ards and North Down. This feud which began in March 2023 has led to violence, criminal damage, and communities living in fear. We ask that Council contact representatives of the Talking Paramilitarism Programme including The Executive Office and Department of Justice seeking their shared engagement with Council and elected representatives focusing solutions to address this issue, and to reduce the prospect of a similar occurrence in the future. Further to this we ask the Communities in Transition Programme to broaden its remit across the Borough to help create a culture of lawfulness, and strengthen community resilience against organised crime and coercive control.	Councillors Smart & P Smith	Council - August 2023	Heard at Council August & Agreed				
577	02.08.2023	This Council condemns without reservation the threats made to District Judge Mark Hamill and the attack on Newtownards Courthouse as an attack on the rule of law which is the basis of a democratic and free society. Furthermore, this Council affirms its full support for the PSNI in investigating and bringing to justice those who have committed criminal acts within this Borough and encourages everyone to assist the legitimate authorities in this endeavour.	Aldermen McIlveen & Armstrong Cotter, Councillor Kennedy	Council - August 2023	Heard at Council August & Agreed				
		That Council task officers to bring back a report on the costing to install signage identifying the townlands of Ballyblack and Kirkistown and that officers are tasked to bring forward proposals to incorporate townland signage across our Borough.	Alderman Adair, Councillors Edmund & Kerr	Council - August 2023	Environment Committee - September 2023	Environment Committee	Agreed - ratified by September Council	To be confirmed	

579	31.08.2023	<p>This Council believes:</p> <ul style="list-style-type: none"> •education should be accessible to all who seek it and embedding a culture of lifelong learning in our society is essential to enabling people to realise their potential. •part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive and green economy. •part-time students are a unique demographic, they are more likely to have disabilities, come from disadvantaged backgrounds, have caring responsibilities, such as children or elderly relatives, and in general, be part of a 'hard to reach' group who missed out on full-time study.¹ •lifelong learning, including non-formal education, addresses social issues, strengthens communities and builds civic engagement. It is the most effective tool for meeting social policy objectives and creating positive social change. •recognises that lifelong learning must become a meaningful and developed policy area with tangible actions and outcomes, underpinned by the wealth of best practice and innovation from across the UK and Ireland. <p>This Council therefore resolves to:</p> <ul style="list-style-type: none"> •To work with the Lifelong Learning Alliance to develop a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities. •Engage with MLAs and MPs to prioritise funding for formal and informal part-time education when the Executive is formed. •Encourage MLAs to form an All-Party Group on Lifelong Learning to support an evidence and best-practice informed approach to policy making, in collaboration with adult education bodies to form a voice for Lifelong Learning in the Assembly when an Executive is formed. 	Cllrs Moore and Creighton	Council - 27 Sep 2023	Corporate Services Committee		Agreed as ammended, subject to ratification at October Council.		
580	06/01/00	That this Council, recognising its commitment as a responsible employer, and that staff are paid the current Living Wage, tasks officers to explore becoming 'Living Wage' accredited with the UK Living Wage Foundation, as well as ensuring any regularly contracted employees and workers, including those who are employed externally to deliver Council services, are paid the living wage hourly rate. It also explores becoming Living Hours and Living Pensions accredited too.	Cllrs Woods and McKee	27-Sep-23	Corporate Services Committee		Agreed subject to ratification at October Council		
581	18.09.2023	That Council notes the increasing complaints regarding the poor condition and appearance of our cemeteries across the Borough and tasks officers to bring back a report on options to improve the maintenance of our cemeteries which are places of special significance to those who have lost loved ones.	Alderman Adair, Councillor Douglas and Alderman McIlveen	27-Sep-23	Community and Wellbeing Committee		Agreed subject to ratification at October Council	TBC	Officers considering report to be brought back to future C&W Committee

NOM 185	31.08.2023	Education should be accessible to all who seek it and embedding a culture of lifelong learning in our society is essential to enabling people to realise their potential. Part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive and green economy. Part-time students are a unique demographic, they are more likely to have disabilities, come from disadvantaged backgrounds, have caring responsibilities, such as children or elderly relatives, and in general, be part of a 'hard to reach' group who missed out on full-time study. Lifelong learning, including non-formal education, addresses social issues, strengthens communities and builds civic engagement. It is the most effective tool for meeting social policy objectives and creating positive social change. Recognises that lifelong learning must become a meaningful and developed policy area with tangible actions and outcomes, underpinned by the wealth of best practice and innovation from across the UK and Ireland. This Council therefore resolves to: - To work with the Lifelong Learning Alliance to develop a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities. Engage with MLAs and MPs to prioritise funding for formal and informal part-time education when the Executive is formed. Encourage MLAs to form and All-Party Group on Lifelong Learning to support and evidence and best-practice informed approach to policy making, in collaboration with adult education bodies to form a voice for Lifelong Learning in the Assembly when an Executive is formed	Councillor Moore and Councillor Creighton	Sep-23	Corporate Services- October 2023	Corporate Services	Agreed to recommend	TBC	Letters sent to MLA's & MP's for Strangford and NDown and other Councils
NOM 186	06.09.2023	That this Council, recognising its commitment as a responsible employer, and that staff are paid the current Living Wage, tasks officers to explore becoming 'Living Wage' accredited with the UK Living Wage Foundation, as well as ensuring any regularly contracted employees and workers, including those who are employed externally to deliver Council services, are paid the living wage hourly rate. It also explores becoming Living Hours and Living Pensions accredited too.	Councillor Woods and Councillor McKee	Sep-23	Corporate Services- October 2023	Corporate Services	Agreed to recommend	TBC	Accreditation to be sought. Final minute to HR.
		That Council recognise the value of our Beaches and coastal environment to our residents and tourists alike note the new DEARA regulations for the cleaning and maintenance of our beaches and task officers to bring forward a report on cleaning and maintaining our beaches on a proactive basis in line with the new DEARA regulations to ensure our beaches continue to be a clean, safe, attractive and well-managed coastal environments.	Alderman Adair, Councillor Edmund and Councillor Kerr	Oct-23	Environment Committee - November 2023 - Community & Wellbeing Committee	Community & Wellbeing Originally Heard at Environment but then referred to Community & Wellbeing	Agreed subject to ratification at November Council	TBC	Officers considering report to be brought back to future C&W Committee
		That this council asks officers to include the repainting of the traditionally styled bus shelter (owned by council), located in Main Street Grey Abbey, in the 2024/25 maintenance budget. Furthermore Council seeks an officer's report on the feasibility of council painting the decorative Grey Abbey lamp posts (in the ownership of DFI). This is a feature of the historic village, and we understand the current shabby condition impacts not only residents of the village, but the wider tourism and regeneration potential of this scenic conservation area.	Councillor Wray and Alderman Smith	Oct-23	Environment Committee - November 2023	Environment Committee	Agreed subject to ratification at November Council		
NOM 187		That this Council, further to recent positive discussions with landowners, agrees to reexamine the April 2014 decision of North Down Borough Council to accept a gift of open space at Ambleside, Bangor, which was never completed and tasks Council Officers to bring back a report looking at (i) acquiring the land and (ii) options around future uses for the land.	Councillor Cathcart and Councillor Martin	Oct-23	Corporate Services November 2023	Corporate Services	Agreed	TBC	Final minute to go to the Lands Team