

January 25th, 2022


Notice Of Meeting

You are requested to attend the meeting to be held on **Wednesday, 26th January 2022** at **7:00 pm** in **via Zoom**.

Agenda

Agenda

(Attached)

 *C 26.01.2022 Agenda.pdf*

Page 1

- 1. Prayer**
- 2. Apologies**
- 3. Declarations of Interest**
- 4. Mayor's Business**
- 5. Mayor and Deputy Mayor Engagements for the Month of January 2022**
- 6. Minutes of Council Meeting dated 22 December 2021**

(Attached)

 *C22.12.21 Minutes PM.pdf*

Page 6

7. Minutes of Committees

(Copies attached)


7.1. Minutes of Environment Committee dated 5 January 2022

(Attached)

 *EC 05.01.22 MinutesPM.pdf*

Page 30

7.2. Minutes of Regeneration and Development Committee dated 6 January 2022

 *RDC 06.01.2022 Minutes PM.pdf*

Page 55

7.3. Minutes of Corporate Committee dated 11 January 2022

(Attached)

 *CS.11.01.22 Minutes PM.pdf*

Page 67

7.3.1. Arising from Item 9 (b) - SOLACE NI - Additional Support

(Attached)

[📄 Matter arising from CSC - Solace Additional Support.pdf](#)

Page 95

7.4. Minutes of Community and Wellbeing Committee dated 12 January 2022

[📄 12.01.2022 CWB Minutes PM.pdf](#)

Page 99

7.5. Minutes of Planning Committee dated 18 January 2022

Copy attached

[📄 Minutes PC.18.01.22.pdf](#)

Page 113

8. Consultations

8.1. Consultation from DAERA - Future Agricultural Policy Proposals for Northern Ireland

(Attached)

[📄 Item 8.1 Consultation - Future Agricultural Policy Proposals - Consultee Letter.pdf](#)

Page 174

8.2. Consultation from DoH - Advance Care Planning Policy for Adults

(Attached)

[📄 Item 8.2 Consultation - Advance Care Planning Policy for Adults in NI Public Consultation....pdf](#)

Page 177

8.3 The Executive Office - Refugee Integration Strategy

(Attached)

[📄 Item 8.3 Consultation - Refugee Integration Strategy.pdf](#)

Page 179

9. Request for Deputations

9.1. Request for Deputation from Northern Ireland Water

(Report attached)

 *Item 9.1. Deputation Request Report - NI Water.pdf* *Page 181*

 *Item 9.1 App 1 Deputation Council Meeting attendance request Dec 21.pdf* *Page 182*

10. Resolutions

10.1 Newry, Mourne and Down District Council - Notice of Motion from Down High School, Downpatrick

(Attached)

 *Item 10.1 Resolution NMD - NOM from Down High School.pdf* *Page 183*

11. Courses and Conferences

11.1 NAC UK Conference Glasgow 25-27 February 2022

(Attached)

 *Item 11 - NAC Conference - cover report.pdf* *Page 185*

 *Item 11 Appendix 1 - C&C NAC UK Conference Glasgow Booking form and agenda.pdf* *Page 186*

12. Council Response to the Department for Infrastructure Consultation on Review of Strategic Planning Policy on Renewable and Low Carbon Energy

(Attached)

 *Item 12 Response to DfI Review on Strategic Planning Policy on Renewable Low Carbon Energy.pdf* *Page 189*

 *Item 12 - App 1 - Draft response to Review on Strategic Planning Policy on Renewable Low Carbon Energy - Response Form.pdf* *Page 190*

13. Charlotte's Law Consultation Response

(Attached)

 *Item 13 - Charlotte's Law Consultation Response.pdf* *Page 196*

 *Item 13 - App 1 - Charlotte's Law Consultation Response.pdf* *Page 198*

14. Request to Light Up Council Buildings for NI Chest Heart and Stroke Association

(Attached)

[Item 14 - Request to light up Council buildings for NI Chest Heart and Stroke.pdf](#)

Page 200

15. Hybrid Council and Committee Meeting Arrangements

(Attached)

[Item 15 - Hybrid Council and Committee meetings.pdf](#)

Page 202

16. Sealing Documents

17. Transfer of Rights of Burial

18. Notice of Motion Status Report

(Attached)

[Item 18 NOM Covering Report.pdf](#)

Page 205

[Item 18.1 NOM Tracker January 2022.pdf](#)

Page 206

19. Notices of Motion

19.1. Notice of Motion submitted by Councillor Adair and Councillor Edmund

That this Council tasks officers to prepare a report assessing the recent coastal and storm damage caused to Ballywalter Harbour detailing the repair costs with a view to reinstate and repair the Harbour as soon as possible.

19.2. Notice of Motion submitted by Councillor T Smith and Councillor Brooks

That this Council recognises the great anger from residents regarding the proposed closure of Play Parks contained in the Play Strategy. This Council notes the strong public opposition from residents in Donaghadee, Groomsport, Ballywalter and beyond - including a petition signed by nearly 1,700 people as well as hundreds of letters and emails opposing the plans.

The people have spoken, and this Council must demonstrate that it listens. Therefore, we will make it clear that this Council will not close any play parks as recommended by the Play Strategy. Also, given concern around Pinks Green, the Council confirms that it has no intention of disposing of this land which is a very valuable asset for the residents of the town and the Borough.

When the Play Park Strategy was first proposed, one option was to proceed with the Strategy but without making any of the closures that the report contained. We believe this is the best way forward. We should not only maintain the parks that we have but, as laid out in the Play Strategy, build, maintain and

upgrade them for the future.

19.3 Notice of Motion submitted by Councillor Egan and Councillor Douglas

That this Council recognises the health and wellbeing benefits of Sea Swimming and therefore will write to the DAERA Minister to ask him to increase the sites in our Borough where bathing water quality is tested and the time of the year which testing occurs and officers will bring back a report detailing how Council can promote and better facilitate safe sea swimming; including consultation and engagement with swimming groups to address their needs, and promote information on the activity on a central web page.

19.4. Notice of Motion submitted by Councillor McKee and Councillor Kendall

That Council notes with concern that, since Local Government Reform in 2015, the Department for Infrastructure (and the Department for the Environment before that) has failed to commence Section 129 of the Planning Act (Northern Ireland) 2011 on the review of Old Minerals Permissions (ROMPs). Such delays in legislating for the need for historic minerals permissions to comply with robust environmental standards has already given rise to significant harm and places undue liabilities and responsibilities on public authorities resulting from repeated Ministerial decisions since 2006 not to commence ROMPs legislation.

In recognition of the considerable pressures that the implementation of ROMPs will place on the financial and staffing resources of this Council, this Council considers the imposition of these responsibilities and liabilities upon our resources as unreasonable. Therefore, this Council calls on the Minister for Infrastructure, to urgently legislate for the removal of responsibility for the implementation, administration and delivery of ROMPs from this, and all local authorities, and for her Department to implement, administer and deliver ROMPs.

19.5 Notice of Motion submitted by Councillor Greer and Councillor McRandal

Friday 25th November 2022 marks the International Day for the Elimination of Violence Against Women. I call on this Council to light up our landmark buildings in Orange on this date in support of this and to represent a brighter future free of violence against women and girls.

19.6. Notice of Motion submitted by Councillor P Smith and Councillor Blaney

Council welcomes the work completed last year by DfI on the roads and footpaths in the centre of Ballygowan and asks officers to build on this by working up proposals to further enhance the village.

19.7. Notice of Motion submitted by Councillor McKimm, Councillor Dunlop, Councillor Smart and Councillor Mathison

In light of recent events that have seen a number of refugees seeking sanctuary in the Borough and building upon this Council's good relations work in the community. This cross-party motion proposes that this Council takes the following actions.


That officers return to us at their earliest convenience a proposal for a refugee strategy, outlining amongst other issues the cross directorate working that would be required.

That the officers compile a report detailing necessary considerations, benefits, and costs, if any in Ards and North Down Acquiring "Borough of Sanctuary" status as recently attained by Belfast City Council.

Circulated for Information

a) January Housing Council Bulletin & December Housing Council Minutes (Attached)

 *CFI - Housing Council Members Bulletin - January 2022.pdf* *Page 221*

 *CFI - Housing Council Minutes 9th December 2021.pdf* *Page 223*

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

20. Minutes of Special Corporate Services Committee dated 16th December 2021

(Copy attached)

 *SpCS 16.12.21 Minutes.pdf* *Not included*

21. Ballyhaskein Public Right of Way

(Attached)

 *Item 21 - Ballyhaskein PROW Report.pdf* *Not included*

 *Item 21 - Appendix 1 - Map of Asserted PROW - Ballyhaskein.pdf* *Not included*

 *Item 21 - Appendix 2 - Map 2 of PROW Ballyhaskein.pdf* *Not included*

Invitees

Robert Adair
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Stephen Addy
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Naomi Armstrong-Cotter
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Graeme Bannister
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Craig Blaney
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Joe Boyle
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Mark Brooks
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Peter Caldwell
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Angus Carson
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Alistair Cathcart
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David Chambers
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Simon Christie
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Stephen Cooper
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Cllr Trevor Cummings
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Alison Curtis
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Andrew Dadley
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Brian Dorrian
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Karen Douglas
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Stephen Dunlop
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Nigel Edmund
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Connie Egan
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Paulene Foster
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Robert Gibson
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Jennifer Gilmour
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Deborah Girvan
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Jennifer Glasgow
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Paula Gowdy
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Gillian Greer
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Stephen Grieve
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Wesley Irvine
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Claire Jackson
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Peter Johnson
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Bill Keery
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Lauren Kendall
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Colin Kennedy
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Richard King
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David Lindsay
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Heather Loebnau
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Janice MacArthur
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Patricia Mackey
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Sharon Mahaffy
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Nigel Martin
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Nick Mathison
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Lorna McAlpine
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Carl McClean
.....
Sian McConnell-Porter
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Rosemary McCullough
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Ann McCullough
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Susie McCullough
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Alan McDowell
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Michelle McElveen
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Clare McGill
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Stephen McIlveen
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Barry McKee
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Ray McKimm
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Martin McRandal
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Moiria McVeigh
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James Menagh
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Wendy Monson
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Jan Nixey
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Ian O'Neill
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Marcus Potts
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Stephen Reid
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Rosemary Richardson
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Gillian Robinson
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Richard Smart
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Marion Smith
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Tom Smith
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Philip Smith
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Eddie Thompson
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Gavin Walker
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Colin White
.....
Jeanette Wilson
.....
Scott Wilson
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ARDS AND NORTH DOWN BOROUGH COUNCIL

20 January 2022

Dear Sir/Madam

You are hereby invited to attend a meeting of Ards and North Down Borough Council which will be held remotely via Zoom on **Wednesday, 26 January 2022 at 7.00pm.**

Yours faithfully

Stephen Reid
Chief Executive
Ards and North Down Borough Council

A G E N D A

1. Prayer
2. Apologies
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 - 8.2 Consultation from DoH – Advance Care Planning Policy for Adults (Attached)
 - 8.3 The Executive Office - Refugee Integration Strategy (Attached)
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- 9.1 Request for Deputation from Northern Ireland Water (Report attached)
10. Resolutions
- 10.1 Newry, Mourne and Down District Council – Notice of Motion from Down High School, Downpatrick (Copy letter attached)
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- 19.1 Notice of Motion submitted by Councillor Adair and Councillor Edmund
- That this Council tasks officers to prepare a report assessing the recent coastal and storm damage caused to Ballywalter Harbour detailing the repair costs with a view to reinstate and repair the Harbour as soon as possible.
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When the Play Park Strategy was first proposed, one option was to proceed with the Strategy but without making any of the closures that the report contained. We believe this is the best way forward. We should not only maintain the parks that we have but, as laid out in the Play Strategy, build, maintain and upgrade them for the future.

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21. Ballyhaskein Public Right of Way (Report attached)

MEMBERSHIP OF ARDS AND NORTH DOWN BOROUGH COUNCIL

Alderman Carson	Councillor S Dunlop
Alderman Gibson	Councillor Edmund
Alderman Girvan	Councillor Egan
Alderman Irvine	Councillor Gilmour
Alderman Keery	Councillor Greer
Alderman McDowell	Councillor Johnson
Alderman McIlveen	Councillor Kendall
Alderman Menagh	Councillor Kennedy
Alderman Smith	Councillor Mathison
Alderman Wilson	Councillor McAlpine
Councillor Adair (Deputy Mayor)	Councillor McArthur
Councillor Armstrong-Cotter	Councillor McClean
Councillor Blaney	Councillor McKee
Councillor Boyle	Councillor McKimm

Councillor Brooks (Mayor)	Councillor McRandal
Councillor Cathcart	Councillor Smart
Councillor Chambers	Councillor P Smith
Councillor Cooper	Councillor T Smith
Councillor Cummings	Councillor Thompson
Councillor Douglas	Councillor Walker

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Ards and North Down Borough Council was held remotely using Zoom on Wednesday, 22 December 2021 commencing at 7.00 pm.

In the Chair:	The Mayor (Councillor Brooks)	
Aldermen:	Carson	McDowell
	Gibson	McIlveen
	Girvan	Menagh
	Irvine	Smith
	Keery	Wilson
Councillors:	Adair	Johnson
	Blaney	Kendall
	Boyle	Kennedy
	Cathcart	McAlpine
	Chambers	McClellan (7.16 pm)
	Cooper	McKee
	Cummings	McKimm
	Douglas	McRandal
	Dunlop	Smart
	Edmund	Smith, P
	Egan	Smith, T
	Gilmour	Thompson
	Greer	Walker

Officers: Chief Executive (S Reid), Director of Organisational Development and Administration (W Swanston), Director of Finance and Performance (S Christie), Director of Regeneration, Development and Planning (S McCullough), Director of Environment (D Lindsay), Director of Community and Wellbeing (G Bannister), Democratic Services Manager (J Wilson) and Democratic Services Officer (J Glasgow)

1. PRAYER

The Mayor (Councillor Brooks) welcomed everyone to the meeting and commenced with the Chief Executive reading the Council prayer.

NOTED.

2. APOLOGIES

Apologies for inability to attend were received from Councillor MacArthur and Councillor Mathison.

An apology for lateness was received from Councillor McClellan.

3. DECLARATIONS OF INTEREST

Councillor McKimm declared an interest in the report arising from Item 6 - Portaferry Ropewalk Clarification arising from November Council Minute.

Councillor Greer declared an interest in Item 8.5 - Consultation on Draft Strategic Action Plan for Temporary Accommodation and Item 8.6 – Consultation on Draft Homelessness Strategy 2022-27.

Alderman McIlveen declared an interest in Item 8.4 - Consultation on Independent Review of Education – Initial Views and Item 8.7 - Period Products (Free Provision) Bill - Education Committee Request - Committee Stage.

Councillor Egan declared an interest in Item 8.7 - Period Products (Free Provision) Bill - Education Committee Request - Committee Stage.

4. MAYOR'S BUSINESS

The Mayor thanked Alderman Keery for organising a Charity Quiz in aid of his charities which raised in the region of £1600.

The Mayor sent best wishes to Councillor MacArthur and Councillor Adair who had been unwell with Covid-19 related issues.

Having worked in the hospitality sector for over 40 years, the Mayor stated that he was horrified by what he had seen recently throughout the Borough. He had spoken to various business owners and he felt there was a lack of direction from the NI Executive in terms of support for the business community. He recognised that the current advice remained to stay at home however he expressed his concerns regarding the impact that this was having amongst the hospitality sector in particular at a normally busy time of the year with no assistance or support having been given so far from the NI Executive.

RESOLVED, on the proposal of Alderman Irvine, seconded by Alderman Girvan, that the Mayor's comments be noted.

5. MAYOR AND DEPUTY MAYOR ENGAGEMENTS FOR THE MONTH OF DECEMBER

(Appendix I)

PREVIOUSLY CIRCULATED:- List of the Mayor and Deputy Mayor Engagements for December.

RESOLVED, on the proposal of Councillor Thompson, seconded by Councillor Edmund, that the information be noted.

(Councillor Kennedy left the meeting at this stage – 7.07pm)

6. MINUTES OF COUNCIL MEETING DATED 24 NOVEMBER 2021

PREVIOUSLY CIRCULATED:- Copy of the above.

Proposed by Alderman Irvine, seconded by Councillor Thompson, that the minutes be adopted.

On a matter of accuracy, Councillor McKimm advised that his name had been omitted from the attendance list.

RESOLVED, on the proposal of Alderman Irvine, seconded by Councillor Thompson, that the minutes, as amended, with the exception of item below be approved and adopted.

(Having previously declared an interest in the following item, Councillor McKimm was removed from the meeting – 7.08 pm)

ARISING FROM THE ABOVE - PORTAFERRY ROPEWALK CLARIFICATION ARISING FROM NOVEMBER COUNCIL MINUTE (FILE REG66/160135/RDP77)

PREVIOUSLY CIRCULATED:- Report from the Director of Regeneration, Development and Planning detailing that at the November 2021 Council meeting Councillor McKee proposed four changes to the minutes of the October Council, (pages 22-35), in relation to the Portaferry Ropewalk Update. This report provided clarification on two of these requested changes.

1. Clarification on the car parking numbers within the Business Case

Page 23 of the October Council minutes state:

The agreed business case for the proposal included the following enhancements (Option 1):

- *Additional Car Parking: proposal to create 54 additional car parking spaces (including 5 disabled), plus 2 coach parking spaces and coach turning.*

Councillor McKee outlined that he believed the statement that the approved business case referred to 54 additional car parking spaces, including 5 disabled plus 2 coach parking was factually incorrect and that the figure within the business case was 69 additional car parking spaces and 3 coach parking spaces.

This had been checked and for clarification the business case does refer to 54 additional car parking spaces and not 69; this has been explained to Councillor McKee. As outlined by the Director of Regeneration, Development and Planning, following advice from AECOM, Council agreed the number of coach parking spaces be changed from 3 to 2 to facilitate larger coaches.

2. Circa £10,000 additional maintenance costs for Option 2

Councillor McKee also requested a change to the last paragraph on page 29, of the October Council Minutes, as outlined below.

The Council's Parks and Cemetery's Manager had outlined that maintenance costs for Option 2 would be in the region of £10,000 per year.

Councillor McKee outlined that the 'Director stated in her address to council that the £10,000 maintenance would be additional, but the minutes do not say additional.' The recording has been checked and for clarification and accuracy the Director stated, 'circa £10,000 additional maintenance'.

Final agreed version of October Council minutes

Given the above clarifications, it was recommended that Council agrees the final version of the October Council minutes read as follows:

Page 23 (figure in red is correct figure to be cited)

Proposed Scheme and Rural Development Programme (RPD) Funding

The scheme proposed a significant investment in Portaferry, with the original project costs estimated at £475,000, including an RDP grant of £350,000. The agreed business case for the proposal included the following enhancements (Option 1):

- *Additional Car Parking: proposal to create 54 additional car parking spaces (including 5 disabled), plus 3 coach parking spaces and coach turning.*
- *Installation of a footpath to provide a safe walking route through the car park for all pedestrians.*
- *Refurbishment of the disused amenity block to provide three toilets – 2 unisex and 1 disabled.*
- *New lighting scheme: the pathway into the village from the top car park will be formalised and includes the installation of bollard lighting, better linking the centre with the main car parking and visitor facilities.*
- *Installation of CCTV to discourage antisocial behaviour.*
- *New NIE connection*
- *Installation of an art piece (turbine) celebrating the area's marine links.*

The original end date in the Letter of Offer was 31/12/2020, however as members would be aware this was extended to 31/03/2022 and due to the importance of the scheme DAERA agreed a further extension until the end of May 2022 to enable Council to fully review Option 2. DAERA had subsequently extended this date to 30 September 2022.

Page 29 (word in red added)

The Council's Parks and Cemetery's Manager had outlined that maintenance costs for Option 2 would be in the region of an additional £10,000 per year. That was to manage weed growth, seed germination and falling leaves in relation to the new proposed gravel surface. He had further highlighted that the gravel surface would need to be chemically treated around twice annually but he had warned that that particular method went against the Council's herbicide reduction policy.

RECOMMENDED that Council accepts the clarifications in this report and agrees to amend the October Council minutes as outlined above.

RESOLVED, on the proposal of Councilor McKee, seconded by Councillor Boyle, that the recommendation be adopted.

(Councillor McKimm was re-admitted to the meeting – 7.10 pm)

(Councillor Kennedy re-entered the meeting at this stage – 7.10pm)

7. MINUTES OF COMMITTEES

7.1 Minutes of Environment Committee dated 8 December 2021

PREVIOUSLY CIRCULATED:- Copy of the above.

Proposed by Alderman Smith, seconded by Councillor McKee, that the minutes be approved and adopted.

In respect of Item 9.1 – Notice of Motion in respect of Lucy's Law: it was proposed by Alderman McIlveen, seconded by Councillor Adair, that the Notice of Motion be amended;

In paragraph one, after "Supports the Justice for Reggie campaign" *insert* "and fully endorses their efforts through Robin Newton MLA to progress his Lucy's Law Private Members' Bill".

In paragraph three, after "proposed by Justice for Reggie Campaign" *insert* "and in the letter to the Minister for Agriculture, Environment and Rural Affairs underline our support for the Private Members' Bill being introduced by Robin Newton MLA".

Alderman McIlveen fully supported the motion as was brought forward however as Members were aware a Private Members Bill was being prepared and progressed by Robin Newton MLA in relation to the matter. He felt his amendment would send a message that this Council corporately supported the efforts of the Bill.

Councillor Adair fully supported the introduction of the Bill to bring Lucy's Law into Northern Ireland to enhance the protection for animals and mitigate against animal cruelty.

Councillor Kendall stated that her priority concern was to ensure greater protection for animal welfare and to make sure Northern Ireland had whatever was needed in place to make sure that greater protection happened. Therefore, if the amendment pushed towards that priority, then she was content to support it. Councillor Kendall asked the Members to push Robin Newton MLA to ensure the matter progressed as quickly as possible.

Councillor Egan was happy to support the amendment and the principles of Lucy's Law to help end animal cruelty. She hoped that the Bill would go through the Assembly for tougher protection for animals by the end of this mandate.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor Adair, that the motion as amended be adopted:-

That this Council notes the USPCA 'Puppy Dog Fortunes' Report recognising, with concern, the scale and seriousness of the illegal puppy trade and the abhorrent neglect, cruelty and suffering caused to animals. It reaffirms its support for Lucy's Law and supports the 'Justice for Reggie' Campaign and fully endorses their efforts through Robin Newton MLA to progress his Lucy's Law Private Members' Bill".

Accordingly, the Council resolves to write to the Minister of the Department of Agriculture, Environment and Rural Affairs, and the Minister for Agriculture, Food and the Marine in the Republic of Ireland, to express its concerns and to urge the DEARA Minister to:

Introduce Lucy's Law as a matter of urgency, enacting the necessary changes proposed by the Justice for Reggie campaign and in the letter to the Minister for Agriculture, Environment and Rural Affairs underline our support for the Private Members' Bill being introduced by Robin Newton MLA;

Raise, or give Councils the power to raise, breeder licence fees to deter the commodification of puppies via mass breeding, and create a central database of all licenced breeders across all Councils, requiring all breeders to register and a that unique identifier is assigned to each breeder;

Close the legal loophole that exists within licensing of breeding establishments, allowing individuals to breed litters from multiple breeding bitches without a license;

Make changes to microchipping, including requirement for a new unique number for puppies related to their breeder, so that puppies can be traced back to their point of origin, and a point of responsibility;

Make mandatory that all breeders arrange, and must provide documentation for veterinarian visits for newborn puppies to enable robust inspections and promote animal welfare;

And require all sellers, selling forums and/or sites, to conduct breeder verification and to ensure traceable provenance for each animal advertised and sold, and introduce higher penalties for those who break the law, to eradicate cruel breeding methods and inhumane practices.

RESOLVED, on the proposal of Alderman Smith, seconded by Councillor McKee, that the minutes, as amended, be adopted.

7.2 Minutes of Regeneration and Development Committee dated 9 December 2021

PREVIOUSLY CIRCULATED:- Copy of the above.

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

Councillor P Smith wished to raise a matter in respect of Item 24 – Covid Recovery Small Settlements Regeneration Programme in the exclusion of the public/press.

In respect of Item 15 – Portaferry Rope Walk; Councillor Boyle wished to put in record his thanks to the Director of Regeneration, Development and Planning, the Head of Regeneration and DAERA for the ongoing positive work.

(Having previously declared an interest in the matter, Councillor McKimm was removed from the meeting – 7.16 pm)

(Councillor McClean entered the meeting – 7.16 pm)

Councillor Boyle noted that the project had been a journey to date with many groups, businesses and the majority of Members supporting the scheme. Portaferry was in need of investment and he hoped that the queries being received were not delaying the process resulting in the Council missing out on funding. He looked forward to the planning process and hoped the matter could progress for the betterment of everyone in Portaferry.

NOTED.

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

(Councillor McKimm was returned to the meeting – 7.18 pm)

7.3 Minutes of Audit Committee dated 13 December 2021

PREVIOUSLY CIRCULATED:- Copy of the above.

RESOLVED, on the proposal of Councillor Douglas, seconded by Councillor Gilmour, that the minutes be adopted.

7.4 Minutes of Corporate Committee dated 14 December 2021

PREVIOUSLY CIRCULATED:- Copy of the above.

Proposed by Councillor Egan, seconded by Alderman Irvine, that the minutes be adopted.

In respect of Item 11 - Draft Environment Strategy Consultation; Alderman McIlveen noted that the Council had engaged Sustainable NI to draft responses on the Council's behalf in relation of the Environment Strategy and Climate Change legislation. He had a concern that the Council were potentially paying a lobby group to prepare responses on the Councils behalf and that this may be undermining the consultation process. The response should portray the Council's voice and the impact that aspects would have within the Borough.

NOTED.

RESOLVED, on the proposal of Councillor Egan, seconded by Alderman Irvine, that the minutes be adopted.

7.5 Minutes of Community and Wellbeing Committee dated 15 December 2021

PREVIOUSLY CIRCULATED:- Copy of the above.

Proposed by Councillor Thompson, seconded by Councillor Johnson, that the minutes be adopted.

In respect of Item 13 - Greenways Network Project Update; Proposed by Councillor Egan, seconded by Councillor Douglas, as an amendment, that the recommendation be adopted and furthermore that a commitment is given to undertake full public consultation on the proposed routes including public information sessions. Officers will bring back a comprehensive report detailing the outcome of the consultation with the full range of options outlined on the way forward.

Councillor Egan advised that at the Committee meeting she welcomed the initial amendment that had been brought forward by Councillor T Smith and Councillor Kendall and as a Council it was recognised that public consultation was crucial to any project that was taken forward. It was visible through the amount of responses and lobbying that had been received in respect of the Greenways Project that there was great interest in the project. Upon reflection she felt the initial amendment could be strengthened further, the consultation needed to be meaningful and the Council needed to get it right. She explained that her amendment requested that a comprehensive report be brought back following the further engagement so that Members could be clear on the number of people consulted and their views. Many Members had received questions and concerns from users of the coastal path on the planning application, the process and the proposed works to the existing route. Unfortunately, Councillor Egan was of the view that the Council had not got it right in relation to the consultation process. It was a huge project that would be significant to many people and it was therefore important that the views were heard. In the report that was to be forthcoming from Officers Councillor Egan stated that she would like it to detail the way forward to resolve the matter and to ensure there was support from the users.

Councillor Douglas advised that there had been a wide variety of views expressed. The project had been discussed for some time and she felt there had not been enough information shared in the public domain. For any project of this size to be successful appropriate, regular and clear communication was required. She welcomed the promotion of workshops and opportunities for the public to engage to have clear information available where people could view the plans and ask their questions. There were issues surrounding environmental impact and she felt it would be good to have a series of opportunities available for people to ask their questions and feel that they were being listened to.

Referring to the number of emails that she had received regarding the project, Alderman Smith was in agreement and felt that constituents needed a better voice. There were too many questions that remained unanswered.

Councillor McKimm advised that there had been great concern regarding the matter and in particular when the details were advertised on the planning portal there was great shock within the community. He expressed disappointment that views had often been dismissed as ill-informed as that was not the case.

(Alderman Carson withdrew from the meeting – 7.29pm)

(Councillor Chambers withdrew from the meeting – 7.30 pm)

Continuing, Councillor McKimm thanked the Director for the response to his questions which he had emailed. He advised that he had received 91 separate questions. The previous consultation process had not gone far enough and he hoped there would be further opportunity to engage. He wondered if there was a need to withdraw the application to make amendments to the project to ensure that it reflected the needs of the community.

Alderman Wilson advised that he had spoken to many people regarding the project and there were a number of concerns and questions that needed addressed. He thanked the Director for responding to his questions including putting an FAQ on the website however despite those efforts a number of questions remained and people felt their voice had not been heard. The amendment would provide the opportunity for the Council to further engage.

(Councillor Boyle withdrew from the meeting – 7.32 pm)

Alderman Irvine stated that there had been significant public interest and he was in agreement with the amendment. He hoped that the consultation would be as robust as possible and that the further report would allow the Council to make a clear and concise judgement on the way forward and to achieve as much community buy in as possible.

(Councillor Boyle re-entered the meeting – 7.33 pm)

(Alderman Carson re-entered the meeting – 7.34pm)

Councillor Cathcart noted that the North Down Coastal Path Greenway was an active planning application. In that regard he urged caution and asked for guidance to be made available for Members of the Planning Committee. He did not feel it was appropriate for any member of the Planning Committee to comment or attend the consultation events.

Councillor Kendall supported the proposal and highlighted the need for a community co-design approach to ensure buy-in and that people had a say.

Councillor Blaney felt that somewhere in the process the Council had not communicated effectively with the public in respect of the project. He had received

multiple emails in respect of the matter even in respect of the basics e.g. where was the funding coming from. The Council had not got the fundamentals right or managed the project particularly well on this occasion.

Councillor P Smith stated that he was going to make comments however on the basis of Councillor Cathcart's intervention he asked the Chief Executive if it was appropriate at this stage for members of the Planning Committee to make comment.

The Chief Executive advised that the advice for the Planning Committee within the Code of Conduct was quite clear in that Members of the Planning Committee were not permitted to make any statement that was an indication of their determination on an application. However, they were permitted to discuss the project with constituents, objectors, applicants etc but were not allowed to make a statement on their position until the Officers report had been presented to the Planning Committee.

On that basis, Councillor P Smith did not wish to comment further.

Councillor Edmund asked how many people responded from the North Down area of the Borough to the initial consultation. The Director of Community and Wellbeing was unsure if there was of a breakdown on the location of the respondents. At the pre-application stage for the application held in 2017 there had been hundreds of respondents.

Councillor Edmund was interested to see how many people were for and against the Greenways. The Director advised that the people that had responded listed themselves as objectors or supporters. At that time a report was brought to Committee detailing that information.

In relation to the pre-application, Alderman McIlveen questioned if Planning would have advised at that stage if the consultation undertaken was full, robust and met the requirements of the Planning Act. The Director confirmed that would have been a requirement for the submission of the application and a certain threshold for community consultation would have been required to have been met.

Following on, Alderman McIlveen assumed that part of that pre-application would have set out the different steps and measures that had been taken to provide a full consultation, listing the public meetings held, advertising etc. The Director confirmed that a certain threshold of community consultation had to be detailed and met as part of the pre-application stage. Alderman McIlveen felt that some Members had the impression that no engagement had taken place and he wished to place on record that public engagement had taken place. He was happy to support the amendment and undertake the additional consultation.

RESOLVED, on the proposal of Councillor Egan, seconded by Councillor Douglas, as an amendment, that the recommendation be adopted and furthermore that a commitment is given to undertake full public consultation on the proposed routes including public information sessions. Officers will bring back a comprehensive report detailing the outcome of the consultation with the full range of options outlined on the way forward.

In respect of Item 6 - Byelaw Prohibiting Non-assistance dogs in North Down Museum; Alderman Smith welcomed the wider review of the byelaws however noted that could be a very slow process to achieve a result. She explained that she had spoken with the Director some months ago about dogs being allowed into the courtyard of the coffee shop at the North Down Museum.

She clarified that dogs being permitted inside the actual Museum coffee shop was never raised or queried and it was the courtyard area was the area of concern. Alderman Smith advised that she had been approached as to why people were encouraged to walk around the beautiful and tranquil area of the Town Hall but dogs were not permitted into the courtyard while they were having a cup of coffee or lunch but under very similar circumstance could do so in the Walled Garden. She realised that the Walled Garden café was equally welcoming and was a short walk away but people had arrived at the courtyard to simply relax and enjoy refreshments but had been sadly turned away because they had their dog. Alderman Smith was of the understanding, that the history was that there was a byelaw created when the Museum opened and had been in place for the last 37 years, this byelaw would have to go through Council to be changed. The byelaw was for the Museum and courtyard and she was unsure at the time when the byelaw was introduced if the courtyard area was seated. Alderman Smith advised that some 12 years ago a trial was undertaken to allow the Courtyard to be open for dogs however unfortunately a dog left a mess and a child put their hand in it which brought the trial to a conclusion. The owner of Coffee Cure had built up a valuable asset to the building and naturally was upset when he had to refuse entrance to people with their dogs. Alderman Smith stated that she was not on the Community and Wellbeing Committee so could not make any comments however was pleased to read that Alderman Irvine had also been contacted with similar concerns from constituents. A request had been made at the Committee for a timeline to be brought back as well as details of a further trial. Alderman Smith asked for that information to be brought back to Council as quickly as possible to allow for the matter to progress.

Councillor Cathcart stated that this was a prime example of a byelaw that required a review. In relation to the trial, he asked if there was an indication of timescale. In response the Director of Community and Wellbeing advised that the position remained as what had been reported at the Committee. Once the timescale for the review of the byelaws was confirmed then the trial could be introduced.

NOTED.

RESOLVED, on the proposal of Councillor Thompson, seconded by Councillor Johnson, that the minutes be adopted.

8. CONSULTATIONS

8.1 Consultation on Charlotte's Law (Appendix II)

PREVIOUSLY CIRCULATED:- Copy correspondence in respect of the above consultation. Consultation available at <https://www.justice->

ni.gov.uk/consultations/consultation-charlottes-law. Closing date for responses 7 February 2022.

Proposed by Councillor Egan, seconded by Councillor Douglas, that Council responds to the consultation on Charlottes Law, refer the item to the relevant Committee and agree for the Dorrian family to present a deputation to the next Committee in order to shape the Council's response.

Speaking to the proposal, Councillor Egan stated that Charlotte's Law was significant in the context of this Borough with the Dorrian family who had been campaigning for this for a long time. The Dorrian family had been affected by the disappearance of their daughter and sister, Lisa. Councillor Egan stated that she had been in contact with the Dorrian family and they would like to present to Council. As a Council she felt it was really important that the Council supported the Dorrian family in their campaigns to find Lisa and Charlotte's Law. She welcomed the opportunity for the Dorrian family to present at the next Committee meeting, to have their views heard and shape the Council's response to the consultation.

Councillor Douglas stated that no family should have to go through the horrors of having no body to grieve. The least this Council could do was to hear from the family affected and ensure that the Council submitted a full and robust response to the consultation.

Alderman Irvine agreed that it was very important that the Council responded to the consultation. The Dorrian family had continued a long search for the body of their beloved Lisa. Alderman Irvine supported the proposal and hoped the legislation could be brought forward in the NI Assembly.

Councillor P Smith was happy to support the proposal, he noted the deadline for the consultation was 7 February 2022 and hoped that would provide time to hear from the family and for the Council to make a response accordingly. The consultation sought to bring forward Charlotte's Law which was the equivalent to Helen's Law in England where a woman was sadly murdered and when the murderer was convicted, they would not disclose the location of the body adding further hurt to the relatives. Councillor P Smith hoped the Council could support the bringing forward of the law in Northern Ireland meaning that anyone convicted of murder and concealing the location of the victim's body would be treated as an aggravating factor before any sentencing and thereby placing the crime in the very serious murder category. Though he noted that the baseline sentence for murder was 15 years and he viewed that sentence as a poor state of affairs.

Alderman Smith supported the introduction of Charlotte's Law. She spoke of the Dorrian family and their bravery and the dignity of their campaign.

Councillor Egan thanked Members for their comments and the need to support the Dorrian family who had been through unimaginable pain. The family had run a dignified campaign to try and find Lisa and were campaigning for a law that affected people across Northern Ireland. Councillor Egan felt it was crucial that the Council supported the family in any way that it could.

RESOLVED, on the proposal of Councillor Egan, seconded by Councillor Douglas, that Council respond to consultation on Charlottes Law, refer the item to the relevant committee and agree for the Dorrian family to present a deputation to the next Committee in order to shape our response.

(Councillor Kendall withdrew from the meeting – 7.59 pm)

8.2 Consultation on secondary legislation to further commence and implement the requirements of the Reservoirs Act (Northern Ireland 2015)
(Appendix III)

PREVIOUSLY CIRCULATED:- Copy correspondence in respect of the above consultation. Consultation available at <http://www.infrastructure-ni.gov.uk/publications/reservoir-safety-legislation-commence-and-implement-reservoirs-actni-2015>. Closing date for responses 23 January 2022.

The Mayor advised that Officers were reviewing the consultation and would intend on preparing a draft response. Given the deadline of 23 January 2022, the Mayor sought a proposal that the Planning Committee who was meeting on 18 January 2022 be given delegated authority to issue the response.

(Councillor Kendall re-entered the meeting – 7.59 pm)

Councillor Cathcart stated that the failure of the Reservoirs Act was hindering economic development resulting in serious consequences within the Borough. It was a consultation that the Council should be responding to and was therefore happy to propose.

On seconding the proposal, Alderman McIlveen noted the impact the Act had on numerous planning applications throughout the Borough and it was therefore important that the matter be dealt with quickly.

Councillor P Smith was content for the consultation to be referred to the Planning Committee. The consultation detailed that ‘the act referred to proportionate regulation’ and through experiences as a Council the word proportionate was one which the Department needed to firmly ponder.

RESOLVED, on the proposal of Councillor Cathcart, seconded by Alderman McIlveen, that the consultation document be referred to the Planning Committee for a draft response to be prepared and that delegated powers be awarded to the Committee for the response to be issued.

8.3. Consultation on Implementing Due Diligence on Forest Risk Commodities
(Appendix IV)

PREVIOUSLY CIRCULATED:- Copy correspondence in respect of the above consultation. Consultation available at <https://consult.defra.gov.uk/international->

[biodiversity-and-climate/implementing-due-diligence-forest-risk-commodities/](#).

Closing date for responses 11 March 2022

RESOLVED, on the proposal of Councillor Kendall, seconded by Alderman Irvine, that the Consultation be noted

(Having previously declared an interest in the item, Alderman McIlveen was removed from the meeting)

8.4 Consultation on Independent Review of Education – Initial Views.
(Appendix V)

PREVIOUSLY CIRCULATED:- Document available at <https://www.independentreviewofeducation.org.uk/>. Closing date for responses 4 February 2022.

(Councillor Kennedy withdrew from the meeting – 8.01 pm)

RESOLVED, on the proposal of Alderman Irvine, seconded by Alderman Girvan, that the Consultation be noted.

(Alderman McIlveen was returned to the meeting)

(Having previously declared an interest in the following two items (8.5 and 8.6) Councillor Greer was removed from the meeting)

8.5 Consultation on Draft Strategic Action Plan for Temporary Accommodation.
(Appendix VI)

PREVIOUSLY CIRCULATED:- Document available at <https://www.nihe.gov.uk/Working-With-Us/Partners/Consultations>. Closing date for responses Tuesday 25 January 2022.

RESOLVED, on the proposal of Councillor Douglas, seconded Alderman Girvan, that the consultation be noted.

8.6 Consultation on Draft Homelessness Strategy 2022-27
(Appendix VI)

PREVIOUSLY CIRCULATED:- Copy correspondence in respect of the above. Document available at <https://www.nihe.gov.uk/Working-With-Us/Partners/Consultations>. Closing date for responses Tuesday 25 January 2022

RESOLVED, on the proposal of Councillor McKimm, seconded by Alderman Irvine, that the consultation be noted.

(Councillor Greer was returned to the meeting – 8.01 pm)

(Having previously declared an interest in the following item, Alderman McIlveen and Councillor Egan were removed from the meeting – 8.01 pm)

8.7 Period Products (Free Provision) Bill - Education Committee Request - Committee Stage.
(Appendices VIII - IX)

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational Development and Administration attaching Overview of Bill and consultation and Draft Council Response. The report detailed that the Committee for Education was leading the Committee Stage of the Period Products (Free Provision) Bill. The Committee had asked the main Departments involved and made subject to the duties set out in the Bill to provide a response to the proposals. Given that may impact local government should the duty to provide products be extended to Councils, the Department for Communities (DfC) had written to the Council to seek its views on the Bill. The response was based on Council's previous consideration of the issue of period poverty.

DfC have requested responses be provided directly to the Education Committee by 23 December. Therefore, if Council agrees to issue the response, it would be issued on Wednesday 23 December, with Officers advising that it remained subject to the 5 day call-in period.

RECOMMENDED that Council agrees to issue the response to the Period Products (Free Provision) Bill attached to the report.

The Mayor advised that the request was received in relation to the Education Committee evidence only on 15 December 2021 and asked for responses by 23 December 2021. As a result of the request, Officers had reviewed the documentation and prepared a report which had been uploaded to Decision Time earlier that day.

Proposed by Councillor Douglas, seconded by Councillor P Smith, that the recommendation be adopted.

Councillor Douglas thanked the Officers for the timely response and she felt it was important to note the trial that the Council had conducted was based on a Notice of Motion which she had brought forward in November 2018. The Notice of Motion requested that the Council looked at a pilot scheme providing free period products and that the Council write to the Minister of Education. Unfortunately, the Minister of Education at that time was not persuaded to provide free period products within Schools, Colleges and Universities. Councillor Douglas wished to put on record her thanks to Tina McDonald and the Homeless period project who had worked tirelessly on the issue of having a dignified period and accessing period products in a timely manner. She hoped with the Bill that free period products would be made widely available.

Councillor P Smith was content with the response and welcomed the more targeted placement rather than the blanket approach within every site on the Council's estate. He also referred to the issue around cost which could be relatively minimal or if vending machines were put in place the cost would increase. In that regard he

expressed the need to query with the Department whether if the legislation was brought would cost support be provided.

RESOLVED, on the proposal of Councillor Douglas, seconded by Councillor P Smith, that the recommendation be adopted.

(Alderman McIlveen and Councillor Egan were returned to the meeting – 8.05 pm)

9. DEPARTMENT FOR COMMUNITIES - ADVANCE NOTICE OF LISTING - OLD PRESBYTERIAN CHURCH, 1A MAIN ROAD, CLOUGHEY, BT22 1GB (FILE 160051)

(Appendices X, XI)

PREVIOUSLY CIRCULATED:- Report from the Chief Executive attaching Letter from DfC and Consultation Report. The report detailed that the Historic Environment Division of the Department for Communities (DfC) had written to the Council to seek views on the proposed listing of the Old Presbyterian Church at 1a Main Road, Cloughey. If the Council did not return a response by 14 January 2022, the Department would assume the Council agreed to the listing of the building.

RECOMMENDED that the Council considers whether it wishes to respond to the Department for Communities' consultation on the proposed listing of the Old Presbyterian Church at 1a Main Road, Cloughey.

Proposed by Councillor Adair, seconded by Councillor McKimm, that this Council respond to the DfC consultation supporting the listing of the Old Presbyterian Church, 1a Main Road, Cloughey.

Councillor Adair welcomed the advance notice to list the Old Presbyterian Church in Cloughey. He paid tribute to the work of Clifford Donell who started the Cloughey Heritage Group two years ago. For many years there had been great sadness that the building had no longer been used and it had fallen into a state of disrepair. Since the formation of the Heritage Group work had been done on the roof to secure the building. The group had been working hard to get funding and had been successful securing funding to undertake a feasibility study on the future of the building. He welcomed the listing of the historic building for preservation for future generations.

Councillor McKimm noted that the Church was relatively untouched. He stated that four levels of grading could be applied when listing the building bringing restrictions inside and/or outside. Ideally, Councillor McKimm stated that he hoped that the response would propose a grading no higher than 2 which would leave the inside being able to be adapted for community and other uses. The grading would be applied against 4 criteria; culture, social, aesthetic and community and it would be appropriate that the Councils response would take account of each of those criteria. Councillor McKimm felt it would be of value to ascertain the views of the local community on the potential repurposing. He asked what had been the extent of the consultation that had taken place with the community leaders in respect of repurposing and how would the facility sit within the culture and tourism plans of the Borough.

The Director of Regeneration, Development and Planning advised that the Head of Regeneration, Head of Planning and herself had met with the Group on site and had discussed with them their ambitious plans to restore the building back to use for the community. The plans and the vision that the Community Group outlined were to make the building not just a space for the community but they were exploring a coffee area, interpretation and be able to run Arts and Theatre events. It would therefore sit well with the Community Plan along with the Integrated Tourism and Development Strategy and the Arts and Heritage Plan.

Councillor Edmund welcomed the proposal and felt it would be a great asset to the community.

Councillor Thompson welcomed the proposal and was pleased to see the work of the Group progress. The community were excited by the plans and hoped much more could be done to enhance the tourism and culture offering.

Alderman Carson added his support to the proposal.

Councillor Boyle welcomed the proposal and noted the enthusiasm of the Group. The building had a great historical value and noted that considerable funding would be required.

Councillor Adair advised that the Group had consulted widely and had received over 200 responses on the use for the building with the majority of respondents wishing to see an historic community facility with a possible coffee shop maintaining the sensitives to the adjoining graveyard.

RESOLVED, on the proposal of Councillor Adair, seconded by Councillor McKimm, that this Council respond to the DfC consultation supporting the listing of the Old Presbyterian Church, 1a Main Road, Cloughey.

10. DEPARTMENT FOR COMMUNITIES - ADVANCE NOTICE OF LISTING - TELEPHONE KIOSK, KEARNEY ROAD, KEARNEY, PORTAFERRY, BT22 1QQ (FILE 160051)

(Appendices XII, XIII)

PREVIOUSLY CIRCULATED:- Report from the Chief Executive attaching Letter from DfC and Consultation Report. The report detailed that the Historic Environment Division of the Department for Communities (DfC) had written to the Council to seek views on the proposed listing of the telephone kiosk at Kearney Road, Kearney, Portaferry. If the Council does not return a response by 14 January 2022, the Department would assume the Council agrees to the listing of the building.

RECOMMENDED that the Council considers whether it wishes to respond to the Department for Communities' consultation on the proposed listing of the telephone kiosk at Kearney Road, Kearney, Portaferry.

Proposed by Councillor Adair, seconded by Alderman Girvan, that the Council respond to the DfC consultation supporting the listing of the telephone kiosk at Kearney, Portaferry

Councillor Adair welcomed the request noting that the red telephone boxes were historic and any of those remaining should be preserved for future generations. He referred to telephone boxes in Greyabbey, Kircubbin and Portaferry which could be given future consideration.

Councillor Boyle supported the recommendation and preserving the red telephone boxes.

RESOLVED, on the proposal of Councillor Adair, seconded by Alderman Girvan, that the Council respond to the DfC consultation supporting the listing of the telephone kiosk at Kearney, Portaferry.

11. HOME SAFETY EQUIPMENT - REGIONAL TENDER ARRANGEMENTS (CW6)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that The reduction of accidental deaths and injury in the home was a non-statutory function of great importance, as every week, two people or more die in Northern Ireland as a result of an accident in the home, and more accidents occur in the home than on the roads and in the workplace combined.

The 11 Councils provided Home Safety Checks to target those most at risk of a home accident – babies and children under five, people over 65 and other vulnerable groups at greater risk (e.g., mental, physical or sensory impairment, economic deprivation, etc.).

As part of this service, Home Safety Officers provide equipment to help prevent accidents. To provide consistency in service provision, quality of equipment, value for money and ease of procurement, it was agreed in 2017 to undertake a regional procurement exercise for the provision of home safety equipment and produce a framework agreement for future purchases.

Procurement Request

Armagh City, Banbridge and Craigavon Borough Council (ABCBC) took the lead in the first regional tender for home safety equipment which commenced in March 2018 and expires in February 2022. ABCBC have indicated that they do not have capacity to re-tender. Ards and North Down Borough Council have been asked to consider taking the lead with the new tender and our Procurement team were willing to provide the necessary assistance. This process needs to be completed urgently to minimise the time period between the end of the existing tender and the start of the new one.

The provision of the framework document for home safety equipment had greatly simplified equipment purchasing in the last 3 years as well as afforded an opportunity for bulk purchase savings (tender is based on the proposed collective

ordering from all 11 Councils) and an updated document would continue to provide efficiency savings.

The work to evaluate the tender content (update product specifications in line with consumer safety standards, etc) had already been completed and there would be no cost to Council for the procurement process other than officer time. At present, the Council provided a shared home safety service for Lisburn and Castlereagh City Council and the Down area of Newry, Mourne and Down District Council and therefore was responsible for purchasing equipment to service these areas as well as our own. The scheme was 45% funded by the Public Health Agency.

The time investment in the tender process would be offset by the time otherwise spent having to consider each batch of equipment individually by each individual Council or Council cluster. A single tender process therefore represented savings in both time and money over the duration of the framework agreement.

RECOMMENDED that Council agrees to take the lead in the Tender for Home Safety Equipment on behalf of the 11 Councils to provide a regional framework agreement.

RESOLVED, on the proposal of Councillor Greer, seconded by Councillor Kendall, that the recommendation be adopted.

12. DELEGATED AUTHORITY DFC COVID FUNDING (FILE CDV28/CDV50)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that Members would be aware that Council was awarded £103,062.06 By the Department of Communities (DFC) through the Councils Community Support Programme (CSP) for Community Development and Advice Services response to Covid. In addition, there was circa £104,000 remaining from last year's Transition Funding, which was rolled forward to 2021-2022, specifically for initiatives that fit with "Food and Essential Supplies".

Almost all of the funding was awarded by Council in September 2021, but there was a small unspent balance in both funds totalling £14,403.50.

- CSP Community Development and Advice Services £5,341.44
- Food and Essential Supplies £9,062.06

It was proposed that the remaining balance of £5,341.44 was awarded to Community Advice Ards and North Down to enable them to retain their trainee advisors.

It was further proposed that the remaining balance under Food and Essential Supplies, was split equally between the 3 main food banks, to help with the expected increase in demand post-Christmas:

- Ards £3,020.68
- Bangor £3,020.68

- Storehouse £3,020.68

The Department had recently indicated that the Financial Inclusion Fund Phase II, totalling £53,599 was going to be made available to Council, to be committed in the current financial year. The purpose of the Financial Inclusion Fund was educational - to help build financial resilience and improve overall financial wellbeing through access to good quality advice and skills to support effective money management, linking into holistic debt advice services.

Officers have been in discussion with DfC to explore how best to utilise the funding for the above purpose and a further report would be brought to Members early in the New Year.

RECOMMENDED that Council approves the awards outlined in this report.

Proposed by Councillor P Smith, seconded by Councillor Cummings, that the recommendation be adopted.

Councillor P Smith welcomed the allocation of the £14k to the advice services and the food banks which would sadly be further well utilised in the weeks ahead. Councillor Cummings stated that the advice services and the food banks had played a crucial role throughout the pandemic both in terms of their distribution and follow up support. Those services were a valued partner in particular when the Borough had witnessed a dramatic increase in the uptake of emergency food parcels. He commended the advice staff and the volunteers within the food bank who had been resolute in supporting at risk families across the Borough.

Councillor T Smith supported the recommendation and stated that it was unfortunate that the advice services and the food bank would be well used this year. Touching on the comments made by the Mayor at the start of the meeting he noted there would be staff within the hospitality sector that would have to avail of these services. Businesses were really struggling since the introduction of the vaccine passports and in that regard expressed his disappointment and frustration with the lack of support available for businesses.

RESOLVED, on the proposal of Councillor P Smith, seconded by Councillor Cummings, that the recommendation be adopted.

13. SEALING DOCUMENTS

RESOLVED: - (On the proposal of Councillor Edmund, seconded by Councillor Douglas)

THAT the Seal of the Council be affixed to the following documents:-

- a) Right of Burials Nos 14062 – 14085

14. TRANSFER OF RIGHTS OF BURIAL

The following transfer applications were received;

Comber Cemetery Section 19 Grave 58
Clandeboye Section PX Grave 6564

(Councillor Kennedy re-entered the meeting - 8.29 pm)

RESOLVED, on the proposal of Alderman Carson, seconded by Councillor Douglas, that the above transfers be approved.

15. NOTICE OF MOTION STATUS REPORT (CG12172) (Appendix XIV)

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational Development and Administration attaching a Status Report in respect of Notices of Motion.

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

RECOMMENDED that the Council notes the report.

RESOLVED, on the proposal of Councillor Thompson, seconded by Councillor Douglas, that the recommendation be adopted.

(Councillors Blaney and T Smith withdrew from the meeting – 8.30 pm)

16. NOTICES OF MOTION

16.1 Notice of Motion submitted by Councillor Kendall and Councillor Dunlop

This Council recognises and acknowledges the potential symptoms and impacts experienced during peri-menopause and menopause, and will treat all staff fairly and equally, with dignity and respect, whilst seeking to improve their wellbeing, comfort and general health.

Furthermore, council officers will introduce a policy that shows commitment to supporting the wellbeing of our workforce by ensuring appropriate support is available to anyone experiencing symptoms or impacts associated with menopause.

RESOLVED, on the proposal of Councillor Dunlop, seconded by Councillor Kendall, that the Notice of Motion be referred to the Corporate Committee.

16.2 Notice of Motion submitted by Councillor Thompson and Councillor Edmund

That this Council recognises the need for an additional park and ride to serve the Ards Peninsula and agrees to lobby Translink and the Department of Infrastructure to seriously consider this facility, which would further reduce vehicle movements within the Borough and assist our residents to continue to reduce the Borough's carbon footprint.

RESOLVED, on the proposal of Councillor Thompson, seconded by Councillor Edmund, that the Notice of Motion be referred to the Corporate Committee.

16.3 Notice of Motion submitted by Councillor Greer and Councillor McAlpine

That this Council includes funds for an additional resource to deal with Public Rights of Way as part of the Estimates process for 2022/23.

RESOLVED, on the proposal of Councillor Greer, seconded by Councillor McAlpine, that the Notice of Motion be referred to the Corporate Committee.

16.4 Notice of Motion submitted by Councillor McKee and Councillor Boyle

That this Council recognises that an unprecedented number of workers have lost, or are at risk of losing their jobs due to the Covid-19 pandemic; acknowledges that workers who lose their jobs should be entitled to fair compensation and due process; is concerned that companies are using the Covid-19 crisis to by-pass collective redundancy consultation processes and are adopting the 'fire and rehire' approach to re-employ workers on worse terms and conditions; and calls on the Minister for Economy to bring forward legislation that strengthens redundancy protections for workers to protect against 'fire and rehire' and delivers on the New Decade New Approach Agreement employment commitments to improve worker's rights and entitlements.

RESOLVED, on the proposal of Councillor McKee, seconded by Councillor Boyle, that the Notice of Motion be referred to the Corporate Committee.

Circulated for Information:

- (a) LGBC Letter to Chief Executives of Councils
- (b) Housing Council December Bulletin and Housing Council Minutes dated 11 November 2021
- (c) Kircubbin Post Office

NOTED.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Councillor Adair, seconded by Councillor McKimm, that the public/press be excluded during the discussion of the undernoted items of confidential business.

**MINUTES OF REGENERATION AND DEVELOPMENT COMMITTEE
DATED 9 DECEMBER 2021 CONTINUED...**

*****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)

**17. TENDER FOR THE SUPPLY AND DELIVERY OF CYCLE
EQUIPMENT**

*****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)

**18. AMENDMENT TO STANDING ORDER 23 (CALL-IN)
(Appendices XV - XX)**

*****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)

19. LISA DORRIAN MEMORIAL BENCH

*****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)

**20. LEASE FOR PREMISES AT 3 PARK DRIVE, BANGOR
(Appendix XXI)**

*****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)

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED TO RECOMMEND, on the proposal of Councillor McClean, seconded by Councillor Douglas, that the public/press be re-admitted to the meeting.

The Mayor wished all Members a Merry Christmas.

TERMINATION OF MEETING

The meeting terminated at 9.09 pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Environment Committee was held remotely via Zoom on Wednesday, 5 January 2022 at 7.00 pm.

PRESENT:

In the Chair: Alderman M Smith

Alderman: Carson
Wilson

Councillors: Armstrong-Cotter Johnson
Cathcart Kendall
Cummings McAlpine
Douglas McKee
Edmund Smart
Greer

Officers:- Director of Environment (D Lindsay), Head of Waste and Cleansing Services (N Martin), Head of Assets and Property Services (P Caldwell), Head of Regulatory Services (S Addy) and Democratic Services Officer (H Loebnau)

WELCOME

The Chair, Alderman M Smith, wished everyone a Happy New Year and informed the committee that Councillor MacArthur remained unwell and therefore she would chair the meeting.

1. APOLOGIES

Apologies were received from Councillors MacArthur and Boyle.

2. DECLARATIONS OF INTEREST

Alderman Wilson declared an interest in Item 4 - Review of Commercial Waste Service Charges.

NOTED.

3. Q2 SERVICE PLAN PERFORMANCE REPORTS

3.1 ASSETS AND PROPERTY SERVICES

(Appendix I)

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that Members would be aware that the Council was required, under the Local

Government Act 2014, to have in place arrangements to secure continuous improvement in the exercise of its functions. To fulfil that requirement the Council approved the Performance Management Policy and Handbook in October 2015. The Performance Management Handbook outlined the approach to Performance Planning and Management process as:

- Community Plan – published every 10-15 years
- Corporate Plan – published every 4 years (Corporate Plan Towards 2024 in operation)
- Performance Improvement Plan (PIP) – published annually (for publication 30 September 2021)
- Service Plan – developed annually (approved April/May 2021)

The Council's 17 Service Plans outlined how each respective Service would contribute to the achievement of the Corporate objectives including, but not limited to, any relevant actions identified in the PIP.

Reporting approach

The Service Plans would be reported to relevant Committees on a quarterly basis as undernoted:

Reference	Period	Reporting Month
Quarter 1 (Q1)	April – June	September
Q2	July – September	December
Q3	October – December	March
Q4	January - March	June

The report for Quarter 2 2021-22 was attached.

Key points to note:

- As noted last quarter, the bio-fuel trial could not proceed as costs rose considerably. That fuel type had been included in the Council's recent fuel supply tender (reported last month), so officers would review once the new tender was in place.
- Roadside audits still could not be completed due to Covid-19 considerations (it required the Transport team to enter the cab).
- First time PSV pass rate slightly below target, but that was due to fewer tests being carried out over summer and just one failure noted.

Key achievements:

The following property refurbishment schemes were completed:

- Cloughey toilets
- Spafield extension toilets.
- Town Hall asbestos removal

RECOMMENDED that the Council notes the report.

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

3.2 REGULATORY SERVICES

(Appendix II)

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that Members would be aware that the Council was required, under the Local Government Act 2014, to have in place arrangements to secure continuous improvement in the exercise of its functions. To fulfil that requirement the Council approved the Performance Management Policy and Handbook in October 2015. The Performance Management Handbook outlined the approach to Performance Planning and Management process as:

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Reference	Period	Reporting Month
Quarter 1 (Q1)	April – June	September
Q2	July – September	December
Q3	October – December	March
Q4	January - March	June

The report for Quarter 2, 2021-22 was attached.

Key achievements:

- Building Control was extremely busy and was meeting the increased demand and was therefore generating a larger than expected income. The Neighbourhood Environment Team continued to be considerably understaffed during Q2 but through the hard work of officers it continued to deliver on its outcomes. That was a similar picture for the Licensing Department which also faced the increased demand of interpreting changing legislation and guidance

from the NI Executive. Staff right across Regulatory Services had performed extremely well in Q2 to meet those demands.

Emerging issues:

- The 'after use' surveys that all Regulatory Service users received had an extremely low uptake. That was important as the four customer service objectives used that data to report on performance. That was despite many attempts to encourage and make as easy for people to access and fill out the survey.

Action to be taken:

- The Service Plan for 22/23 was currently being developed and early discussions were looking at more meaningful and qualitative ways to accurately gauge customer service performance.

RECOMMENDED that the Council notes the report.

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

3.3 WASTE AND CLEANSING SERVICES

(Appendix III)

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that Members would be aware that the Council was required, under the Local Government Act 2014, to have in place arrangements to secure continuous improvement in the exercise of its functions. To fulfil that requirement the Council approved the Performance Management Policy and Handbook in October 2015. The Performance Management Handbook outlined the approach to Performance Planning and Management process as:

- Community Plan – published every 10-15 years
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Reporting approach

The Service Plans would be reported to relevant Committees on a quarterly basis as undernoted:

Reference	Period	Reporting Month
Quarter 1 (Q1)	April – June	September
Q2	July – September	December
Q3	October – December	March
Q4	January - March	June

The report for Quarter 2 2021-22 was attached.

Key points to note:

- The Covid-19 Pandemic continued to have an impact on the delivery of Waste and Cleansing services. Those included social distancing measures, staff availability, increased waste arisings, increased litter and litter bin collections.
- Covid-19 restrictions had also meant that few face-to-face meetings with employees could take place and with limited access to computers, virtual meetings were difficult, especially with a large workforce, spread across multiple sites.

Key achievements:

- 100% delivery of waste collection services during the quarter.
- Enhanced collection service for street litter bins and the provision of seasonal litter bins in a number of litter "hotspots" helped manage the problem of overflowing litter bins, over the summer months.

Emerging issues:

- Towards the end of the quarter, there was evidence that the spike in waste arisings may have plateaued.
- A number of waste contracts were due for renewal in the next 12–18 months and with limited availability of waste disposal/treatment facilities, gate fees were anticipated to increase significantly.
- There had been a marked increase in vandalism and anti-social behaviour incidents, especially in relation to public conveniences.

Action to be taken:

- Continue to update and modify service delivery in line with Covid-19 regulations and restrictions.

RECOMMENDED that the Council notes the report.

Proposed by Councillor Greer, seconded by Councillor Edmund that the recommendation be adopted.

Councillor Greer had a general query in respect of waste and cleansing and wondered if there was a contingency plan being put in to place to protect the service from the very high prevalence rates of Covid-19 in the community which could well lead to staff absence through illness or isolation.

In response the Director informed the Committee that a contingency plan had been put in place and had carried over from a similar position earlier in the pandemic when staff were redeployed from less critical services within the Council. Those same staff were on standby and could be called as and when necessary and it was accepted that some other services could suffer temporarily. Councillor Greer urged officers to maintain good communication with residents of the Borough through social media if pressures arose over the coming weeks.

Councillor McKee was pleased to note that the spike in waste collection arisings may have plateaued, and he asked for further detail on that. The Head of Waste and Cleansing Services informed the meeting that in September 2021 there had been a plateauing noticed and since then the following months had shown a definite downward trend.

Councillor Douglas expressed concern about the increase in vandalism in public toilets and asked officers what measures were being put in place to mitigate against that. The Head of Waste and Cleansing Services explained that when public toilets were being designed there was an attempt to design out what could be vandalised to make the facilities as resistant to that crime as possible. The intensity of efforts to vandalise was outlined, and vandals often used hammers and crowbars in their determination to destroy public property; the officer was at a loss as to how that could be overcome since the criminals would need to be caught in the act. Councillor Douglas suggested that the Council should look to other areas and learn from good practice to see if anything could be done.

The Chair, Alderman M Smith, asked if the vandalism of Council property was reported to the police and the Director explained that acts of criminal damage were routinely reported to the police. He added that the only fool proof way to make the toilets safe would be to have them manned around the clock but that would be unaffordable given the spread of those facilities across the Borough.

Alderman Carson informed the meeting that often the vandalism was carried out in the evenings after the toilets had been locked. The Head of Waste and Cleansing Services agreed that it was a mix of both internal and external vandalism. In one incident the criminals broke through a window and forced doors open.

The Chair finished by praising the 100% waste collection target over what had been a difficult period and she congratulated officers on that achievement.

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

(Having declared an interest in Item 4 Alderman Wilson left the meeting at 7.20 pm)

4. REVIEW OF COMMERCIAL WASTE SERVICE CHARGES

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that the Council's commercial waste collection charges had remained unchanged since April 2020, partly as a result of the significant impact the Covid-19 pandemic had on the sector, with many businesses closed during the various lockdowns. With

the Council facing a number of above inflation gate fee increases for waste contracts (landfill, waste haulage, landfill tax and organics), it was proposed to apply a 5% increase to the current charges, to help meet the additional financial pressures on the service.

The following table listed the proposed revised charges:

Proposed Revised Commercial Waste Charges for 2022 - 2023

Commercial Residual Waste (Grey Bin)

Container size	Current charge	Proposed Charge from 1 April 2022
140 litre	£3.50	£3.65
240 litre	£6.50	£6.80
360 litre	£8.00	£8.40
660 litre	£13.00	£13.65
1100 litre	£18.00	£18.90

Commercial Waste – Mixed Dry Recyclables (blue bin)

Container size	Current charge	Proposed Charge from 1 April 2022
240 litre	£2.00	£2.10
360 litre	£3.00	£3.15
660 litre	£5.00	£5.25
1100 litre	£9.00	£9.45

Commercial Waste – Food Waste (Brown/Green bin)

Container size	Current charge	Proposed Charge from 1 April 2022
240 litre	£3.50	£3.70

Commercial Waste – Glass (Red bin)

Container size	Current charge	Proposed Charge from 1 April 2022
240 litre	£2.50	£2.60

RECOMMENDED that the Council applies the above revised commercial waste service charges for 2022/23.

Proposed by Alderman Carson, seconded by Councillor Greer, that the recommendation be adopted.

Alderman Carson enquired what the gross increase was in the charges and the Head of Waste and Cleansing indicated that 5% of an estimated total income of £600K represented an overall increase of around £30K.

Councillor Greer asserted that Ards and North Down Borough Council liked to keep costs low but referred to the pressures that had been faced across that Directorate and therefore it appeared that the costs looked minimal, and she supported the Council's need to cover its costs.

Councillor Cathcart thought that it was unfortunate to be speaking of price increases although he recognised that 5% was roughly in line with inflation. He asked how competitive the public sector was in providing the service against the charges made by the private sector. In response the Member was informed that the Council was entitled to apply a reasonable cost to cover the expenditure that it incurred providing the service. It was difficult to measure that against the private sector since those charges were often difficult to obtain, but it was believed that the Council's charges were competitive, and it was estimated that around 30-40% of businesses in the Borough used the Council to collect commercial waste.

Councillor Edmund expressed his thanks to the Head of Waste and Cleansing and while he agreed that the Council needed to meet its costs it was good that the increase would be relatively modest.

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

(Alderman Wilson was readmitted to the meeting at 7.27 pm).

5. LETTER FROM DFI MINISTER – HELEN'S BAY
(Appendices IV & V)

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that further to a meeting convened by the DAERA Minister in relation to issues arising at Helen's Bay/Crawfordsburn, officers were asked to write to the DfI Minister requesting a response to earlier correspondence that had been sent by the Council on the matter.

A letter was issued by the Chief Executive and a letter of reply had now been from the Minister's office.

RECOMMENDED that the report be noted.

Proposed by Councillor Kendall, seconded by Councillor Johnson, that the recommendation be adopted.

Reading the correspondence Councillor Kendall expressed her disappointment that nothing positive or proactive seemed to have come from the meeting. The letter from the Department showed unwillingness to deal with the issue and would do nothing to address the problem. She hoped the new year would bring renewed efforts for the people living in the areas which were badly affected.

Councillor Johnson gave his support to what Councillor Kendall had said and shared the frustration that the Department did not appear to be taking the matter seriously. He called for a multi-agency approach to be continued to reach a workable solution.

Councillor Greer explained that she had received emails from residents over the weekend about the same matters and considered that it might be good to meet with the Department again to explain the nightmare which some of the Borough's residents were experiencing. She agreed that the response from DfI was disappointing and she acknowledged that the Council was also waiting for further information from DAERA in relation to byelaws.

The Chair, Alderman M Smith, was dissatisfied with the Department's response and pointed out that Easter and Summer 2022 were not really far off and that neither the Council nor residents in those areas wanted to see a repeat of the previous summer chaos. She read parts of the Department's letter and stated that much of it was meaningless and a repainting of yellow lines would not solve the problem. She suggested that the Council expressed that disappointment in a further response to the Department.

Proposed by Councillor Greer, seconded by Councillor Johnson that the Council reply to the Minister's letter asking, if the yellow lines were simply a repainting of what was already there and what further proposals would be put in place to ease the problem.

Councillor Greer urged haste on the matter since she was conscious of the Northern Ireland Assembly elections in the Spring. The Director explained that the Council was constrained by the call-in period but that a response would be prepared as quickly as possible.

AGREED TO RECOMMEND, on the proposal of Councillor Greer, seconded by Councillor Johnson, that the recommendation be adopted and that the Council reply to the Minister's letter asking, if the yellow lines were simply a repainting of what was already there and what further proposals would be put in place to ease the problem.

6. ON STREET RESIDENTIAL CHARGE POINT SCHEME (Appendices VI & VII)

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that in April 2021, a report was brought to the Committee on the subject of electric vehicle charging infrastructure.

As highlighted in the report, the UK government had established a capital grant funding scheme for installation of On Street Residential Charge Points. That was a UK wide £20M grant pot administered by the Office for Zero Emission Vehicles (OZEV), and the scheme had been extended into 2021. It was only available to Local Authorities and the funding available was for 75% of the capital costs of procuring and installing on-street residential charge points and associated dedicated

parking bays (where applicable), in line with OLEV technical specifications. It was understood that whilst NI Local Authorities could, like all other UK local authorities apply to the ORCS, central government departments such as the Department for Infrastructure (Dfi) could not.

<https://www.gov.uk/government/publications/grants-for-local-authorities-to-provide-residential-on-street-chargepoints/grants-to-provide-residential-on-street-chargepoints-for-plug-in-electric-vehicles-guidance-for-local-authorities>

Whilst Council officers had welcomed any measures aimed at facilitating the transition to electric vehicles by as many people as quickly as possible, they had concerns about a number of issues in relation to the balance of roles and responsibilities in facilitating the transition. The fact that the ORCS was available to local authorities in the UK was reflective of the fact that in Great Britain, Councils were the statutory roads authorities; they owned and controlled the streets where the installation of the on-street residential charging infrastructure was to be installed under the ORCS. It was understood that NI Councils could apply for funding from the ORCS to install residential charge points in public car parks (rather than on a residential street itself), provided the car park was located in a residential area where there was demand for residential electric vehicle charging and there was 24/7 access.

Council officers had liaised with Sustainable Northern Ireland (SNI) in relation to that hugely important strategic issue. The Executive Director of SNI wrote to the Dfi Minister recently, highlighting some of the concerns about the delivery of a comprehensive, efficient and effective electric vehicle charging network that was accessible to all. Probably the most important concern raised, was the lack of an NI 'strategy' or 'plan' on electric vehicle/charging infrastructure roll out.

Recently, the Dfi Minister had responded in relation to the matter, by way of establishing a £350k package of support towards the 25% match funding requirement for Councils that were successful in attaining ORCS grants. Additionally, the Dfi Minister recently announced at the COP26 Transport Day that she would be establishing a new Electric Vehicle Infrastructure Task Force; this was greatly welcomed and was something that we had called for to ensure an appropriately strategic/integrated approach to that vital subject area.

[Sync NI - Mallon announces new Electric Vehicle Infrastructure task-force for Northern Ireland at COP26 Transport Day](#)

NI Electric Vehicle Consortium

The NI EV Consortium Working Group was established in 2021 to facilitate the improvement of NI Councils' electric vehicle Charge Point Infrastructure. That working group was contributing to the Councils' objective to net zero carbon in line with Government targets.

The scope of the EV NI Consortium Working Group was to create and develop a knowledge-based approach and share best practice from other UK and EU cities. Many of those cities had successfully implemented EV Charge point infrastructures within their local areas and the working group could benefit from those experiences.

Working Group membership was open to a number of public stakeholders such as ten Councils across Northern Ireland, Department of Infrastructure, NI Housing Executive and Sustainable NI. The Working group members would act as a key point of contact within their respective organisations, with the aim to share knowledge and best practice. A database of membership was maintained by Derry City and Strabane District Council.

Regular meetings would enable NI Councils/stakeholders to work together to prioritise the actions to progress the strategic development of electric vehicle charge point infrastructure in Northern Ireland. Each meeting would focus on key actions, with guest speakers on presenting on relevant topics.

ORCS Application

Derry City and Strabane District Council was currently collating a list of potential electric vehicle charge point sites from all Council areas within the Consortium.

Ards and North Down Borough Council had submitted a list of fifteen suitable Council car park sites, located widely across the Borough in Bangor, Newtownards, Holywood, Comber, Donaghadee, Groomspoint, Portaferry and Kircubbin. Council officers had focussed upon suitable Council owned car parks, as those were deemed to be electric vehicle charge point sites that were most readily deliverable by the Council with the minimum of impediments and timeframes required.

That list was compiled following discussions with all relevant Service Units including Assets and Property and Licensing and Regulatory Services. Key considerations in those discussions were: proximity to residential properties that do not have access to off street parking (and therefore convenient home electric vehicle charging options), size of car park and if the location was already serviced by charge points and/or was on the list as a potential location for the EU Interreg FASTER project ([The Faster Project - Sustainable Transition to EV's \(fasterevcharge.com\)](https://www.fasterevcharge.com)).

The list was now with NIE to assess feasibility and current infrastructure suitability.

Once all Councils had submitted locations and NIE had approved them, it was hoped that an application to the ORCS Fund would be completed in February 2022 and submitted on the Consortium's behalf by Derry City and Strabane Council. If successful a joint collaborative tender would follow, again led by Derry City and Strabane. The aim was that that process would be completed by March/April 2022.

Update reports on that initiative would be brought to Members in due course.

RECOMMENDED that the Council notes this report.

Proposed by Councillor McKee, seconded by Councillor Armstrong-Cotter, that the recommendation be adopted.

Councillor McKee welcomed the report and was encouraged to see almost all the Councils working together on the initiative. He hoped that it would help to drive tourism into the Borough.

Councillor Armstrong-Cotter hoped that that fifteen charge points suggested for the Borough were well spread across it to serve everyone. She encouraged the Council to continue to think big and look to other providers such as supermarkets and individual businesses. She congratulated the Director and his team for the work that had been done to date.

Councillor Douglas sought further clarity on the fifteen sites being suggested and asked if there would be only one charging point at each of those. The Director explained that whilst those sites indicated would be included in the collective bid, he urged caution stating that there was only £20M available through the ORCS fund for the entire United Kingdom and that that was not a lot of money. He welcomed that the DfI Minister had promised help to complete the funding of any bid that was successful and would provide the required 25% match funding to complete the work. He indicated that the Council could get all the funding it was applying for but equally it could get only some or even nothing at all, and it was proposed there would be one charger at any approved site. However, it was good strategically for Northern Ireland Councils to come together for the bid – which he felt gave it the best chance of being successful.

The Director went on to explain that the provision of public charging points filled a gap; whilst many residents would have their own charging point on their own properties, not every home would have that luxury of being able to charge off street. As a public authority the Council recognised there was an equity issue in terms of accessibility to electric vehicle charging infrastructure across the population.

The purpose of the report being brought before Members was to keep them appraised of the process as it progressed. The Council was pushing doors to get a fair share of the potential pot of money which could be given to Northern Ireland.

Councillor Cathcart asked how moveable the infrastructure would be if that was indeed necessary in the future. The Director explained that at each site the Council would need to be satisfied that it would be a viable placement for the medium to long term. It would be possible to relocate chargers if required, although that would of course incur cost.

Taking that point further Councillor Cummings referred to the proposed site at Comber and he was aware that the Council had earmarked that for investment and redevelopment in the years to come. Members were informed that if the Council took the decision to redevelop any area that had a charging point, it would be a case

of incorporating the cost of moving that infrastructure into the capital planning for that site.

Referring to Alderman Carson the Director explained that much of the application process was a technical assessment based on criteria that was set out in the scheme. Alderman Carson also raised the funding that would be available for charging points under the East Border Region. The Director was aware of that and stated that the Council would have several irons in the fire to get all the funding that was available, since the provision of electric charging infrastructure for motor vehicles would be a very important issue over the coming decade.

Councillor Kendall welcomed the Council's intention to keep open to all possible funding sources but wondered what would happen if the bids were unsuccessful. It was recognised that there was currently a serious lack of provision of charging points within the Borough within tourist hotspots and in residential areas. The car park strategy had identified where those should be placed to facilitate visitors. There would be mounting pressure on the government over the coming years to provide more of those facilities to keep up with growing demand, but if funding bids were unsuccessful, it would then be a decision point for the Council as to whether ratepayer funds should be invested in such infrastructure.

Councillor Greer welcomed the report and was pleased to see that the Council was exploring other funding options for electric vehicles and asked about the pricing issue that had arisen at Cairn Wood. The meeting was informed that the Council's Licencing Manager had raised that matter; it was deemed to be a readily resolvable issue and the Council would continue to lobby the Department to be able to levy a reasonable charge for use of the EV charge points by the public.

Proposed by Councillor Greer, seconded by Alderman Carson that the Council write to DfI to put pressure on it to provide clarification on the pricing model.

Councillor Smart was happy to support the recommendation and the amendment and commended officers for doing all that could be done to get the infrastructure in place to meet the urgent need.

AGREED TO RECOMMEND, on the proposal of Councillor Greer, seconded by Alderman Carson, that the recommendation be adopted and that the Council write to DfI to put pressure on it to provide clarification on the pricing model.

7. BUILDING CONTROL ACTIVITY REPORT QUARTER 2 (1 JULY 2021 TO 30 SEPTEMBER 2021)

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that the information provided in the report covered, unless otherwise stated, the period 1 July 2021 to 30 September 2021. 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

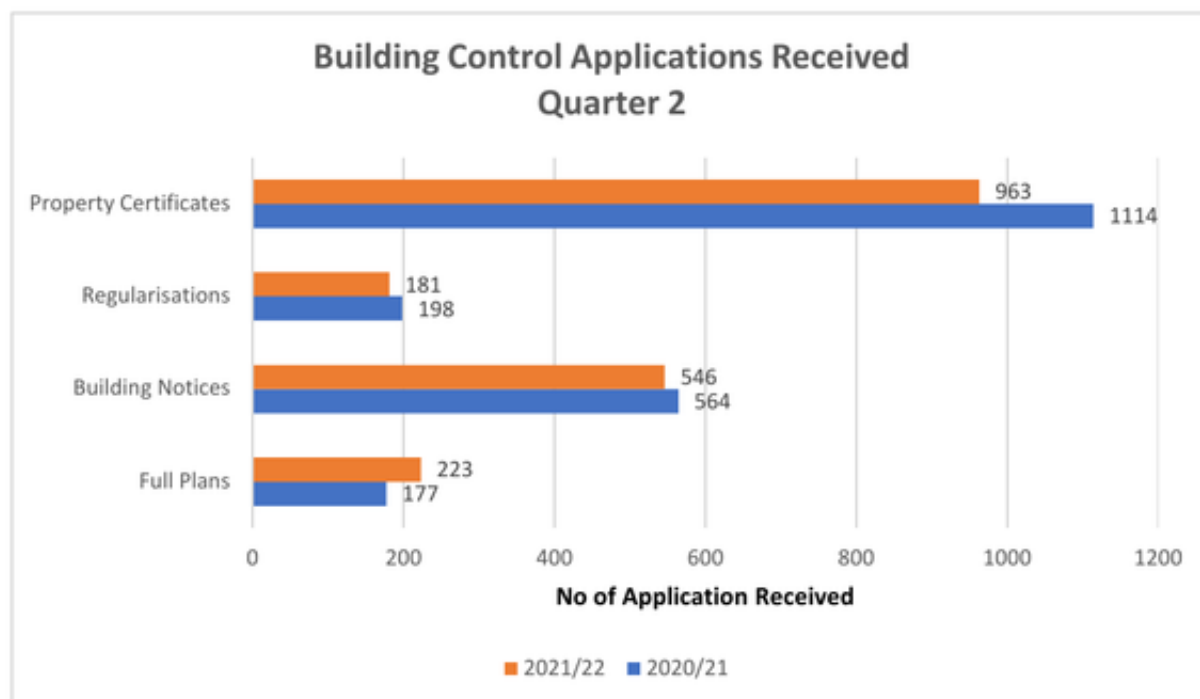
Full Plan applications were made to Building Control for building works to any commercial building, or for larger schemes in relation to residential dwellings.

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.

	Period of Report 01/07/2021 – 30/09/2021	Same quarter last year	Comparison
Full Plan Applications	223	177	
Building Notice Applications	546	564	
Regularisation Applications	181	198	
Property Certificate Applications	963	1114	



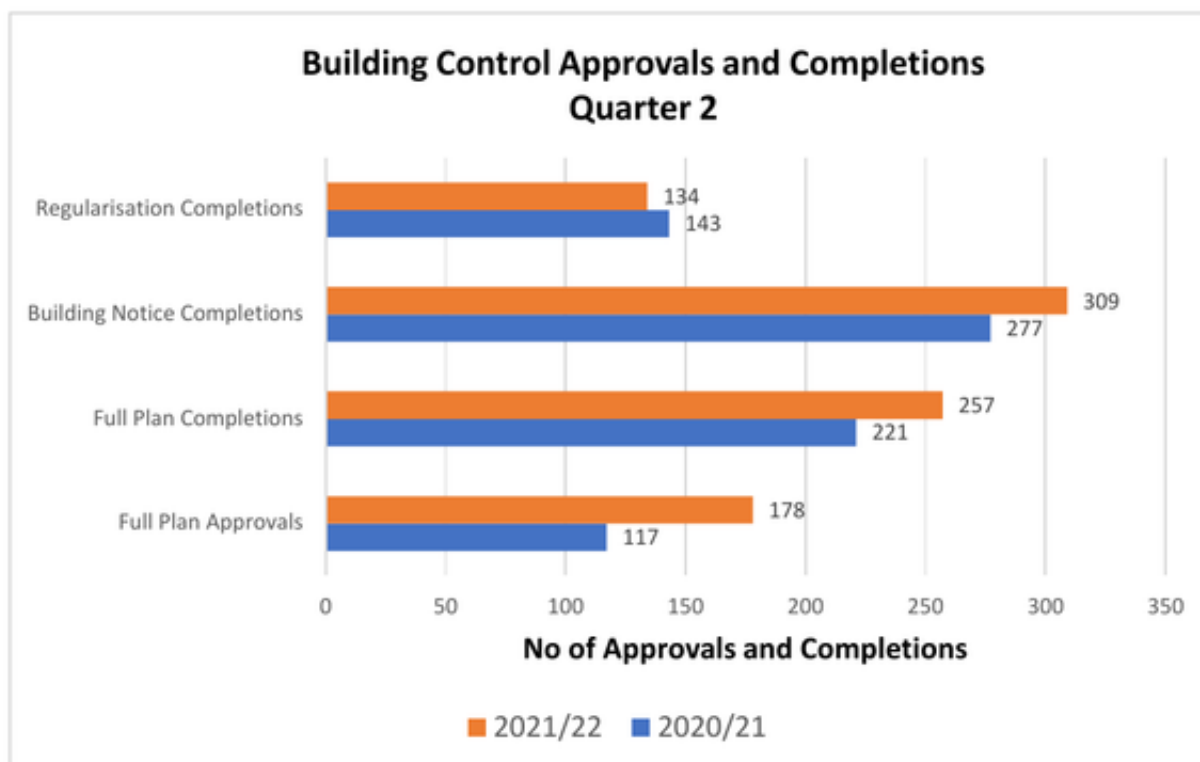
The number of Full Plan applications received was very much determined by the economic climate, any changes in bank lending or uncertainty in the marketplace may cause a reduction in Full Plan applications. There was no internal means to control the number of applications received.

Regulatory 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.

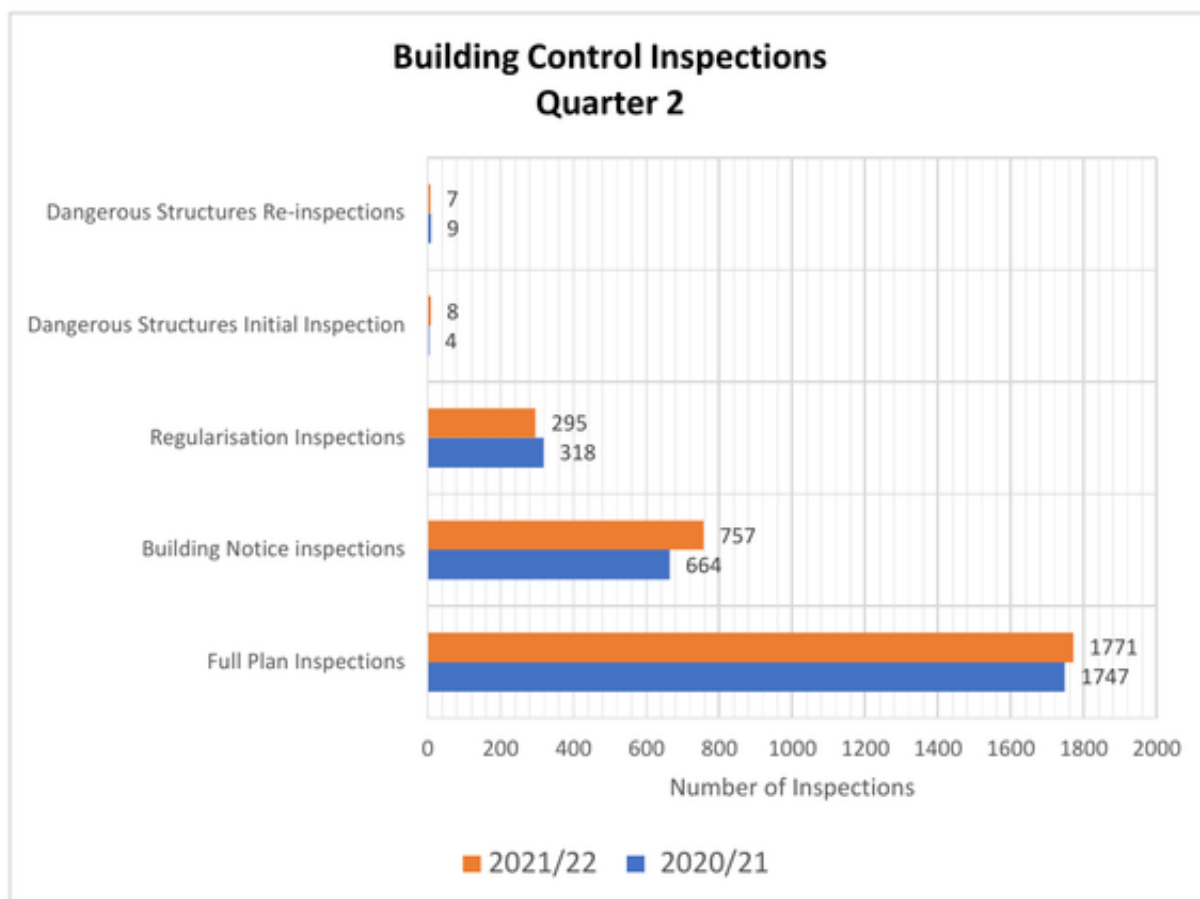
	Period of Report 01/07/2021 – 30/09/2021	Same quarter last year	Comparison
Full Plan Approvals	178	117	↑
Full Plan Completions	257	221	↑
Building Notice Completions	309	227	↑
Regularisation Completions	134	143	↓



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.

	Period of Report 01/07/2021 – 30/09/2021	Same quarter last year	Comparison
Full Plan Inspections	1771	1747	↑
Building Notice Inspections	757	664	↑
Regularisation Inspections	295	318	↓
Dangerous structures initial inspection	8	4	↑
Dangerous structure re-inspections	7	9	↓
Total inspections	2838	2742	↑

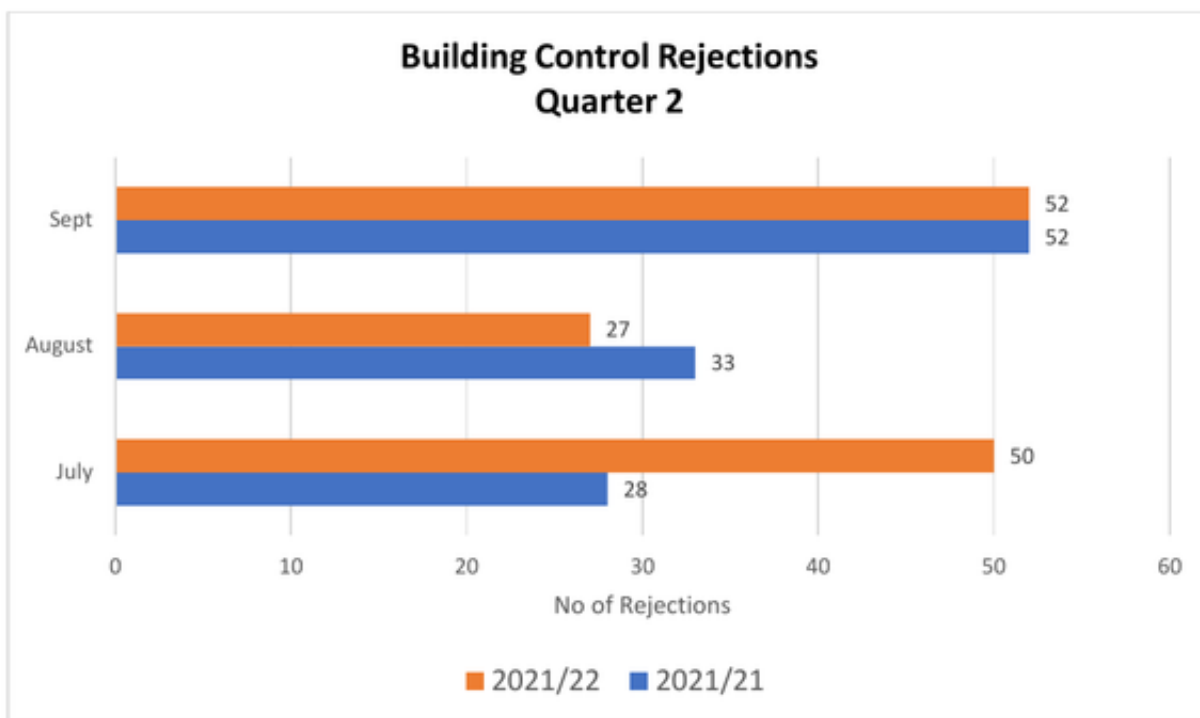


Non-Compliance

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.

	Period of Report 01/07/2021 – 30/06/2021	Same Quarter last year	Comparison
Full Plan Rejection Notice	129	113	
Dangerous Structure Recommended for legal action	0	0	
Court Cases	0	0	

Other	0	0	
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RECOMMENDED that the Council notes the report.

Proposed by Councillor Cathcart, seconded by Councillor McKee, that the recommendation be adopted.

Councillor Cathcart referred to processing times and he considered that it would be useful if that information could be brought to the committee. The Head of Regulatory Services agreed that that would be possible and would ask the Head of Building Control to provide such additional detail in future quarterly activity reports.

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

8. LICENSING SERVICE ACTIVITY REPORT QUARTER 2 (1 JULY 2021 TO 30 SEPTEMBER 2021)

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that the information provided in the report covered, unless otherwise stated, the period from 1 July to 30 September 2021. The aim of the report was to provide Members with details of some of the key activities of the Licensing Service, the range of services it provided along with details of level of performance.

Applications Received

The Service dealt with a wide range of licensing functions which required the officers to consult with the PSNI, NIFRS and a range of other internal Council Sections in making their assessment of an application.

	Period of Report 01/07/21 – 30/09/21	Same quarter last year
Entertainment Licence	50	4
Cinema Licence	1	0
Amusement Permits	2	1
Marriage and Civil Partnership Place Approval	2	1
Pavement Café Licence	4	13
Street Trading Licence	1	2
Lottery Permits	0	1

Most of the licences issued were for renewals and hence the workload was constant year on year. Renewing a licence still entailed considerable work to assess the application and consult with the other bodies.

Regulatory Approvals

That was the number of licences, approvals and permits that had been processed and issued.

	Period of Report 01/07/21 – 30/09/21	Same quarter last year
Entertainment Licence	37	1
Cinema Licence	0	0
Amusement Permits	3	0
Marriage and Civil Partnership Place Approval	1	6
Pavement Café Licence	0	2
Street Trading Licence	2	0
Lottery Permits	0	1

Inspections

The Service normally carried out a range of inspections in connection with the grant and renewal of licences to establish if the premises were suitable. In some cases, officers inspected with the NIFRS.

Due to the Covid-19 crisis all entertainment in premises had stopped. Whilst premises continued to apply for the grant and renewal of licences officers had not been able to enter any licensed premises to carry out inspections.

Town Centre CCTV

The Council currently operated 18 cameras in Bangor, Holywood and Newtownards with the control room located in Bangor. They were manned for 40 hours per week; the remainder of the week the cameras were recording from a fixed position.

During the period of the report 7 incidents were recorded and reported to the PSNI by the CCTV operator:

Offence Recorded	Bangor	Holywood	Newtownards	Total
Assaults	3		1	4
Theft	1		2	3

Off Street Car Parking

Whilst the car parks were in use again, they had not returned to their previous levels due to the Covid-19 restrictions.

Table: Income from Ticket Sales

	Period of Report 01/07/21 – 30/09/21	Previous year
Income from ticket sales	£178,423	£146,744

Table: PCN's Issued

	Period of Report 01/07/21 – 30/09/21	Same quarter last year
Bangor	405	312
Holywood	276	186

Newtownards	432	345
Total	1113	843

RECOMMENDED that the Council notes the report.

Proposed by Councillor Edmund, seconded by Councillor Douglas, that the recommendation be adopted.

Councillor Douglas asked for clarification on the hours that the CCTV system was manned. The Head of Regulatory Services agreed to provide that to the Member directly once he had checked on the detail.

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

9. GRANT OF ENTERTAINMENT LICENCES

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that the Council agreed in November 2021 that up until 31 December 2021 Council Officers could grant entertainment licenses without referring them to Committee, subject to compliance with all necessary requirements. That was to ensure premises that had delayed applying for a licence could be facilitated to operate through the Christmas period.

The following licences were issued in line with the temporarily amended policy.

1. The Guillemot, 2 Seacliff Road, Bangor

Applicant: Rachel Armstrong, Groomsport Road, Bangor

Days and Hours: Monday – Sunday 11.00am –10.30pm

Type of entertainment: Indoor dancing, singing and music

2. The Marine Court Hotel, Bangor

Applicant: Mr Eamon Diamond, Bangor Road, Holywood

Days and Hours: The permitted hours in which intoxicating liquor can be sold or consumed on those premises under the Licensing Order (NI) 1996 (as amended).

Type of entertainment: Indoor dancing, singing and music, a theatrical performance; a public contest match, exhibition or display of boxing, billiards, snooker, or a similar game.

3. Ards and North Down Borough Council – Community Facilities

- Manor Court Hall
- Ballygowan Village Hall
- Marquis Hall
- Alderman George Green Hall
- Redburn Community Hall
- Conlig Community Hall
- Market House (First Floor)
- Groomsport Boat House
- Queens Hall
- Donaghadee Community Centre
- Carrowdore Community Centre
- Kircubbin Community Centre
- Portavogie Community Centre
- Kilcooley Community Centre
- Skipperstone Community Centre
- Green Road Community Centre
- West Winds Community Centre

Applicant: Ards and North Down Borough Council

Days and Hours: Monday – Sunday 9:00 am - 1:00 am

Type of entertainment: A theatrical performance, dancing, singing or music or any other entertainment of a like kind. Any entertainment which consists of, or includes, any public contest, match, exhibition or display of - boxing, wrestling, judo, karate, or any similar sport; billiards, pool, snooker, or any similar game; darts.

4. The Town Hall, The Castle, Bangor

Applicant: Ards and North Down Borough Council

Days and Hours: Monday – Sunday 9:00 am - 1:00 am

Type of entertainment: A theatrical performance, dancing, singing or music or any other entertainment of a like kind. Any entertainment which consists of, or includes, any public contest, match, exhibition or display of - boxing, wrestling, judo, karate, or any similar sport; billiards, pool, snooker, or any similar game; darts.

5. Ards and North Down Borough Council, North Down Museum

Applicant: Ards and North Down Borough Council

Days and Hours: Monday – Sunday 9:00 AM - 1:00 AM

Type of entertainment: A theatrical performance, dancing, singing or music or any other entertainment of a like kind. Any entertainment which consists of, or includes, any public contest, match, exhibition or display of - boxing, wrestling, judo, karate, or any similar sport; billiards, pool, snooker, or any similar game; darts

Comment

All the above premises had previously held an entertainment licence, but due to the Covid restrictions had not renewed them.

There were no structural changes to any of the premises and no objections were received from the PSNI, NIFRS or the public.

RECOMMENDED that the Council notes the report.

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

10. ENTERTAINMENT LICENCE PROSECUTION UPDATE

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that a prosecution against Circus Vegas for providing entertainment at Ballymacormick Road, Bangor on the 15 May 2019 had been concluded with the Circus accepting a Formal Caution and paying the Council's legal fees.

This matter arose following the Circus providing entertainment at a site on the Ballymacormick Road, Bangor from the 14 – 19 May 2019. They had previously applied for a licence on 29 March 2019 but had not completed the application and the Council had not issued a licence.

RECOMMENDED that the Council notes the report.

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

11. CAR PARKING ORDER UPDATE

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that the Council agreed the Car Parking Strategy in June 2021 and Officers had been progressing the implementation of the various strands within it as advised to the Committee in December.

An important element to secure the full implementation of the Strategy was the redrafting of the Off Street Car Parking Order but following discussion with other Councils and the receipt of legal advice from the Council's Solicitor it was clear that there was a deficiency in the current legislation. That related to the fact that the Council could make a new Order but did appear to have the authority to repeal the existing Order or any Orders made in the future; only the Department could legally do that.

A new Ards and North Down Off-Street Parking Order had been drafted but following legal advice it could not be progressed at this time.

Legislative context

When the Off Street Car Parks were transferred to the Council in 2015, a number of pieces of legislation were amended to permit Councils to continue to enforce and manage the car parks.

The Road Traffic Regulations (NI) Order 1997 was amended to give Councils the authority to provide car parks, appoint Parking Attendants and enforce the rules within the car parks.

The Traffic Management (NI) Order 2005 was also amended so that the Council could issue PCNs for parking offences. They did not however amend article 42 of the Order which would give the Council the authority to revoke Orders. The power appeared to remain with the Department for Infrastructure.

The Off Street Car Parking Order (NI) 2000, which covered all 11 district Council car parks across Northern Ireland, was also amended. Council required the Order to be partly repealed, as outlined above.

Proposal

It was considered that the Council should write to the Minister for Infrastructure and request that they take urgent action to:

1. Request that the Department work with the Council to revoke the Off Street Car Parking Order (NI) 2000 as it applies to Ards and North Down car parks and if necessary to do this on a council-by-council basis; and
2. That they amend Article 43 of the Management (NI) Order 2005 to enable Councils to repeal Orders in the future without reference to or action by the Department.

RECOMMENDED that the Council writes to the Minister for Infrastructure and request that they:

1. Work with the Council to revoke the Off Street Car Parking Order (NI) 2000 as it applies to Ards and North Down car parks and if necessary to do this on a council-by-council basis; and
2. That they amend Article 43 of the Management (NI) Order 2005 to enable Councils to repeal Orders in the future without reference to or action by the Department.

Proposed by Councillor Cathcart, seconded by Councillor Kendall, that the recommendation be adopted.

Councillor Cathcart was happy to support and thought that DfI was in a shambles and there seemed to be a real difficulty in drafting legislation in Northern Ireland. This was a simple issue, and he had no idea how it had become complicated.

Seconding the recommendation Councillor Kendall was in agreement with that point of view.

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

Before moving on to the matter of Any Other Notified Business the Chair explained that as it related to staffing matters, it would need to be taken in committee.

EXCLUSION OF PUBLIC AND PRESS

AGREED, on the proposal of Councillor Cummings, seconded by Alderman Carson, that the public/press be excluded during the discussion of the undernoted item of confidential business.

12. ANY OTHER NOTIFIED BUSINESS

*****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)

REMITTANCE OF PUBLIC AND PRESS

AGREED, on the proposal of Alderman Carson, seconded by Councillor Armstrong-Cotter, that the public/press be readmitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 8.32 pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Regeneration and Development Committee was held remotely via Zoom on Thursday 6 January 2022 at 7.00pm.

PRESENT:

In the Chair: Alderman McDowell

Aldermen: Girvan M Smith
Menagh S Wilson

Councillors: Adair Gilmour
Armstrong-Cotter Kennedy
Blaney McClean (7.26pm)
Brooks McKimm
Cummings Walker
Dunlop

In Attendance: Director of Regeneration, Development and Planning (S McCullough), Head of Tourism (S Mahaffy), Head of Economic Development (C McGill) and Democratic Services Officer (P Foster)

1. APOLOGIES

No apologies had been received.

NOTED.

2. DECLARATIONS OF INTEREST

The Chairman (Alderman McDowell) sought Declarations of Interest at this stage and the following declarations were made.

Councillor Wilson – Item 9 – Tourism Event Grants 2022/2023

Councillor Dunlop – Item 10 - Open House Festival Annual Review Report 2021

NOTED.

3. ATTENDANCE AT TRAVEL AND TOURISM EXPOS 2022/23 (FILE 170871) (Appendix I)

PREVIOUSLY CIRCULATED:- Report from the Director of Regeneration, Development and Planning detailing that the Integrated Tourism, Regeneration and Development Strategy 2018-2030 had challenging targets to increase the share of overnight trips to 10% and increase visitor expenditure to £82m. One of the thematic priorities was 'Promote to Invest'. To raise awareness of the destination in the ROI, GB, European and world markets, it was preferential for officers to increase and

develop relationships with tourism operators on an in person basis. Further to the report in December 2021, requesting permission for officers to travel to World Travel Market 2022, officers had now accessed the full range of Expos available in the marketplace for 2022/23 and now sought further approval to travel to a range of those platforms, subject to existing budgets and staff availability. See attached appendix for the full list.

This was a vital part of the Tourism Development service 'business as usual' and more so during the pandemic in attempting to move businesses to recovery and beyond. The Expo platforms were used to sell experiences and product on offer in the Borough, with the intended outcome to increase bed nights and income to local business via incoming trade operators' itinerary bookings and visitor bookings at consumer shows.

Since 2018, Tourism Officers had been attending World Travel Market (WTM) at Excel, London each November (excluding 2020 due to covid when a virtual event was held). This was the only out of Northern Ireland event regularly attended by the Council with promotion to tour operators only possible via events held within Northern Ireland (usually a maximum of two per year) or via virtual platforms. Whilst domestically held events did capture a percentage of inbound operators many only attend the European / global events. Anecdotally, feedback from operators was that there was an expectation that those destinations truly seeking business would attend the relevant platforms in person.

For note, other Councils within Northern Ireland had been attending numerous events over the past number of years and again they confirmed attendance at such shows had led to inbound traffic and inclusion on operator itineraries. This attendance outside Northern Ireland was therefore core within annual trade development and marketing plans for destinations. Newry, Mourne and Down plan to attend 19 expos in 2022 and Mid and East Antrim would be attending a minimum of nine trades shows in the UK, ROI, Europe, and USA in 2021/22.

It should be noted that the benefits of such expos and direct meetings with operators could take a number of years to establish return, in respect of building relationships, and the operator including products/experiences within company itineraries. This had been demonstrated recently with relationships which were instigated at WTM 2018 now committing to inclusion of the Council in itineraries for 2022 and 2023. Examples include 'Specialized Travel Services' scheduling Bangor Castle Walled Garden and Ards Peninsula tours for 2022, 'Excursions Ireland' and 'Intercruises' scheduling Bangor Castle Walled Garden for 2022 and 'Miki Travel' assessing inclusion of Echlinville Distillery in 2022/23. Tourism officers had also been working with Veenus Travel who had three branches of the business (Veenus-high end, Vesperience - experience based and Crown Bowls Tours) with their aim to include the area for 2023. Work with local businesses to develop this include: The Culloden Estate and Spa, The Old Inn, Mount Stewart House and Gardens, Echlinville Distillery, Ulster Folk and Transport Museums, Ballywalter Estate and Tracey's Farmhouse Kitchen.

Opportunities existed for the Tourism service to attend trade/consumer Expos, as listed in the appendix, both under a Council banner or, where appropriate, in

conjunction with Tourism NI, Tourism Ireland or Visit Belfast to promote the Borough's tourism offering. Dependent on the specific event, attendance by one or two members would be evaluated at the time of booking.

It should be noted that a number of shows had limited places available for attendance via pre-application and presence could not be guaranteed. A number operated on a first come first served basis and those requiring travel and accommodation were best secured as early as possible to secure efficiencies on travel and accommodation.

RECOMMENDED that Council approves the following:

1. The Tourism Service can apply and, subject to successful application and travel restrictions, up to two officers can attend some or all the listed tourism Expos in Appendix 1, in conjunction with Tourism NI, Tourism Ireland and Visit Belfast where applicable and dependent upon budget availability.
2. The budget for attendance, travel and accommodation is funded from existing tourism development and destination marketing budgets subject to the Rates setting process.

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

The proposer, Councillor Adair, welcomed the recommendation and paid tribute to Council officers. He stated that now more than ever the Council needed to market the Borough particularly given the many attributes the Borough had which would attract tourists such as its coastline, its status as an Area of Outstanding Natural Beauty, its many fine restaurants, and its close proximity to the city of Belfast.

Concurring with those comments, the seconder Councillor Cummings, agreed that the Borough had a tremendous tourism offering especially with its unrivalled coastlines. He also noted the success of the recently held PGA Golf Tournament in the Borough which highlighted its ability to host such prestigious events. Councillor Cummings agreed that enhanced marketing of the Borough would provide much needed support particularly to the local hospitality industry.

In principle Councillor Walker pledged his support for the recommendation but suggested there could be an element of the Council being asked to write what was effectively a blank cheque. He asked if there was any idea of potential costs at this stage and how effective events such as this could be.

The Head of Tourism advised that while some of that detail had been included in the attached appendix, costs for a Council stand at such events ranged from £350 to £1,500. In light of that officers intended to investigate the potential for a partnership approach with others such as Visit Belfast and Tourism NI. Continuing she commented that events such as these, although providing unique opportunities, often took considerable time to realise the benefits. However she reassured members that officers would track and evaluate attendance at any such shows.

Councillor Walker commented that it was worthy of support but suggested there was more work to be done to ensure the Council's money was appropriately invested.

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

4. ARDS AND NORTH DOWN INTERIM LABOUR MARKET PARTNERSHIP – LETTER OF OFFER FOR ADMINISTRATION COSTS (FILE RDP47)

PREVIOUSLY CIRCULATED:- Report from the Director of Regeneration, Development and Planning detailing that the Department for Communities (DfC) had made funding available for each of the 11 Councils to develop its own Interim Labour Market Partnership (ILMP) with funding being available until the end of March 2022. Additional funding for an Interim Action Plan for 2022-23, and a further three-year Action Plan for 2023-202 would be subject to the Executive's approved funding.

Status

The local council had an important role in facilitating the local LMP, however the LMP should have the ability to take decisions independently. The status of the local LMPs should therefore be that of an unincorporated association.

Purpose

The aim of the ILMP was to help improve employability outcomes and labour market conditions locally by working through co-ordinated, collaborative, multi-agency partnerships, achieving regional objectives whilst being flexible to meet the needs presented by localised conditions and helping to connect employers with employees. The partnership would be expected to provide an integrated approach to address labour market challenges by bringing together, in a single body, the necessary local knowledge and expertise to build on existing structures locally, operating in a holistic, streamlined and joined up way.

Objectives

The key objectives of the Interim Labour Market Partnership approach were to develop local plans tailored to each area depending on skills, sector, requirements; agree sector/industry specific needs at a local level; review supply and demand levels for skills, expertise, qualifications etc at a local level, and commission new provision to fill any local gaps.

Council staff had been working through the relative guidelines from DfC in respect of establishing its Interim LMP, as well as working with the DfC Co-Design Team.

Administration costs including staffing

Members would recall that based on the report presented to the Regeneration and Development Committee on 10 June 2021, Council approval was granted for the

appointment of a Labour Market Partnership Manager and LMP Administrative Officer, the funding for which would be covered from the DfC budget.

On this basis, the Economic Development section negotiated a budget with DfC which aimed to maximise the allocation of administrative costs to Ards and North Down Borough Council for the financial year 2021-22.

That resulted in DfC making an offer of £66,660.50 through a Letter of Offer received on 8 December 2021 which was duly signed and returned as agreed by the Council at its November meeting. That Letter of Offer covered the financial year 2021-22 only. It was expected that a separate Letter of Offer for Administrative Costs would be issued for the financial year 2022-23.

The budget agreed included management costs for the officers who had been working on the setting up of the LMP and associated action plan for a ten-month period.

The recruitment process for the LMP Manager and Administrative Officer had commenced and job descriptions developed after a business case was undertaken. The job descriptions were currently with the HR section and were undergoing an independent evaluation.

In order to progress the work of the LMP it was imperative that the staffing resources were recruited as soon as possible.

It should be noted that a further Letter of Offer would be forthcoming from DfC to support the delivery of the Action Plan, once the DfC had assessed and approved same.

RECOMMENDED that Council notes this report.

Councillor McKimm proposed, seconded by Councillor Dunlop, that the recommendation be adopted.

The proposer, Councillor McKimm, expressed his thanks to the team adding that the LMP would be vital for those currently the most far away from the labour market. He acknowledged the work undertaken to date in respect of this very exciting project.

Commenting as seconder, Councillor Dunlop stated that he had nothing further to add aside from acknowledging that it was a good project which he hoped would bring much good to the Borough and its residents.

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

5. ECONOMIC RECOVERY SUB-REGIONAL RESOURCE GRANT (FILE ED118)

PREVIOUSLY CIRCULATED:- Report from the Director of Regeneration, Development and Planning detailing that Invest NI had been engaging with Councils

over the past few months in relation to how best to support the economic development of the respective regions. As a result, Invest NI applied for Economic Recovery funding to support organisations involved in regional economic development to work collaboratively at a sub-regional level. Invest NI confirmed on 1 November 2021 that they had secured funds to support research, to be undertaken and led by Councils, into the wider economic needs in their specific region.

It was specified that the research, for which the funding had been secured, should focus on identifying possible future interventions, either collaboratively across Councils or at an individual Council level, which could be implemented in 2022-26 (subject to budget availability) to ensure economic recovery was inclusive and regionally balanced.

The funding under the Economic Recovery Sub-Regional Resource Fund received by Invest NI was an in-year allocation, and therefore the window of opportunity to avail of it is short given that the funds were only available for draw-down by 31 March 2022. Applications were to be submitted by 19 November at the latest.

The Councils met to decide a way forward and two large collaborative sub-regional research pieces involving all 11 councils had been submitted:

- Revised business start-up approach – business case development and resourcing strategy
- Place-based approaches to supporting economic development

Ards and North Down Borough Council submitted a joint application for the *development of a business support needs analysis for a sustainable low carbon economy* across the South-East region. The Councils interested in collaborating on the project were Armagh Banbridge Craigavon District Council (ABC) and Newry Mourne and Down (NMD).

This project which would aim to identify appropriate support mechanisms for companies pivoting to a greener, more sustainable and low carbon business model.

The project would not only be based on a multi-sectoral approach but would also provide vital data on potential actions needed to be implemented by businesses to protect the environment, support the social fabric of the area and create job opportunities and growth through the use of green technologies, management practices and clever repurposing of existing equipment or services.

This would identify key actions, opportunities and interventions for the period 2022-2026 to assist local businesses, which did not meet the threshold for standard Invest NI support, to reduce carbon and other greenhouse gas emissions and to become more sustainable.

1. Outcome

All three applications were successful, and Letters of Offer had been issued for the following funding:

- Business Start-up research: £30k, led by Belfast City Council
- Place-based approaches to support Economic Development: £25K, led by Derry City and Strabane District Council.
- Business support needs analysis for a sustainable low carbon economy £25K, led by ANDBC.

2. Next steps

As the funding needed to be drawn down by the end of March 2022, the Economic Development team, following a procurement process, expected that a suitable delivery agent could be appointed by the middle of January 2022 to enable the work to progress in time.

RECOMMENDED that Council notes this report.

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

The proposer, Councillor Adair, acknowledged the assistance which had been provided to so many businesses throughout the Borough during the Covid19 pandemic stating that it was a testament to the officers of the Council. He noted that many businesses were now diversifying and opting to adopt an online presence and as such he asked if officers were able to provide any advice or training on that type of diversification.

In response the Head of Economic Development confirmed that a number of workshop programmes had taken place and included one-off training sessions on topics such as social media. She detailed a number of such courses which were currently available adding that there were a wealth of programmes available for those businesses considering such diversification.

While supportive of the recommendation Councillor Walker noted the very compressed timescales and asked officers if there were any concerns in being able to deliver on time. The Head of Economic Development advised that appeared to be the nature of funding currently, adding that officers had sought an extension but that had been declined. As such officers had turned around the application very quickly and were confident, they would get businesses applying. She added that a further report may need to come to a future Council meeting and she informed members that it was hoped to deliver on time. Councillor Walker acknowledged the ability of Council staff to react quickly to the needs of those in the Borough adding that it was a shame central Government could not follow the Council's lead. He asked if proposals for a three-year budget for the NI Executive would be beneficial. The Head of Economic Development indicated that would be welcome and provide some additional security. Continuing she added that it was also hoped that a more joined up approach amongst Councils would be adopted in due course.

At this stage Councillor Kennedy referred to the catastrophic impact Covid19 had had upon the local and national economy and was therefore encouraged to hear that the Council had its eye firmly on the ball to encourage recovery through a collaborative approach. Continuing he referred to comments made at last month's

Committee meeting in respect of the former Kinnegar site at Holywood, asking if it would be appropriate for the Committee to receive a further briefing on that.

The Director of Regeneration, Development & Planning advised the member that matter had been considered 'In Committee' at last month's meeting and added that it was not relevant to the report which was before members at this time for consideration. She added that in respect of the Kinnegar site, further reports would be brought to the Committee in due course for consideration.

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

6. RENEWED AMBITION PROGRAMME

PREVIOUSLY CIRCULATED:- Report from the Director of Regeneration, Development and Planning detailing that the Renewed Ambition Programme (RAP) was a joint public and private sector led initiative and aimed to work collaboratively to showcase investment and development opportunities across Belfast City Region as the Council sought to deliver on its shared ambitions for the city region as an exciting place to work, live, visit and invest. It was a five pillared programme focused on activities to ensure Belfast and the wider city region was positioned to continue to attract investment and deliver on inclusive growth.

The five pillars included:

- Programme of Content aimed at the local and international real estate audience which aim to showcase the Belfast City Region for future real estate investment through participation at virtual and in-person conferences and showcase events.
- Programme of Engagement and Advocacy to facilitate two-way conversations with policy makers and showcase real estate opportunities to the investor community. This aimed to position the Belfast City Region positively and seeks to identify and try to address barriers that investors, developers, and occupiers may face when they consider Belfast as a destination.
- Media and Stakeholder Engagement reinforcing positive messaging around Belfast's investment proposition through international marketing and communication campaigns targeting the national and international real estate investment and development community.
- A shared access Repository on the investinbelfast.com website which facilitates sharing of data, marketing collateral and intel to help ensure consistent messaging and shared narrative was used by all partners when promoting the city region.
- Research aligned to the impact of real estate investment to inform the city proposition and narrative.

Renewed Ambition Programme 2022

For 2022, an exciting collaborative programme of activity was being developed across the key pillars of Research, Events, Engagement and Advocacy, Communications and Repository.

The programme would also include a return to international real estate conferences such as MIPIM and UKREiiF and Investor showcase events in London and Dublin, to showcase real estate opportunities across the city region to a global audience.

The proposed programme of activity at MIPIM 2022 included Belfast region delegation participation on the Department for International Trade stand, and investment showcase and networking opportunities.

The proposed programme of activity at UKREiiF included a dedicated stand in the exhibition area to act as a meeting point for partners, and investment showcase and networking opportunities.

In addition, as part of RAP events programme discussions were taking place with [Real Estate Live](#) to join their webinar programme of events, and Built Environment Network to participate in their Ireland Conference in April (<https://www.built-environment-networking.com/region/republic-ireland-construction-property-conferences/>).

In 2022 the objectives were to:

- Continue to build collaboration and partnership in the city and wider region
- Continue to promote and market the Belfast region outside Northern Ireland
- Increased engagement and advocacy with all key stakeholders, in particular target investors and government.

Belfast City Council allocated substantial budget to support investment activities and to lead on the Renewed Ambition Programme, and it had requested partner contributions of £15,000 per Council partner to support the programme of activities as outlined above. It should be noted that the private sector also supported and sponsored the Renewed Ambition Programme.

Attracting investment into the Borough was an integral part of the Integrated Tourism, Regeneration and Economic Development Strategy (ITRDS) and collaborating with the Renewed Ambition Programme will help AND's reach into wider markets and to achieve higher impact and leverage spend against any activity that Council could undertake alone.

RECOMMENDED that Council approves participation in the Renewed Ambition Programme at a cost of £15,000 for 2022.

Councillor Cummings proposed, seconded by Councillor Walker, that the recommendation be adopted.

The proposer, Councillor Cummings, indicated that he was happy to propose the recommendation and sought further clarification on geographics and those participating. In response the Head of Economic Development advised that this was a new approach which would be similar to that taken previously by the joint delegation to MIPIM. Renewed Ambition was a joint private/public partnership with Belfast City Council taking the lead role. It would look at a range of activities to

promote the investment message and contacts would be developed through participation at a series of events to be agreed.

At this stage the Director of Regeneration, Development & Planning commented that the Programme would be a continuation of MIPIM driven by Belfast City Council as part of the Belfast City Region Deal in partnership and supported by the private sector. The Covid19 pandemic had had an impact however plans were well underway for MIPIM 2022 at which the UK intended to have a stand, as well as UKREiiF therefore allowing for the Borough to be represented at both events. In relation to the Real Estate Live event the Director confirmed that Mr Hemmingway previously presented the Bangor Waterfront Regeneration Opportunity to a significant audience. In summing up she expressed the view that the cost of £15,000 to participate in the Programme represented value for money providing the Council with opportunities to promote the Borough and encourage inward investment. She added that update reports would be brought to the Committee in due course.

(Councillor McClean joined the meeting at this stage – 7.26pm)

Councillor Walker stated that he was very happy to second the recommendation, adding that it was very exciting for the Borough. He expressed the view that more initiatives such as this should be undertaken particularly as now was an ideal time to be undertaking promotion of the Borough, given the unique situation Northern Ireland was now in as the result of Brexit. Continuing he suggested that investors should be encouraged to consider the Borough which had many great jobs and opportunities to offer.

At this stage the Chairman, emphasised the importance of ensuring there were sufficient premises for businesses to move into.

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

7. ANY OTHER NOTIFIED BUSINESS

The Chairman advised there were no items of Any Other Notified Business.

NOTED.

EXCLUSION OF PUBLIC/PRESS

AGREED TO RECOMMEND, on the proposal of Councillor McClean, seconded by Councillor Gilmour, that the public/press be excluded during the discussion of undernoted items of confidential business.

8. BANGOR MARINA QUARTER 2 2021-22 REPORT (JULY-SEPT 2021) (FILE RDP160) (Appendix II)

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

NOT FOR PUBLICATION

SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDNG THAT INFORMATION

(Alderman Wilson declared an interest in the following item and left the meeting at this stage – 7.35pm)

9. TOURISM EVENT GRANTS 1 APRIL 2022 TO 31 MARCH 2023 (FILE TO/EG57) (Appendix III)

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

NOT FOR PUBLICATION

SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDNG THAT INFORMATION

(Alderman Wilson rejoined the meeting at this stage – 7.40m)

(Councillor Dunlop having declared an interest in the next item left the meeting at this stage – 7.40pm)

10. OPEN HOUSE FESTIVAL ANNUAL REVIEW REPORT 2021 (FILE TO/EV90 (PREVIOUS DEVP6)

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

NOT FOR PUBLICATION

SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDNG THAT INFORMATION

(Councillor Dunlop rejoined the meeting at this stage – 7.44pm)

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED TO RECOMMEND, on the proposal of Councillor Adair, seconded by Councillor Armstrong-Cotter, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 7.45pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A virtual meeting of the Corporate Services Committee was held via Zoom on Tuesday 11 January 2022 at 7.00 pm.

PRESENT:

In the Chair: Councillor Egan

Aldermen: Mcllveen Girvan
Gibson Irvine
Keery

Councillors: Blaney (7.06 pm) Gilmour
Chambers Mathison
Cooper McKimm
Dunlop Smith, P
Greer Smith, T (7.08 pm)

Officers: Director of Organisational Development and Administration (W Swanston), Director of Finance and Performance (S Christie), Head of Administration (A Curtis) and Democratic Services Officer (J Glasgow)

1. APOLOGIES

No apologies were received.

2. DECLARATIONS OF INTEREST

Councillor Greer declared an interest in Item 10 (a) – Notice of Motion submitted by Councillor MacArthur and Councillor Adair.

3. RESPONSE TO CONSULTATION ON CHARLOTTE'S LAW (Appendix I)

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational Development and Administration attaching consultation questionnaire. The report detailed that on 22 November 2021, Justice Minister Naomi Long announced her intention to launch a public consultation on proposals for 'Charlotte's Law'. The consultation follows a review of current law in relation to disclosure of information on the locations of victims' remains by those convicted of their killing.

The review examines the need for new legislation similar to 'Helen's Law' which was introduced in England and Wales, and whether a bespoke change in the law should be made in Northern Ireland, to be known as 'Charlotte's Law' inspired by a campaign led by the family of Charlotte Murray and supported by the family of Lisa Dorrian.

Charlotte Murray went missing in 2012. Her body has never been found. However her former partner Johnny Miller was convicted of her murder. Her family believe the failure to identify the location of the body should be taken into account at parole hearings. After his sentencing, they said that Charlotte's killer should not be released from prison until he reveals the location of her body. Charlotte Murray's family have been backed in their campaign to change the law by relatives of Lisa Dorrian who disappeared in 2005 and whose body has never been found.

The Council's response to this consultation was discussed at Council on 22 December 2021 and it was agreed that the Council would respond to the consultation on Charlotte's Law after inviting representatives of the Dorrian family to present to the Corporate Committee in order to shape the response.

Joanne Dorrian, Lisa's sister was in attendance this evening to make a presentation to the Committee.

RECOMMENDED that Council welcomes Joanne Dorrian to address the Committee and Officers bring back a proposed response to the consultation document to full Council in January 2022.

The Chairman welcomed Joanne Dorrian to the meeting.

Miss Dorrian thanked the Committee for inviting her to attend to speak on this important issue. She explained that Charlotte's Law was born when the family of Charlotte Murray and her own family found themselves in the unique position where the families had a missing person but also the PSNI believed that person had been murdered. The two families were now in different stages of the process in that Charlotte Murray went missing in 2012 from Dungannon and her fiancé was found guilty of her murder in 2019. That had been the first time there had been a conviction for a no body murder in Northern Ireland and a sentence was received of only 16 years with the Judge stating that the absence of Charlotte's body was the most aggravating factor. Miss Dorrian outlined that her family had campaigned to get justice for her sister Lisa since 2005 and the active police investigation was closer now to getting justice than ever before.

In joining forces with the Murray family together they were proposing to change the administrative and legislative laws around no body murders and how those were treated in the judicial system. There was very little precedent to explore around no body murders however it was found that the current system in Northern Ireland was not enough.

(Councillor Blaney entered the meeting – 7.06 pm)

There had not been many families in the Dorrian family position however that did not take away from how important the issue was for the families that found themselves going through a missing and murdered case. Miss Dorrian outlined that lengthy meetings had been held with the Department of Justice and the consultation included 23 recommendations from Naomi Long MLA and Miss Dorrian stated that she would be focusing on the legislative points to allow the Council to consider the Dorrian family position. The administrative changes were lengthy and worthwhile but

would occur regardless of the public consultation. Progress was required on the legislative changes and Miss Dorrian hoped at this stage that the groundwork could occur so that in the next Mandate the new Justice Minister would be in support of the work that had occurred and be able to move quickly on the outcomes from the consultation.

(Councillor T Smith entered the meeting 7.08 pm)

Miss Dorrian welcomed the opportunity to present the families' views who had a unique personal experience. Charlotte's family had been through the judicial system and the Dorrian family hoped to be in that position in the not too distant future.

In terms of the consultation, Miss Dorrian responded to each of the questions with the families' recommended responses. On the surface the questions were straightforward and simple however the effects of the responses were important.

Question 1. Do you consider that in life sentence tariff setting, concealment of the victim's body should continue to be treated as an aggravating factor? Yes/No - Please provide reasons for your response. If yes, please proceed to question 3.

This consideration was down to the discretion of the Judge. The concealment of the victim's body was considered as an aggravating factor in Charlotte's case and yet only 16 years was served until eligibility for parole. Miss Dorrian therefore was proposing 'No' as the response to the question.

Question 2. Do you consider that in Life sentence tariff setting, concealment of the victim's body should place the murder in the very serious murder category? Yes/No - Please provide reasons for your response.

Miss Dorrian outlined the suggested proposal to re-categorise no body murders into the very serious category therefore when a sentencing review was brought in the next mandate the sentencing would be a minimum starting point of 20 years before considering any of the other aggravating factors. She believed that was a good starting point for Northern Ireland. The families wanted to encourage an early disclosure of the victims' bodies as early as possible.

Question 3. Do you consider that a review of tariff for early post sentence disclosure should be introduced? Yes/No - Please provide reasons for your response.

The families were fully supportive of a review of tariff.

Question 4. If yes to Question 3: should the post sentence period for a disclosure to be considered be (i) 2 months; (ii) 6 months; or (iii) other? Please provide reasons for your response.

Miss Dorrian outlined the suggestion of 12-18 months of a post sentence period. That would allow the prisoner time to adjust to their new life in prison and give

thought to the length of their sentence. This was about trying to encourage an early disclosure.

Question 5. If yes to Question 3, should the provision apply to (i) all life sentence prisoners; or (ii) just to those convicted of 'no body' murders? Please provide reasons for your response.

Yes, that should apply to all life sentence prisoners.

Question 6. Do you consider that a provision equivalent to Helens Law should be introduced? Yes/No - Please provide reasons for your response.

Yes, at least the equivalent to Helens Law should be introduced however extra legislation was recommended. The Parole Board must consider the non-disclosure.

Question 7. Do you consider that the Parole Commissioners should specifically address prisoners' failure to disclose details about victims' remains in their decisions? Yes/No - Please provide reasons for your response

Yes, the families were fully in support of this consideration. When a decision was made to release the prisoner there was a need for a detailed document to be prepared from the Parole Commissioners outlining the reasons. If they were not aware fully of the details of a prisoner's crime it was not considered that they could be fully risk assessed.

Question 8. Do you consider any further changes are required or that a different approach might achieve disclosure from an offender? Yes/No - If yes, please set out your suggestions.

Miss Dorrian welcomed suggestions in this regard to achieve a convicted murderer disclosing the victims remains. The family had encouraged all they could throughout the process.

In finishing, Miss Dorrian advised that Lisa would be missing almost 17 years and the Dorrian family were trying to make things better for other families who may be in a similar position. She asked the Council to think carefully about the response and consider the points that she had raised.

The Chairman thanked Miss Dorrian for taking the Committee through the consultation questions and paid tribute to the work that she had done to help other families. She then invited questions from Members.

Alderman Irvine fully supported Charlotte's Law being introduced and felt the presentation from Miss Dorrian would greatly shape the Council's response. It was cruel and heartless for the remains of a body not to be disclosed and not to provide the family affected closure. Alderman Irvine stated that he fully supported the Dorrian family in their campaign to find Lisa, for justice and for answers. In terms of the 12-18 months that the families were recommending for post sentence disclosure he questioned how that would impact on sentencing. In response Miss Dorrian explained that if a no body murder was re-categorised into the very serious category

the starting point for sentencing would be 20 years. If there was then a significant early disclosure, then the Judge would then be able to re-look at the sentence and the aggravating and mitigating factors would be at the Judge's discretion, but the non-disclosure of the body would no longer be included as an aggravating factor. Essentially that would mean a lesser sentence at the Judge's discretion.

Councillor P Smith hoped the Dorrian family would get the justice for Lisa that they undoubtedly deserved after a long time. He asked if Miss Dorrian felt there would be any benefit in further incentivising the convicted murderer after 18 months. If there was no disclosure the Judge could look at an exceptional tariff and extend the sentence even further. Miss Dorrian stated that she liked that approach however, from a human rights and legal point of view, she was unsure if that would be possible. When looking at the consultation, the families had considered a whole life sentence for a no body murder however the Justice department felt that would be unachievable. She highlighted the need not to not over or unfairly incentivise the disclosure which could result in the murderer waiting until post sentence to disclose. There was a need to consider the human rights.

Councillor P Smith expressed frustration in respect of the duration of sentences and noted there was a balance to be had.

As there were no further questions, the Chairman thanked Miss Dorrian for her attendance and she was moved to the public gallery.

AGREED TO RECOMMEND, on the proposal of Alderman Irvine, seconded by Alderman McIlveen, that the recommendation be adopted.

4. PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT 2021/22 IN-YEAR REPORT (FIN 146)

PREVIOUSLY CIRCULATED:- Report from the Director of Finance and Performance providing the undernoted detail:

Introduction

In February 2021, to comply with requirements of the Local Government Finance Act (NI) 2011, Council approved its annual Treasury Management Strategy and associated Prudential Indicators for the financial year 2021/22.

The purpose of this report was to provide Members with an in-year progress report on performance, measured against the Prudential Indicators set for the financial year 2021/22. The figures presented in this report were based on knowledge held as at 30 November 2021 and ignored the impact of the proposed change in accounting for leases which was yet to take effect.

1 Capital Expenditure & Financing

The aforementioned legislation and the CIPFA Prudential Code together require the Council to set and monitor a series of Prudential Indicators (PIs) for capital expenditure and financing. These PIs should ensure that, within a clear framework,

the capital investment plans of the Council were affordable, prudent and sustainable. An update on the specific PIs which were set in February 2021 was provided below.

1.1 Capital Expenditure PI

The following table summarised the current estimate of capital expenditure compared to the original estimates approved by Council:

	Original	Revised
Indicator	£'000	£'000
Capital Expenditure PI 2021/22 (Current Year)	8,230	5,263
Capital Expenditure PI 2020/21 (Previous Year)	7,529	5,929

For 2021/22, the original estimate of £8.2m has been revised to £5.3m, reflecting the capital expenditure that was now expected to be incurred by 31 March 2022. The reduction in the forecast was primarily due to delays in funding and the planning stages for works which were scheduled to commence in 2021/22. Those budgets had now been re-profiled in line with revised plans and estimated funding flows.

The revised forecast, together with the recent review of project prioritisation, programming delivery timescales and capital financing implications had resulted in changes to the total estimated capital expenditure and financing requirements for the three-year period from 2021/22 to 2023/24, as summarised below:

	Revised				Original
	2021/22	2022/23	2023/24	Total	Total
	£'000	£'000	£'000	£'000	£'000
Capital Expenditure	5,263	17,261	17,847	40,371	37,944
Financed by:					
Loans	3,619	8,426	11,836	23,881	22,599
Grants	1,136	7,460	5,791	14,387	13,925
Capital Receipts	403	1,375	220	1,998	1,420
Revenue/Reserves	105	-	-	105	-

1.2 Capital Financing Requirement and External Borrowings

The following table summarised the position on the Capital Financing Requirement and Borrowing PIs, resulting from changes to the Capital Expenditure PI and an assessment of the Council's current cashflow position.

	Original 31/03/22	Revised 31/03/22
Indicator	£'000	£'000
Capital Financing Requirement (CFR)	87,992	80,719
External Gross Borrowing	76,040	66,860
Gross Borrowing within CFR	Yes	Yes

With revised external gross borrowing of £66.9m, the Council was forecast to remain well within both the Operational Boundary and Authorised Borrowing Limit set for the year as follows:

Operational Boundary for External Debt	£82.6m
Authorised Borrowing Limit	£87.6m

2 Treasury Management

2.1 Debt Activity

During the period from 1 April to 30 November, loan principal repayments of £1.64m were made against existing long-term borrowings, resulting in a level of long-term borrowings at 30 November 2021 of £68.4m.

During the same period, a short-term loan repayment of £3m was made, reducing the Council's short-term borrowings balance to £nil.

The revised capital financing requirement showed that the Council could increase its level of external borrowings to £80.7m by 31 March 2022 (see table 1.2 above). However, an assessment of the Council's cashflow position forecasts that the current level of borrowings was adequate and therefore, no further borrowing would be required before the end of the financial year.

Therefore, after further repayments on existing long-term loans were made in February 2022 of £1.53m, the level of external borrowings at 31 March 2022 was forecast to be £66.9m.

2.3 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 November 2021, Council had earned interest of £3,293 on investment deals with approved financial institutions as summarised below:

	Average Deposit Size	Average Term	Average Interest Rate	Interest Earned
CCLA	£3.0m	Call A/c	0.028%	£563
Santander	£3.0m	Call A/c	0.12%	£2,408
Bank of Scotland	£2.1m	Call A/c	0.01%	£145
Lloyds Bank	£2.6m	Call A/c	0.01%	£177
Total				£3,293

The Council's limit for total principal sums invested for periods longer than 364 days was £500k. As at the date of this report, the Council had not entered into any such investments.

The total balance of funds held in investment accounts at 30 November 2021 was £10.5m.

2.3 Debt Related Treasury Activity Limits

The table below showed the position at 30 November 2021 of all debt related treasury activity limits.

Interest rate exposures	Limit set for 2021/22	Actual at 30/11/21
Quantity of debt held at variable interest rates - upper limit	30%	3%
Quantity of debt held at fixed interest rates - upper limit	100%	97%

Maturity structure of fixed interest rate borrowing	Lower Limit set for 2021/22	Upper Limit set for 2021/22	Actual at 30/11/21
Under 12 months	0%	15%	4.7%
12 months to 2 years	0%	15%	6.1%
2 years to 5 years	0%	20%	14.1%
5 years to 10 years	0%	30%	22.9%
10 years and above	30%	90%	52.2%

RECOMMENDED that Council notes this report.

Proposed by Councillor P Smith, seconded by Councillor Gilmour, that the recommendation be adopted.

Councillor P Smith noted that the capital drawn was due to increase over the next few years and asked the impact of that and was that built into the medium-term estimates. In response the Director of Finance and Performance advised that any changes reflected in the report had been factored into the overall financial plan and the estimates.

Councillor P Smith referred to the interest gained on funds and asked if that was the best interest rate available or was that rate due to the Council having items on short term draw down. The Director of Finance and Performance outlined that the rate was a reflection of the current interest rates that could be availed off.

AGREED TO RECOMMEND, on the proposal of Councillor P Smith, seconded by Councillor Gilmour, that the recommendation be adopted.

5. AMENDMENT TO BARCLAYS BANK UK PLC LOAN AGREEMENT DR505 (FIN92)
(Appendix II)

PREVIOUSLY CIRCULATED:- Report from the Director of Finance and Performance attaching Amendment Agreement dated 12 November 2021 relating to a loan instrument originally dated 21 January 2008. The report detailed Barclays Bank UK PLC had written to the Council regarding an amendment it wishes to make to a loan agreement between the bank and the Council dated 21 January 2008. The requested amendment was the result of an industry wide change due to the cessation of the London Interbank Offered Rate (LIBOR), which was used in the definition of the amount due for early repayment of the loan (ie. the breakage cost).

The bank was requesting that references to LIBOR in the breakage cost definition are replaced with the established alternative Sterling Overnight Index Average (SONIA) rate plus an adjustment that takes into account the difference in nature between 6 month LIBOR and the overnight SONIA rates.

There were no other proposed changes to any other terms and conditions of the loan. The Council's treasury advisors, Arlingclose, had discussed this change with Barclays and were comfortable with their proposals.

RECOMMENDED that the Council agrees to the proposed amendment and duly authorises the sealing of the amendment agreement set out in the Appendix.

Proposed by Alderman Irvine, seconded by Councillor S Dunlop, that the recommendation be adopted.

Alderman Irvine asked for a brief synopsis on the changes proposed by Barclays. The Director of Finance and Performance explained that the changes were in relation to the rate for example if the Council wishes to redeem a loan. The LIBOR rate no longer existed and had been replaced by the overnight SONIA rate. It was therefore a change in the overall UK banking system and advice had been sought from the Treasury Advisors regarding the change.

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

6. PUBLIC CONSULTATION ON MARRIAGE LAW

(Appendix III)

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational Development and Administration attaching proposed response to consultation. The report detailed the Department of Finance had launched a public consultation on two aspects of the marriage law:

- i. A proposed legislative change that would see the inclusion in our marriage law of belief marriage (marriage solemnised by a celebrant who subscribes to a non-religious philosophy such as humanism).
- ii. The minimum age at which people can legally marry or enter into a civil partnership, currently 16.

Changing the marriage laws to include belief marriage would put belief marriage on an equal footing with religious marriage. That followed the judgments of the High Court and the Court of Appeal in the case of *Re Smyth* in 2017 (2017 NIQB 55 and 2018 NIQB 25). It was the Department of Finance's opinion that those judgments created an obligation to include belief marriage in our marriage law. While belief marriages had been able to take place on foot of the court cases, and would continue to do so, the present arrangements relating to such marriages were temporary, and legislative change would be needed to give full effect to the judgments. This consultation was seeking views solely on the detail of this change.

The minimum age at which a person could marry or enter into a civil partnership was entirely separate from the issue of belief marriage. Under current law, people aged 16 and 17 could marry, or form a civil partnership, *conditional on parental consent*. (No consents are required for people aged 18 and over). The United Nations Committee with oversight for the UN Convention on the Rights of the Child (UNCRC) has criticised the availability of marriage and civil partnerships to those under the age of 18 in all jurisdictions that permit it. That was part of a wider campaign against child marriage that had been supported by international NGOs as well as by local groups and stakeholders. However, we were under no obligation to legislate on minimum age. The principal purpose of the present consultation in respect of minimum age was therefore to collect as diverse a range of views as possible on that subject on the understanding that these might influence future policy debate.

A consultation document had been published (<https://www.finance-ni.gov.uk/consultations/public-consultation-marriage-law>) that provided background detail on these two issues as well as a series of questions to help inform and structure responses. The consultation closed on 18th February 2022.

RECOMMENDED that the Council confirms it wishes to respond to the consultation as laid out in the appendix attached to the report.

Proposed by Councillor P Smith, seconded by Councillor Mathison, that the recommendation be adopted.

Councillor P Smith commended the consultation response and felt the key issue was raising the legal age of marriage to 18 years old. That was long overdue and tied in with the recommendations of United Nations Committee on the rights of a child. He also recognised that the content around agreed marriage had to be included and he felt that there was not much choice in that regard given the high court and appeal rulings on the matter as it had breached the human rights of non-religious believers. Councillor P Smith was in favour of the Dublin model and overall was happy to support the content as outlined.

AGREED TO RECOMMEND, on the proposal of Councillor P Smith, seconded by Councillor Mathison, that the recommendation be adopted.

7. CALL FOR EVIDENCE – LOCAL GOVERNMENT ABILITY TO HOLD REMOTE / HYBRID MEETINGS

(Appendices IV, V)

PREVIOUSLY CIRCULATED:- Report from the Chief Executive attaching background document, questionnaire and draft ANDBC response. The report detailed that the Department for Communities (DfC) had issued a call for evidence to seek views on the use of the current arrangements whereby councils in Northern Ireland had been able to hold meetings remotely or in a hybrid format during the coronavirus pandemic. The call for evidence closed on 15 February 2022.

A document setting out the background to the call for evidence and including a questionnaire was attached to the report. Some of the questions within the questionnaire would be difficult to respond to corporately given that they seek views on the experience of Members to date in meeting remotely, which would be subjective and vary depending on the individual. Members may therefore wish to submit their own individual responses to the questionnaire. A draft Council response providing more general feedback had been prepared and was attached to the report for consideration.

RECOMMENDED that Council agrees to issue the letter attached to the report in response to the DfC call for evidence on remote meeting legislation.

Proposed by Councillor McKimm, seconded by Councillor Mathison, that the recommendation be adopted.

As an independent Member, Councillor McKimm said that he often felt somewhat disadvantaged by the current meeting arrangements. Independent members and single party members often informally discussed a position in relation to a Council matter and the current atmosphere did not lend itself for this to occur or to judge the feeling that existed on a topic throughout the Chamber. Councillor McKimm was therefore keen on the hybrid approach and, when appropriate, the return of physical meetings.

Councillor T Smith advised that his position in respect of virtual meetings remained the same and that the Council should return to physical meetings as soon as the law allowed. He voiced that he had nothing against the principal of the hybrid meetings but was against the outrageous cost that was being proposed for hybrid meetings. He did not feel there was a need to incur such costs for the set-up, and hugely expensive cameras were not required. A zoom arrangement was already in existence, one web camera would be sufficient and the set-up should not be technically difficult and/or financially exorbitant.

Alderman McIlveen largely agreed with Councillor T Smith and advised that he was one of the main arguers for not returning to full physical meetings. His primary concern was in relation to the number of members, staff members and members of the public who may be exposed and may be vulnerable. The ideal approach was a hybrid model that was cost effective but the current proposed spend for the facilitation of the hybrid approach was not a prudent spend of taxpayers' money. Alderman McIlveen was not in agreement with the comments of Councillor McKimm that independent and single party members were disadvantaged as that was shared by all Members. The zoom set-up did not lend itself to reading the feeling within the Chamber and did not allow for pre-meetings between the individual parties.

Councillor Mathison concurred with many of the remarks, in his view he felt that all Members would like to see the end of virtual meetings however the considerations around public health and the pandemic took priority over the Members' preferences. On that basis, he was happy to support the recommendation with the proposed response from Officers reflecting the views across the Council. He was pleased to see in the response that the Council would support legislation for future hybrid meetings as there was a need to future proof meetings. In terms of the wider discussion regarding how the Council should meet in future Councillor Mathison stated that he was very supportive of a hybrid format as an option however he was conscious of the constraints in respect of the physical space available and the costings. He hoped Officers could continue to look at ways to develop a hybrid option to protect the health of Members and staff along with conducting meetings in a more sustainable way. He felt consideration should also be given to meetings without the need to incur mileage and a family friendly policy that would assist in circumstances.

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

Councillor T Smith was not in support and wished to be recorded as such.

8. FAIRTRADE SIGNAGE (SUS4) (Appendix VI)

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational Development and Administration attaching draft Borough Signage Artwork. The report detailed Ards and North Down Borough Council received Fairtrade Borough status in May 2017.

To become a Fairtrade Borough, the Council had to show commitment from all sectors of the community to promote and use fairly traded products.

Five goals had to be achieved:

- The Council passed a resolution to support Fairtrade and agreeing to serve Fairtrade products
- A proportion of local retailers and catering establishments must stock Fairtrade products
- Local workplaces, schools and community organisations support Fairtrade and use products wherever possible.
- Media coverage and events be organised to raise awareness and understanding of Fairtrade across the community.
- A local Fairtrade steering group be convened to ensure the campaign continues to develop and gain new support. This has been developed and consists of a range of key stakeholders including residents, local business owners, elected members and council officers.

Renewal of our Fairtrade Status was due on 21 October 2022.

The Council was asked by Dr Chris Stange, Consul General for Saint Vincent and Grenadines and Fairtrade Steering Group member in January 2020 to add Fairtrade to our borough signage to highlight the council's commitment.

An update report was brought to Corporate Committee in March 2020 which included the request for Fairtrade Road signs:

The Council had been asked to add Fairtrade to Borough signage to highlight the Council's commitment. As Borough signage was relatively new and adding any temporary stickers to them may take away from the visual finish and the lack of budget for new signage it was recommended that the enhanced messages mentioned above and running throughout the year could achieve improved coverage without the need for new borough signage. Fairtrade UK and Fairtrade Ireland had also confirmed that it was not a requirement of our Fairtrade accreditation to have Fairtrade Signage on our Borough boundaries.

RECOMMENDED that Council notes this report.

This was further confirmed by Fairtrade UK that stickers of the Fairtrade logo on existing signage could not be used, it needed to be new signs with wording to indicate that 'Ards and North Down was a Fairtrade Borough.'

Dr Chris Stange had not accepted the council decision not to provide Fairtrade signage and had requested that it was reconsidered. He had requested that a further report was prepared, indicating the position in other councils, to provide elected members with further information to inform any decision. The table below therefore summarised the current status of Fairtrade Signage across other council areas as confirmed by those councils:

Council	Status according to councils 10.12.2021
Antrim & Newtownabbey	Boundary signs done
Armagh, Banbridge & Craigavon	Report going to council in New Year – currently looking at costs

Council	Status according to councils 10.12.2021
Belfast	Options being discussed early next year as they have a lot of titles that need decided on.
Derry City & Strabane	No comment
Fermanagh & Omagh	being raised at the Fairtrade Steering Group in February 2022 for a decision
Mid Ulster	No comment
Newry, Mourne & Down	18 Boundary signs approved to be installed in 2022
Lisburn & Castlereagh	Approved 4-6 sites to be installed in 2022 – awaiting planning permission
Mid & East Antrim	Currently considering Fairtrade Borough status

All 10 Borough signs could be replaced to include Fairtrade signage for a total of £2,000.

Advertisement Consent was Controlled by the Planning (Control of Advertisements) Regulations (NI) 2015. If the proposal falls within Deemed Consent as defined in these Regulations, express consent was not required. There were certain areas/ situations where there may be tighter restrictions such as AONB's, Conservation Areas and Listed Buildings. Where express consent was required, the current fee was £193.00 per site. It was not anticipated that many, if any, of our sites would require express consent but that assessment had not been completed.

It should be noted that the current Borough signs were still in good order having only been up for 6 years and it was estimated they could remain fit for purpose for another 6 years. Replacing them now would therefore not be in line with the Council's commitment to sustainability.

RECOMMENDED that Council considers whether it wishes to replace the existing 10 Borough signs to include Fairtrade signage at a total cost of approximately £2,000 plus an additional £193.00 for any site that required express consent.

Proposed by Councillor T Smith, seconded by Alderman McIlveen, that the Council does not replace the existing signage.

Councillor T Smith stated that his proposal was not in respect of the work Fairtrade did as an organisation noting that the Council worked with many excellent and worthwhile groups, Fairtrade being one of them. He was concerned that the request would set a precedent for other groups and there was a cost associated which he viewed as an unnecessary spend given the Council's current financials.

Alderman McIlveen noted that the existing signs were in good order with another 6 years life left in those signs. To replace the signs was not in-line with the Council's commitment to sustainability and was not good value for money at the current time.

Councillor Mathison agreed that it was not a good spend to replace signs that were in good working order and also in terms of sustainability. He noted that the sums of money involved were small however it was an important principle to be clear on. Councillor Mathison stated that it would be nice to have the fairtrade logo on the signs raising awareness in the Borough however perhaps now was not the right time.

Councillor P Smith added to the consensus as there was plenty of life left in the existing signage he felt it would be silly to replace the signs at this stage.

Councillor Greer asked when the signs were due for renewal in 6 years could the Council revisit this proposed replacement. The Director of Organisational Development and Administration confirmed that could occur in the future.

Councillor Greer asked if that could be included within the proposal.

Councillor T Smith was happy to include that within the proposal.

AGREED TO RECOMMEND, on the proposal of Councillor T Smith, seconded by Alderman McIlveen, that the Council does not replace the existing signs and undertakes a review in 6 years when the existing signage is due for replacement.

9 (A) STONEWALL DIVERSITY CHAMPIONS EMPLOYEE PROGRAMME (EQ15)

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational Development and Administration providing the undernoted detail:

Background

A Notice of Motion debated at Corporate Committee and subsequently ratified by Council on March 2021 agreed that: *A Report detailing information on Council participating in the Stonewall Diversity Champions Employee's Programme is brought back to Committee.*

Report

Stonewall was a lobby group and a charity organisation founded on 24 May 1989. They stood for lesbian, gay, bi, trans, queer, questioning and ace (LGBTQ+) people. In 2000 Stonewall launched their Diversity Champions programme and Workplace Equality Index.

Stonewall had over 900 leading employers and have worked with thousands of the UK and the world's leading employers such as MI6, Councils, Local and Central Government and private organisations such as Vodafone and Barclays. The benefits of joining Stonewall were the incorporation of inclusion throughout the Council, ensuring progress in diversity by taking a systemic approach, including developing an inclusive culture and inclusive approaches to employment policies and practices.

The Diversity Champions programme was designed to help develop and embed structured and systematic policies and practices to include LGBTQ+ across the organisation.

The cost of membership to join Stonewall's Diversity Champions programme was £2,500 + VAT (per annum). Benefits included

- Having access to a Client Account Manager, to support and lead Council to do better for LGBTQ+ people, throughout membership the CAM will be able to talk Council through anything LGBTQ+ relevant and act as a support network. The Council did not currently have such a network in place for its employees.
- The review of seven Council Policies such as recruitment for LGBTQ+ inclusion by an in-house team of experts. That would allow Council to go 'above and beyond' required legalisation.
- Gain access to Stonewall's resources. Those would provide step-by-step guidance on different areas of LGBTQ+ inclusion, from inclusive policy to senior leadership. That also included best practise toolkits and community resources, digital workshops, and the Diversity Champions Events Calendar.
- Receive discounted rates to Stonewalls workplace training, Providing Council with the knowledge and confidence to play their part in creating an inclusive workplace.
- Stonewall would support Council to enter the Workplace Equality Index. The Workplace Equality Index was a benchmarking tool that helps employers measure their progress on LGBT equality in the workplace, that would indicate where Council was proficient and where it could improve.

However, the BBC recently withdrew from the Scheme. The BBC director general, Tim Davie said it was "unquestionable" that its ongoing participation in the scheme "has led some organisations and individuals to consider that the BBC cannot be impartial when reporting on public policy debates where Stonewall is taking an active, campaigning, role". Stonewall's response to the withdrawal of the BBC state, 'It's a shame that the BBC has decided not to renew their membership of our Diversity Champions programme, but as with all membership programmes, organisations come and go depending on what's best for their inclusion journey at the time.

Some other employers had also withdrawn from the scheme, including the Equality and Human Rights Commission (EHRC), OFCOM, and the Cabinet Office. Explaining its decision not to renew its membership, an EHRC spokesperson said the programme "did not constitute the best value for money".

Ards and North Down Borough Council currently held the NI Diversity & Inclusion Charter Mark AWARE Certificate awarded by Legal Island which expired in February 2022. The feedback from Legal Island at the time of assessment was excellent and suggested that the Council had gone to considerable lengths to apply equality and diversity in the workplace citing an impressive range of activities, practices, and procedures to deliver first class initiatives. AWARE were currently considering an overhaul of the Charter Mark process and how it fell in line with their Diversity &

Inclusion training so, at this stage, no decisions had been made as yet regarding future accreditation.

RECOMMENDED that Council considers this report.

Proposed by Councillor T Smith, seconded by Councillor P Smith, that the report be noted.

Councillor T Smith noted that the Council had gone considerable lengths to apply equality and diversity in the workplace, good work was already being undertaken and he felt that work should not be underestimated. He highlighted the cost of the membership, expenditure should not occur unnecessarily, the good work that had taken place should be applauded and the Council should continue that good work.

Councillor P Smith concurred and he was unsure if the membership was needed at the current time on the basis of the progress that the Council had made. He could see value in the membership for much larger organisations but was unsure if it was right for Council.

Councillor McKimm thanked the Officers involved for the preparation of the report. He recalled that the request for the report asked for the detail of the Council's participation in the diversity champions employees programme and he felt that detail had not been outlined until the end of the report. Instead, he found it strange that the report spent a considerable time talking about a small minority of Stonewall's members being unhappy with their perceived lack of good value. He advised that he had spoken with the Director in respect of the Council's work and he was surprised to learn that the Council was largely unaware of the LGBTQ staff who were part of the workforce. There were no mechanisms to communicate with those employees, address their needs or make their voices heard. There was no way of knowing the numbers of staff that identified as LGBTQ but going by national statistics it could be expected that no less than 50-60 Council employees identified as such. 1 in 4 LGBTQ staff felt the need to conceal their sexual identity at work, 1 in 3 LGBTQ staff did not know anyone else in their organisation with similar sexual orientation and sadly 1 in 4 in the workforce felt that their sexual orientation would have a negative consequence on their career path. Further around 40% had heard negative comments about LGBTQ people from a colleague/s in the workplace. Despite the work that the Council had done, without mechanisms to communicate to the LGBTQ staff, address their needs or make their voices heard there was still a long way to go and the continued support of Stonewall for Council employees was very much needed. Councillor McKimm therefore recommended that the Council remained focused and began serious work on support for staff who may be struggling. He expressed concern that the Council would not consider the membership at this stage.

Alderman McIlveen stated that he was not against the report presented on the merits of the membership which came from a Notice of Motion put forward by Councillor Egan. Since that time a lot had come out in respect of the programme and there had been a number of high-profile membership withdrawals which were outlined the report. Further to that there were also concerns following the withdrawal of the University of Essex who withdrew after a Barrister led report claiming that Stonewall

had given them misleading advice which led to the banning of a gender critical feminist from speaking. Alderman McIlveen felt those concerns could not be ignored. He recognised that work needed to be done however he was unsure if the Stonewall programme was the vehicle on which the Council proceeded. The Council had a responsibility to assess whether something was good value and how that value was quantified over the cost of the programme including reputational risk. He stated that he was not in favour of Council signing up to the programme however that did not diminish the incredible work that Stonewall had done over many years in campaigning, though there was a concern amongst many that Stonewall had lost their way in recent times. Alderman McIlveen further outlined his concern regarding the principle of funding lobby groups which he had raised at the recent Council meeting. If there was group that was campaigning on a particular matter, was it right to use public money to pursue the aims of a lobby group.

Councillor Mathison stated that he would not be supporting the proposal to note and he had hoped that the Council would take forward participation in the programme. His feeling was that the two real questions that the report raised were, would participating in the programme add value to the Council and particularly LGBTQ staff? And did it represent value for money? Councillor Mathison felt that the actions and benefits outlined in the report would add value to the Council and as Councillor McKimm had highlighted it was the engagement with staff that was crucial ensuring they had a forum where their views could be heard and listened to and there was proper support mechanisms in place. Going above and beyond the Council's legal duty should be an aspiration. Councillor Mathison shared Councillor McKimm's concerns that the report focused on a small number of organisations that had withdrawn from a 900 strong programme that had support across a lot of organisations. Councillor Mathison was conscious of the reporting in the media however did not feel that the Council should be distracted by the BBC withdrawal and those reasons were not a concern for Council as an organisation. He expressed his disappointment that the Council had decided not to take any action and he unsure if that sent the right message to the Council's LGBTQ staff. He felt the fair way to assess value for money on this occasion was to give the programme a try, there was added value and the value for money could have been reviewed after a year's membership. Councillor Mathison hoped that if the Council chose not to participate in the programme that it would at least be a springboard to looking at other ways to better support LGBTQ staff in Council.

The proposal was put to the meeting and declared CARRIED with 9 voting FOR and 7 AGAINST.

AGREED TO RECOMMEND, on the proposal of Councillor T Smith, seconded by Councillor P Smith, that the report be noted.

9 (B) SOLACE NI – ADDITIONAL SUPPORT

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational, Development and Administration detailing that the Society of Local Authority Chief Executives (SOLACE NI) was the professional body for local authority Chief Executives and Directors and was part of a national body, SOLACE UK.

The aim of SOLACE NI was to act as the professional voice for local government. Working together with the Northern Ireland Local Government Association (NILGA) as the elected member voice, together they represent the broad local government sector in Northern Ireland. SOLACE NI would respond to consultations, advise on policy reviews / development, support the Partnership Panel and work in the interest of Local Government with a variety of bodies including the Permanent Secretaries Group and NI Executive Departments. It will coordinate cross Council work where appropriate and develop strong networks throughout the public sector. The work of SOLACE NI also brings corporate benefits to the Council as it covered all Departmental interests, not just those relevant to the Chief Executive.

Membership of SOLACE NI was made up of all 11 Council Chief Executives and most Directors from across all of the 11 Councils in Northern Ireland. The average annual contribution per Council was currently £1,100.

SOLACE NI had a number of designated roles including Chair (changes annually), Vice Chair (changes annually) Secretary and Treasurer. It had become normal practice for the Chief Executive taking on the role of Chair to provide policy and administrative support for the year, usually a person seconded from within their own organisation. The cost of this role was met via a mixture of funding that comes from SOLACE UK, the Local Government Training Group and Corporate Sponsorship. The officer was funded to a salary level of a max salary of PO2.

As would be expected, the role and demands on Chief Executives and SOLACE NI has changed and increased since the impact of the reorganisation of Local Government, BREXIT preparations and COVID response and recovery. Increasingly SOLACE NI had been seen as the "go to" professional body by central government Departments and outside bodies over the last number of years.

This growing demand had put a strain on the support needs of SOLACE NI and the time to be given by Chief Executives. There was a growing need for the Policy / Executive Officer to be at a more senior level enabling them to confidently and independently support the work of the group and to make it more effective by releasing Chief Executives from some of this role.

Issues of business continuity had also arisen with the current model which sees the support officer change every year resulting in a continual loss of skills, knowledge and processes.

To develop and enhance their role providing a professional voice to lobby and advocate for the sector, SOLACE NI has reviewed the options and believe it was necessary to employ dedicated Policy / Executive Officer (PO 10) and part time Administrative support (Scale 6) rather than the current full time administrative officer role. The new roles would be recruited on a three-year basis with the option to extend, thereby improving business continuity.

A funding model had been developed to finance this new proposal. It comprised of increased annual contributions from each of the 11 member Councils, an increase to the annual funding from SOLACE UK and also the Local Government Training Group and additionally a new contribution from the Department for Communities of £30,000.

SOLACE NI were therefore seeking an additional annual contribution of £5,000 per annum per Council towards funding these resources which would leverage a total of £130,000 per annum. The contribution could be met from reassigning some existing training, development and other budgets so at no additional cost to the Council.

RECOMMENDED that Council notes the reassignment of £5,000 from existing budgets to an increased membership contribution to SOLACE NI for the next 3 financial years subject to partner funding being place.

Proposed by Councillor T Smith, seconded by Councillor Cooper, that the Council does not reassign £5,000 to SOLACE NI.

Councillor T Smith highlighted the increase from what was already paid and the additional contribution. Referring to the report and the role of SOLACE, he questioned the contributions which the Council also made to NILGA and the NAC for similar functions totalling in the region of £60k and wondered what value was achieved.

Alderman McIlveen stated that he would rather know a bit more about the additional contribution and have the report deferred to full Council for further explanation from the Chief Executive. The request was a significant increase and he would like to know how that figure was being spent and how the figure had been derived at to make an adequate determination. Members needed to consider how the request could be justified as Councillor T Smith had highlighted there were a number of organisations that were purporting to be advocating on the Council's behalf. He recognised that Solace was an influencing body however he would like to know the reasons behind the additional request to allow Members to make a fully informed decision.

Councillor Mathison stated that he would not support the proposal however he felt that Alderman McIlveen's suggestion of a deferral to full Council for more detail would be helpful. Councillor Mathison was conscious that throughout the pandemic Solace had played a key role in coordinating covid response across local government and that work should be noted. The work that Solace was involved in was substantial and far reaching therefore there may well be justification however more information was required.

Councillor Greer referred to the contribution which was referred to being subject to partner funding being in place and she wondered what would occur with the proposal if the Council did not agree to contribution. The Director of Organisational Development and Administration explained that the proposal was based on 11 Councils contributing and increased funding coming from Solace UK, the Local Government training Group and a new contribution from DfC of £30k.

Councillor Greer sought clarity that when it was this Council's turn to Chair this Council would directly benefit from the funding. The Director clarified that the resource would be in place year on year for the benefit of all 11 councils. Currently the Chair of Solace arranged their own administrative support each year which was funded from Solace NI. The proposal introduced a new Principal Officer and

administrative support providing continuity each year to Solace NI and the 11 Councils.

Alderman Irvine stated that he would like to see more detail and he viewed the proposal as slightly excessive given the contribution that was made to NILGA and the expertise and support they provided. He assumed Solace and NILGA worked together on a number of issues.

Councillor P Smith expressed concern that co-operation between Councils was meant to be one of the main drivers behind RPA when the 11 Councils were formed and Councils would work together organically, not to reduce cost but to improve operations. He appreciated structures changed however felt more information was needed on the proposal before Members could make a decision.

Councillor T Smith was happy to amend his proposal to defer the report to full Council.

As seconder, Councillor Cooper was content with the change.

AGREED TO RECOMMEND, on the proposal of Councillor T Smith, seconded by Councillor Cooper, that the item be deferred to the Council meeting.

10. NOTICES OF MOTION

(a) Notice of Motion submitted by Councillors MacArthur and Adair

That this Council writes to the Minister for Communities to express concern at the high level of housing stress and shortage of social housing within our Borough. Further, that the Minister is made aware of the limited temporary accommodation available to our residents. The Council further requests that the Minister should bring forward proposals to identify sites in towns and villages within our Borough for additional social housing and, in the interim, requests that she works with the Northern Ireland Housing Executive to ensure that additional emergency accommodation is made available to those in extreme housing stress, particularly in these challenging times.

(Having previously declared an interest in the item, Councillor Greer was removed from the meeting)

(Councillor Adair was admitted to the meeting)

Councillor Adair advised that Councillor MacArthur was unwell and unable to attend and it was therefore;

Proposed by Councillor Adair, seconded by Alderman Irvine, that the recommendation be adopted.

On behalf of the Committee, the Chairman sent best wishes to Councillor MacArthur on her recovery.

Councillor Adair advised that he had been in attendance at a meeting with Owen Brady, Area Manager, Northern Ireland Housing Executive regarding the housing crisis within the Borough. That position was reiterated when the Chief Executive from the Housing Executive presented to Council. There had been a number of contributing factors to this crisis including the right to buy scheme which had been of great benefit to many people however had resulted in housing stock being diminished. Many areas that had previously been built for social housing now had below 50% of social housing properties with a large number of those now been owner occupied. The Covid19 pandemic had seen the relaxation of stamp duty bringing a booming housing market, many private rental properties had been sold resulting in a number of rental properties diminished across the Borough.

The latest figures from December 2021 showed that 3,242 people were on the list to be housed within the Borough with 2,224 of those in housing stress. In his own area along the Ards Peninsula, Councillor Adair outlined the situations of some of those in housing stress, there were people with young children, people sofa surfing and staying with family and friends as they were unable to get housing and the demand for rentals was high.

Councillor MacArthur had been speaking with a constituent with a disabled child who was currently living in a flat which was not suitable for the needs of the child but as a result of the housing crisis had been forced into that accommodation. Up until recently there was no temporary accommodation along the Ards Peninsula however due to the hard work of the local offices temporary accommodation had since been found. However more temporary accommodation was needed to deal with the demand within the Borough.

(Councillor Blaney withdrew from the meeting – 8.19 pm)

Councillor MacArthur and himself had met with the Housing Executive to express their frustration with the lack of progress. The motion called for this Council to highlight the crisis in the Borough with the Minister. There was a need for more temporary accommodation for those who were in housing stress, a commitment from the Minister and a roadmap on the way forward to identify sites where additional social housing could be built.

(Councillor P Smith withdrew from the meeting – 8.20 pm)

There were 800 properties within the North Down constituency that were under utilised and there was a need to look at how derelict properties could be transformed.

Councillor Adair called for unanimous support on his motion to address the housing crisis. In closing he paid tribute to the work of Owen Brady, Manager, Housing Executive who had done all he could with the current limited resources available. Councillor Adair expressed great concern with the current situation.

Alderman Irvine supported and endorsed the comments and passed on his best wishes to Councillor MacArthur. He expressed concern regarding the current figures of those who were in housing stress particularly families with young children. For

anyone who had been given a notice to quit the Housing Executive added on priority homeless points, time was then of the essence to find housing, waiting lists remained long and temporary accommodation was situated in various parts of Northern Ireland. Alderman Irvine felt there were steps that could be taken on the reform of the Housing Executive and hoped the building of properties by the Housing Executive would be addressed in the future. There had been a lot of people that had been priced out of the private rental sector and large deposits were required for rental properties.

Councillor Mathison spoke in support of the motion and sent his best wishes to Councillor MacArthur. He felt it was worthwhile to send some communication to the Minister seeking investment into social housing within the Borough to address the crisis. The situation was complex and so many families were priced out of the private rental sector and forced into poor quality housing. Councillor Mathison stated that significant investment in social housing was crucial along with significant revitalisation and organisational change within the Housing Executive to allow it to become a more effective organisation to deliver social housing.

Councillor Mathison noted there was a matter coming forward through the Community and Wellbeing Committee in respect of the private tenancies bill and he felt that was a vital piece of legislation in making the private rental sector more accessible, affordable, stable and secure for families. The Department needed to start to come forward with creative solutions on how to address the housing crisis such as intermediate private rentals. The inclusion of good quality emergency/temporary accommodation was really important due to the shortage.

Councillor T Smith supported the motion and in his view the crisis was sadly the fault of devolution. The waiting lists were growing and there was need to re-start and create a sustainable plan to get good quality social housing built in Northern Ireland.

(Councillor Blaney re-entered the meeting – 8.32 pm)

Housing developments were being built but were not including social housing with land being a big issue.

Councillor Adair thanked Members for their contributions and believed the Council needed to work with Stormont to resolve the crisis.

AGREED TO RECOMMEND, on the proposal of Councillor Adair, seconded by Alderman Irvine, that the Notice of Motion be adopted.

(Councillor Greer was re-admitted to the meeting)

(Councillor Adair withdrew from the meeting)

(b) Notice of Motion submitted by Councillor Kendall and Councillor Dunlop

This Council recognises and acknowledges the potential symptoms and impacts experienced during peri-menopause and menopause, and will treat all staff fairly and equally, with dignity and respect, whilst seeking to improve their wellbeing, comfort

and general health.

Furthermore, council officers will introduce a policy that shows commitment to supporting the wellbeing of our workforce by ensuring appropriate support is available to anyone experiencing symptoms or impacts associated with menopause.

(Councillor Kendall was admitted to the meeting)

Proposed by Councillor Kendall, seconded by Councillor Dunlop, that the Notice of Motion be adopted.

Councillor Kendall commenced by stating that by putting diversity, inclusion and support of employees' wellbeing centre stage that would demonstrate this Council's commitment to embody and exemplify best inclusive practice.

(Councillor Mathison withdrew from the meeting – 8.36 pm)

The commitment of people of menopausal age to the Council's workforce should be recognised. She highlighted the number of employees who experience menopausal symptoms and considered leaving work due to them, displaying the need to show support and a continued need to an employer culture shift towards employee wellbeing. In supporting employees who experienced menopause, this Council could lead the way to support the wellbeing of the workforce and ensure that the expertise and contribution by that section of the workforce was not forgone. The need to support any employee with symptoms the same as any other health condition was paramount and being aware of reasonable adjustments to assist anyone experiencing such symptoms to remain in work was necessary. For some menopause symptoms could be acute including hot flushes, heavy periods, headaches, breast pain, anxiety, panic attacks, sleep difficulties and effects on people's confidence and wellbeing. Information and education about menopause needed to be part of inclusion and diversity training for the whole workforce and health and wellbeing policies should be reflective and provide adequate signposting. Councillor Kendall outlined that a menopause friendly policy would mean being committed to diversity and inclusion, being clear on supporting those experiencing menopause, creating an environment where it could be talked about easily and putting the right support in place as required. She felt this was essential in breaking down more barriers to employment. Councillor Kendall stated that she had been made aware the previous day that Officers were already drafting a policy of this nature and she therefore sought Members' support for this positive improvement to supporting wellbeing and diversity of the workforce.

Alderman McIlveen was aware that the Council was already taking steps forward in respect of this particular policy and asked the stage of the draft policy. In response the Director of Organisational Development and Administration advised that work had been occurring with the Trade Unions in respect of the draft policy. Consultation would then take place with the Heads of Service and the Staff Consultative Committee before final sign off following which it would be presented to the Corporate Committee for approval.

Alderman McIlveen sought clarity that Members would have the opportunity to review the policy to ensure that it met the standards they hoped. The Director confirmed that the policy would come to the Committee for approval and hopefully encompass many of the points raised by Councillor Kendall.

(Councillor Mathison re-entered the meeting – 8.39 pm)

Alderman McIlveen noted that the policy was long overdue and there was a need for it to be introduced. However, he was bemused as to why a Notice of Motion had been submitted on work that was already occurring. He looked forward to the policy coming forward and viewed that as a positive step.

Councillor Greer welcomed that work that was already occurring in the background and she was aware that the Equality Commission had produced guidance for employers.

(Alderman Girvan withdrew from the meeting – 8.41pm)

Councillor Kendall wished to highlight that she was not aware at the time of submitting the motion that work had been occurring. She felt it was an important issue and was reassured that Officers had already been working in the background.

AGREED TO RECOMMEND, on the proposal of Councillor Kendall, seconded by Councillor Dunlop, that the Notice of Motion be adopted.

(c) Notice of Motion submitted by Councillor Thompson and Councillor Edmund

That this Council recognises the need for an additional park and ride to serve the Ards Peninsula and agrees to lobby Translink and the Department of Infrastructure to seriously consider this facility, which would further reduce vehicle movements within the Borough and assist our residents to continue to reduce the Borough's carbon footprint.

The Director advised that the Notice of Motion had been deferred.

AGREED, that the Notice of Motion be deferred to the February meeting of the Corporate Services Committee.

(d) Notice of Motion submitted by Councillor Greer and Councillor McAlpine

That this Council includes funds for an additional resource to deal with Public Rights of Way as part of the Estimates process for 2022/23.

The Notice of Motion had been withdrawn in advance of the Committee meeting.

NOTED.

(e) Notice of Motion submitted by Councillor McKee and Councillor Boyle

That this Council recognises that an unprecedented number of workers have lost, or are at risk of losing their jobs due to the Covid-19 pandemic; acknowledges that workers who lose their jobs should be entitled to fair compensation and due process; is concerned that companies are using the Covid-19 crisis to by-pass collective redundancy consultation processes and are adopting the 'fire and rehire' approach to re-employ workers on worse terms and conditions; and calls on the Minister for Economy to bring forward legislation that strengthens redundancy protections for workers to protect against 'fire and rehire' and delivers on the New Decade New Approach Agreement employment commitments to improve worker's rights and entitlements.

The Notice of Motion had been withdrawn in advance of the Committee meeting.

NOTED.

11. ANY OTHER NOTIFIED BUSINESS

There were no items of any other notified business.

EXCLUSION OF PUBLIC/PRESS

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

12. EXTENSION OF AGENCY WORKERS CONTRACT

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)

13. TRADE DISPUTE 2021/22 PAY

(Appendix VII)

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)

14. MERCHANT SERVICES CONTRACT RENEWAL (FIN35)

IN CONFIDENCE

NOT FOR PUBLICATION

SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDNG THAT INFORMATION)

- 15. REQUEST FROM ROSEMOUNT RECREATION FOOTBALL CLUB TO USE LAND AT ISLANDVIEW FOR CAR PARKING ON 12TH JULY 2022 (LP397)**
(Appendix VIII)

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

NOT FOR PUBLICATION

SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDNG THAT INFORMATION)

- 16. REQUEST FOR CHANGES AT KIRCUBBIN COMMUNITY CENTRE BY PHLP LTD**
(Appendices IX - XIV)

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

NOT FOR PUBLICATION

SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDNG THAT INFORMATION)

- 17. REQUEST TO RENEW CONACRE AGREEMENT FOR LAND AT BOWTOWN ROAD, NEWTOWARDS**
(Appendix XV)

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

NOT FOR PUBLICATION

SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDNG THAT INFORMATION)

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED, on the proposal of Councillor McKimm, seconded by Councillor Gilmour, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 8.56 pm.

Unclassified

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ITEM 7.3.1**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	26 January 2022
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	20 January 2022
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	Matter arising from item 9(b) of Corporate Services Committee - SOLACE NI - Additional Support
Attachments	

Background

A report was provided to the Corporate Services Committee of 11 January 2022 setting out a proposal from SOLACE NI to reorganise and enhance its professional support in order to increase its effectiveness in representing the professional side of the Local Government sector. This would see an increase in contribution by each of the 11 Councils by £5,000pa over the next three years as part of a pilot project and subject to the increased partnership funding as set out in this report.

The Committee agreed to defer a decision on this item to the full Council meeting. The report is set out below and includes additional information to assist the Council in its consideration.

Report

The Society of Local Authority Chief Executives (SOLACE NI) is the professional body for local authority Chief Executives and Directors and is part of a national body, SOLACE UK.

Unclassified

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The aim of SOLACE NI is to act as the voice of the professional side of Local Government. Working together with the Northern Ireland Local Government Association (NILGA) as the elected member voice, together they represent the broad local government sector in Northern Ireland.

Membership of SOLACE NI is made up of the 11 Council Chief Executives and Directors from across all of the Councils in Northern Ireland. The average annual contribution per Council is currently £1,100. The Chief Executives Group of SOLACE NI meets monthly and also holds a number of workshops, briefings and seminars throughout the year. It has built a strong professional network across the 11 Councils.

SOLACE NI has a number of designated roles including Chair (changes annually), Vice Chair (changes annually) Secretary and Treasurer. It has become normal practice for the Chief Executive taking on the role of Chair to provide policy and administrative support for the year; usually a person is seconded from within their own organisation. The cost of this role is met via a mixture of funding that comes from SOLACE UK, the Local Government Training Group and Corporate Sponsorship. The officer is funded to a salary level of a max salary of PO2.

SOLACE NI has been reviewing its effectiveness and discussed this with its partners to understand how it could free up more time of the Chief Executives from the administration of the operations and more effectively and better lead the professional sector. This review has considered how the current role could be strengthened to better benefit Local Government and to compliment the work of NILGA rather than duplicate it.

This has led to the conclusion that to strengthen Local Government SOLACE NI will focus on the following:

- **Lead:** *To be a collective voice for the professional side of local government. Seeking out opportunities to strengthen the sector and articulating our challenges.*
- **Connect:** *To place local government as an integral part of the public sector providing a vital connection between local communities and decision making. To seek out opportunities for collaboration with central government and other sector/ bodies. To identify opportunities for learning and collaboration within the sector.*
- **Shape:** *To shape 21st century local government ensuring the sector has a strong role in shaping regional policy, strategy, and legislation.*
- **Learn:** *Horizon scanning globally and locally. Learning from ourselves and others to improve the effectiveness and efficiency of the sector and the services which we provide. Helping keep the sector relevant, efficient, and forward thinking.*
- **Do:** *Commission and carry out research and pilots on topics of interest to the sector in general. Having a planned and focused approach to engaging in consultations and influencing regional policy.*

Unclassified

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- **Sustain:** *To undertaken work as needed to improve talent identification and development, custodianship and policy to ensure the ongoing relevance and vitality of the sector.*

Some examples of the current work and role of SOLACE NI are as follows:

- COVID19 Response: regular meetings with the Chief Medical Officer, Chief Scientific Officer and other senior DoH staff to coordinate response to the pandemic.
- Chairing the NI Emergency Planning Group
- Civil Contingencies Group (NI)
- Strategic Waste Management Group
- Chair of the Local Government Training Group
- EU Exit Task and Finish Group
- Economic Recovery Taskforce
- NICS Permanent Secretaries Group Engagement Forum
- SOLACE UK Regional Leads Group interfacing with UK Government

SOLACE NI will respond to consultations, advise on and carry out research on policy reviews / development, support the statutory Partnership Panel and work in the interest of Local Government with a variety of bodies including all of the NI Executive Departments. It has worked with the DfC Officials on the Local Government Finance Group to ensure equitable funding outcomes. It will present evidence to NI Assembly Committees and coordinate cross Council work where appropriate and develop strong networks throughout the public sector. The work of SOLACE NI also brings corporate benefits to the Council as it works in the interest of all service areas, not just those specifically relevant to the Chief Executive, for example, SOLACE NI will deal with matters raised by groups such as Building Control NI and Environmental Health NI.

As would be expected, the role and demands on Chief Executives and SOLACE NI has changed and increased since the impact of the reorganisation of Local Government, BREXIT preparations and COVID response and recovery. Increasingly SOLACE NI has been seen as the “go to” professional body by central government Departments and outside bodies over the last number of years.

This growing demand has put a strain on the support needs of SOLACE NI and the time to be given by Chief Executives. There is a growing need for the Policy / Executive Officer to be at a more senior level enabling them to confidently and independently support the work of the group and to make it more effective by releasing Chief Executives from some of this role.

Issues of business continuity have also arisen with the current model which sees the support officer change every year resulting in a continual loss of skills, knowledge and processes.

Unclassified

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This challenge has been discussed with partners and it has been concluded that to develop and enhance their role, providing a professional voice to lobby and advocate for the sector, SOLACE NI has reviewed the options and believe it is necessary to employ dedicated Policy / Executive Officer (PO 10) and part time Administrative support (Scale 6) rather than the current full time administrative officer role. The new roles will be recruited on a three-year trial / pilot basis with the option to extend, thereby improving business continuity.

A new funding model has been developed to finance this new proposal. It comprises of increased annual contributions from:

- Each of the 11 member Councils
- SOLACE UK
- Local Government Training Group
- Department for Communities (new funding)
- Business Sponsorship.

SOLACE NI are therefore seeking an additional annual contribution of £5,000 per annum per Council towards funding these resources which will leverage a total of £130,000 per annum. This contribution can be met from reassigning some existing training, development and other budgets so at no additional cost to the Council.

RECOMMENDATION

It is recommended that Council notes the reassignment of £5,000 from existing budgets to an increased membership contribution to SOLACE NI for the next 3 financial years as a pilot project and subject to partner funding being in place.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A virtual meeting of the Community and Wellbeing Committee was held via Zoom on Wednesday 12 January 2022 at 7.00pm.

PRESENT:

In the Chair: Councillor Thompson

Aldermen: Carson
Irvine
Menagh

Councillors:	Boyle	Kendall
	Chambers	Mathison
	Douglas	Smart
	Edmund	T Smith
	Egan	McRandal
	Johnson	

Officers: Director of Community and Wellbeing (G Bannister), Head of Environmental Health and Protection (M Potts), Head of Leisure and Amenities (I O'Neill), Head of Community and Culture (J Nixey) and Democratic Services Officer (R King)

WELCOME AND CHAIRMAN'S REMARKS

The Chairman (Councillor Thompson) welcomed everyone to the meeting.

NOTED.

1. APOLOGIES

The Chairman sought apologies at this stage.

An apology had been received from Councillor MacArthur.

NOTED.

2. DECLARATIONS OF INTEREST

The Chairman asked for any Declarations of Interest.

Councillor Boyle declared an interested in Item 6 – Private Rented Sector Notice to Quit.

NOTED.

3. ARDS AND NORTH DOWN SPORTS FORUM GRANTS (FILE SD109)

(Appendix I – II)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing, detailing that Members would be aware that on the 26th August 2015 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. £35,000 had been allocated within the 2021/2022 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 November 2021, the Forum received a total of 5 grant applications; 1 of which was for Equipment, 2 of which were for Coaching, 1 of which was for Goldcard and 1 of which was for Travel and Accommodation. A summary of the 3 successful applications were detailed in the attached Appendix 1- Successful Applications.

A total of 2 of the applications failed to meet the specified criteria. The reasons for the unsuccessful applications were detailed on the attached Appendix 2 - Unsuccessful Applications

For information, the annual budget and spend to date on grant categories was as follows:

	Annual Budget	Funding Awarded November 2021	Remaining Budget
Anniversary	£1,000	£0	£1,000
Coaching	£3,000	*£352.50	£1,399.25
Equipment	£9,000	£0	£3974.00
Events	£6,000	£0	£3,558
Seeding	£500	£0	£58.57
Travel and Accommodation	£14,500	*£50	£12,372.82
Discretionary	£500	£0	£500
Goldcards proposed during the period November 2021 is 0.			

*The proposed remaining budget for Coaching of **£1,399.25** was based on a proposed award of **£352.50** as outlined in Appendix 1(Coaching – for Noting). The proposed remaining budget for Travel and Accommodation of **£12,372.82** was based on a proposed award of £50 as outlined in Appendix 1(Travel/Accommodation – for Noting) and reclaimed/withdrawn costs of £272.82.

RECOMMENDED that 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) are noted.

Proposed by Alderman Menagh, seconded by Alderman Irvine, that the recommendation be adopted.

Both proposer and seconder spoke to welcome the funding awards and were glad that clubs and individuals were still benefiting despite challenging times throughout the Covid-19 Pandemic. Alderman Irvine asked for an update on the nominations process along with plans for the Sports Awards ceremony.

The Head of Leisure and Amenities advised that the nominations process had opened before Christmas and had now closed, and nominations were currently being reviewed by the panel. An alternative venue was being sought for the Sports Awards ceremony this year but the event was expected to run.

AGREED TO RECOMMEND, on the proposal of Alderman Menagh, seconded by Alderman Irvine, that the recommendation be adopted.

4. CEMETERY CHARGES (FILE PCA57) (Appendix III)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing, stating that following a report to Community and Wellbeing in November 2021, Council asked for further information to be brought back on the proposed cemeteries charges. That report outlined the applicable charges relating to the Cemeteries Service across the Borough and the reasons behind the proposals.

The additional information added was in bold text for members.

- **Each year, Council applied a corporate approach to the increase of income related charges across all service areas. The corporate increase on charges was set by the Council's Finance Department as part of the rates setting process at 2% for 2022/23.** To that end, and as directed by the budget setting process, it was proposed to apply the corporate 2% increase to the cemetery charges for 2022/23, rounded to the nearest £1 for each charge.
- Removal of the resident interment fee for grave owner who has moved out of the Borough, except where a resident was in a care home outside the Borough. **This proposal was to standardise the approach whereby all non-resident burial charges were at the non-resident rate. Currently, the charging permitted a former resident to retain the resident fee.**
Given the pressures on burial space, the basis of the higher charge was to safeguard burial space for our current residents.
- Review of the registration fee for transfer / assignment on probate or succession (resident to non-resident). This brought the transfer cost in line with a non-resident

purchase fee. Currently, the cost structure allowed for residents to purchase graves and transfer to non-residents at a combined cost which was cheaper than the non-resident purchase fee. **In reality this had led to detriment to council income and provided the ability for grave purchases to circumvent the appropriate charge for non-resident purchases, and therefore should have been amended as proposed.**

- Addition of a late burial fee to address issues of Funeral Directors arriving after their allocated arrival time and impacting upon families attending subsequent burials. A fee in line with other councils was proposed. **This had an impact on teams servicing burials and in particular where there were a number of burials in one cemetery on the same day. In particular, during the winter months, late burials had key health and safety implications for staff completing tasks in fading light. By introducing this charge, Funeral Directors would be encouraged to ensure they complied with the arranged burial arrival time. The liability for lateness would be assessed on a case-by-case basis to ensure that it was fairly applied and would be assessed by Cemeteries management after the event.**
- Addition of a cancellation fee and change in detail fee to address issues of Funeral Directors making a booking and then requesting an amendment to the booking in advance of the interment. Changes of this nature again impacted upon the resources needed to deliver the service. In order to encourage Funeral Directors to ensure diligence in the booking process and avoid additional administrative duties for the Cemetery team. **Where there were changes made to a booking there was an impact on the team to alter arrangements not just from an administration element but also, and more critically, the setup of the burial process within the cemetery, team scheduling and a potential knock-on impact to other services and scheduled work.** A fee in line with other Councils is proposed. Where a booking has been cancelled, but no grave opening had taken place a fee in line with other Councils was proposed. If a booking was cancelled and the grave had been opened, the normal opening fee would still be charged.
- Addition of a non-resident fee for the interment of cremated remained. This was in line with the other fee structures for non-residents in the charges and was aimed at protecting grave space for the residents of the Borough.
- Memorial tree replacement plaques were currently, upon application, provided and installed by Council. It was proposed to, in line with the process in place for headstone memorials, to set out an approval process and direct the owner to a Memorial Sculptor to provide the plaque. This was reflected in the amended charge.

The table in the Appendix set out the current charges together with the proposed charges for 2022/23.

RECOMMENDED that Council adopt and approve the amended charges as outlined above and set out in the Appendix.

Proposed by Councillor Boyle, seconded by Councillor Mathison, that the recommendation be adopted.

Both Members accepted the increases and felt they were fairly well balanced.

Alderman Carson queried the additional costs for burials on a weekend and bank holidays and it was explained by the Director that there was a 30% uplift for those periods to cover extra staffing costs incurred by Council. He confirmed that the additional costs applied to the internment fees. The cost of a purchase was fixed with one rate for residents and another for non-residents.

Alderman Irvine was glad that the late arrival charges would be assessed on a case-by-case basis. While content with the 2% increase, he added that it did not appear to be excessive for smaller charges but recognised that it was a significant uplift when applied to the larger fees.

In response to a query from Councillor T Smith, it was advised that the 30% additional charge for weekend and bank holiday burials was not a new policy and had been applied for a number of years. Councillor T Smith had concerns about the late fees and the additional burden it would place on bereaved families. In a further query he asked about the 13% increase on assignment and probate fees.

The Director advised that it had been evidenced that plots were being purchased at the lower resident rate and then being transferred to a non-resident. The increase was not a percentage increase like other charges but had been introduced to bridge that gap.

Councillor Edmund queried the increase to over £3,200 for an exhumation and it was advised that it was the result of a 2% increase across the board.

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

Councillor T Smith asked to be recorded as against the recommendation.

5. **SERVICE LEVEL AGREEMENT WITH CAUSEWAY COAST & GLENS BOROUGH COUNCIL FOR FUNDING FROM OPSS TO DELIVER PRODUCT SAFETY PROGRAMME (FILE CW99)**
(Appendix IV)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing, detailing that The Consumer Protection service unit's role was to ensure consumers were protected against the potential risks from unsafe goods that were

manufactured, supplied, or sold within the Ards and North Down Borough Council area.

The Office for Product Safety and Standards (OPSS) was the national regulator for product safety which sat within the UK Government Department of Business Energy & Industrial Strategy. It was established to lead and co-ordinate the UK product safety system to deliver improved protections for consumers and better support for industry across the UK. The aims were to increase support for local authority led teams at points of entry (e.g., seaports and airports) and co-ordination of market surveillance activities across different industry sectors.

OPSS already provided a package of support to environmental health services in Northern Ireland, including a programme of training to increase competency of front-line officers, funding to enable testing for products manufactured or imported by Northern Ireland businesses, and provision for additional screen-testing equipment.

OPSS developed an additional package that supported the Councils in Northern Ireland in enhancing their duties post EU Exit. This helped ensure that the UK had a co-ordinated and cohesive approach to market surveillance.

Previously as part of this package, OPSS provided funding to individual councils which had enabled Ards and North Down Borough Council to employ one full time officer who assisted businesses in achieving compliance with the relevant legislation. This had been in place for the last 2 years.

This year Causeway Coast & Glens Borough Council had agreed to collectively administer the funding with Councils working to this Service Level Agreement, and invoicing for monies in respect of work that had been completed.

The total funding allocation for ANDBC was £49,541.66

This funding would enable ongoing workstreams to be completed, market surveillance to continue and provide businesses with advice and guidance.

This funding also enabled officers to liaise with colleagues within the rest of the UK regarding imports from Third Countries.

RECOMMENDED that the Council signs the attached Service Level Agreement with Causeway Coast and Glens to ensure that the Council can continue to avail of the ongoing resource offered, and therefore help to ensure compliance and support to businesses within the Borough.

Proposed by Councillor Mathison, seconded by Councillor Edmund, that the recommendation be adopted.

The proposer felt that the recommendation was a necessary and sensible move while Councillor T Smith queried if the Council would be adhering to EU regulations, noting that they had been applied to Northern Ireland on 16th July 2021.

The Head of Environmental Health and Protection explained that the funding was to bridge the gap that had arisen since leaving the EU. It would also fulfil the requirements to comply with any changes within the UK in order to comply with the Northern Ireland Protocol, the details of which were uncertain at this stage.

While the funding would help meet market safety surveillance needs within the UK, the NI Protocol required Northern Ireland's businesses to comply with EU regulations, so it was felt that the advice and expertise would be better available locally in Northern Ireland where the goods were being imported, exported or manufactured.

Councillor T Smith could not support any sort of support for compliance with the Northern Ireland Protocol and felt it was destroying Northern Ireland's links with the rest of the UK. He noted that the EU was treating goods from GB as Third Country imports and asked if that would apply to goods moving between GB and NI.

It was a possibility, the officer explained, but there were discussions ongoing between Foreign Secretary Liz Truss MP and her EU counterparts on that matter and details were uncertain at this stage.

Councillor T Smith felt it was unacceptable that NI was treating goods imported from GB in the same way it was treating goods coming from China and the United States. Whilst not the fault of the Council, he felt that the Council should not be implementers or partakers in any way, shape or form of the Northern Ireland Protocol.

Responding to a query from Alderman Irvine, the officer clarified that the funding was to continue to employ an officer who had been in place already to step up surveillance of goods coming into Northern Ireland due to it no longer having access to intelligence from the EU's surveillance system. The funding was made available to all Councils across the UK already for this and this report recommendation was to allow one of the 11 in Northern Ireland to administer the grant on behalf of the others, instead of it being sent to each individual which was currently the case up to now. He confirmed that Northern Ireland did have additional responsibilities due to remaining in the Single Market.

Alderman Irvine felt it would be wise to await the outcome of the ongoing talks between the UK government and EU and he would therefore be unable to support the recommendation.

Alderman Menagh added that he shared the same view as Councillor T Smith and did not support the NI Protocol or the recommendation before Members.

Councillor McRandal felt that regardless of views of the NI Protocol the purpose was to ensure the safety of goods entering Northern Ireland. He asked what the risks and liabilities were if the Council decided not to support the officer's recommendation.

The Officer responded that the Council would be potentially disadvantaging businesses within the Borough which wanted to manufacture and export goods. In addition if funding did not continue, they would not be able to access product safety expertise and information and also it would affect the safety checking of goods coming into the UK if they arrived at Northern Ireland. If Council did not access the funding it would not be able to fulfil its duties.

Councillor Edmund indicated to speak again but in line with Standing Orders the Chair advised him he had already spoken on the item as seconder of the proposal. Councillor Edmund said he only wished to clarify that he would not have seconded the proposal had he been aware of the information provided by the officer.

Having disputed Councillor Edmund's attempt to speak again on the item, Councillor T Smith requested a recorded vote.

On being put to the meeting, with 9 voting FOR, 4 voting AGAINST, 2 ABSTAINING and 1 ABSENT, the proposal was CARRIED.

The recorded vote was as followed:

FOR (9)	AGAINST (4)	ABSTAINED (2)	ABSENT (1)
Aldermen:	Aldermen:	Councillors:	Councillors:
Carson	Irvine	Edmund	MacArthur
Councillors:	Councillors:	Thompson	
Boyle	Johnson		
Chambers	Smith, T		
Douglas			
Egan			
Kendall			
Mathison			
McRandal			
Smart			

AGREED TO RECOMMEND, on the proposal of Councillor Mathison, seconded by Councillor Edmund, with 9 voting FOR, 4 voting AGAINST, 2 ABSTAINING and 1 ABSENT that the recommendation be adopted.

(Councillor Boyle declared an interest in Item 6 and left the meeting – 7.28pm)

6. PRIVATE RENTED SECTOR NOTICE TO QUIT (FILE CW145) (Appendix V)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing, stating that the Department for Communities had issued a consultation paper seeking views on proposed changes to the Notice to Quit periods required to end a tenancy in the Private Rented Sector. Standard Notice to Quit periods varied from 4 to 8 weeks depending on the length of tenancy, but this had been extended temporarily to 12 weeks by The Private Tenancies (Coronavirus Modifications)

Regulations (Northern Ireland) 2021. The Department was proposing a period of 12 weeks' Notice to Quit for tenancies of one year or more and was seeking views on whether this proposed change would be supported.

A draft response had been prepared in response to the online consultation for Members' consideration.

RECOMMENDED that Council approves the response being submitted to Notice to Quit consultation.

Proposed by Councillor Edmund, seconded by Councillor Mathison, that the recommendation be adopted.

Councillor Mathison voiced his support and thanked officers for a thorough response. It was important legislation and vital that private rented accommodation was made more financially secure for tenants. The current permitted notice period could immediately place a family in crisis and accessing alternative accommodation was extremely difficult in the current climate.

Councillor Kendall was supportive but would have liked to have seen notice periods for short term tenancy agreements also extended to 12 weeks as it still did not make the financial hardship any different than that of a long-term tenant. Also finding alternative accommodation within the existing four week notice period still presented the same difficulties.

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

(Councillor Boyle was returned to the meeting – 7.34pm)

(Councillor T Smith left the meeting – 7.34pm)

7. DFC COVID FUNDING FINANCIAL INCLUSION PHASE II (FILE CDV28/CDV50)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing, detailing that Members were informed in December 2021 that the Department of Communities (DfC) had advised officers that the Financial Inclusion Fund Phase II, totalling £53,599, was going to be made available to Council, to be committed in the current financial year.

The purpose of the Financial Inclusion Fund was educational - to help build financial resilience and improve overall financial wellbeing through access to good quality advice and skills to support effective money management, linking into holistic debt advice services.

Officers had been in discussion with DfC to explore how best to utilise the funding for the above purpose and it was recommended that the Financial Inclusion Fund Phase II, totalling £53,599 was awarded to Community Advice Ards and North Down to enable them to retain their trainee advisors, to help respond to the anticipated increase in demand for service, as a consequence of the current wave of Omicron.

RECOMMENDED that Council in accordance with the agreement reached with DfC, approves that the Financial Inclusion Fund Phase II, totalling £53,599 is awarded to Community Advice Ards and North Down.

Proposed by Alderman Irvine, seconded by Councillor Edmund, that the recommendation be adopted.

Alderman Irvine welcomed the report adding that Community Advice Ards and North Down had worked closely with the Council throughout the Covid-19 Pandemic and he was sure that the money would be put to good use and add resilience to the Council's resources. Councillor Edmund echoed those comments.

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

8. GOOD RELATIONS CROSS COMMUNITY SCHOOL PROGRAMME (FILE GREL346)

PREVIOUSLY CIRCULATED: - Report from the Director of Community and Wellbeing, detailing that as part of the Good Relations Action Plan 2018-2022 primary 7 pupils and teachers from local primary schools in recent years had travelled on a cross community educational programme visiting the battlefields in Belgium and France to increase their understanding of shared history. The project had promoted an understanding of the sacrifices made by men from all sections of the community during WWI. The programme was always a success with the schools and participants establishing lasting learning and friendships.

In 2019/2020, 45 young people, seven teachers, one guide and one Ards and North Down Borough Council Good Relations Officer returned just at the start of the first lockdown in March 2020. It did not take place in 2021. As Covid remained prevalent within our communities, the uncertainty around travel and the reluctance of schools to travel, it was recommended the programme did not go ahead in 2022 either and the allocated budget of £30,000 was used to deliver other good relations focused programmes across the borough.

Members would be aware that 75% of the funding for the Action Plan and associated initiatives was provided from the Executive Office with 25% being met by the Good Relations budget of Ards and North Down Borough Council. All programmes would follow procurement guidelines and value for money.

All programmes were dependant on the engagement of participants and based on current covid guidelines. All programmes were subject to change or amendment.

Programmes would include:

Animated videos – Circa £12,000

Good Relations were in the process of planning two animated videos on sectarianism and racism. Both videos could be used as resources in other programmes e.g., Shared Voices. The videos would reach wider audiences and raise awareness of good relations through the Council's YouTube channel.

Resilience programmes – Circa £10,000

A number of resilience programmes aimed at young people and delivered by different facilitators.

Beyond Skin would deliver a series of workshops to young people at Include Youth and SERC Skills for your life classes. These workshops would address diversity and resilience through music and discussion.

Ready4anything would deliver a resilience programme to primary school children that would help build their confidence and teach resilience skills using enjoyable, interactive activities, arts and crafts, games, songs and discussion. Discussions on delivery dates were ongoing. Schools included Bloomfield, St Malachys and West Winds primaries. The programme had also been offered to St Finian's, Portavogie PS and Good Relations would continue to approach other schools. The programme was based on cost per child per session with a minimum of five sessions per child.

Pips Riverboat adventure – Circa £3,000

A puppet show, delivered in November subtly addressing diversity with 12 primary schools and 800 children at key stage 1, due to the success of the programme Good Relations were piloting the programme with nurseries, Surestart, mums and tots not only to introduce diversity at an earlier age but to enable the parents to get engaged. CRE8 would deliver the programme in March with dates to be confirmed depending on the number of online shows they were required to deliver.

Rabbie Burns - £1,300

A touring production of Rabbie Burns was being delivered in January to Portavogie primary school and then to Ballywalter seniors' group. The touring production was received well as an intergenerational programme in 2019 but unfortunately due to covid and the safety of participants an intergenerational programme was not desirable at this time.

North Down Museum – Circa £1,000

Possible video on the shared history of the borough through local artefacts

International school of Peace - £1,700

An 8-week programme delivered to 12 participants on the Holocaust. Participants were introduced to the Holocaust from the early stages. Weekly discussions on the

similarities to Northern Ireland and identification against some of our communities were part of the programme.

Twinning Programmes – Circa £1,000

Young people would be introduced to good relations through sport with Peaceplayers. The twinning programme between St Malachys and Bloomfield primary schools would introduce all the children to six weeks of basketball that also focused on good relations on and off the pitch. West Winds were also interested and St Finian's had been approached to twin with them. The schools were reluctant to meet in person but videos of each session would be shown to the other school to chart progress in the sport while enabling some form of relationship building.

Outcomes:

The amended project would deliver the following outcomes:

- An increase in the percentage of participants who had a greater understanding of shared history
- Increased sense of community belonging (widens contribution beyond community background)
- Reduce the prevalence of hate crime and intimidation
- Improved attitudes between young people from different backgrounds
- Young people engaged in bringing the community together

RECOMMENDED that Council approves the outlined amended projects detailed in this report at a total cost of up to £30,000

Proposed by Councillor Douglas, seconded by Councillor Boyle, that the recommendation be adopted.

Councillor Douglas welcomed the investment amid the challenges of the Covid-19 Pandemic while Councillor Boyle added his support. He stated that it was important for the Council to have a good relationship with its local schools and that the funding would provide great opportunities and experiences for the pupils involved.

Alderman Menagh felt that the cross-community schools programme was one of the best initiatives of the Council and wished to record his thanks to the officers for developing the programme.

Councillor McRandal spoke of the importance of the work undertaken by the Good Relations team. Pointing to the Twinning Programmes, he questioned the benefit that each set of pupils from one of the school pairing projects would get by watching a video of the other school's pupils playing basketball and not actually meeting in person.

The Head of Community and Culture advised that the report had been written during a time of more restrictive Covid-19 measures but she would check and update the member if that element of the project had since been reviewed to include face to face interaction between the two sets of pupils.

Councillor Smart added his support, highlighting the benefits of the traditional annual schools visit to France/Belgium to learn about the Somme which had been cancelled in recent years due to Covid-19. While recognising it did not have the same benefits for pupils, he wondered if there was another year where travel was unlikely if a visit to the Somme Centre in Newtownards could be built into the programme.

The Head of Community and Culture responded that it had been intended to include a visit to the Somme Centre but the museum was currently closed so it had not been possible to include that in the programme.

Councillor Edmund welcomed the report, adding that he had been involved in previous trips to the Somme and had noted the social and educational benefits the children had gained from the experience. He thanked the officer and the Good Relations team.

The Head of Community and Culture wished to remind Members that the PCSP and Good Relations units were currently conducting a public consultation in relation to a three-year strategy. As part of that process a questionnaire had been widely circulated and she encouraged members to complete it.

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

9. ANY OTHER NOTIFIED BUSINESS

There were no items of Any Other Notified Business.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Councillor Douglas, seconded by Councillor Smart, that the public/press be excluded during the discussion of the undernoted items of confidential business.

10. POST PROJECT EVALUATION ARDS BLAIR MAYNE WELLBEING AND LEISURE COMPLEX (FILE LE13)

(Appendix VI)

*****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)

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED, that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 8.10pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Planning Committee was held virtually on Tuesday, 18 January 2022 at 7.00 pm via Zoom.

PRESENT:

In the Chair: Councillor Cathcart

Aldermen: Gibson Keery
McDowell McIlveen

Councillors: Adair McRandal
Brooks McKee
Cooper (7.03 pm) Smith, P
Kennedy Thompson
McAlpine (7.02pm) Walker
McClellan (7.01 pm)

Officers: Director of Regeneration, Development and Planning (S McCullough), Head of Planning (A McCullough), Senior Professional and Technical Officers (P Kerr, C Rodgers, A Todd), Principal Professional and Technical Officers (G Kerr and L Maginn) and Democratic Services Officers (J Glasgow and P Foster)

Also in

Attendance: J Killen (DfI Roads), B McAlister (Agent), R Agus (MRA Partnership), S Beattie (QC), L Hughes (Applicant), P Best (Agent), R Woods MLA (speaking on behalf of objectors), A Sinclair (Agent - Footprint Architectural Design), M Bell (Speaking on behalf of Killinchy Concerned Residents - Bell Architects), R Gilmour (Agent – Robert Gilmour Architects), K Quigley (Applicant), G Thompson (Agent – GT Design)

WELCOME

The Chairman (Councillor Cathcart) welcomed everyone to the meeting.

1. APOLOGIES

No apologies were received.

NOTED.

2. DECLARATIONS OF INTEREST

The Chairman sought Declarations of Interest at this stage and the following declaration was made;

Alderman McIlveen – Item 4.11 - LA06/2018/1169/F – Replacement dwelling (off site) to include the demolition of existing dwelling. 85m West of 50 Kilcarn Road, Ballymacashen, Killinchy.

NOTED.

(Councillor McAlpine entered the meeting – 7.02 pm)

3. MATTERS ARISING FROM MINUTES OF PLANNING COMMITTEE MEETING OF 2 NOVEMBER 2021

PREVIOUSLY CIRCULATED:- Copy of the above.

RESOLVED, on the proposal of Councillor McKee, seconded by Councillor Thompson, that the minutes be noted.

4. PLANNING APPLICATIONS

4.1 LA06/2020/1008/O – Erection of 9 Dwellings with access off Messines Road (Right turning lane provided). Lands immediately north of 10-18 Cambourne View and 17 Cambourne Park, Newtownards (Appendix I)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Newtownards

Committee Interest: Called in by Alderman McIlveen from delegated list w/c 18 October 2021

Proposal: Erection of 9 Dwellings with access off Messines Road (Right turning lane provided)

Site Location: Lands immediately north of 10-18 Cambourne View and 17 Cambourne Park, Newtownards

Recommendation: Refusal

(Councillor Cooper entered the meeting – 7.03 pm)

The Planning Officer (G Kerr) outlined the detail of the application which was before members due to a call in by Alderman McIlveen and the recommendation was to refuse planning permission due to road safety issues.

Jason Killen (DfI Roads) was present to clarify any questions Members may have regarding this issue.

Members were asked to note that as this was an outline application it was the principle of development which was being considered with further details to be submitted with any reserved matters application that would be submitted if there was an overturn of the recommendation to refuse permission.

There were two objections received in relation to the application which had been addressed in the case officer report.

To provide context, the Planning Officer explained that the site was located within the development limit of Newtownards and there were no designations on the land. Referring to the images, she advised the application site was an area of grassland with large areas of gorse, bound on two sides by roads and one side by residential development. The road to the north, on which the access to the site was proposed, was a Protected Route known as Messines Road.

While the principle of housing was considered acceptable, the proposal was recommended for refusal as the proposed site would be accessed off Messines Road (A20) which was a Type 2 Protected Route. In Policy AMP 3: Access to Protected Routes in PPS3 this road fell under 'Protected Routes Designed to an Appropriate Standard as Dual Carriageways, Ring Roads, Through-Passes and By-Passes for all locations'. Planning permission would only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, in exceptional circumstances or where the proposal was of regional significance. It had not been demonstrated that the provision of housing with an access off this protected route would fall under exceptional circumstances nor was it considered to be of regional significance.

DfI Roads was consulted and recommended refusal in its consultation response – "The proposal was contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 3, in that it would, if permitted, result in the creation of a new vehicular access onto a Protected Route, thereby prejudicing the free flow of traffic and conditions of general safety". Although there was only one refusal reason in relation to the application - it was considered to be an important one as it related to road safety – those members who were familiar with this road would be aware it was a busy thoroughfare and the opening up of an access onto this protected route requiring a right hand turn across traffic close to a busy roundabout was considered to be unacceptable and refusal of planning permission was recommended.

The Chairman invited questions from Members.

Referring to the Messines Road, Alderman McIlveen noted that several years ago planning permission had been passed for the MARM factory site which included an access and a dualling scheme on the Comber Road. He did not recall this issue in respect of the protected route having been mentioned in respect of that application. He sought clarity in that regard and questioned how the designation was derived, what was the appropriate standard in the policy and why was there a difference in parts of the Messines Road. He had looked online at the protected routes map and there was no difference in designation on that map.

Mr Killen explained that the protected route types were decided within each Roads Division and from the Kempstones roundabout to the Portaferry roundabout was classed as category type 2. The MARM site had a 'left in' and 'left out' and therefore vehicles would not be crossing the road; there was also an exception made in that regard to the acceptance of an access. There were other accesses around the area including Tesco etc. which were designed and built as part of the distributor road. Now with the high traffic volumes on that road there was to a need to consider each application as a new access under current policy and guidelines. Mr Killen stated that the principle of the application in respect of the road was that it should be

refused. There was a safety concern regarding the safe flow of traffic highlighting how busy that stretch of the Messines Road was at peak hours and it was felt that it would be difficult to exit the proposed development onto that road.

Alderman McIlveen posed a number of follow up questions to Mr Killen. He was of the view that there should be a central standard for the classifications of the roads rather than it being up to each division. Mr Killen explained that it was based upon what the division classed the road. In terms of the Messines Road that was classed as a Ring Road which fell under the classification of a type 2 category road. Alderman McIlveen asked if there was public record for the classifications. Mr Killen explained that each division held a spreadsheet of the road's classifications. He noted that it had been brought up in the past by the planners that DfI had not been providing notification of the type of protected route. That issue had been drawn to the attention of DfI staff and it was now acknowledged in such applications the type of protected route would be specified in responses which had been done for this application. Mr Killen recognised that the DfI road viewer only specified a protected route, it did not show any further detail on the class type and there were internal discussions to progress that detail. In relation to the MARM site, Alderman McIlveen felt it was odd that an exception had been made in relation to that site. Mr Killen advised that the application was before his time and he did not have all the information to hand. However as specified that access was a 'left in', 'left out' and measures were in place to ensure a safe access. Alderman McIlveen expressed concern in respect of the inconsistency.

The Planning Officer intervened and provided a planning context in respect of the MARM application. The then Planning Headquarters had dealt with the previous 2010 MARM application. It had been treated as an Article 31 application as it was deemed to affect the whole neighbourhood, an important application with the potential of bringing economic benefit to Newtownards and be a major employer. That application had been deemed to be acceptable by DfI Roads given that it provided a 'left in' and 'left out' access and therefore a completely difference context to the application that was before Members this evening. Alderman McIlveen highlighted that the 2015 application submitted by MARM had been substantially different from the application passed in 2010.

The Chairman noted there were speakers in attendance to present, following which Alderman McIlveen would have a further opportunity to ask questions.

At this stage, the Chairman asked that the following Speakers be brought into the meeting:

- Mr Bill McAlister - Agent
- Richard Agus – MRA Partnership
- Stewart Beattie - QC
- Leslie Hughes – Applicant

Following a slight delay in locating the speakers in the virtual gallery, the representatives were brought into the meeting.

Mr Beattie viewed the conduct of DfI Roads in respect of this application as unfair as it was categorising a route with no public consultation nor a public document to display the meanings. To have different roads classifications by each Division was contributory to neither orderly nor consistent development. Mr Beattie had been astonished by the remarks made and advised that the same mistake had been made in 2004 on the publication of PPS3 and following a PAC decision thereafter a change had been made to the policy to provide classification clarity. The Case Officer's report provided an extract of that policy map however this route did not exist on that map. DfI had published a map in 2020 with only red lines on it, the Messines Road was a protected route on the say so of DfI Roads without consultation with any other statutory authority or public body. As a protected route it was within the development limit and in his view the error in respect of the application was that DfI had directed Planning to the wrong policy as the road was in fact a type 4 category route in the absence of any formal designation. He again referred to the PAC decision in 2005 when due to ambiguity the decision was made in favour of the applicant. Mr Beattie outlined that the consequence of the approach taken by DfI Roads meant that the land designation was effectively sterilised. Representatives were surprised to hear of the safety issue being raised tonight as that matter did not arise in the first number of DfI consultations. The sole issue that was raised in the last consultation with DfI Roads was that the road was a type 2 protected route designation with no supporting documentation. Mr Beattie highlighted that DfI did not have any public documentation to describe a ring road. He outlined that their position was perfectly straightforward, accepting that the Messines Road was a protected route within the development limit. However, there was no documentation to advise otherwise that the road was a type 4 protected route. Development had been permitted along the Messines Road over a number of years. Mr Beattie did not feel the resolution of this matter an issue which the applicant or the Council should have to deal with. If DfI Roads wished to publish an amended policy map and redesignate areas that must be done lawfully and properly.

Mr Agus added that DfI Roads had consulted consistently in the first number of responses to say the Messines Road was a protected route, a type 4 and access was permitted. DfI had then requested a right turn lane at the access. The applicant was happy for that to be included and that made it safer and did not obstruct the traffic on the road.

Alderman McIlveen sought clarity in respect of the right-hand turn proposal. Mr Agus confirmed that in June 2021 DfI had advised that if Planning were minded to progress the application, they would like a right hand turn lane at the access point. An outline drawing had been submitted in that regard with the detailed design being subject to a future reserved matters application. Mr Agus stated that access to the protected route was permitted when access could not be reasonably achieved from a minor road. Therefore, access to the protected route was permitted and that was consistent with other developments along the route for e.g. Ards Shopping Centre and Tesco Petrol Station. Mr Agus advised that DfI Roads had also asked for the plan to show that the access would be extended into the rest of the white land. That plan had been submitted to show access to the development with that being extended for the potential to service other dwellings on adjacent land. That was the reasoning why it has been oversized to have large visibility splays for additional dwellings. Mr Agus felt that the road safety issues had been addressed. He viewed

the protected route matter as a planning issue and an issue where DfI Roads had misdirected the Council advising that the Messines Road was type 2 route when it was not.

Alderman McIlveen voiced his surprise noting that it was due to the right-hand turn lane that DfI Roads had an issue in respect of safety. Mr Agus advised that the initial application had been submitted without a right-hand turn lane however that suggestion had been incorporated to address the road safety issues. If DfI Roads had made a reasonable suggestion consideration could have been given to that. It did not seem unreasonable to have a right-hand turn lane on a protected route.

In response to further requests for clarity from Alderman McIlveen, Mr Beattie advised that in response to the PAC decision in 2005 an amended policy had been published with a map showing the primary colours and the roads designations. The Commission specially criticised DfI for not having any criteria or public designations. Mr Beattie stated that he struggled to articulate his surprise that the reason for the policy change had not been properly followed through. Mr Killen had outlined that the classification was not a jurisdiction-wide approach which did not support orderly or consistent development. He reiterated that where there was ambiguity that should be read to the benefit of the applicant.

Alderman McIlveen asked Mr Beattie what he would have expected for a decision to have been reached and where did this leave the Council. DfI were an important statutory consultee and were providing one ground for refusal of the application whereas Mr Beattie was highlighting that designation could be unlawful. To be clear, Mr Beattie stated that the policy outlined that the map could be updated and in principle to show the designations was not in itself wrong. In his opinion he felt that the Planning department should follow the same line as the PAC and say because of the conduct of DfI an ambiguity had been left, it was clear that the Messines Road was a protected route within the settlement limit, the Planning Department were entitled to make a planning judgement to treat the road as a type 4 protected route and on that basis were therefore entitled to take a different approach under the policy. Mr Beattie emphasised that he was not asking the Committee to depart from Policy, the approach from DfI was the wrong approach and there were factual circumstances to allow for the application to be overturned.

Councillor McAlpine expressed concerns regarding the increased traffic on the Messines Road. She raised a question regarding the access and asked if there were alternatives considered and referenced the orthophotography in this regard to show what appeared to be an alternative. Mr Agus outlined that Cambourne could not be used as an access and there were no alternatives.

Alderman McDowell stated that he travelled on the Messines Road each day, it was a very busy road and there were often tailbacks. He wondered how a car could exit from the new development and turn right into the Messines Road and in that regard felt that was a traffic safety issue. Mr Agus stated that the development was the least busy access onto the route. He referred to the surrounding area highlighting the access from Tesco, the Scrabo Road and the Blair Mayne Road South where there was no right-hand turn lane.

As there were no further queries for the representatives, they were returned to the virtual public gallery. The Chairman then asked if Members had any queries for the Planning Officer or DfI Roads Official.

Councillor P Smith sought guidance if the Council were to go contrary to DfI Roads Advice. The Planning Officer stated that it was unfortunate that Planning had not received Mr Beattie's speaking notes in advance; what had been submitted was not reflective of what had been said and if that had occurred all the issues highlighted could have been checked prior to the meeting. A consultation response had been received from DfI Roads on 9th September and 4th November stating that the Messines Road was a protected route – dual carriageway/ring road and it was only by exceptional circumstances or regional significance that the application would be considered acceptable. Advice was taken from DfI Roads as the statutory consultee however she noted that the application had been refused on the basis of PPS3 and upon the advice given Planning had no reason other than to refuse on that basis.

Councillor P Smith sought a response from Mr Killen on Mr Beattie's comments. Mr Killen firstly wished to clarify his earlier remarks. He explained that there was a standardised type of road which was used across the divisions and it was up to the divisions individually to apply the types of those standards and provide a classification on the road. During this process, the DfI Case Officer had looked at alternative ways to ensure a safe access when a right-hand turn lane had been suggested. It had then come to light, the road was a type 2 protected route and that meant the matter could not be taken any further to identify a safe route. The DfI Traffic section were not content with the right-hand lane suggestion given that other accesses along the Messines and Castlebawn Roads were 'left out, left in' only. DfI Roads had suggested to the applicant that an access be looked at in Sterling Avenue, which accessed the entire green strip and that suggestion was highlighted to the applicant at the early stages.

Alderman McIlveen questioned if the consultation responses from DfI Roads were accurate and the correct designation process followed. He was interested to further understand what had occurred with DfI Roads and assumed a DfI Case Officer would have carried out checks on the type of road in the first instance. He was confused as to why a right-hand turn lane had been suggested and then considered not to be a safe option.

(Alderman McDowell withdrew from the meeting – 7.56 pm)

Mr Killen explained that internal consultation had occurred with the DfI Network Traffic section. He highlighted that there had been an internal training issue which resulted in notification on a clear position not occurring at an earlier stage. He had advised the applicant and apologised on the DfI's behalf in that respect. Mr Killen outlined the amendment which had occurred to the classification from a type 4 to a type 2.

In response to a further question from Alderman McIlveen regarding the PAC decision which Mr Beattie referred to, Mr Killen advised that he would have to check with senior management in that regard.

Councillor Walker noted that a lot of the discussion had been in respect of the internal workings within Dfl. He felt there was no option but to accept the recommendation of refusal by the Officer. On that basis, he was happy to propose.

The Chairman wished to allow the opportunity for further questions from Members before allowing a proposal.

Councillor McClean referred to the degree of ambiguity and personal judgement on the classification of the road and sought clarity in that regard. Mr Killen advised that he had sought advice from the Principal Engineer within the Traffic Section and based on his expertise had advised the road was classed as a type 2 protected route.

Councillor McClean referred to the PAC appeal and that had gone in favour of the applicant due to lack of clarity and asked if that had been considered. The Planning Officer stated that as previously alluded to Mr Beattie had not provided a speaking note on the points he had raised and this was the first time that matter had been mentioned.

With respect, Councillor McClean noted that extant judgements should be reviewed as part of the assessment of the application.

The Head of Planning disagreed with the remarks of Councillor McClean as it was impossible to recall every PAC decision. She felt the Committee had been left in a difficult position - there was a matter with a previous PAC decision that would impact this application and on the other hand a Dfl Principal Engineer was advising that the road was a type 2 protected route. This in essence was the presentation of new information and on that basis, she was recommending that the application be deferred to seek legal advice.

Councillor Walker proposed, seconded by Alderman McIlveen, that the application be deferred.

As seconder, Alderman McIlveen felt that was a sensible option to take time to look at the matters raised.

RESOLVED, on the proposal of Councillor Walker, seconded by Alderman McIlveen, that the application be deferred.

4.2 LA06/2021/0744/F – Conversion and extension of existing single storey garage including increase in ridge height to create one and a half storey ancillary Granny Annex accommodation. 5b Killinchy Road, Comber
(Appendix II)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Comber

Committee Interest: Called in by Alderman McIlveen from delegated list w/c 15 November 2021

Proposal: Conversion and extension of existing single storey garage including increase in ridge height to create one and a half storey ancillary Granny Annex accommodation

Site Location: 5b Killinchy Road, Comber

Recommendation: Approval

The Head of Planning outlined the detail of the application which had been brought before Planning Committee following a call-in request received from Alderman McIlveen who had stated that *'Given this is the conversion of a garage in close proximity to neighbouring dwellings and involves a raising of the height of this building to one and half storey, he would like the Committee to consider the impact of the proposal on privacy and amenity of neighbouring dwellings under the addendum to PPS7 Residential Extensions and Alterations'*.

Site and Surroundings

The site was located just off the Killinchy Road, Comber and was accessed via The Grange within a well-established residential area primarily consisting of detached properties within generous plots.

Existing Garage

The existing garage to be converted was located to the rear of the host dwelling at 5b and to the side of the recently constructed dwelling at 1a The Grange. The garage was single storey with a render finish and slate roof.

Proposed Ancillary Accommodation

The proposal involved the conversion of the existing building including a small ground floor extension to the north-eastern gable and an increase in the ridge height of 1.7m to facilitate first floor accommodation. Two new dormer windows would be added to the south-eastern elevation of the building overlooking the rear garden of 5b as well as two small roof lights to the north-western elevation and a small ground floor window to the south-western elevation facing the adjacent dwelling at 1a The Grange.

Internally, the accommodation would provide a living area at ground floor with a small WC and at first floor two small bedrooms and a bathroom would be provided. Members were then shown a comparison of before and after to help visualise the extent of the works proposed. The relevant policies for householder proposals were contained within the Addendum to PPS7 Residential Extensions and Alterations. Policy EXT1 required proposals to be sympathetic to the appearance of both the existing property and the surrounding area and that they should also not unduly affect the privacy or amenity of neighbouring residents. It was considered that the proposal would satisfy those policy requirements. The building was already existing, therefore it was the impact of the extension and alterations which must be assessed. In this regard, both the ground floor extension and the increase in the ridge height of the building were modest in scale and would not harm the character or appearance of the area. The ridge height of the building would continue to sit below that of the host dwelling and the adjacent dwelling at 1a The Grange (approximately 1m below as annotated by the agent on the site layout plan).

With regard to the privacy and amenity of neighbouring residents, the potential impact had been thoroughly assessed. The two neighbouring properties potentially affected by the proposal were 5 Killinchy Road and 1a The Grange. Two letters of objection had been received from the occupants of 1a raising concerns in relation to loss of light and privacy to their living room. The existing garage was located approximately 4m from the closest gable end of 1a. Situated on this gable, there were two ground floor windows which served a living area. It was not considered that the increase in ridge height of the existing building by 1.7m would result in any unacceptable loss of light to the living area. In addition to the two gable windows, the room was served by double patio doors on both the southern and northern elevations of the building, meaning that the room would continue to enjoy ample lighting throughout the day and the amount of light entering the room would not be materially affected by the proposal.

With regard to privacy, only one ground floor window was proposed on the gable facing 1a. To ensure that any potential views from this window towards 1a were mitigated, it had been recommended that approval of the proposal was subject to a condition requiring obscure glazing to be fitted prior to occupation and retained in perpetuity thereafter. The proposed dormer windows to the front of the building would overlook the rear garden area of 5b with only oblique views towards the front garden of 1a which would not cause unacceptable overlooking of any private amenity space. Policy EXT1 of PPS7 stated that it was the 3-4m of private amenity space to the rear of a property which the policy sought to protect from unacceptable levels of overlooking.

With regard to No. 5 Killinchy Road, there would be no loss of privacy as no windows with the potential to overlook were proposed on the north-western elevation facing the rear garden of No. 5. The increase in the ridge height of the building was also not result in any unacceptable loss of light or overbearing impact given the distance of the building from the rear elevation of No. 5.

Objections had also been received from the occupants of 1a The Grange and 15a Killinchy Road in relation to the nature of the proposal. Concerns had been raised that the ancillary accommodation could function as a small independent dwelling unit and that it would create an undesirable precedent leading to an unacceptable density of development within the area. Policy EXT1 contained specific guidance on proposals for ancillary residential accommodation such as that proposed. It was advised that accommodation must be subordinate to the main dwelling and its function supplementary. The policy also recommended that accommodation should normally be attached to the existing property and be internally accessible from it. However, it went on to state that where an extension was not practicable and it was proposed to convert and extend an existing outbuilding, this would depend on a modest scale of accommodation being provided. It was considered that the modest scale of accommodation which included no kitchen facilities, would be subordinate to the large existing dwelling ensuring that it would continue to be used as part of the main dwelling. As a further measure, it was recommended that any approval was subject to conditions stipulating that the building could not be used at any time other than for purposes ancillary to the existing dwelling and that it should not be separated, sold off or leased from the existing property.

It was considered that the accommodation proposed could not practically and viably operate on its own. It would have no separate access or curtilage and its close positioning to the host dwelling meant that it would be highly unlikely to be sold and operated as a separate dwelling. In this respect, appeal decision 2015/E0053 for ancillary accommodation at 13 Newtown Road, Newry, was useful in the assessment of proposals for ancillary accommodation. The proposal considered under this appeal was for detached new build ancillary accommodation with a kitchen and living room on the ground floor and a bathroom and two bedrooms on the first floor. However, the Planning Appeals Commission considered that the building was very close to the main dwelling with no physical separation between the two and shared garden and parking spaces and accordingly there had not been a sub-division of the planning unit to create an independent dwelling. The current case was considered to be comparable to this appeal case.

The Head of Planning stated that having assessed the proposal against the relevant planning policies and having carefully considered all of the representations received, the Planning Department was satisfied that the proposal would not result in any unacceptable impact on the privacy or amenity of existing adjacent dwellings and it was therefore recommended that full planning permission should be granted subject to the planning conditions outlined in the officer's report.

The Chairman thanked the Officer for the presentation and sought questions from Members.

Alderman McIlveen referred to the view from the Planning Officer that there would be no 'unacceptable' loss of light and he asked what the limit of acceptability was. The Head of Planning explained that normally the light test was applied to measure the impact on adjacent properties. However, on this occasion the particular room of the dwelling at 1a had patio doors to the rear and front as well as two smaller windows on the gable. The patio doors to the front were south facing and would get the direct sunlight for most of the day. The light test set out in the addendum to PPS7 would be satisfied with both sets of patio doors. It was considered that the two small windows on the gable facing the garage were secondary windows and if the light test was to be applied on those windows it would be a 25-degree light test. It was considered that whilst it would marginally fail that 25-degree test, that would not be given any weight as there were secondary windows - main source of light) from the two patio doors.

Referring to impact on No 5, Alderman McIlveen asked if there was any shadowing impact. The Head of Planning stated that was not considered to have an impact given the distance from the rear elevation of No 5.

At this stage, the Chairman asked that Peter Best - Agent be brought into the meeting.

Mr Best noted this application had been recommended for approval and the reason for the call-in was recorded as the impact the proposal would have on privacy and amenity of neighbouring dwellings under the addendum to PPS7 residential extensions and alterations. This issue had been addressed in the Case Officer's report. Mr Best wished to add that the distance from the rear of the garage to the

legal boundary was 2m and not 1.45m as stated by the objector. He explained the relevance of this was that under the Planning (General Permitted Development) Order (Northern Ireland) 2015, Part 1, Class A, paragraph g), the height of the building would not be restricted because it was not within 2m of the boundary of the curtilage of the dwelling house and therefore would be granted under permitted development. Mr Best was of the understanding that approval would normally be granted for development that was not significantly greater in impact than that which would be allowable as permitted development. The potential for loss of privacy had been raised as an issue, though that had previously been negatively impacted by the occupants of 1A The Grange by their removal of screen planting along this boundary. That would appear to be in contravention of Condition 5 of the Planning Approval for 1A The Grange and which was currently the subject of enforcement case reference LA06/2021/0254/CA.

As there were no questions for Mr Best, the Chairman requested Officers to return him to the virtual public gallery. There were no further questions for the Planning Officer.

Proposed by Councillor Cooper, seconded by Councillor McRandal, that the recommendation to approve planning permission be adopted.

On being put to the meeting with 10 voting FOR, 2 AGAINST, 3 ABSTAINING and 1 ABSENT, the recommendation was declared. A recorded vote resulted as follows:

FOR (10)	AGAINST (2)	ABSTAINING (3)	ABSENT (1)
Councillors	Alderman	Aldermen	Alderman
Brooks	Mcllveen	Keery	McDowell
Cooper		Gibson	
Kennedy	Councillor		
McKee	Adair		
McRandal			
McAlpine			
McClellan			
Thompson			
Smith, P			
Walker			

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

4.3 **LALA06/2020/0253/F – Erection of 35 no. apartments with associated car parking and landscaping. Lands between 58 Kinnegar Drive and Pavilions Office Park, Kinnegar Drive, Holywood**
(Appendices III, IV)

PREVIOUSLY CIRCULATED:- Case Officer's Report and Addendum.

DEA: Holywood & Clandeboye

Committee Interest: A Local development application attracting six or more separate individual objections which are contrary to the officer's recommendation
Proposal: Erection of 35 no. apartments with associated car-parking and landscaping
Site Location: Lands between 58 Kinnegar Drive and Pavillions Office Park, Kinnegar Drive, Holywood
Recommendation: Approval

The Planning Officer (C Rodgers) outlined the detail of the application. The site was within the settlement limits of Holywood. The site was shown as whiteland within the North Down and Ards Area Plan and was zoned for housing within draft Belfast Metropolitan Area Plan (zoning HD 03/02). The site is also located within a proposed Area of Townscape (ATC). The planning history of the site was a very important material consideration as the site had extant permission for a similar development of 33 units. (LA06/2015/0720/F)

The wider area included a mix of dwelling types, apartments and offices. Surrounding buildings range from single storey to three storeys in height and comprised a wide variety of designs and finishes. Referring to visuals of the site, the Officer advised that the site had been cleared to facilitate development following the previous grant of planning permission.

Members may recall that the previous application for 33 apartments was presented at the Planning Committee meeting in December 2017 and Members voted in favour of approval. An application for 53 units was approved on this site in 2008. That continued to be an important material consideration.

The proposal for 35 apartments represents an increase of just 2 units from the extant approval and marks a reduction of 18 units from the 2008 permission. It was considered that the amended design would cause no harm to the character of the area and the appearance of the proposed ATC.

As with the extant permission, the proposed blocks were three storeys except adjacent to the existing dwelling at 58 Kinnegar Drive where the height reduced to two storey. The proposed elevation showed how the design of the apartments would reduce the overall massing of the development from that previously approved - the outline of the previous permission was indicated by the blue line. The amended design would minimise the overall visual impact of the development. The roof line of the proposed apartment buildings was broken up to reflect the Victorian terraces in the area - a key feature of the proposed ATC. The proposed buildings would also respect the existing building line along Kinnegar Drive. The apartments would be finished in different shades of clay facing brick which would respect the character and appearance of the proposed ATC as there were mix of building finishes within the area. The proposal would have no unacceptable adverse impact on existing residential amenity. It was considered that the height of the proposal would not result in any unacceptable adverse loss of light, rather the reduced massing would facilitate greater levels of light compared to the extant permission.

The level of communal private amenity space satisfied Creating Places standards. New planting was proposed to soften the visual impact of the development.

NIEA had provided no objection in relation to natural heritage interests. Adequate in-curtilage car parking was proposed. 53 car parking spaces would be provided for 35 apartments which met Creating Places standards.

Objectors raised concerns regarding the potential impact on roads safety, traffic impacts and the potential impact on the protected route. The proposal would create a new access onto Kinnegar Drive which was a public adopted road and did not involve direct access onto the protected route. The proposed access was approved under the extant permission for 33 units. The proposal involved an increase of just 2 units. DFI Roads provided no objection to the proposal subject to conditions to ensure provision of adequate visibility splays onto Kinnegar Drive. It was considered that the proposed increase of just 2 units would not prejudice road safety or significantly inconvenience the flow of traffic. 35 units represented a significant reduction from the 53 units approved in 2008.

The Planning Officer advised that a recent consultation response from NI Water indicated that whilst there was a public foul sewer within 20m of the proposed development boundary, the receiving foul sewerage network had reached capacity. NI Water had informed the Council that it has agreed a downstream engineering solution with the applicant to mitigate the foul capacity issue and allow connection for this development proposal. NI Water had clarified that solution was to be fully funded and delivered by the applicant. It was recommended that this restriction was secured by an obligation in a Section 76 Planning Agreement.

Objections from 23 addresses had been received. All issues raised had been carefully considered in the Development Management Report. The site was zoned for housing in the draft plan and the principle of development had long been established. No objection had been received from any consultee. Having considered all material planning matters, the Planning Officer advised that it was recommended that this application was approved.

The Chairman thanked the Officer for her presentation and sought questions from Members.

There were no questions for the Officer at this stage.

At this stage, the Chairman asked that Rachel Woods MLA be brought into the meeting who was speaking in opposition to the application.

Ms Woods indicated that she was speaking against this proposal, on behalf of residents she had been working with for years, on grounds of contravention with PPS3 Policy AMP2 and PPS7 Policy QD1, and that the planning conditions on this application need amended. The A2 was designated as a protected route and she would contend that this application did not meet the exceptional requirements in PPS3 Policy AMP2 as it stated, 'Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where; a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes'. It further stated that 'planning permission would only be granted for a development proposal involving

direct access or the intensification of the use of an existing access in exceptional circumstances or where the proposal was of regional significance'. Given this planning application was not of regional significance, it could not meet the threshold of exceptional circumstances.

Ms Woods noted that the planning report stated that access was only onto Kinnegar Drive – this did not take into consideration the area as a whole. This was direct access as there was no other access in and out of the area, bar through the Esplanade entrance and exit. Kinnegar had historic problems with parking availability - for business, for recreation, for hospitality and for existing residents. It was also used as an unofficial 'park and ride' which increased the number of vehicles in the area, as many households had no allocated car parking spaces. It was also established as an area of parking restraint and representations had consistently been made to the Department for Infrastructure for its suitability for a residents' parking scheme. Changes made to the lighting sequence at the junction with the A2 had caused well-known and well-rehearsed problems for those people attempting to enter and exit the area. A full transport assessment should take place on this site at different times of the day, and week in order for a full picture of the issues experienced in this area. The pavements and roads in the Kinnegar area were in need of significant upgrade and any further vehicle movements would only erode them further. Developer contributions could seek to address those issues. According to the traffic assessment 'the development was considered to have a minimal transport impact relative to the existing traffic flows in the area but this was submitted based on the previous ones in 2015 and during the pandemic where traffic flows were much smaller. Ms Woods indicated that she would question the trip numbers suggested, and it relied again on the previous permission granted in 2017 not reflecting current use or times of congestion.

Continuing, Ms Woods asserted that this development, due to its size and type, altered the character of the local area and was not conducive to the Policy QD1 that proposals involving intensification of site usage or site coverage would only be permitted in exceptional circumstances. Those were not exceptional circumstances. Similar comments were made in relation to PPS7. This application would involve intensification and, in the area, dwelling sizes did not go over two storeys. Pavilions Office Park was two storeys and the nearest dwellings between 39 and 49, 25 and 35 were all two. Three storey dwellings were further down into Kinnegar away from the site.

Briefly, on flooding, there was no full assessment of Policy FLD1, just an 'acceptance of the logic' by DfI, which was questionable and again an overreliance on the 2015 approval, where 'The proposal is considered as an exception to the policy as the site is on previously developed land and there is extant permission on the site that was considered acceptable against Policy FLD 1.' It was not clearly assessed in its own merit. She also noted DfI Rivers' assessment of flood risk to people (based on the Defra / Environment Agency's "Hazard to People Classification using Hazard Rating") for an uncontrolled release of water emanating from Church Road Lower and the overall hazard rating at this site was considered as low/moderate but did state that 'it has not been demonstrated to DfI Rivers that the condition, management and maintenance regime of Church Road Lower was appropriate to provide sufficient assurance regarding reservoir safety, as required under Policy FLD

5, so as to enable the development to proceed' and that should be considered further.

Highlighting some inaccuracies within the report, Ms Woods advised that the site was not vacant and the site was cleared in October 2021, and therefore in both this and previous applications given continual clearance, no EIA Determination could be completed. Residents had evidence of hedgehogs, a protected species, on the site which Council was aware of. More recently, the trees in the area mentioned were removed in May 2021. Therefore, conclusions under PPS2 could not be made. Ms Woods asked the Committee to look at adding in developer contributions, especially to under PPS3, 5.18 to make use of an existing access, given the well-known and documented issues on pavements and roads on Kinnegar Drive, and the impact this development would have and was having on them, given cracks in the opposite pavement were already appearing.

The Chairman invited questions from Members.

The Chairman noted that there was a permission on site granted in 2017 which was a fallback position. This application was a reduction in ridge height however included two more apartments and he asked if Ms Woods considered this application a betterment or not. Ms Woods advised that the views from residents in that regard were mixed due to the issues within the area. She advised that there was massive objection to the development in general and the amendments had not allayed the worries and fears of the local residents.

Ms Woods had alluded to comments from Translink in relation to the application and Councillor McKee asked for her to expand on that. Ms Woods advised that Translink had been consulted in respect of the development of this site in May 2015 and according to correspondence from Translink it had not been consulted on the current planning application nor had it been corresponded with in the series of risk mitigation measures that it had previously outlined. Ms Woods felt Members should question why Translink had not been consulted as the site was right beside the train line and she suggested that those risk mitigation measures should be looked at.

As there were no further questions for Rachel Woods MLA, she was moved to the public gallery.

The Chairman then asked that Andrea Sinclair – Agent and Richard Agus – MRA Partnership to be brought into the meeting who were speaking in support of the application.

Ms Andrea Sinclair thanked members for the opportunity to speak, stating she was from Footprint Architectural Design and was in attendance on behalf of the applicant, Beshouse Residential Properties Limited. She fully endorsed the Planning recommendation and was keen to stress that fundamental to the consideration of this proposal was the fact that a live consent for 33 units existed on the site. The application simply involved the provision of two additional apartments and a number of design amendments. Importantly, those amendments involved the reconfiguration and re-elevation of the extant approval. The roof line would be broken up by a built form that gabled onto the road frontage with the result that both the height, scale and

massing of the proposal were less than previously approved. Furthermore, the development was in a highly sustainable location and was within walking distance of Hollywood town centre and the local train station. There were no environmental constraints to the development of the site. Indeed, all statutory bodies were content with the proposal. Ms Sinclair advised that the scheme involved a substantial investment of £5.5 million and represented an opportunity to replace an overgrown site with a quality residential development that was, not only sympathetic with the character of the Kinnegar area, but which actually enhanced it.

In respect of the flood point highlighted by Ms Woods, Ms Sinclair recognised the concern that an over reliance was being placed on the existing approval however the existing approval was a consideration which needed to be taken into account. She also noted that the proposed condition 9 required a final drainage assessment to be submitted. Furthermore, NIEA had considered the impacts of the proposal and had no concerns subject to the conditions.

Ms Sinclair informed members that Mr Richard Agus of MRA Partnership was in attendance and would address the roads matters raised by Ms Woods.

Mr Agus advised that Kinnegar Road was not a protected route therefore that policy could not apply. The two additional dwellings proposed would not present a significant intensification. Rebutting the suggestion made that his traffic assessment could not be correct as it was submitted during the pandemic, he explained that the assessment was based on database information and the report had been prepared on 3 March 2020 which was before any of the lockdowns occurred. In respect of the concerns regarding car parking, Mr Agus felt those were a reason why the application should be approved as the properties would encourage a non-reliance on cars.

The Chairman invited questions from Members.

Councillor McRandal asked a number of questions as outlined below;

- The reasons why a new application had been made and was that about maximising return on profit. Ms Sinclair explained that a new developer had since acquired the site since the last application and had their own ideas as to what was a marketable product which had brought about the change in design. The site had been bought with the view to making a profit.
- Referring to the sewerage issue, Councillor McRandal asked if that had only recently arisen. As a result of the additional two units, Ms Sinclair advised that discussions and a wastewater impact assessment had been carried out with NI Water. As Ms Rodgers had alluded to, a solution had been found and would be subject to a Section 76 agreement.
- Following on, Councillor McRandal asked when that solution would be put in place. Residents were concerned regarding potential disruption and the length of time it was going to take to complete the development. That was subject to Section 76 which would tie into the planning approval and Ms Sinclair imagined that would be a prior to occupation condition. Works would be delivered by way of an Article 161, an application had been made in that

regard and once planning approval was received the developer would be in a position to commence works.

- Ms Woods had made a point regarding access onto the A2 as a protected route. Mr Agus responded advising that the policy would not allow for an access onto the protected route and there was a requirement to use the existing junction. An additional two apartments would not create an impact in that regard.

Councillor McClean referred to the intensification of the use of an existing access being given only in exceptional circumstances as referred to in policy AMP3 and sought clarity in that regard. Mr Agus explained that the proposal would access onto the public road at Kinnegar Drive and would not result in direct access onto a protected route therefore policy AMP 3 of PPS3 - access onto a protected route did not apply.

RECESS

The meeting went into recess at 9.06 pm and resumed at 9.18 pm.

In relation to concerns of residents in respect of piling, Councillor McKee queried if a risk assessment had been submitted to the Council in that regard as noted in the Case Officer's report. Ms Sinclair advised that piling had taken place under the extant approval, the required report had been submitted and a special type of piling had been used to minimise the piling on the site.

Councillor McKee asked if the traffic assessment was a desk top assessment. Mr Agus advised that the document submitted was a transport assessment form and he had visited the site.

As there were no further enquiries for the representatives, the Chairman requested Officers to return Ms Sinclair and Ms Angus to the virtual public gallery. He then asked if Members had queries for the Planning Officer.

Councillor McRandal referred to the direct access onto the A2 and the implications of PPS3. The Planning Officer stated that the proposal involved direct access onto Kinnegar Drive, AMP3 was not applicable as there was no direct access onto the protected route. That was consistent and long-standing interpretation of the policy and the previous decisions had been taken in the context of PPS3 which included the protected routes policy. The matter of road safety would always be a material planning consideration regardless and was a key consideration for DfI Roads when assessing any proposal. DfI Roads had not highlighted any safety concerns in its consultation response. There was a signalised junction at the access to ensure safety. The Planning Officer stated that two additional units would fall below the definition of intensification.

Councillor McRandal referred to comments made by Ms Woods that Translink had been a consultee on a previous application but not for the two most recent applications. The Planning Officer felt it was important to note that the principle of development was established with an extant approval for 33 dwellings with the footprint of both schemes being fairly similar. Given that fallback it was not deemed

necessary to go back out to every consultee and that was an approach taken with applications. Translink would not be deemed as a statutory consultee, the application was advertised and it was welcome to submit comment.

The site backed onto the railway line and Councillor McRandal questioned if planning officers were satisfied that Translink was not a statutory consultee. The Planning Officer advised that the list of statutory consultees were set out in legislation and Translink was not listed as a statutory consultee for planning applications.

Councillor McClean asked if Planning would agree that the application would require an existing access off a protected route which was dual carriageway. The Planning Officer stated that indirectly it would, but many adopted public roads eventually led to a protected route. She reiterated that the proposal did not have direct access to the protected route and in addition the two additional units in any event would not amount to intensification.

Councillor McClean read out an extract from AMP3: Access to Protected Routes policy – 'Planning permission will only be granted for a development proposal involving direct access or the intensification of the use of an existing access in exceptional circumstances or where the proposal is of regional significance'. He welcomed guidance in that regard. It was accepted that it was not a direct access and he felt this policy should not be applied as the proposal was not an exceptional circumstance or of regional significance.

The Head of Planning wished to respond to Councillor McClean and noted that extensive discussion had already taken place at the November Planning Committee meeting in respect of Glen Road. Similar issues had been discussed at length on the protected route and the intensification where legal advice had been sought. She referred to the top of the policy which read 'The Department will restrict the number of new accesses and control the level of use of existing accesses onto Protected Routes'. As the Planning Officer had alluded to, every road in Northern Ireland led to a protected route eventually and the policy could not be applied in that respect. The response from DfI Roads detailed no objection on the basis that policy AMP3 was not engaged and Planning were content with that position.

With regards to the intensification, Councillor McClean questioned why reference was being made in that regard to the two additional units as he thought that the proposal should be considered as a whole. If that was the case he wondered if the entire development was considered as intensification. The Planning Officer stated that there was a fallback position for 33 units. Further to that, the Head of Planning noted that DCAN 15 in respect of the intensification was not planning policy. Consideration was to be given to the safe access onto the A2 and as there was a signalised junctions DfI Roads had not expressed concern in that respect.

In response to a question from the Chairman regarding piling, the Planning Officer advised that she had been on site recently and work had started to implement the extant permission.

Councillor McKee raised a question regarding developer contributions noting that Ms Woods had mentioned that the roads and pathways in Kinnegar were in need of investment and developer contributions would be welcomed. The Head of Planning advised that Belfast City Council had found itself in a difficult situation through developer contributions and the public realm. If developer contributions were to be applied to this application it would be for a stretch of pavement solely along the frontage of the development. Given that was not applied previously she would struggle to see on what ground that could be applied in this instance for two additional units. There was no appropriate policy for applying developer contributions and it regularly had been found to be un-sustainable. The Council in its Preferred Options Paper (POP) associated with its Local Development Plan had sought to address that matter.

Referring to remarks that had been made regarding the single access onto the dual carriageway, Alderman Keery highlighted that there was a road that ran past the frontage of Kinnegar Army base. Other than a gated access, that site was not vacant and when the army vacated the site completely that road accessed onto the Harbour Estate. Therefore, there was another access road from the proposed development.

Councillor McAlpine thought Translink would have been neighbour notified as landowners in the area. The Planning Officer recognised that the railway line ran along the back of the site however Translink would not constitute as an 'identified occupier' of a nearby building. She did not believe they would have been directly neighbourhood notified.

Alderman McIlveen noted that Translink were aware of the development and presumed it had not made any representations. There were a number of objections to the application but the Planning Officer did not recall seeing an objection from Translink.

Councillor P Smith proposed, seconded by Alderman McIlveen, that the recommendation be adopted and that planning permission be granted.

As proposer, Councillor P Smith noted that the genuine concerns from residents in respect of the development had been well articulated. The extant planning permission already existed and the considerations were in respect of the additional two units and the pros and cons of the two different designs.

As seconder, Alderman McIlveen noted that there was a clear fallback position. He was content the Planning Committee had done justice in the consideration of the application and the policy. He felt the policy was clear on how it should be applied in this instance and all the issues had been clearly set out in the Case Officer's report and in the presentation from the Planning Officer.

Councillor McRandal stated that he would not be supporting the proposal. He felt there had been a number of similar situations where an extant planning approval existed and the developer had submitted another application requesting further development. The issue with this application was predominantly with the traffic threshold and the capacity within Kinnegar.

On being put to the meeting with voting 11 FOR, 2 voting AGAINST, 2 ABSTAINING and 1 ABSENT, the recommendation was declared. A recorded vote resulted as follows:

FOR (11) Aldermen	AGAINST (2) Alderman	ABSTAINING (2)	ABSENT (1) Alderman
Gibson Keery McIlveen			McDowell
Councillors	Councillors	Councillors	
Adair Brooks Cooper Kennedy McAlpine Thompson Smith, P Walker	McRandal McKee	Cathcart McClellan	

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

4.4 LA06/2019/1195/F – Two single storey infill dwellings. Lands adjacent to and south of 9 Killinakin Road, Killinchy
(Appendix V)

PREVIOUSLY CIRCULATED:- Case Officer's Report and Addendums (b & c).

DEA: Comber

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

Proposal: Two single storey infill dwellings

Site Location: Lands adjacent to and South of 9 Killinakin Road, Killinchy

Recommendation: Approval

(Councillor Brooks left the meeting at this stage – 9.55pm)

The Planning Officer (P Kerr) outlined the detail of the application. The proposal was being presented at committee as it attracted more than 6 objections, 23 letters of objection were received from 11 addresses. Consultations were carried out with NIW, DFI Roads, NIEA and HED. No objections were raised.

The Planning Officer advised that the main issues raised in the representations were:

- Creation of ribbon development and the infilling of a visual break
- Impact on character of area
- Inadequate site lines

- Impact on AONB and impact on views
- Unwelcome precedent for the area
- Site could accommodate 3 dwellings.

(Alderman McIlveen left the meeting at this stage – 10.00pm)

As stated in the Case Officer report the initial proposal was for a single dwelling on the site and the agent then came in with an amended proposal for 2 dwellings.

The site was located on elevated land and was currently comprised of an agricultural field. The field sloped from west to east with the Killinakin Road set at a higher level than the application site.

Turning to the development plan, the site lay beyond any settlement limit in the Ards and Down Area Plan 2015, within the countryside and a designated Area of Outstanding Natural Beauty and within close proximity of an archaeological site and monument.

In respect of the regional policy considerations, the Planning Officer explained that the relevant policies were the SPPS, Planning Policy Statement (PPS)2 Natural Heritage, PPS3 Access movement and parking, PPS6 Planning Archaeology and the Built heritage and PPS 21 Sustainable Development in the Countryside. With regard to PPS2 Policy NH6 was of particular relevance to this proposal as it related to new development in an Area of Outstanding Natural Beauty. The proposed dwellings were appropriate for the AONB as siting and scale of the proposal was sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality as they were modest with low-lying low ridge with quality materials and design and in keeping with the adjacent dwellings.

The proposal respected features of importance to the character and appearance of the landscape with the modest design and scale and respecting the topography of the land. The proposal respected local architectural styles and patterns as the adjacent dwellings were low lying and well-integrated in a manner not dissimilar to this proposal; The boundary treatments were appropriate for this locality as the front boundary was to be defined by a fence with hedging behind which in keeping with surrounding dwellings. The remaining existing boundaries were to be strengthened by native species and new boundaries were to be defined by native species also. The remaining relevant policies within PPS2 Natural Heritage had also been met.

With regard to PPS6, HED assessed the proposal with regard to its close proximity to archaeological site and monument and had no objections-the amended proposal did not warrant an additional consultation.

With regard to PPS21, CTY1 directed towards CTY 8 for the proposed type of development. There were three buildings along this part of the Killinakin Road with frontage and this site represented a gap within those three buildings. The buildings were no.9's garage, no. 9 and No.1 Killinakin Road. Due to the topography of the site and surrounding land, it was considered whether or not this site represented a visual break. It was a finely balanced judgement and due to the steep rise of the land when travelling along the Killinakin Road towards the north and the fall when travelling

south it was considered that the site did not constitute a visual break. The perspective due to the topography closed the gap to a certain extent when the site was viewed in both directions.

With regard to whether or not this proposal constituted appropriate infill development and creates an appropriate pattern of development, the Planning Officer went on to explore the plot widths and gap between buildings. When a gap was more than twice the length of average plot width then it was often unsuitable for infilling with two new plots as highlighted Building on Tradition (para 4.4.1). The plot width of the proposed site was approx. 76m and gap between buildings was approx. 92m which was the critical issue. No1 Killinakin Road had a plot width of approx. 50m (46 stated in case officer's report) and that excluded the copse of trees and No.9 had a plot width of approximately 60m (56 in case officer's report) which made an average of approx. 55m. 92m was less than 110m which would suggest that the gap was suitable for infilling. The average plot size in the area was approx. 2722sq metres as stated in case officer report and each plot for proposed dwellings was approximately 3100 sq metres which was not a significant deviation from average plot size in area. Although the gap could accommodate three dwellings in general terms, in terms of planning and planning policy the proposed site could not accommodate more than two dwellings in a manner that would respect the existing development pattern along the frontage.

With regard to CTY13 and 14 integration and rural character the proposed dwellings were modest in ridge height and scale and due to the topography of the land would be integrated within the site. The dwellings would be set down from the road. Boundaries between the adjacent dwellings were to be retained and strengthened. The scale and footprint were not dissimilar to that of No.9. The design was traditional and simple and the dwellings would not be out of character in this rural location. Due to the sloping landscape, the existing pattern of development and the modest level changes required for the development, the proposal would be acceptable in the surrounding context. It was important to remember that the proposed dwellings would be part of an existing built-up frontage where the buildings were visible from the side of the road.

This proposal was also in compliance with SPPS as there was no higher policy test with regard to PPS21 Policies CTY 8, 13 and 14. Separation distances and topography of land would ensure no loss of amenity for surrounding residents.

PPS2 Natural Heritage and PPS3 Access, Movement and Parking were met. DFI Roads had no objections therefore Planning was content that the sight splays were adequate.

The Planning Officer touched on some of the planning applications raised by Bell Architects on behalf of the objectors:

- In LA06/2017/1416/O -refusal gap of 160m between buildings with an average frontage of 70m for the frontage of the dwellings. This meant that the gap was more than twice the average frontage.

- In X/2014/0255/O -refusal the gap between No57 and No52 was 120m and surrounding sites had plot widths of approx. 20m which meant that once again the gap was more than twice the average plot frontage width.
- R/2011/0771/F-refusal -we are not bound by previous Departmental decisions. Not visually linked. Gap between buildings 150m would accommodate 3 buildings in a form that would respect adjacent development patterns.

From the above decisions and their subsequent appeals, the Planning Officer was content that this proposal had been assessed appropriately. The proposal met all the relevant planning policy and approval was recommended.

The Chairman thanked the Officer for their presentation and sought questions from Members.

In response to a query from Councillor McClean about why three dwellings had not been acceptable on the site, the Officer advised that because of the pattern of developments and the widths of plots, three further dwellings would not respect the current pattern of development, the area and its character. Three houses could be accommodated within the site but they would not respect the current pattern of development and the existing dwellings with their plots width and frontages. The Officer made reference to one of the planning applications within her report and its reasons for refusal given the impact they could have on the area and the pattern of development at that location.

Councillor McClean asked to view a slide again which showed the surrounding plot sizes and the significant variances between them. He added that he would be keen to hear from other speakers why three dwellings would not be suitable for this site.

Councillor P Smith commented that in respect of CTY8 there was a need for finely balanced judgement however he stated that he would disagree with the Officer on this. He noted this was a large gap site and similar such sites had been refused and as such he would ask how this site did not fall within ribbon development.

The Officer advised that guidance was taken from the document Building on Tradition and she outlined to the Member the conditions in respect of gap widths and the widths of adjoining sites along the Killinakin Road along with their domestic frontages. She advised that as the site was not more than the average plot gap width it was considered suitable and met the required criteria.

Continuing Councillor P Smith referred to the designation of the locality as an Area of Outstanding Natural Beauty (AONB) and as such noted the site was very visual and could be seen from Whiterock on the shoreline of Strangford Lough. Materials and ridge height were considered suitable however ultimately a large agricultural field was being replaced by two substantial dwellings and as such it would have a major visual impact on the surrounding area.

In response the Officer commented that it would often be the case that agricultural fields such as this would be involved in gap sites and as such it would be up to

planners how they would assess that following the usual guidance which it was noted was also used by the PAC. The lay of the land at this site was that it sloped Northwards and looked vaster from the roadside than it did on site. As such the proposed low lying ridge heights were in her opinion modest and also there would be very little in the way of level changes on site, as the result of this development.

Councillor Walker stated that he too would share some of Councillor P Smith's concerns and in his opinion, it was a substantial gap site, however he indicated that he would look forward to hearing what other speakers had to say in due course. Continuing he made reference to CTY8 and asked why a garage would be considered as substantial and he also asked if the application for the two dwellings had been made at the Council's request or the developer's request.

In response the Officer confirmed that one house in the middle of such a large site was not appropriate and the agent had come back with an application for two dwellings which was now before Members for consideration. She added that a garage was a building that could be included in considerations in respect of built up frontage.

At this stage, the Chairman asked that Mr Murray Bell, Bell Architects, Objector, be brought into the meeting – 10.20pm.

Mr Bell thanked members for the opportunity to attend the meeting and made reference to a programme aired on television the previous evening about Strangford Lough and its preservation as an AONB and as such he would encourage the Council to embrace that and protect this natural habitat and its surroundings.

Continuing Mr Bell felt that the submission before them failed the key criteria of CTY8 and should be refused. The site was not a small site, it was not within a 'substantially built up or continuous frontage' and the site was in fact wide enough for three houses, and that was a future threat. The proposal failed CTY14 and was a threat to the character of the countryside in this most precious AONB. Any approval would set a dangerous precedent for Council.

With respect, Refusal Reasons should be advanced as follows:-

1. The proposal was 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 were no overriding reasons why this development was essential in this rural location and could not be located within a settlement.
2. The proposal was contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal did 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, result in the creation of ribbon development along the Killinakin Road.
3. The proposal was contrary to The Strategic Planning Policy Statement for Northern Ireland and policy CTY14 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 create a ribbon of development which would therefore result in a detrimental change to further erode the rural character of the countryside.

4. The proposal was contrary to The Strategic Planning Policy Statement for Northern Ireland and CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal would approach the top of a slope location and would be a prominent feature in the landscape and would not visually integrate into the surrounding landscape as the site was unable to provide a suitable degree of enclosure and backdrop.

Considerations:-

1. In accordance with CTY8, the site did not represent itself as a 'continuously and substantially built-up frontage'. It was open and dispersed.

There were other Ards and Down examples which supported refusal rather than approval, and in addition those failed at appeal and were dismissed as per the following examples:-

- LA06/2017/1416 REFUSAL & associated PAC 2018/A0166 Dismissal - this site failed at application and appeal as the gap was deemed to be too wide, could fit more than two houses, and was prominent in the landscape. It would be vital that Council consider the above.
- X/2014/0255/O REFUSAL & PAC 2015/A0037 Dismissal - This site failed at application and appeal as the site was deemed to be too wide, not a small gap, and able to accommodate more than two dwellings. In addition it was determined that the filling of the gap would create ribboning, which was to be avoided, amongst other factors.
- R/2011/0771/F REFUSAL & PAC 2013/A0061 Dismissal – this site failed at application and appeal as the site could also potentially fit more than two dwellings. A careful assessment of the visual impact of the frontage was assessed and it was not proven that the frontage was continuous or built-up. The site is not a small gap – it was wide at 77M or so, and as such failed to be identified as a small gap site. It was open with little integration and cover. This failed the test of integration and failed in the provision and defence of character of the countryside. It was strikingly similar to the previous three examples and accordingly should be refused. The Agent attempted to draw sustenance from the argument that the surrounding dwellings had some sort of 'average' size and width and that the proposed site conformed to this, however this was a misinterpretation of the policy. It was clear from the wording of CTY8, that the issue of fitting only two houses in the gap and sitting them in the context were sequential, they were not separate. For example, if the gap fitted three houses, then it failed. The issue of appropriate size and average width etc flowed after the basis of only two dwellings fitting in the site, and this required to be adequately explored. The proposal had not addressed this key failure.
- PPS21 P25 – para 5.34 expanded:- '5.34 Many frontages in the countryside had gaps between houses or other buildings that provided relief and visual breaks in the developed appearance of the locality and that helped maintain rural character. The infilling of those gaps would therefore not be permitted

except where it comprised the development of a small gap within an otherwise substantial and continuously built-up frontage. In considering in what circumstances two dwellings might be approved in such cases it would not be sufficient to simply show how two houses could be accommodated. Applicants must take full account of the existing pattern of development and produce a design solution to integrate the new buildings.' It was clear that the site was not at all built up. The site could actually fit three houses as demonstrated below. This was a direct conflict with CTY8 as the site must only fit a maximum of two dwellings.

If approved, this would set a dangerous precedent for other opportunistic developers. It was noted that there was a growing 'trend' of applications for 2 No. dwellings in infill sites, and those needed to be extra carefully assessed. There was a need to protect the environment carefully, not look for tenuous 'opportunity sites for infill'. There were very few two-house infill approvals in the Ards and Down area, and the Council needed to be careful about setting a dangerous precedent. The above refusals were extremely instructive. A previous Ards and Down approval showed an appropriate infill with two dwellings and demonstrated a very different 'substantial frontage'. This contrasted substantially with the Killinakin proposal. The aggressive proposed site contours did not naturally support dwellings, and that was in conflict with PPS21 and 'Building on Tradition'. The submitted 'design and access' statement was out of date and did not address the proposal for two dwellings, however updating this did not address the key failures of policy. Applicants were encouraged to submit a design concept statement setting out the processes involved in site selection and analysis, building design, and should consider the use of renewable energy and drainage technologies as part of their planning application. This should be undertaken in accordance with extant published guidance. Specific guidance for the design of buildings in a number of Areas of Outstanding Natural Beauty was contained in the relevant design guide. The landscape and visual assessment was missing, not provided and not assessed in this most precious AONB setting. The submitted site context elevations were incomplete and not professional L&V assessments. It was clear that there were wide ranging views from and across Strangford lough, and there is no assessment of this impact.

The HED consultation was out of date and referred only to a single dwelling proposal. Consideration must be given to the impact of two in this sensitive location. The proposed access and visibility splays would obliterate the roadside verge and hedge. PPS21 sought to facilitate houses in the countryside within existing landscapes and vegetation, and the wholesale clearance of roadside hedging was unacceptable. Council should be cognisant of the unsettling events of the Ministerial PAN in relation to PPS21. One of the key purposes of that PAN was to address the growing problem of the interpretation of infill, and the fact that that interpretation was becoming too loose, and that application was a prime example of that. It was considered that approving this proposal would weaken Council's ability to resist other marginal infill approaches and that would be detrimental to the countryside and environment, and in addition open the Council to inevitable judicial review proceedings. Mr Bell stated that the application should be refused.

Councillor P Smith sought clarity that if a gap site could fit three dwellings it would fail. Mr Bell confirmed that as the site could fit three houses this was a direct conflict

with CTY8 as the site must only fit a maximum of two dwellings. In response to a further query from Councillor P Smith about plot frontages, Mr Bell noted the report referred to average sizes of adjacent sites and added that a gap of 92 metres was considered a significant gap which could comfortably fit three dwellings on site.

Councillor Walker asked Mr Bell for clarification on why he felt the substantial frontage did not meet the required criteria. Mr Bell referred to the Officer's presentation and Slide 17 which he commented was remarkable as the photo showed the low density and non-substantial environment this development would sit in. He noted that in response to an earlier query the Officer had advised that it could be read in respect of numbers 1 and 9 Killinakin Road and nothing else.

As there were no further queries for Mr Bell, the Chairman requested Officers to return him to the virtual public gallery at this stage – 10.30pm.

At this stage, the Chairman asked that Mr Robert Gilmour, Agent, be brought into the meeting at this stage – 10.31pm.

Mr Gilmour thanked members for the opportunity to attend and stated that during the design process for this application the views from the existing dwellings had been taken into consideration and had been respected. The proposed dwellings were designed as low and squat buildings rather than a large building mass. Ridge heights had deliberately been kept low and the sites sat specifically lower than neighbouring dwellings and all existing views had been maintained. Continuing he made mention of the topography and view from the road and the large garage at number 9 Killinakin Road which was very prominent and right on the edge of the road with a substantial physical presence.

Continuing he confirmed the piece of land in question was big enough to build three dwellings on however that would create a site width which would not be similar to adjacent properties. He added that was why two dwellings had been applied for and that was what CTY8 was all about. Prominent views of the site from Whiterock had been mentioned and Mr Gilmour confirmed there was only one single point on that road where the site could be glimpsed.

Mr Gilmour stated that he had nothing further to add and thanked the Planning Department for processing the application and agreed with its professional assessment and recommendation.

Councillor McClean noted the comments made in respect of CTY8 which reflected that of the Officer in that while the site could fit three dwellings that would not respect the existing area. Councillor McClean read out CTY 8 and the exceptions mentioned within it and the reference to respecting current plot sizes and he asked how Mr Gilmour could present CTY8 in a manner which get the application past the go sign.

In response Mr Gilmour commented that he was unsure where the reference to three dwellings had come from but agreed that undoubtedly, they could be accommodated within the site. Indeed he added that if the site was within a development limit it was highly likely that six houses could be accommodated within the site. However all aspects of any dwelling design needed to meet the character of the area and as

such two dwellings was the right number. He added that CTY8 talked about a maximum of two which was what had been applied for and therefore in his opinion it met the policy.

Councillor McClean sought to explain to Mr Gilmour reasons why three dwellings had been mentioned as part of the consideration process of this application.

Councillor Walker referred to PPS21 and asked Mr Gilmour to address the fact that the hillside would need to be dug into in order to create a flat site. Low ridges would mean they would not be visible from the Whiterock Road however Councillor Walker asked if they would be visible lower down towards the Lough.

Mr Gilmour advised that generally there would always be some degree of cut and fill required to create a flat building platform on any site which was not absolutely level. This would have occurred in the case of the neighbouring dwellings on the Killinakin Road. In terms of views from Whiterock, Mr Gilmour indicated there was one area as you were driving out of Whiterock on the crest of a hill just before the entrance to the food processing plant where the site could be seen for a fleeting second. From lower down in Whiterock it was invisible and the only place it could be seen was at the end of a private driveway on Sketrick Island, some two miles away.

In response to a further query from Councillor Walker about ribbon development Mr Gilmour advised that in the immediate vicinity of the site there were quite a few dwellings and suggested that as such it was a relatively built up area. He added that number 8 was quite a prominent dwelling on the Killinakin Road.

As there were no further enquiries for Mr Gilmour, the Chairman requested Officers to return him to the virtual public gallery at this stage – 10.45pm.

The Chairman then asked if Members had any queries.

Councillor P Smith proposed, seconded by Councillor McClean, that the Committee disagrees with the Planners recommendation and refuses planning permission.

The proposer, Councillor P Smith stated that he did not believe the application met CTY8 criteria as the gap site was overly large, the visual impact the development would have in an AONB and to approve it could set a precedent elsewhere for the Borough. He added that furthermore he did not believe that it integrated well into the immediate rural area.

Commenting as seconder, Councillor McClean referred to the conditions within CTY8 in respect of ribbon development and Mr Gilmour's hypotheses that six dwellings could be accommodated within the site. After outlining the principles of CTY8 he agreed that it was a ribbon development which was prohibited under that policy PPS21.

Concurring with those comments, Councillor Cooper added that when Mr Gilmour had made mention of the ability to have six dwellings accommodated within this site it had set alarm bells off for him immediately. He agreed that the proposal would not

sit well in the surrounding countryside or respect the environment and its wildlife inhabitants and as such he was happy to support the proposal.

Councillor Walker stated that regrettably he found himself in similar position and as such would be supporting the proposal for refusal. Referring to Mr Gilmour's comments to be fair he suggested he had been merely illustrating that the site could accommodate up to six dwellings but his client had not chosen to do that. The matter he suggested came back to the interpretation of what a gap site was and he would be of the opinion there was not substantial continuous development and if the application was allowed to proceed a precedent would be set for the many gap sites similar to this which there were throughout the Borough. As such Councillor Walker indicated that he would be supporting the proposal.

At this stage the Head of Planning noted the Officer had not been afforded the opportunity to respond after the last speaker. However, to address the concern that this was not a substantial gap site she reminded Members that when the PAN was brought out the Department sought to try to introduce policy by way of a back door by stating that garages within a curtilage could not contribute as buildings to make up 'three or more buildings' within the policy. However the PAN had subsequently been withdrawn and officers had to continue to include the likes of a garage as part of any frontage and that had been applied in this particular case. Continuing she sought clarification on Councillor Cooper's comments in respect of wildlife considerations and if the Committee was intending to include that as a refusal reason as there was no substantial background to that to enable it to be used.

The Chairman commented that he did not believe wildlife considerations had been included as part of Councillor Smith's proposal.

At this stage the Head of Planning sought confirmation of the reasons for refusal as detailed:

- Gap site too large and could accommodate more than two dwellings,
- Visual impact unacceptable in a AONB,
- Create a precedent elsewhere in the Borough,
- It was considered that it did not integrate into the rural area.

Councillor P Smith confirmed those reasons as correct.

On being put to the meeting with 7 voting FOR, 2 voting AGAINST, 4 ABSTAINING and 1 ABSENT, the recommendation was declared CARRIED. A recorded vote resulted as follows:

FOR (7) Councillors Cooper Walker P Smith McRandal McAlpine Thompson McClellan	AGAINST (2) Councillors Adair Kennedy	ABSTAINING (4) Aldermen Gibson Keery Councillors Cathcart McKee	ABSENT (1) Alderman McIlveen
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RESOLVED, on the proposal of Councillor P Smith, seconded by Councillor McClellan, that the Committee disagrees with the Planners recommendation and instead refuses planning permission.

- 4.5 LA06/2019/1091/F – Creation of a designated area within the existing harbour estate to dismantle end of life fishing vessels (proposal includes a Section 76 legal agreement to discontinue use of original site previously approved under Ref LA06/2018/0893/F)**
(Appendix VI)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Ards Peninsula

Committee Interest: A planning (legal) agreement or modification to a legal agreement is required

Proposal: Creation of a designated area within the existing harbour estate to dismantle end of life fishing vessels (proposal includes a Section 76 legal agreement to discontinue use of original site previously approved under Ref LA06/2018/0893/F)

Site Location: Portavogie Harbour, Portavogie

Recommendation: Approval

The Planning Officer (Gail Kerr) outlined the detail of the application which was for the creation of a designated area within the existing harbour estate to dismantle end of life fishing vessels. The application was before members as the proposal included a Section 76 legal agreement to discontinue use of an original site within the harbour which was previously approved through another application. Consultees had no objection with some requiring conditions to be added to the decision notice

Members were shown a slide depicting the location of the development within Portavogie Harbour. The site within the development limit of Portavogie was located to the North of the Outer Slipway on the North Quay. Currently the quayside was used primarily for loading and unloading fishing gear to and from trawlers with part of the quay being used for the storage of fishing nets. Given the coastal location the site was adjacent to designated sites Outer Ards ASSI, Outer Ards SPA and Ramsar as designated in the Ards and Down Area Plan 2015.

The planning history was a material planning consideration as permission was granted on 27 February 2019 for the creation of an area within the existing harbour estate for the dismantling of end of life fishing vessels under planning reference

LA06/2018/0893/F. The approved location was not fit for purpose as it was not possible to lift the vessels up onto the quay as there was no slipway. It had been the intention to use a crane to lift the vessel out of the water onto the quay but when the first vessel arrived it was too large to be lifted out of the water. This resulted in the vessel being tugged to the location proposed in this application (as per LA06/2019/1091/F) and pulled up onto the slipway, where it was dismantled. Members should note that the proposal did not involve any buildings, permanent structures and would only be used intermittently.

The current application before Members had been submitted to regularise the operation and to ensure that only one area was used for that use. The Council required a legal agreement to ensure that the Harbour Authority did not continue using the original approved site for any dismantling. If approval of the current planning proposal was agreed the legal agreement would be executed prior to the decision notice being issued. The applicant's noise consultants had submitted adequate information and proposed numerous mitigation measures to demonstrate that the proposed works would not cause an unacceptable noise impact to neighbouring residential properties. The Environmental Health Department of the Council was consulted in order to determine the public health impact of the proposal and had no objections subject to all the measures as specified in the Method Statement / Working Plan and supporting statement being complied with. Given the opinion of the Environmental Health Department, it was considered that the proposed works together with the mitigation measures would not cause any unacceptable impacts. The proposal would require a waste management licence from NIEA and as part of this process the site would be closely monitored to ensure adherence with procedure and policies to reduce environmental risks. Conditions included hours of operation, noise mitigation, details of acoustic barriers, noise readings, protected areas, construction method statement, EWC codes and a requirement for a waste management license.

Grant of planning permission was recommended.

The Chairman thanked the Officer for her presentation and sought questions from Members.

Councillor Adair noted this was the second planning application for this scheme and asked if the previous one was now null and void.

In response the Officer advised that the application was before Members as the proposal included a Section 76 legal agreement to discontinue use of the originally approved site.

(Alderman McIlveen joined the meeting at this stage – 11.02pm)

In response to a query from Councillor McAlpine about what measures were in place to combat noise nuisance, the Officer confirmed that Environmental Health had been consulted and was content that ongoing monitoring at the site would be undertaken along with the installation of a noise meter, as conditioned.

Councillor Thompson commented that the scheme before them was a much improved one when compared to the previous one. He noted no work would take place on Saturday, Sunday and Bank Holidays. Continuing he further noted that no dismantling works could take place until a Waste Management Licence was in place and assumed the Council would seek written confirmation of this.

The Officer indicated that it would be up to the applicant to ensure they could comply with the requirements of the permission. She acknowledged that the harbour at Portavogie was a working harbour and as such agreed that a balanced approach was required. However she reminded members of the costs incurred by Council of up to £30,000 for the removal and towing of fishing vessels to Scotland for dismantling.

At this stage Alderman Keery raised some concern with the potential for asbestos hazards when dismantling the vessels once out of the water and sought reassurance that all necessary precautions would be taken.

RECESS

At this stage, 11.12pm the meeting took a 10 minute recess and resumed at 11.22pm.

At this stage, the Chairman asked that Kevin Quigley – Applicant, to be brought into the meeting 11.23pm.

Mr Quigley thanked members for the opportunity to attend the meeting and made the following comments.

He wished to update members as to the very real urgency of the need to commence dismantling vessels such as the Boy Cameron which currently had two pumps on board just to keep it afloat. It required daily attention as the risk of sinking was high, it was dangerous to access and as such staff were at risk. Some gear had been removed to keep it afloat. Another vessel, the Aquarius was currently being kept afloat by one pump and other vessels in Portavogie at risk included the Bounteous, and Good Hope Molly M.

Mr Quigley sought to offer reassurance to Members that he would take all measures necessary to minimise disruption to residential neighbours and to clarify how it was intended to achieve that. He outlined briefly the measures being taken and the difference those would make. Those measures being taken included sound mats, sound barrier, winch anchor, pinchers, time, sound monitoring, placement of skip, use of skip and minimal time on slip.

To offer further reassurance that this would not become a regular occurrence it was noted the Waste Manager of the Authority must supervise dismantling and it had capacity only to supervise three to four per year. He added that funding would only permit for that period of time. He added that it was not a forever planning permission and would be for five years maximum until an alternative could be found.

The Chairman thanked Mr Quigley for his presentation and sought questions from Members.

Councillor Adair commented that this was a situation which no one wanted adding that the relevant authorities needed to get tough with boat owners. He asked why Portavogie Harbour had been chosen for this facility.

Mr Quigley confirmed Portavogie had initially been chosen as it was the only Harbour with a slipway.

Councillor Adair noted that Portavogie was a working harbour situated close to residential areas and retailing. Referring to dormant land along the Princess Anne Road he asked if that had been considered for this purpose.

Mr Quigley commented that as it did not have access to a slipway it had not been considered, adding that to install a new one would cost millions of pounds. In response to further concerns raised by Councillor Adair about the hazards of asbestos, he confirmed they would be appropriately regulated for that process. He added that it was not the intention for the facility to be at Portavogie for longer than five years adding that he was all in favour of improving the village through providing support for landscaped areas and festivals such as the SeaFood Festival.

Councillor Adair thanked Mr Quigley for his comments, adding that on this occasion they would have to disagree and he expressed his thanks to him for all of his hard work.

In response to a query from Councillor McAlpine about the length of time required to decommission a fishing vessel, Mr Quigley advised that initially the vessel would need to be lifted out of the water and then dismantled further down the quayside. The vessel would remain on the quayside for up to five days before being broken up. A digger and bucket with the use of hydraulic cutting shears would then be used to cut up the vessel. He added that most people would be unaware that the work was taking place. In respect of lines of communication of work to be undertaken, Mr Quigley indicated that could be forwarded directly to those who required it.

Alderman Keery commented that he did not envy Mr Quigley's job and continuing he expressed concern with how any asbestos would be dealt with during the dismantling process as well as the scrap materials.

Mr Quigley confirmed that any asbestos would be dealt with appropriately under health and safety requirements and NIEA would require a record to be kept of every single item of scrap material.

As there were no further enquiries for Mr Quigley, the Chairman requested Officers to return him to the virtual public gallery at this stage – 11.46pm.

The Chairman then asked if Members had queries for the Planning Officer.

Councillor Adair proposed that the application be deferred to enable a site meeting to take place to consider matters such as visual amenity, detrimental impact to surrounding area and health & safety concerns with the removal of asbestos.

At this stage the Officer confirmed that the issue around asbestos removal was not a planning consideration and instead NIEA would oversee that process and monitor it. In respect of concerns of visual impact, she reminded Members that Portavogie Harbour was a working harbour and this proposal was for boats to be dismantled and therefore she would query what the visual impact would be.

In response Councillor Adair acknowledged that it was a working harbour and added that the proposal was close to a residential and retail area of the village. The village did not have a central square or focal point and as such the harbour fulfilled that role in Portavogie.

The Chairman advised that the issue of asbestos was invalid and should not be included within Councillor Adair's proposal.

Continuing Councillor Adair reiterated that the harbour was at the heart of the village close to its retail core and residential areas and as such he felt this proposal could have a detrimental impact upon that by placing what was effectively a scrap yard in the centre of the village. This would have a detrimental impact not only to those living in the village but those many visitors to it.

Councillor Thompson indicated that he would be happy to second Councillor Adair's proposal.

The proposer, Councillor Adair, reiterated that the Harbour was at the heart of the village close to its retail core and residential areas and he would also have concerns about the removal of asbestos during the dismantling process. He also believed that the visual amenity needed to be taken into consideration particularly given the investment coming into the village and the many visitors to it. Councillor Adair stated that he was appalled by the application and as such would ask that the Council gave consideration to the matters of concern which he had raised. Continuing he added that he had read the correspondence from objectors and he believed that the Council needed to revisit the entire proposal in conjunction with the concerns he had raised.

At this stage the Head of Planning encouraged members to reconsider the substantial benefit test that must be met for a site visit. She queried the need for a site visit to a facility which was not currently in place and also the detrimental visual impact it could have. Continuing she advised that Councillor Adair had been in touch on numerous occasions expressing his displeasure and that of many constituents who had been in touch with him stating they had not known about the meeting and as such were unable to be represented. She also noted in his last statement that he had indicated he was leading on those issues and representing those constituents and therefore she would suggest that would be conflict of interest for Councillor Adair. She questioned his proposal for a site visit given he appeared to have already decided this was not the appropriate place as it could have a detrimental impact. As the Officer had already stated this was a harbour and the proposed elements would be located within it and she would query the effectiveness of a site visit when it

remained unknown at this stage what it would look like on the ground without a vessel there.

At this stage the Officer advised that four letters of objection had been received from two separate addresses, none of which had raised the issue of visual impact. Instead the issues raised were an increase in traffic, noise, potential for debris from the dismantling process and the monument beside the Harbour which was not a material consideration for planning. She reiterated that no reference had been made to how the proposal would look.

The Chairman advised that it was up to individual members to decide how they wished to vote on this matter and he invited the proposer to sum up at this stage.

Councillor Adair stated that he had not said he was representing any objectors but rather he had come into the meeting with an open mind after having read the letters from objectors and listened to the applicant's comments. He stated that he had no conflict of interest adding that he did not live in the area or own any property in the area and therefore reiterated that he did not have any conflict of interest.

Concurring with those comments, the seconder, Councillor Thompson expressed regret that this proposal for such works had already been tried without success. He stated that in his opinion this proposal would definitely be detrimental to the people of Portavogie and therefore a site visit would be useful after hearing arguments from both sides of the debate.

At this stage Councillor McClean suggested the debate was getting silly and it was also getting late and as such suggested the matter was now put to the vote. He acknowledged that both previous speakers had indicated they would be voting against it and their minds were made up that a site meeting was required to look at something which did not exist and of which there were photographs for Members information included within the officer's pack. He reiterated the view that the matter had now got out of hand and encouraged the Chairman to take a vote on whether to have a site meeting or not.

Councillor Walker expressed the view that there was no need for a site visit and reported that he had received a phone call from a lady who lived in Portavogie earlier that morning who had informed him that a site meeting was going to be requested at this meeting as a proposal and therefore he would suggest that maybe Councillor Adair should be given the opportunity to retract his proposal should he choose to.

Councillor Adair indicated that he did not wish to do so and reiterated that he had come to the meeting with an open mind.

The proposal was put to the meeting and with 6 voting For, 6 voting Against, 2 Absent and the Chairman using his casting vote to vote Against the proposal, it was declared LOST.

Councillor McClean proposed, seconded by Councillor P Smith, that the recommendation be adopted.

Councillor Adair stated that he had read all of the documentation on this matter and listened to the debate while coming to the meeting with an open mind and as such he would be voting against it.

On being put to the meeting with 6 voting FOR, 5 voting AGAINST and 3 ABSTAINING the recommendation was declared carried. A recorded vote resulted as follows:

FOR (6)	AGAINST (5)	ABSTAINING (3)
Councillors	Aldermen	Alderman
McClellan	Keery	Gibson
P Smith	McIlveen	Councillors
McRandal	Councillors	Cathcart
McKee	Adair	McAlpine
Walker	Kennedy	
Cooper	Thompson	

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

(Having declared an interest in the next item Alderman McIlveen left the meeting at this stage – 12.06am)

4.11 LA06/2018/1169/F – Replacement dwelling (off site) to include the demolition of existing dwelling. 85m West of 50 Kilcarn Road, Ballymacashen, Killinchy
(Appendix VII)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Comber

Committee Interest: Called in by Alderman McIlveen from delegated list w/c 06 December 2021

Proposal: Replacement dwelling (off site) to include the demolition of existing dwelling

Site Location: 85m West of 50 Kilcarn Road, Ballymacashen, Killinchy

Recommendation: Refusal

PREVIOUSLY CIRCULATED:- Case Officer's Report and Addendum.

The Planning Officer (A Todd) outlined the detail of the application. The application had been brought before Planning Committee following a call-in request from Ald. McIlveen from the delegated list w/c 06 December 2021:

"Ald. McIlveen has asked that as the application relates to a replacement dwelling that is outside the established curtilage, Committee consider whether the application meets the criteria or the exceptions contained in that policy. Ald. McIlveen considers that if it meets the criteria under Policy CTY3, the application will not be contrary to Policy CTY1 or CTY8. Furthermore, he asks that committee make a determination as to whether the application is contrary to policy CTY 14 of PPS21."

The Planning Officer explained that the site was in the countryside on the Kilcarn Road which was west of Balloo & Killinchy. The building proposed for replacement, was located in a central position within an existing group of buildings. The proposed site was the larger area to the west. There appeared to have been a total of four dwellings originally within the group - Nos. 50 and 52 which were attached, No. 54 to the right of those and the building proposed for replacement which was attached to the rear of No. 52. The building was single storey and was of stone construction with a slate roof. Externally it had a single chimney and a number of door and window openings. Internally, there was a separate living room, kitchen, bathroom and bedroom.

Following the submission of supporting information from the agent during the processing of the application, it was accepted that the building met the criteria under policy CTY3 for a replacement dwelling in that sufficient evidence was submitted to demonstrate that the building was previously used as a separate standalone dwelling rather than just as ancillary accommodation associated with the attached larger dwelling.

In respect of the proposed site, the Planning Officer advised that the site for the replacement dwelling was located 85m to the west. The dwelling would sit approximately 30m back from the road behind an area of existing trees and vegetation. However, the proposed access to the site would necessitate the removal of a significant amount of the existing trees and vegetation. The dwelling itself would be one and a half storey with a ridge height of 7m and would sit 5.5m above road level as the land rose from the road.

Policy CTY3 permitted replacement dwellings to be located off site if the curtilage of the existing dwelling was so restricted that it could not reasonably accommodate a modest sized dwelling. In this case, given that the existing dwelling had no separate curtilage of its own and was surrounded by other buildings, the Planning Department was satisfied that the replacement of the dwelling at an appropriate off-site location would be acceptable in principle provided all relevant PPS21 policies were met.

However, CTY3 required that the replacement dwelling should not have a visual impact significantly greater than the existing dwelling. It was that requirement of policy CTY3 which the proposal failed to meet.

The existing dwelling was not visible at all from any public viewpoint. In contrast, the proposed replacement dwelling would be clearly visible from the public road and therefore would have a significantly greater visual impact.

In addition to the proposal failing to meet this aspect of policy CTY3, it would also be contrary to policies CTY8 and CTY14 of PPS21 in that it would result in the extension of ribbon development along the Kilcarn Road and an undesirable build-up of development which would harm the rural character of the area. It was accepted that there was already a group of buildings at this location, however allowing a dwelling at the proposed site would extend this group further into the countryside and increase the built-up appearance along the road.

Policy CTY8 advised that ribbon development was detrimental to the character, appearance, and amenity of the countryside as it created and reinforced a built-up appearance. The policy went on to clarify that a ribbon did not have to have a continuous or uniform building line and that buildings sited back, staggered or at angles and with gaps in between can still represent ribbon development if they had a common frontage or were visually linked. In this case, the dwelling would clearly extend the existing ribbon of development along the road as could be seen from the aerial view.

It was important to note that policies CTY3, CTY8 and CTY14 must be considered alongside each other as all were applicable to the proposal. Paragraph 5 of PPS21 emphasised that proposals should be assessed against all planning policies that were relevant to it and that all the policies contained within the PPS must be read together. Therefore, it was not the case that if the proposal was considered to meet the requirements of CTY3 then policies CTY8 and CTY14 can just be disregarded.

The application had also been recommended for refusal on the grounds of a lack of information to demonstrate that there would be no adverse impact on bats. The agent was advised by the Planning Department both at pre-application stage and upon submission of the application that the NI Biodiversity Checklist should be completed and that a bat roost potential survey (BRP) would be required, however a BRP survey was only received on 2 September 2021. DAERA NED had advised that while the BRP survey identified the existing building as having low roost potential, further emergence and re-entry surveys were required in order to comply with the recommended number of minimum surveys as outlined in the guidelines. As no biodiversity checklist or ecological statement was submitted in relation to the proposed site, NED had also raised concerns regarding the potential impact of the development on protected and priority species and habitats given the presence and proposed removal of mature trees and vegetation within the proposed site.

Therefore, in summary, while the principle of a replacement dwelling was accepted in this case, a dwelling on the site proposed was considered to be contrary to policies CTY3, 8 and 14 as:

- (i) it would result in a significantly greater visual impact than the existing dwelling,
- (ii) would result in the extension of ribbon development along the road and;
- (iii) would harm the rural character of the area by reason of a build-up of development.

In addition, it had not been demonstrated that the proposal would not have an adverse impact on priority species and habitats as required by PPS2. In this case, the applicant owned other land to the rear of the existing dwelling where it may be possible to identify a more appropriate site positioned further back off the road and using an existing access which would not be contrary to the aforementioned policies.

Therefore, having assessed the proposal against the relevant planning policies the Planning Department was of the opinion that planning permission should be refused for the stated reasons.

The Chairman thanked the Officer for their presentation and sought questions from Members.

Alderman Gibson expressed concern that this was an application from 2018 for a replacement dwelling which was still intact and he queried why it had taken so long to progress the application.

In response the Officer confirmed that evidence had been submitted by the applicant in the form of photographs of the inside of the dwelling to be replaced which demonstrated its use as a dwelling house. The pre-application enquiry made in 2017 indicated that it was a standalone dwelling however officers did have concerns that it was actually an annexe to the main dwelling on the site. Subsequently further evidence was provided in the form of income tax receipts from the 1930's which demonstrated there had been four individual dwellings on the site.

Continuing, Alderman Gibson noted reference to ribbon development but noted the dwelling would be replaced with a new dwelling off site and he queried why the application had taken so long to get to this stage. He also sought clarification on the proposed height of the new dwelling in comparison to the height of the existing dwelling.

The Officer advised that the proposed height of the new dwelling would be visible above existing vegetation on site and the proposed removal of that would open up the proposed site even further. She added that the proposal was contrary to Policy CTY8 of the Planning Policy 21 and as such the proposed replacement dwelling would add to a ribbon of development along the Kilcarn Road. Continuing the officer noted the application owned land situated further back within the site and suggested that could perhaps be more acceptable.

At this stage, the Chairman asked that Gary Thompson - Agent, be brought into the meeting.

(Mr Thompson joined the meeting at this stage – 12.21am)

Mr Thompson thanked Members for the opportunity to attend the meeting and proceeded to outline that the existing dwelling to be replaced was sited right in the middle of a working farmyard and had no garden or amenity area adjacent. In fact to step out of the dwelling door was right into the path of heavy agricultural machinery and farm animals. The area chosen for the resiting was the closest suitable location without having to traverse the farm lane or farmyard.

In respect of the reasons for refusal, Mr Thompson made the undernoted comments:-

- Reason 1 - The application was site specific and to contend that the replacement should be sited with a settlement was unreasonable given that the nearest settlement was Balloo which is 3.4 kilometres away (2.1 miles)
- Reason 2 - The replacement dwelling was designed to give a single storey facade to the Kilcarn Road and was sited at approximately 3.5 m lower elevation than the dwelling to be replaced. Set back 34m from the road and to

the rear of existing mature high screen foliage and trees the proposed dwelling with a ridge height on no more than 7m would be obscured from public view as indicated on the submitted site layout.

- Reason 3 - The 116m of existing mature and dense planting along the roadside with an average depth from the road edge of 30m ensured that the proposal would not be read with any other building. The only visible indication or alteration to the landscape would be the introduction of a 5m wide access lane.
- Reason 4 - The area immediately around Ballymacashen house had historically been built up consisting of many different buildings including dwellings. This could be observed as far back as the 1832-1846 maps when at least 14 different buildings existed on the site. Thus the build-up already existed with a mixture of dwelling houses barns hay, sheds and outbuildings
- Reason 5 A "Bat Report" was submitted with a negative result in respect of roosting bats on the site. With respect to the resiting of the proposal the proposed location for the new dwelling was in a rough grass area (less favoured agricultural land) and the existing trees and established foliage was to be retained thus there would be little or no disturbance to wildlife and no unnecessary depletion of good agricultural land.

In conclusion, Mr Thompson outlined that the chosen siting when considering all aspects including services, loss of agricultural land, road safety, carbon footprint costs and ecology appeared to be the most suitable within the area.

As there were no further enquiries for Mr Thompson, the Chairman requested Officers to return him to the virtual public gallery.

(Mr Thompson left the meeting at this stage – 12.28am)

The Chairman then asked if Members had queries for the Planning Officer.

The Officer commented that the existing dwelling was clustered within an existing group however the proposed site for the new dwelling would extend that cluster further along the Kilcarn Road. She added that the land to the rear was exceptionally higher and as such would not have the same visual impact.

At this stage Councillor P Smith referred to the scale of the proposed replacement dwelling noting that it was almost six times the size of the original dwelling and sought clarification from the Officer on that.

In response the Officer confirmed that the proposed dwelling was significantly larger and while the Mr Thompson had suggested that it was more in keeping with a single storey dwelling, it was in her opinion actually a storey and a half. It was a substantial size of a dwelling and significantly larger than the existing dwelling and it would be visible from the Kilcarn Road. She added that each site was judged on its own merits however in this case the impact of ribbon development was also a factor for consideration.

Alderman Gibson commented that in the case of replacement dwellings the proposed dwelling was often larger than the existing dwelling. Continuing he noted

the lateness of the hour, 12.33am, and suggested it was difficult to make an informed judgement so late in the day and as such a cut-off point needed to be considered to ensure meetings did not continue to such times. Alderman Gibson added that he could recall many similar applications which had been approved for a much larger dwelling than the one to be replaced.

The Officer commented that no two sites were the same.

Councillor P Smith proposed, seconded by Councillor Cooper, that the recommendation be adopted.

On being put to the meeting with 8 voting FOR, 4 voting AGAINST, 1 ABSTAINING and 1 ABSENT, the recommendation was declared CARRIED . A recorded vote resulted as follows:

FOR (8)	AGAINST (4)	ABSTAINING (1)	ABSENT (1)
Councillors	Aldermen	Councillor	Alderman
Walker	Gibson	Cathcart	McIlveen
P Smith	Keery		
McRandal			
McAlpine	Councillors		
McClellan	Adair		
McKee	Kennedy		
Cooper			
Thompson			

RESOLVED, on the proposal of Councillor P Smith, seconded by Councillor Cooper, that the recommendation be adopted, and that planning permission be refused.

(Alderman McIlveen joined the meeting at this stage – 12.39am)

(Councillor McKee left the meeting at this stage - 12.40am)

4.6. LA06/2021/1185/F, LA06/2021/1186/F, LA06/2021/1187/F, LA06/2021/1188/F & LA06/2021/1189/F - Installation of sculptures in each of the Borough's five towns to commemorate the centenary of the foundation of Northern Ireland - Comber, Donaghadee, Newtownards, Holywood, Bangor (Appendix VIII)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Borough of Ards & North Down

Committee Interest: Applications made by the Council

Proposal: Installation of sculptures in each of the Borough's five towns to commemorate the centenary of the foundation of Northern Ireland

Site Location: Comber, Donaghadee, Newtownards, Holywood, Bangor

Recommendation: Grant Planning Permission

LA06/2021/1185 – Installation of Sculpture to Commemorate the Centenary of the Foundation of Northern Ireland. 40m SW of 10 The Square, Comber
(Appendix IX)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Comber

Committee Interest: Applications made by the Council

Proposal: Installation of sculpture to commemorate the centenary of the foundation of Northern Ireland

Site Location: 40M SW of 10 The Square, Comber

Recommendation: Grant Planning Permission

The Planning Officer (G Kerr) outlined the detail of the application.

This application was for an installation of sculpture to commemorate the centenary of the foundation of Northern Ireland to be located at 40M SW of 10 The Square, Comber. The location of the site was shown on the google earth image and site location plan and Members were shown a slide which depicted the proposed installation. The proposed commemoration stone would be 0.8m high, 0.7m wide and 0.5m long, constructed from sandstone buff coloured with a smooth finish, with the top of the stone recessed in order to accommodate the NI100 paving stone (approx. 0.6m and 0.6m).

The proposal was in an Area of Townscape Character and as detailed in the case officer report it was considered that the structure respected the character and appearance of the site and surrounding area. Consultee HED was content and the recommendation was to grant planning permission.

The Chairman thanked the Officer for her presentation.

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

4.7 LA06/2021/1186 – Installation of Sculpture to Commemorate the Centenary of the Foundation of Northern Ireland. 23m East of 10 Union Street, Donaghadee (beside War Memorial)
(Appendix X)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor East & Donaghadee

Committee Interest: Applications made by the Council

Proposal: Installation of sculpture to commemorate the centenary of the foundation of Northern Ireland

Site Location: 23m east of 10 Union Street, Donaghadee (beside War Memorial)

Recommendation: Grant Planning Permission

The Planning Officer (G Kerr) outlined the detail of the application.

This application was for an installation of a sculpture to commemorate the centenary of the foundation of Northern Ireland to be located at 23m east of 10 Union Street, Donaghadee beside the War Memorial. The location of the site was shown on the google earth image and site location plan and Members were shown a slide which showed the proposed installation which was the same to the previous presentation.

The proposal was in the Conservation Area and as detailed in the case officer report it was considered that the structure respected the character and appearance of the site and surrounding area. Relevant consultees were content and the recommendation was to grant planning permission.

The Chairman thanked the Officer for her presentation and sought questions from Members.

Councillor Cooper proposed, seconded by Alderman Kerry, that the recommendation be adopted, and that planning permission be granted.

The seconder, Alderman Keery, noted the proposed seafront location for the sculpture and asked if sandstone was an appropriate material to be used.

In response the Officer, indicated that was not a matter of concern at this stage and instead the focus was on site structure and location.

Councillor Walker noted a further sculpture installed at that location which had recently had to be raised due to ongoing incidents of dog fouling.

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

4.8 LA06/2021/1187 – Installation of Sculpture to Commemorate the Centenary of the Foundation of Northern Ireland. 18m West of No. 2 Conway Square, Newtownards
(Appendix XI)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Newtownards

Committee Interest: Applications made by the Council

Proposal: Installation of sculpture to commemorate the centenary of the foundation of Northern Ireland

Site Location: 18m West of No. 2 Conway Square, Newtownards

Recommendation: Grant Planning Permission

The Planning Officer (G Kerr) outlined the detail of the application.

This application was for an installation of a sculpture to commemorate the centenary of the foundation of Northern Ireland to be located 18m West of No. 2 Conway

Square, Newtownards. The location of the site was shown on the google earth image and site location plan and Members were shown a slide which showed the proposed installation which was the same to the previous presentation.

The proposal was located within the town centre within the vicinity of several listed buildings and as detailed in the case officer report it was considered that the structure respected the character and appearance of the site and surrounding area. Consultee HED was content and the recommendation was to grant planning permission.

The Chairman thanked the Officer for her presentation.

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

4.9 LA06/2021/1188 – Installation of Sculpture to Commemorate the Centenary of the Foundation of Northern Ireland. Redburn Square, Holywood
(Appendix XII)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Holywood & Clandeboye

Committee Interest: Applications made by the Council

Proposal: Installation of sculpture to commemorate the centenary of the foundation of Northern Ireland

Site Location: Redburn Square, Holywood

Recommendation: Grant Planning Permission

PREVIOUSLY CIRCULATED:- Case Officer's Report and Addendum.

The Planning Officer (G Kerr) outlined the detail of the application.

This application was for an installation of a sculpture to commemorate the centenary of the foundation of Northern Ireland to be located at Redburn Square, Holywood. The location of the site was shown on the google earth image and site location plan and Members were shown a slide which showed the proposed installation which was the same to the previous presentation.

The proposal was located within the town centre in a proposed Area of Townscape Character in Draft BMAP within the vicinity of several listed buildings and as detailed in the case officer report it was considered that the structure respected the character and appearance of the site and surrounding area. Consultee HED was content and the recommendation was to grant planning permission.

The Chairman thanked the Officer for her presentation.

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

4.10 LA06/2021/1189 – Installation of Sculpture to Commemorate the Centenary of the Foundation of Northern Ireland. 18m east of Bangor Town Hall, Bangor (grassed area in front of main front door)
(Appendix XIII)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor Central

Committee Interest: Applications made by the Council

Proposal: Installation of sculpture to commemorate the centenary of the foundation of Northern Ireland

Site Location: 18m east of Bangor Town Hall, Bangor (grassed area in front of main front door)

Recommendation: Grant Planning Permission

PREVIOUSLY CIRCULATED:- Case Officer's Report and Addendum.

The Planning Officer (G Kerr) outlined the detail of the application.

This application was for an installation of a sculpture to commemorate the centenary of the foundation of Northern Ireland to be located 18m east of Bangor Town Hall, Bangor – this was the grassed area to the front of the town hall. The location of the site was shown on the google earth image and site location plan and Members were shown a slide which showed the proposed installation which was the same to the previous presentation.

The proposal was located in the vicinity of Bangor Castle which was a listed building a historic park, garden and demesne and as detailed in the case officer report it was considered that the structure respected the character and appearance of the site and surrounding area. Consultee HED was content and the recommendation was to grant planning permission.

The Chairman thanked the Officer for her presentation and sought questions from Members.

Councillor Cooper proposed, seconded by Councillor McClean, that the recommendation be adopted, and that planning permission be granted.

The proposer, Councillor Cooper, expressed his appreciation for the installation of the sculptures adding that they would leave a lasting legacy for his beloved country, Northern Ireland, despite the fact that Sinn Fein/IRA would not allow a similar installation at Stormont.

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

5. UPDATE ON PLANNING APPEALS

(Appendix XV)

PREVIOUSLY CIRCULATED:- Report dated from the Director of Regeneration, Development and Planning attaching PAC decision 2020/A0076. The report provided the undernoted detail:-

Decisions

The following non determination appeal was allowed on 21 December 2021.

Appeal reference:	2020/A0076
Application Reference:	LA06/2020/0380/F
Appeal by:	Oasis Retail Services Ltd
Subject of Appeal:	Change of use from former bank (Class 2) to an amusement arcade and adult gaming centre and alterations to shop front
Location:	39 High Street, Newtownards

The Commissioner concluded that the proposed use was complementary to the retail uses within the Primary Retail Core, and that the appeal proposal was in accordance with policy. It was also considered that there would be little difference in the appearance of the appeal building whether used as a bank (former use) or as an amusement arcade and gaming centre. The proposed development would not have a detrimental impact on visual amenity, and that the reuse of the appeal building, currently vacant and shuttered, would be positive. The decision was attached.

New Appeals Lodged

The following appeals were submitted on the 26 October, 15, 16 and 29 November, respectively.

Appeal reference:	2021/A0133
Application Reference:	LA06/2020/1169/O
Appeal by:	Mr Wallace Magowan
Subject of Appeal:	Proposed site for dwelling on an active and established farm
Location:	Lands approx. 30m NE of no. 31 Gransha Road South, Bangor

Appeal reference:	2021/A0144
Application Reference:	LA06/2019/0609/O
Appeal by:	Mr Henry McDowell
Subject of Appeal:	Infill dwellings and garages
Location:	Land between 10 and 12 Ballycreely Road, Comber

Appeal reference:	2021/E0051
Application Reference:	LA06/2021/0150/LDP
Appeal by:	John Spratt
Subject of Appeal:	Commencement of development of X/2010/0034/F in accordance with approval
Location:	Adjacent and north of 27 Ballybeen Road, Comber

Appeal reference:	2021/A0155
Application Reference:	LA06/2019/1176/O
Appeal by:	Mr Ray Jackson
Subject of Appeal:	2no. dwellings and garages
Location:	Lands between No. 59 Thornyhill Road and 44 Ballymacashen Road, Killinchy

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

RECOMMENDED that the Council notes this report.

The Head of Planning advised Members that in respect of the decision noted (2020/A0076) the applicant had submitted a planning application but under Article 20 of The Planning (General Development Procedure) Order (NI) 2015, they were entitled to submit an appeal to the PAC in default of a decision on the application after eight weeks.

The Council's Statement of Case sought refusal of the proposal on the basis that the use was not considered to be complementary to the established retail uses in the Primary Retail Core and if permitted would result in an adverse impact on the character, vitality and viability of the Primary Retail Core by reason of creation of blank frontage to street and the resultant break in an otherwise continuous retail frontage. The Commissioner did not sustain any of the Council's reasons as detailed within the report and the PAC decision.

RESOLVED, on the proposal of Councillor Cooper, seconded by Councillor Thompson, that the recommendation be adopted.

6. REVIEW OF DECISIONS FURTHER TO WITHDRAWAL OF PAN

PREVIOUSLY CIRCULATED:- Report from the Director of Regeneration, Development and Planning detailing that members would recall that the Minister for Infrastructure published the Planning Advice Notice (PAN) relating to Sustainable Development in the Countryside on 2 August 2021. Further to receipt of various concerns regarding its content, the PAN was withdrawn on 15 October 2021.

A review of decisions issued during the period in which the PAN was presumptively valid and the weeks up to end of October 2021 took place. Within that timeframe, 25 decisions assessed under PPS 21: Sustainable Development in the Countryside were identified. None of the assessments of the proposed developments were

reliant upon the clarification provided within the PAN and as such no further action was required to be taken by the Council.

RECOMMENDED that the Council notes the content of this report.

Councillor Cooper proposed, seconded by Councillor Thompson, that the recommendation be adopted.

Further to enquiry raised by Alderman McIlveen post withdrawal of the Department's Planning Advice Note (PAN) regarding rural planning policy, the Head of Planning advised that those decisions issued between the introduction of the PAN and its withdrawal had been reviewed to ensure that none of the decisions therein were based on the elements of 'clarification' as set out within the PAN. In this regard the Planning Department was content that there would be no challenge to decisions made on that basis.

In response to a request for further clarification from Alderman McIlveen, the Head of Planning confirmed that whilst the Case Officer Reports may have made reference to the PAN, whilst presumptively valid, no refusal reasons were based on its content in relation to the current policies.

RESOLVED, on the proposal of Councillor Cooper, seconded by Councillor Thompson, that the recommendation be adopted.

(Alderman Gibson left the meeting at this stage – 12.52am)

7. JUDGMENT BY HUMPHREYS J REGARDING BATTERY ENERGY STORAGE SYSTEMS

(Appendix XVI)

PREVIOUSLY CIRCULATED:- Report from the Director of Regeneration, Development and Planning attaching Draft Judgment re ABO Wind NI Limited and Energia Renewables Company 1 Limited's Application. The report detailed that it was considered prudent to bring the content of the judgment to Members' attention for information.

On 16 December 2020 the Department for Infrastructure published its Chief Planner's Update 7 ('CPU 7') which, inter alia, provided advice and guidance in relation to Battery Energy Storage Systems ('BESS'). In CPU7, the Chief Planner advised Heads of Planning that such development fell within the meaning of 'electricity generating station'.

The advice provided was contrary to a previous decision issued by the Planning Appeals Commission for the development of a BESS facility at Kells in the Antrim and Newtownabbey Borough Council area, which was refused by that Council on the grounds of unacceptable detrimental impact on visual amenity and character of the area. Contrary to objectors' concerns that the Council had not appropriately categorised the development as 'major' and that it potentially could have been considered as Regionally Significant Development, the Commissioner determined, further to evidence provided, that the proposal was not an electricity generating

facility but a facility for storing electricity that was previously generated from a primary energy source such as coal, oil, gas or wind, and as such was correctly classified as 'local' development.

Neither the objectors nor any other party sought to challenge the decision of the Commission.

The Chief Planner's Update

In CPU 7 in relation to BESS the Chief Planner advised that the Department had been reviewing those types of development and contrary to the appeal decision referred to above, he stated the following:

"I wish to formally confirm that, for the purposes of planning in Northern Ireland, the Department considers that electricity storage development falls within the meaning of an 'electricity generating station.'

Further he continued:

"I recognise that this is an unusual step and that the position involves a departure from the PAC decision which turned on the facts and evidential context of that particular case. However, the Department considers that there is a legitimate public interest in taking this approach and providing clarity for both councils and developers. I should highlight that this is not a legislative or policy change and is instead provided as clarification from the Department."

In practical terms, therefore, the Heads of Planning of the Councils were being advised that applications involving 'electricity storage facilities', including BESS, should be considered as 'electricity generation' within the meaning of the 2011 Act and 2015 Regulations.

Implications

The Schedule to the Planning (Development Management) Regulations (Northern Ireland) 2015 set out the classes of development belonging to the category of major development.

Class 2 related to 'Energy Infrastructure' and in relation to 'Electricity generating stations' set out the following threshold or Criteria:

1. The construction of an electricity station where its capacity is or exceeds 5 megawatts;
2. All onshore development associated with the construction of an offshore electricity generating station.

Class 9 within the Schedule related to 'All other development' to cover 'Any development not falling wholly within any single class of development described in Parts 1 to 8 above' (emphasis added), and the relevant threshold or criteria is as followed:

- a) Development that comprises 5,000 square metres or more gross floor space;
or
- b) The area of the site is or exceeds 1 hectare.

which had implications for the categorisation of the proposal and assessment as to whether EIA was triggered.

The Challenge

ABO Wind NI Ltd and Energia Renewables Company 1 Ltd challenged the position adopted by the Chief Planner on the basis that this advice or 'clarification' was wrong in law, and on the basis that the PAC decision was a correct interpretation of the 2015 Regulations in respect of the category of development applied to such development proposals.

The Judgment

The Judge referred to 'Planning Appeal Principles' (2020) by William Orbinson QC in respect of the question of the precedent value of the decisions of the PAC. Mr Orbinson emphasised firstly that the PAC was a specialist independent statutory appellate body, entrusted with the task of hearing appeals from planning authorities. Then in the context of other case law examples, concluded that the decisions of the PAC "*must either be accepted or respected, or be challenged through the courts.*"

Humphreys J at paragraph [100] of the judgment set out that whilst recognising that the respondent (the Department) was not bound by the PAC decision as a matter of strict precedent, he concurred with the view expressed by Mr Orbinson that such decisions must either be accepted and respected or challenged through the courts.

The application for judicial review succeeded on the issue of statutory interpretation, legality and Wednesbury rationality, in the Humphreys J considered that the Chief Planner did not analyse the statutory provisions in Northern Ireland with sufficient rigour and did not properly ask the question "*Does a BESS development fall wholly within class 2 of the Schedule to the 2015 Regulations?*" The Judge considered that had he asked the correct question, the answer, for the reasons provided within the judgment, must be 'no.'

Given that BESS was a form of storage not expressly mentioned in the Regulations, it must therefore be the case that it fell out with Class 2 of energy infrastructure, and therefore into Class 9 of the Schedule and was subject to the thresholds contained therein.

The Judge at paragraph [101] was critical of the Department's publication of the Chief Planner's Update as "guidance" or "clarification", opining that it was a 'recipe for administrative chaos' given that planning officers of local councils were then faced with a choice between following the PAC decision or the Chief Planner's guidance/clarification.

Review of existing permissions

On 10 August 2021, further to publication of the CPU regarding the classification of BESS development, DFI Planning requested detail of the Council's review of extant permissions, particularly with regard to environmental impact assessment. Ards and North Down Borough Council responded to advise it had reviewed the detail of one BESS development granted and was satisfied that it had applied the Development Management Regulations accordingly and had no intention of revoking on the basis of the CPU.

RECOMMENDED that the Council notes the content of this report, the attached judgment in respect of the precedent value of PAC decisions and the classification of Battery Energy Storage Systems.

The Head of Planning drew Members' attention to the attached report and judgment in relation to Battery Energy Storage Systems, which followed a challenge against the Department's Chief Planner in respect of advice given within one of his Chief Planner's Updates to Councils whereby the Department had disagreed with a decision made previously in respect of a BESS proposal by the Planning Appeals Commission. The challenge was brought in respect of the assertion that the Chief Planner's Update sought to introduce new policy by advising Councils that electricity storage development fell within the meaning of an 'electricity generating station'. The judgment also highlighted the weight to be afforded to decisions of the PAC in respect of no challenge having been made against such decisions if one disagreed. The Head of Planning highlighted that such challenges incurred significant costs but referred Members to the report and sought approval for noting.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor P Smith, that the recommendation be adopted.

8. QUARTERLY PERFORMANCE REPORT – 2ND QUARTER 2021/22 (Appendix XVII)

PREVIOUSLY CIRCULATED:- Report from Director of Regeneration, Development and Planning attaching report for Quarter 2 of 2021-22. The covering report detailed that the Council was required, under the Local Government Act 2014, to have in place arrangements to secure continuous improvement in the exercise of its functions. To fulfil this requirement, Council approved the Performance Management Policy and Handbook in October 2015. The Performance Management Handbook outlined the approach to Performance Planning and Management process as:

- Community Plan – published every 10-15 years
- Corporate Plan – published every 4 years (Corporate Plan Towards 2024 in operation)
- Performance Improvement Plan (PIP) – published annually (for publication 30 September 2021)
- Service Plan – developed annually (approved April/May 2021)

The Council's Service Plans outlined how each respective Service would contribute to the achievement of the Corporate objectives including, but not limited to, any relevant actions identified in the PIP.

Reporting approach

The Service Plans would be reported to relevant Committees on a quarterly basis as undernoted:

Reference	Period	Reporting Month
Quarter 1 (Q1)	April – June	September
Q2	July – September	December
Q3	October – December	March
Q4	January - March	June

Key points to note:

- During this quarter the Council determined one major application as follows: LA06/2019/0603/F - Proposed residential development of 108 no. dwellings At Lands south of 37-77 Court Street, Newtownards, situated within Bawn Wall and bounded by canal with vehicular access from Castlebawn roundabout. The application was subject to an extensive round of consultations given its location both within the historic setting of the Bawn Wall and directly adjacent to a watercourse. The applicant was required to be in possession of Scheduled Monument consent due to the historic fabric of the site prior to any approval of planning being granted. As the site was also within a reservoir inundation area amended plans were required which included a reconfiguration of the site layout in order to comply with the requirements set out in FLD5 of PPS 15 (Revised). Several rounds of consultation were also required with DFI Roads in order for the street layout to be of a standard where it could be adopted.
- In respect of local applications, a total of 240 decisions were issued, in addition to other work not reported upon, including pre-application discussion, review of Proposal of Application Notices, applications for Non Material Changes, and applications for Certificates of Lawfulness
- Of 40 householder decisions issued within Quarter 2 – whilst only 26 were issued within the internal target of 8 weeks, 39 issued within the 15 week target for locals.
- Planning enforcement concluded some 80 cases, whilst another 103 new cases were opened.
- There were no appeal decisions received during this quarter against refusal of planning permission.

RECOMMENDED that the report is noted.

The Head of Planning advised Members that detail was included within the report regarding performance over that particular quarter, and advised the report was for noting.

RESOLVED, on the proposal of Councillor P Smith, seconded by Councillor Thompson, that the recommendation be adopted.

9. PUBLICATION OF THE NORTHERN IRELAND PLANNING MONITORING FRAMEWORK 2020/21
(Appendix XVIII)

PREVIOUSLY CIRCULATED:- Report from Director of Regeneration, Development and Planning attaching a infographic, which could be viewed here [Northern Ireland Planning Statistics Quarter 2 2021-22 Infographic \(infrastructure-ni.gov.uk\)](http://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-monitoring-framework-202021).

The report advised that DfI Northern Ireland Planning Monitoring Framework 2020/21 was released on 2 December 2021 and could be accessed at the link below:

<http://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-monitoring-framework-202021>

The statistical release of data tables included details of performance across the three statutory targets namely, major development applications, local development applications and enforcement cases. This took place alongside a suite of additional indicators that were intended to provide a more comprehensive assessment of planning activity. The release provided a summary of the indicators for Northern Ireland, as well as relevant indicator data for each local planning authority. Comparable data from 2018/19 and 2019/20 was also included where available.

Planning Monitoring Framework Indicators

The list of indicators under the new framework included the three existing statutory indicators and an existing departmental indicator, in addition to five other indicators. Those were detailed as follows:

Indicator 1	Average processing time taken to determine major applications
Indicator 1.1	Average time taken to determine major applications (excluding withdrawn applications)
Indicator 2	Average time taken to determine local applications
Indicator 2.1	Average time taken to determine local applications (excluding withdrawn applications)
Indicator 3	Proportion of enforcement cases progressed to the target conclusion within 39 weeks
Indicator 4	Percentage of applications determined under delegated powers

Indicator 5	Number of applications decided by Planning Committee and percentage of Committee decisions made against officer recommendation
Indicator 6	Percentage of appeals against refusals of planning permission that are dismissed
Indicator 7	Number of claims for costs received by Planning Appeals Commission (PAC) and number of claims awarded
Indicator 8	Percentage of regionally significant planning applications processed to a Ministerial recommendation within 30 weeks
Indicator 9	Number of applications notified to the Department and the number of these processed within the period of 28 days

Associated Commentary

It was advised against using the data as a 'league table' as there was a wide range of inconsistencies across Councils in respect of each Council's individual procedures and processes. Those included the number and type of planning applications received; the servicing by statutory consultees in different divisional offices; resourcing within individual Councils and within central government departments; and 'Schemes of Delegation'.

RECOMMENDED that Council notes this report and the Planning Monitoring Framework at the link provided.

The Head of Planning reminded Members that this framework provided details on an additional suite of indicators (beyond the statutory target processing times) which the Department considered provided a more comprehensive assessment of planning activity across Northern Ireland. She drew Members' attention to the slight increase in the numbers of applications received and also decided when compared to the same period in the previous year. She further urged caution in making direct comparisons as those represented headline figures and did not reflect the detail of those applications determined other than their category of development and processing time.

RESOLVED, on the proposal of Councillor P Smith, seconded by Alderman McIlveen, that the recommendation be adopted.

10. AMENDMENT TO PROTOCOL FOR THE OPERATION OF THE PLANNING COMMITTEE (FILE 160051) (Appendix XIX)

PREVIOUSLY CIRCULATED:- Report from Director of Regeneration, Development and Planning attaching revised protocol. The report advised that members would be aware that the current Protocol for the Operation of the Planning Committee set out practical handling arrangements for the operation of that committee. It was read in conjunction with the Council's agreed Standing Orders and the Code of Conduct for Councillors. The Protocol was last amended in November 2020.

The Council at its meeting of 24 November 2021 noted a recent legal judgment with its associated implications for Planning Committees both in respect of the related Standing Orders and Protocol for the Operation of the Planning Committee.

It was agreed by Council that the relevant provisions of the Protocol would be amended whereby it referenced prohibiting members from taking part in decision-making insofar as they relate to non-attendance.

The Protocol had subsequently been amended accordingly as detailed below.

Paragraph 14 had been removed which read:

'If the Planning Committee becomes inquorate due to Members' disqualification due to absence through all of the discussions of the application, the application will be considered afresh.'

Paragraph 51 had been removed which read:

Members must be present for the entire item, including the officer's introduction and update; otherwise they cannot take part in the debate or vote on that item. This also applies to those applications deferred from a previous meeting, i.e. if a Member was absent from the previous meeting at which an application was debated, but no decision reached and subsequently deferred, that Member cannot take part in the debate or vote on that application at the next meeting.

Paragraph 59 had been amended as follows:

~~*'Where a deferral relating to a "minded to" motion is made, only those Members who considered the planning application at the previous committee meeting(s) can vote to determine the planning application. No additional speaking rights will be afforded to any person unless at the Chairperson's discretion he/she authorises same. Such speaking rights will be a maximum of 3 minutes.'*~~

Paragraph 78 had been removed which read as follows:

~~*'Only those Members who attend the site visit(s) will be eligible to take part in the discussion and vote on the planning application, as it is considered that the site visit is an extension of the determination of an application.'*~~

The Protocol for the Operation of Virtual Planning Committee during COVID had also been amended accordingly.

RECOMMENDED that Council notes this report and the revised Protocol for the Operation of the Planning Committee.

The Head of Planning advised that this report set out the detail that had subsequently been removed from the Protocol pursuant to the legal judgment on Hartlands which was discussed in the context of its implications for the Council's Standing Orders at the December Council meeting.

In respect of implications from the judgment in the context of the Standing Orders issue, call in, and operation of Planning Committee, DFC had responded to the Council highlighting that it was up to each Member to consider their own interests and to take appropriate action when deciding on planning applications. The Council's own planning lawyers continued to advocate members considering their position if they had not read the Case Officers' Reports, been present for site visits, or for presentations by officers, or listened to speakers in support or in opposition, in respect of whether it would be appropriate for them to take part in the discussion and debate and voting, if they had not been party to the full detail, in order to avoid potential legal challenge.

At this stage the Chairman commented that the amendments, while not being removed by choice, were being done so for valid reasons.

RESOLVED, on the proposal of Councillor Cooper, seconded by Councillor Thompson, that the recommendation be adopted.

11. COUNCIL RESPONSE TO THE DEPARTMENT FOR INFRASTRUCTURE CONSULTATION ON SECONDARY LEGISLATION FOR THE RESERVOIRS ACT
(Appendix XX)

PREVIOUSLY CIRCULATED:- Report from Director of Regeneration, Development and Planning attaching Consultation Document, Table of Content of Reservoirs Act and Proposed Council Consultation Response.

Members will be aware of the Consultation issued by DFI as referenced at Item 8.2 of the Council meeting of 22 December 2021 and that delegated authority was issued to Planning Committee to issue a response.

Background

The Reservoirs Act (Northern Ireland) 2015 ('the Act') came into operation in July 2015 and was purported to introduce a 'proportionate regulatory and management framework for reservoir safety in Northern Ireland'. The Act can be accessed here <https://www.legislation.gov.uk/nia/2015/8/contents>.

At that time only limited elements of the Act were commenced which included: the definition of a controlled reservoir, who is the reservoir manager, and powers of entry for the Department.

Statutory responsibility for the Reservoirs Act only transferred to the Department for Infrastructure in June 2021, some almost six years later. It is only now that the Department states it is in a position to consider further commencement of the other elements of the Act and subordinate legislation in the form of Regulations and Orders to provide clarification or the details to effectively implement the Act and enable reservoir managers to comply with the Act.

Planning Policy in relation to reservoirs

Regardless of the lack of subordinate legislation at the time to support the operation of the Reservoirs Act, the then Department of the Environment published a revised Planning Policy Statement 15: Planning and Flood Risk in September 2015 which introduced Policy FLD 5: 'Development in proximity to reservoirs'. The Strategic Planning Policy Statement for NI, published in September 2015, also contains regional policy in this regard.

The Strategic Planning Policy Statement for Northern Ireland (SPPS), paragraphs 6.119 to 6.122, together with the provisions of Policy FLD5 of revised PPS 15 provides that new development will only be permitted within the potential flood inundation area of a controlled reservoir if the applicant can demonstrate that the condition, management and maintenance regime of the reservoir is appropriate to provide sufficient assurance regarding reservoir safety and the developer provides a flood risk assessment (FRA) which includes, amongst other considerations, an assessment of the downstream flood risk, including flood water depth, velocity and flow path issues.

Cognisant of the absence of subordinate legislation and issues facing planning authorities, DfI Rivers issued a Technical Guidance Note in June 2020 setting out the general approach DfI Rivers would follow when providing advice to planning authorities on all relevant applications for development within the flood inundation area of a controlled reservoir. This guidance highlights a risk still remains of inappropriate new development in the potential inundation areas of controlled reservoirs, but provides practical details associated with the implementation of the policy in the short term before the longer term solutions (i.e., the introduction of further legislation) can come into effect.

Members will be aware of the impact that the current planning policy has in relation to specific planning applications, particularly that of Queen's Parade private investor redevelopment scheme in the context of the lack of sufficient assurance regarding reservoir safety of Clandeboyne Lake, and in this context the proposed response highlights the lack of an agreed industry methodology for assessing 'Probability' of an uncontrolled release of water from a reservoir, and the impact that the lack of appropriate legislation to date has had on building investment confidence in Northern Ireland as a whole.

The Consultation

The consultation (as outlined in 11.1) invites responses in relation to those sections of the Act that the Department proposes to commence, and the Regulations and Orders that it proposes to make at this time.

A table is attached for Members' information detailing the totality of the sections of the Reservoirs Act and identifying those sections currently in operation, those proposed to come into operation and those not yet consulted upon (11.2).

A draft response is attached (11.3) for discussion and agreement by Members.

Members should also note that the Heads of Planning Group is seeking an extension from DFI's Water and Drainage Policy Division in order to formulate a collective professional officer response as it is clear not all councils were aware of the consultation, as DFI Planning did not highlight to councils in the context of prevailing planning policy which is reliant upon this Act. In this response it is pertinent to highlight that this is not a consultation in relation to current planning policy and as such the Council is unable to amend such regional policy.

RECOMMENDED that the Council notes the content of this report and approves the proposed response to the Department's consultation on the Reservoirs Act.

The Head of Planning detailed for Members that this report provided background to the Reservoirs Act and the relevant planning policy set in the context of the legislation being appropriately commenced. She advised it contained a draft response to the various questions posed by the consultation for Members' review and approval. The officer was keen to highlight to Members that the consultation related to the proposed legislative Orders and Regulations and not the planning policy that it must currently assess proposals against.

Councillor P Smith proposed, seconded by Councillor McClean, that the recommendation be adopted.

The seconder, Councillor McClean, noted the response referred to the amount of time which had elapsed to date and in light of that he asked for the matter to be resolved as soon as possible.

At this stage the Chairman acknowledged the implications this would have on many applications not only in Bangor but throughout the entire Borough. He suggested that it was staggering that the Department was consulting now on a legislation which had been passed in 2015. He added that he had real concerns about how the Department was handling matters such as this and the implications of that on planning matters.

RESOLVED, on the proposal of Councillor P Smith, seconded by Councillor McClean, that the recommendation be adopted.

**12. DEPARTMENT FOR INFRASTRUCTURE (DFI) (PLANNING)
REVIEW OF STRATEGIC PLANNING POLICY ON
RENEWABLE AND LOW CARBON ENERGY DEVELOPMENT**
(Appendix XXI)

PREVIOUSLY CIRCULATED:- Report from Director of Regeneration, Development and Planning attaching DFI Planning Issues Paper - Renewable Energy and Low Carbon Development and Issues Paper Response form. The report advised that the Department for Infrastructure (Dfi) had commenced a new review of strategic planning policy on renewable and low carbon energy.

DFI had published an issues paper, (Item 12a) 'Review of Strategic Planning Policy on Renewable & Low Carbon Energy'. There was an eight week consultation period, which commenced on 15 December and closed on 11 February 2022.

Detail

The aim stated by DFI of the review was to ensure that strategic planning policy on renewable and low carbon energy development remains fit for purpose and to inform decision-making in relation to development proposals for this subject area. DFI stated that it was also intended to 'inform the local development plan (LDP) process and enable plan-makers to bring forward appropriate local policies, all within the wider contemporary context for energy and the climate emergency'.

The Issues Paper set out the background to this Review, including the wider policy context of Climate Change, National / regional targets for Renewable Energy production and a new Energy Strategy for NI. Specific planning matters to be considered for the review include:

- Energy targets & strategic planning policy;
- Locational considerations;
- Siting new wind farms in perpetuity;
- Wind turbines & amenity considerations;
- Dismantling and site restoration for new development;
- Solar farms and agricultural land;
- Co-locating renewable, low carbon and supporting infrastructure;
- Re-powering existing wind farms; and,
- Emerging technologies & other issues.

Next steps

Responses to the Issues Paper were requested by e-mail to DFI by 5.00pm, Friday 11 February 2022. It was suggested to use the response form (at Item 12b) but other responses were welcome. DFI shall consider the information gathered as a result of the Issues Paper in helping to inform the way forward for this policy area. Any recommendations emerging from this review which involve policy changes would require an amendment to the Strategic Planning Policy Statement which would be taken forward in accordance with established policy making best practice. (This would include public consultation on any draft policy proposals). It was understood that DFI intended to issue a draft revised policy document in 2022.

Planning officers from the LDP team shall prepare a response which shall also include liaison with Development Management and the Council's Sustainability Officer, which will be brought to January's Council for approval.

RECOMMENDED that Council notes the publication of the issues paper document and outlines any areas for inclusion in the response, with a further report to be brought to January's Council with a recommended response.

The Head of Planning explained that this report detailed another consultation which was issued just before Christmas regarding a review by DFI of strategic planning policy on renewable and low carbon energy development. She invited Members to make any further contributions or to highlight issues they wished to see addressed, in order the final response could be tabled for approval at the January Council meeting to meet the deadline for response.

RESOLVED, on the proposal of Councillor Cooper, seconded by Councillor Thompson, that the recommendation be adopted.

TERMINATION OF MEETING

The meeting terminated at 1.08am.

From: Rosemary Agnew
Transition Policy Director
Food and Farming Group



Room 425
Dundonald House
Ballymiscaw
Upper Newtownards Road
BELFAST
BT4 3SB

NIFutureAgriPolicy@daera-ni.gov.uk

21 December 2021

Dear Consultee

Consultation on Future Agricultural Policy Proposals for Northern Ireland

I am writing to invite you to share your views on the Future Agricultural Policy Proposals for Northern Ireland, which launched for an **eight week** formal public consultation on 21 December 2021.

Background

The Department of Agriculture, Environment and Rural Affairs (DAERA) launched the Future Agricultural Policy Framework Portfolio in August 2021. The Framework charts, the way forward for a future agricultural policy which better meets Northern Ireland's needs, and is based on the outcomes of increased productivity, environmental sustainability, improved resilience and an effective functioning supply chain. At that time it was announced that a public consultation on the policy proposals necessary to fulfil these outcomes would follow.

The purpose of this consultation is to seek your views on the policy proposals for future support mechanisms necessary to achieve a future sustainable agricultural industry. It is recognised that to achieve this vision, it will take a collaborative effort with industry and stakeholders in the co-development and design of new measures and interventions, using evidence to inform policy decisions, encouraging uptake of innovation, science and technology, encouraging knowledge and education exchange and ensuring these policies are supported by an appropriate level of regulation.

Consultation

The consultation will run for an **8 week period** from **Tuesday 21 December 2021**; the deadline for responses to is 23.59 **Tuesday 15 February 2022**. All responses should be received by then to ensure they can be fully considered.

The consultation document and a copy of this letter are now available at: <https://www.daera-ni.gov.uk/consultations/consultation-future-agricultural-policy-proposals-northern-ireland> and the consultation pack will be added to over the coming days to include:

- Consultee Engagement Letter
- Future Agricultural Policy Proposals for Northern Ireland Consultation Document
- Future Agricultural Policy Proposals for Northern Ireland Consultation Document (Easy Read Version)
- Background Evidence Paper
- Background Paper - Knowledge Measures
- Current Support Regime for Agricultural Industry in Northern Ireland
- Equality and Human Rights Screening Template
- Rural Needs Impact Assessment
- Regulatory Impact Screening Template
- SEA Environmental Report
- Frequently Asked Questions

DAERA would welcome any comments you wish to make on the proposals or on those issues that are of particular interest to you in the consultation.

In an effort to reduce the environmental impact of the production of consultation papers, the Department is encouraging stakeholders to respond using the online response function. If you wish to take part in the consultation, once you have considered the proposals, you should respond online, through our survey which can be accessed via the consultation webpage <https://www.daera-ni.gov.uk/consultations/consultation-future-agricultural-policy-proposals-northern-ireland> or via: <https://consultations2.nidirect.gov.uk/daera/daera-app>.

If required, a pdf hard copy of the consultation questions can be provided - please contact us to discuss your requirements by email to NIFutureAgriPolicy@daera-ni.gov.uk or by telephone (028 90524398).

Virtual Engagement Events

We are providing the opportunity for engagement with DAERA's Transition Policy team via online events. At these events, the team will provide an overview of the Consultation document and answer any questions you may have in advance of completing your consultation response via our online survey. It would be helpful if you could forward any questions you may have to NIFutureAgriPolicy@daera-ni.gov.uk prior to the consultation events.

We plan to hold 4 virtual consultation events. The dates are outlined below:

Virtual Consultation Event Date
Tuesday 11 January 2pm-3pm
Thursday 20 January 7pm-8pm
Friday 28 January 2pm-3pm
Wednesday 02 February 10am-11am

For more information on each event and how to register visit: <https://www.daera-ni.gov.uk/consultations/consultation-future-agricultural-policy-proposals-northern-ireland>.

Further Information

We look forward to hearing from you. Please let us know if you want to speak to a member of the Team about the Consultation, the approach being taken, or to request an alternative version of the consultation document.

You can contact us by email at: NIFutureAgriPolicy@daera-ni.gov.uk or if you are unable to access e-mail, you can telephone us on 028 90524398.

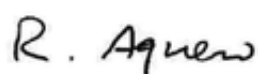
The Department intends to publish a summary of responses following the closing date. Your response, and all other responses to this consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. This means that information provided by you in response to the stakeholder engagement is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- The Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- The Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature; and
- Acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

The information you provide in completing this consultation will be controlled and processed in line with Data Protection Legislation by DAERA. To find out more about how we handle your personal information, DAERA's Privacy Notice can be viewed online at <http://www.daera-ni.gov.uk/daera-privacy-statement>

The Department looks forward to receiving your response to this consultation exercise.

Yours faithfully



ROSEMARY AGNEW
Director of Transition Policy Division
Food and Farming Group

Corrina Grimes
Regional Advance Care Planning Lead



Department of Health
Castle Buildings, Stormont
Belfast BT4 3SU
Email: corrina.grimes@hscni.net
Our Ref: ACPPUBCON
Date: 17th December 2021

Dear Colleague

DEPARTMENT OF HEALTH ADVANCE CARE PLANNING POLICY FOR ADULTS- PUBLIC CONSULTATION

The purpose of this letter is to advise that the Department of Health (DoH) has launched a public consultation on the draft Advance Care Planning Policy for Adults (aged 18 and over) for Northern Ireland. The consultation will run from 17 December 2021 until 5pm on Friday 11 March 2022.

As you will be aware, Advance Care Planning is an umbrella term covering personal, legal, clinical, and financial planning. It enables a person to think about what is important to them and plan for their future. It is a voluntary process and helps a person to make known what their wishes, feelings, beliefs and values are, and to make choices that reflect these. Advance Care Planning is an on-going process of conversations between a person, those important to them, and those providing care, support or treatment. Advance Care Planning should be an important part of life for all adults.

Advance Care Planning conversations and decisions will be used at a time in the future when the person cannot make decisions for themselves because they do not have mental capacity to make a specific decision at that time, or are unable to communicate what their wishes are. Where this is the case, the outcome of Advance Care Planning conversations, recommendations and/or decisions will guide those providing care, support or treatment so that, as far as is possible, this is provided in line with what the person has identified as their wishes, feelings, beliefs and values for their future care.

The draft policy and supporting consultation documentation, including an Equality Impact Assessment also issued for consultation, and information on how to respond to the consultation, is available on the Department of Health website via the following link:

[Consultation on the Draft Advance Care Planning Policy for Adults in Northern Ireland and Draft Equality Impact Assessment | Department of Health \(health-ni.gov.uk\)](#)

Consultation responses must be received by 5pm on **Friday 11 March 2022**.

May I take this opportunity to thank you for your interest and support in this work to date, and I look forward to the consultation responses.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C. Grimes'.

Corrina Grimes
Regional Advance Care Planning Lead

From: TEO United Community Policy <Policy.UnitedCommunity@executiveoffice-ni.gov.uk>
Sent: 06 December 2021 15:34
Subject: Refugee Integration Strategy Consultation

'First Minister Paul Givan and deputy First Minister Michelle O'Neill have announced a 12 week consultation on a draft Refugee Integration Strategy. This is an opportunity for everyone to further inform the Strategy that has been developed through both research and engagement with key stakeholders across Government, Academia and the voluntary and community sector.

We are now, therefore, seeking views from across society on this draft Refugee Integration Strategy to ensure the final strategy is focused on the priority issues and needs and sets out the most important actions required to support refugees and asylum seekers here.

The consultation opened on 30 November 2021 and will close on 21 February 2022 and all responses are welcome up to that date.

How to Engage

- The **Citizen Space** platform on the NI Direct website is Governments preferred mechanism for consultation. Copies of the draft Strategy, including easy read and child friendly versions, along with a consultation document can be found through the links below and we would encourage you to click on the links and actively participate in the further development of this important Strategy;

<https://consultations.nidirect.gov.uk/teo/refugee-integration-strategy-for-northern-ireland>, or

<https://consultations.nidirect.gov.uk/teo/child-friendly-and-easy-read-refugee-integration-s>

- **Alternatively**, we have arranged a number of virtual consultation workshops that will be delivered through the Webex platform. Tickets to these consultation workshops can be booked through Eventbrite with the Webex link emailed to all those booking a place to be issued the day before the event takes place. Dates of these workshops and links to the associated Eventbrite ticketing are as follows;

Tuesday 7 December 2021 @ 10.00 am

<https://www.eventbrite.co.uk/e/refugee-integration-strategy-consultation-online-workshop-tickets-218696285477>

Tuesday 11 January 2022 @10.00am

<https://www.eventbrite.co.uk/e/copy-of-refugee-integration-strategy-consultation-online-workshop-tickets-218707268327>

Tuesday 8 February 2022 @ 10.00 am

<https://www.eventbrite.co.uk/e/refugee-integration-strategy-consultation-online-workshop-tickets-218707789887>

- If none of the above options suit please feel free to contact us directly at Race.Equality@executiveoffice-ni.gov.uk and we can discuss how best to facilitate your engagement with the consultation.'

Unclassified

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ITEM 9.1**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	26 January 2022
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	17 January 2022
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	Deputation Request - Northern Ireland Water
Attachments	1. Letter from NI Water

A request has been received from NI Water to provide Members with an annual briefing on a range of issues, including the outcome of the Price Control Final Determination and what this will mean for investment in the Borough (correspondence attached).

RECOMMENDATION

It is recommended that Council agrees to the deputation request from NI Water and refers this to the Corporate Services Committee.

Northern Ireland Water
PO Box 1026
Belfast
BT1 9DJ

www.niwater.com



Delivering what matters

Date: 16th December 2021

Dear Council Representative

NI Water has been very pleased to visit local Councils right across Northern Ireland over the last few years in order to highlight how we are delivering what matters for our customers in terms of health, the environment and our economy; as well as to provide updates on how we are investing in your area. We trust your members and officials have found this as beneficial as we did.

We have previously given a commitment that NI Water would undertake to present to all eleven Councils at least once a year. We wish to continue our engagement with all Councils; and to that end, I am writing to you to ascertain potential dates for an updated briefing to your Council during 2022.

We would very much like to share with you the outcome of our Price Control 21 (2021 – 2027) Final Determination agreed with the Northern Ireland Utility Regulator and what this will mean for investment within your Council area. We will also take this opportunity to outline development constraints within the Council area and what NI Water is doing to address this challenging issue.

Throughout the Covid pandemic we have continued to deliver our presentations to Councils virtually through Microsoft Teams or WebEx. We have found this to be a very efficient method for NI Water staff attending such meetings and would hope to continue this in the future.

I would be grateful if you could contact our Stakeholder Manager, Valerie Crozier, within the Investment Management Team, with details on when you would like to receive us again. Valerie can be contacted by email at Valerie.crozier@niwater.com. I would be grateful if you could confirm any potential dates as soon as possible in order to allow us to make arrangements in good time.

NI Water values our relationships with local authorities, and we appreciate the importance of keeping you informed of what we are doing within your council area. We hope to do so once again over the coming months, at your discretion.

Yours sincerely

Steve Blockwell

Dr Stephen Blockwell
Head of Investment Management
Asset Delivery Directorate



Marie Ward
Chief Executive

Our ref: C/242/2021

20 December 2021

Mr Stephen Reid CEO
North Down & Ards Borough Council
Town Hall
The Castle
Bangor
BT20 4BT

Dear Mr Reid



Re: Notice of Motion – Down High School

At a Meeting of Newry, Mourne and Down District Council held on Wednesday 8 December 2021, the following Notice of Motion which was presented by the pupils of Down High School was agreed:

“We are here as members of Down High School Eco group because we understand it is our generations duty to tackle climate change. We are very concerned about the increasing levels of CO2 emissions, and the low density of woodland. We would love to see the extension of the Downpatrick Schools’ Community Woodland Project to plant 2026 trees as part of Cop26.

We want Newry, Mourne & Down District Council to help support us in the organisation of a Community Eco Fun Day to get the community and local schools involved in supporting tree planting and raising awareness of Climate Change. This project will help to:

- **Raise awareness about the climate crisis**
- **Provide habitat for wildlife**
- **Provide a new recreational area for our community**

We need our Council to show leadership in promoting Climate Change within the community.

We ask that Council write to the NI Assembly asking that a tree be provided for every pupil in N. Ireland and that we write to the other 10 Councils asking them to support this initiative”.

The pupils received an enthusiastic positive response from Members who fully supported the Motion.

Discussion took place regarding an initiative recently adopted by the Welsh Assembly whereby a tree was provided for every pupil in Wales and Members asked that a similar initiative be adopted in N. Ireland.



Members of Newry, Mourne and District Council expressed strong support for this Motion and urge your Council to also support it.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Marie Ward', is written over the typed name.

Marie Ward
Chief Executive

ITEM 11

Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	26 January 2022
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	19 January 2022
File Reference	
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/>
Subject	NAC UK Conference Glasgow 25-27 February 2022
Attachments	Conference booking form and agenda

The NAC is holding a conference on Community Empowerment in Glasgow from 25th – 27th February 2022. Information on the event is included in the attached conference booking form. Delegate fees are £350 + VAT, accommodation is £70+VAT per night, plus there would be costs associated with flights and travel.

RECOMMENDATION

It is recommended that Council considers whether it wishes to nominate a Member(s) to attend the NAC Conference.

NATIONAL ASSOCIATION OF COUNCILLORS

Conference

Community Empowerment

The Hallmark Hotel, Glasgow

25th-27th February 2022

Delegate Booking Form

Name of Delegate.....

Organisation

Delegate's Email

Telephone Number.....

Authorising Signature.....Order No if reqd.....

Printed Name.....

Position.....Organisation.....

INVOICE, email address for invoice.....

To Register – Complete the delegate details above, and either: -Email a copy of this form to
Generalsecretary@nationalassociationofcouncillors.org

or Post form to NAC Bookings, Council Offices, 6 Goatbeck Terrace, Langley Moor, Co. Durham DH7 6JJ

Delegate Fees: £350 plus VAT – Metropolitan, County, Unitary, Borough & District Councils

£295 plus VAT - Town, Parish and Community Councils

Accommodation is available for delegates at the Conference Hotel at the special NAC Conference Delegate rate of £70 plus VAT per night. The accommodation fee is payable by delegate on departure from the hotel unless otherwise indicated on the booking form.

Delegate Accommodation Friday & Saturdays nights YES / NO

Local Authority to be billed direct for accommodation YES / NO

Please note that double and family rooms are also available (prices available on request)

Booking Condition: Please note that a charge is payable on any bookings cancelled. These charges will be kept to a minimum and will be in accordance with cost incurred by the NAC.

National Association of Councillors

Community Empowerment

Agenda

Friday 25th February 2022

5 – 6pm Registration

6pm Chairman's Welcome, Cllr. Graham

1st Speaker

Questions from Delegates.

7.30pm Dinner

Saturday 26th February 2026

10.00am 2nd speaker

Questions

10.45am 3rd Speaker

Questions

11.30am Coffee Break

11.45am Anne Bonner, NAC

Empowering Women

Questions

1.00pm Lunch

2.00pm Regional Management Meeting

7-00pm Conference Dinner

Sunday 27th February 2022

10-00am Cllr. Brian Nelson, National Secretary, NAC

Interactive Workshops

12-00pm Lunch & end of event

Unclassified

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ITEM 12**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	26 January 2022
Responsible Director	Director of Regeneration, Development and Planning
Responsible Head of Service	Head of Planning
Date of Report	17 January 2022
File Reference	160051
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	Response to Department for Infrastructure (DfI) (Planning) review of strategic planning policy on renewable and low carbon energy
Attachments	Response to DfI consultation re: Review of Strategic Planning Policy on Renewable and Low Carbon Energy Development

Further to the report put before the Planning Committee on 18 January 2022 regarding the Department for Infrastructure consultation in relation to the 'Review of Strategic Planning Policy on Renewable & Low Carbon Energy', it was agreed that a response would be brought to January Council for approval. The consultation closes on 11 February 2022.

RECOMMENDATION

It is recommended that Council approves submission of the attached response to the Department for Infrastructure in relation to the consultation regarding the 'Review of Strategic Planning Policy on Renewable & Low Carbon Energy'.

REVIEW OF STRATEGIC PLANNING POLICY ON RENEWABLE & LOW CARBON ENERGY

ISSUES PAPER RESPONSE FORM

YOUR COMMENTS

Please provide us with your comments below. Please be as concise as possible and where appropriate provide evidence to support your responses.

KEY ISSUE: ENERGY TARGETS & STRATEGIC PLANNING POLICY

Q.1. How should future strategic planning policy continue to help NI achieve any new targets for increasing energy from renewable and low carbon sources arising from the emerging Energy Strategy and in doing so assist in addressing the climate emergency?

Comments:

Following its declaration of a Climate Emergency in February 2019, Ards and North Down Borough Council has developed its Roadmap to Sustainability 2021 – 2028, to formalise its strategic commitment to becoming more sustainable. Sustainability and Climate Change must be at the forefront of all we do.

The Council will seek to lead, through its policies and operationally, through the delivery of its services. Critically though, the Roadmap is for the Borough and as such, effective partnerships across communities are key to securing the support and engagement required for success.

The Council considers that existing provisions within the Strategic Planning Policy Statement (SPPS) set out a reasonable and established approach to facilitating Renewable Energy (RE) developments in appropriate locations without compromising environmental assets of acknowledged importance whilst also recognising that there may be wider environmental, economic and social factors to consider. The Council doesn't consider the need for a significant change of direction from the SPPS to support the targets set out in the recent Energy Strategy published (December 2021) by the Department for Economy 'The Path to Net Zero Energy'. Rather it is recognised that the SPPS and forthcoming climate change legislation can assist in supporting the delivery of carbon reduction targets and those set out in the Energy Strategy. The extant SPPS acknowledges the role that Local Development Plans (LDP) can lead on in setting out policies and proposals that support a diverse range of Renewable Energy development within distinct council areas.

KEY ISSUE: LOCATIONAL CONSIDERATIONS

Q.2. What are your thoughts on introducing new provisions within strategic planning policy to provide for a more strategic spatial approach for the siting of wind and solar farm (or others types of renewables) development through identifying suitable and/or unsuitable areas in principle?

Comments:

The Council considers the current approach of the SPPS allows scope for Council's to consider siting through the LDP process. The Council queries if there is to be a regional strategic direction set out for a spatial approach how that shall be delivered if Councils have embarked on LDP; creating local strategic policies and zonings. Is the intention that DfI providing strategic spatial direction in terms of this based on its own regional evidence base? Does this accord with locally distinct evidence bases produced by Councils? Does this give rise to issue that areas shall be shown will be deemed "suitable and/or unsuitable". The unique nature of each council area may not allow for a clear demarked suitable area . However this does not imply that they are unsuitable by default and there is a need to assess on a case by case basis. How does this approach sit with soundness and potential prematurity issues?

The lack of clarity on this particular issue prevents the Council from making a more detailed response, however, the Council flags considerable concern regarding this potential approach in the context of LDP, evidence bases, soundness and provision of evidence at Independent Examination.

KEY ISSUE: SITING NEW WIND FARMS IN PERPETUITY

Q.3. What are your thoughts on introducing new provisions within strategic planning policy to require new wind farms to be capable of being sited in perpetuity?

Comments:

The Council acknowledges that there are merits to provide an element of certainty with this approach however it is noted in the choice of language in terms of requiring 'to be capable'. Is this criteria based? What criteria does DFI consider to be used to judge this? Does a perpetuity approach allow sufficiently for flexibility should new technologies come forward? Would this approach allow for replacement of technology if it were a different specification than before e.g. noise level. There are merits to provide an element of certainty with this approach but there are questions as to how it could be implemented successfully if issues arise with regard to viability or potential implications for any necessary decommissioning element of this form of development. The Council would question the flexibility and deliverability of such an approach.

The current approach of imposing a time limit already allows for the planning authority to exert control, and developers can reapply if appropriate, so it is difficult to understand what benefit this potential direction would achieve.

KEY ISSUE: WIND TURBINES & AMENITY CONSIDERATIONS

Q.4a. How best should strategic planning policy provide for the consideration of such matters when plan-making and decision-taking?

Comments:

Councils have the ability through the LDP to further consider policy at a local level responding to any localised amenity issues as appropriate. At present there are provisions in the SPPS and best practice guidance that address amenity considerations related to wind turbine development proposals, details on proposed mitigation and how these considerations can be assessed in the decision taking process. Strategic Planning Policy may be best advanced by being informed by up to date best practice. Is ETSU R 97 (at 25 years old) still the best method of determining impact of noise on amenity?

KEY ISSUE: WIND TURBINES & AMENITY CONSIDERATIONS

Q.4b. Do you consider strategic planning policy should require a mandatory separation distance for wind energy. If so, what distance and why?

Comments:

The Council queries this approach. There is much debate which can take place on separation and setback related to these types of development proposals. What evidential context will the Department consider at a regional level in proposing mandatory distances?

There are many instances that a distinct local landscape shall influence the visual impact.

The SPPS at paragraph 6.227 refers specifically to 'wind farm' developments 'For wind farm development a separation distance of 10 times rotor diameter to occupied property, with a minimum distance not less than 500m, will generally apply'.

What is appropriate for a regional strategic approach is perhaps best concentrated on consideration of noise and evidenced health impacts along with public safety considerations - e.g. is distance from road network also an aspect to review?

The Council also considers that current policy/guidance which permits occupied buildings within the ownership of the applicant to be subject to a higher noise impact to be inappropriate, as these properties will not always remain in the ownership of the benefactor of the turbine permission.

KEY ISSUE: DECOMMISSIONING AND SITE RESTORATION FOR NEW DEVELOPMENT

Q.5. What are your thoughts on the best approach to decommissioning and restoration of future wind turbine and solar farm development?

Comments:

The current use of planning conditions allows for the decommissioning and restoration process. There may be circumstances whereby legal agreements provide for a more binding approach.

KEY ISSUE: SOLAR FARMS AND AGRICULTURAL LAND

Q.6. Do you consider strategic planning policy should prioritise non-agricultural land for renewable energy development, such as solar energy. If so, how and why?

Comments:

The Council acknowledges that the potential loss of agricultural land is an undesirable outcome of choice of location of solar farm development. However, it is not always the case that a development of such nature would be permanent and therefore relates back to overall approaches to decommissioning of this form of development. Indeed, some renewable energy development proposals can allow for continued agricultural use. Loss of agricultural land is one of a number of material considerations a planning authority may take into account. Where land is not to be continued in agricultural use is there potential to seek improvements to biodiversity or would this cause issues re impact on protected species?

KEY ISSUE: CO-LOCATING RENEWABLE, LOW CARBON AND SUPPORTING INFRASTRUCTURE

Q.7. Should strategic planning policy provide for the appropriate co-location of renewable, low carbon energy and supporting infrastructure? If so, how best might this be achieved and why?

Comments:

The council acknowledges that there could be potential economic and environmental benefits associated with co-location of renewable, low carbon energy and storage infrastructure together. Strategic Planning policy could encourage this but the extant policy does not read as precluding it. Notwithstanding whether or not co-locating is an element of a Renewable Energy development proposal, it will need to be demonstrated that the proposal will not result in an unacceptable impact on the planning considerations outline at paragraph 6.224 in extant SPPS and all other relevant material considerations. Is the review limiting in this question regarding co-location. Is there opportunity to further?

KEY ISSUE: RE-POWERING EXISTING WIND FARMS

Q.8. Should strategic planning policy provide for and/or encourage the re-powering of wind turbines as they come to the end of their consented lifespan and require/allow that all new wind farms should be sited in perpetuity?

Comments:

This relates to the response given earlier in question 3.

Given that most wind farm developments have a life span of up to 25 years, it is considered appropriate that the principle of such development should be re-examined (by way of new applications) to take account of the then current circumstances to ensure that they are still sustainable.

KEY ISSUE: EMERGING TECHNOLOGIES AND OTHERS

Q.9a. What do you consider to be the emerging technologies and how best should strategic planning policy provide for their consideration by relevant planning authorities when plan-making and decision-taking?

Comments:

The Council will seek to lead, through its policies and operationally, through the delivery of its services. Critically though, the Roadmap is for the Borough and as such, effective partnerships across communities are key to securing the support and engagement required for success. The Council has also started to develop its Climate Adaptation Plan which will pave the way for how we will as an organisation adapt to the effects of climate change. The Council will seek to support Renewable Energy proposals whether based on current or in future emerging technologies provided the proposal does not result in an unacceptable impact on the planning considerations (set out at paragraph 6.224 of the SPPS) or any other relevant plan or policy consideration to the proposal. Much of the future renewable energy across NI shall undoubtedly continue to be provided by wind energy, however there are obvious opportunities to grow in scale with regard to solar photovoltaics and battery technology individually or as part of a building design element. The council considers supportive planning policy at both strategic and local level can contribute to a increased renewable energy generation sourced supply and net zero carbon buildings. Other areas for examination at strategic level include large scale district heating/geothermal heat sources.

It is considered more appropriate for Building Regulations to be re-examined to ensure that more sustainable materials and methods are utilised when undertaking construction projects, regardless of scale, as this will more effectively ensure that such targets can be met.

KEY ISSUE: EMERGING TECHNOLOGIES AND OTHERS

Q.9b. How best should strategic planning policy provide for the consideration of battery energy storage systems by relevant planning authorities when plan-making and decision-taking?

Comments:

The Council recognises that battery energy storage systems (BESS) are one of a number of emerging storage technologies. The extant provisions of the SPPS paragraph 6.224 give coverage when considering a Renewable Energy proposal under 'any associated buildings and infrastructure'. At a strategic level the same considerations should apply as a standalone BESS proposal with appropriate consideration given with consultee input to the decision taking process. Shall future regional strategic planning policy retain a flexible approach by not limiting to specific forms of emerging storage technologies. Regional strategic planning policy can however assist with providing clarity rather than reliance on associated case law.

Given the recent judgment against the Department in respect of the categorisation of BESS, it would be appropriate for specialised training to be rolled out to Councils in respect of processing and assessing such proposals.

KEY ISSUE: EMERGING TECHNOLOGIES AND OTHERS

Q.9c. What do you consider to be any other issues relevant to renewable and low carbon energy development and how best should strategic planning policy provide for their consideration by relevant planning authorities when plan-making and decision-taking?

Comments:

The Council considers other relevant issues such as storage of energy from renewable sources (solar and wind). What examination is being given at regional strategic level to address consideration of supporting development proposal for infrastructure associated with battery or hydrogen powered vehicles? Strategic planning policy should not stymie future energy storage proposals.

It should also not be solely down to planning policy to insist on the use of such energy, as it is not possible, but as stipulated earlier, ensuring that materials utilised or methods undertaken in construction are more sustainable or that properties include such facilities on an appropriate scale.

Unclassified

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ITEM 13**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	26 January 2022
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	
Date of Report	13 January 2022
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	Charlotte's Law Consultation Response
Attachments	Appendix 1 - Charlotte's Law Consultation Response

Background

On 22 November 2021, Justice Minister Naomi Long announced her intention to launch a public consultation on proposals for 'Charlotte's Law'. The consultation follows a review of current law in relation to disclosure of information on the locations of victims' remains by those convicted of their killing and will run for a period of 10 weeks.

The review examines the need for new legislation similar to 'Helen's Law' which was introduced in England and Wales, and whether a bespoke change in the law should be made in Northern Ireland, to be known as 'Charlotte's Law' inspired by a campaign led by the family of Charlotte Murray and supported by the family of Lisa Dorrian.

Charlotte Murray went missing in 2012. Her body has never been found. However, her former partner Johnny Miller was convicted of her murder. Her family believe the failure to identify the location of the body should be considered at parole hearings. After his sentencing, they said that Charlotte's killer should not be released from prison until he reveals the location of her body. Charlotte Murray's family have been

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backed in their campaign to change the law by relatives of Lisa Dorrian who disappeared in 2005 and whose body has never been found.

The Council's response to this consultation was discussed at Council on 22 December 2021 and it was agreed that the Council would invite Joanne Dorrian, Lisa's sister to address the January 2022 Corporate Services Committee before responding. This presentation duly took place and the attached response is reflective of Officers' and Joanne's views on the subject

RECOMMENDATION

It is recommended that Council agrees to the submission of the response to the Justice Minister's Review attached at Appendix 1. The consultation is set to close on Monday 7 February 2022.

Charlotte's Law Consultation Questions and Response Form

What is your Name? Ards and North Down Borough Council

Question 1. Do you consider that in life sentence tariff setting, concealment of the victim's body should continue to be treated as an aggravating factor? Yes/No - Please provide reasons for your response. If yes, please proceed to question 3.

No, but reasons why are detailed in Question 2 below.

Question 2. Do you consider that in Life sentence tariff setting, concealment of the victim's body should place the murder in the very serious murder category? Yes/No - Please provide reasons for your response.

Yes. Would like to recategorize a no body murder to very serious murder category. With minimum starting point of sentence of 20 years for no body murders before considering any of the other aggravating factors.

Question 3. Do you consider that a review of tariff for early post sentence disclosure should be introduced? Yes/No - Please provide reasons for your response.

Yes, fully support this. Need to consider where the perpetrator has been uncooperative in the investigation of the offence, including the timeliness of the cooperation; the truthfulness, completeness and reliability of any information or evidence provided by the prisoner; and the significance and usefulness of the prisoner's cooperation.

Question 4. If yes to Question 3: should the post sentence period for a disclosure to be considered be (i) 2 months; (ii) 6 months; or (iii) other? Please provide reasons for your response.

Other, depending on the situation and if there are any reasons for the non-disclosure e.g. prisoner's state of mind or whether they are making a deliberate decision not to disclose the information. It should be a 'one time only' offer to the murderer. To be offered between 12-18 months after sentencing which would allow the prisoner time to adjust to their new life in prison and give thought to the length of their sentence. It is about trying to encourage an early disclosure.

Question 5. If yes to Question 3, should the provision apply to (i) all life sentence prisoners; or (ii) just to those convicted of 'no body' murders? Please provide reasons for your response.

It is difficult to imagine a scenario where this applies to life sentence prisoners other than no body murderers. But to ensure that this applies to as many families as possible in the future, if other scenarios arise we should legislate for all life sentence prisoners rather than a further review being required in the future.

Question 6. Do you consider that a provision equivalent to Helens Law should be introduced? Yes/No - Please provide reasons for your response.

Yes, at least the equivalent to Helen's Law should be introduced however extra legislation is also recommended. The Parole Board must consider the non-disclosure.

Question 7. Do you consider that the Parole Commissioners should specifically address prisoners' failure to disclose details about victims' remains in their decisions? Yes/No - Please provide reasons for your response

Yes. Based on the fact that non-disclosure of a victim's remains is relevant to the risk that the prisoner poses to public safety. When a decision is taken to release someone a detailed document must be provided as part of this process.

Question 8. Do you consider any further changes are required or that a different approach might achieve disclosure from an offender? Yes/No - If yes, please set out your suggestions.

No but open to hearing other suggestions.

Question 9. Do you consider that there are any equality issues raised by this consultation which could have a significant and disproportionate impact on any of the Section 75 groups? Yes/No - If yes please specify the possible impact and the group or groups that you consider will be affected.

No - as victims and perpetrators of crime come from all sections of the community.

Unclassified

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ITEM 14**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	26 January 2022
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	10 January 2022
File Reference	LP37
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	Request to light up Council Buildings for NI Chest Heart and Stroke
Attachments	

The Council has received a request from Una McHugh of NI Chest Heart and Stroke to light up Council buildings red on Tuesday 1st February 2022, and annually thereafter, to mark the beginning of National Heart Month.

Northern Ireland Chest Heart and Stroke has been leading the fight against chest, heart and stroke illnesses in Northern Ireland since 1946. In 2021/22, they celebrate their 75th year of their work in Northern Ireland.

Northern Ireland Chest Heart & Stroke provides expert care and support to anyone at risk of or currently living with chest, heart and stroke conditions. They also fund local ground-breaking research into better treatments, care and prevention.

The Red Dress Run is their flagship annual event to raise funds and awareness for the charity and to mark National Heart Month in February. The live event will take place at Stormont Estate on 27th February 2022, but they are also hosting a virtual event and encouraging people from across NI to run, walk or wheel 5K in their own local area including in Ards and North Down Council Area during the month of February.

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The current lighting up policy stated that requests for the lighting up of Council buildings are deemed eligible if they are:-

- Charitable, community or other non-profit making organisations based in or with a significant connection to the Borough and which are celebrating a significant anniversary or occasion.

RECOMMENDATION

As this request meets the policy requirements, it is recommended that Council accedes to the request and lights up Council buildings red on the 1st February 2022 and the date is added to the annual schedule.

Unclassified

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ITEM 15**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	26 January 2022
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	20 January 2022
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	Hybrid Council and Committee Meeting Arrangements
Attachments	

Background

In September 2021 Council considered a report setting out options for holding physical Council and Committee meetings, including hybrid meetings where Members could attend either in-person or through Zoom, as well as in-person only meetings. The report detailed that in-person only meetings would not be suitable for Members who were unable to attend a physical meeting due to vulnerability or illness. It would also mean that any Members or key staff who were required to self-isolate for any reason would be unable to attend, even if they felt well enough to. Other factors to consider for any physical meeting, whether hybrid or in-person only, included finding suitable accommodation that was large enough to enable social distancing, the cost and logistics of this given equipment needs and other factors such as internet upgrades, and the fact that while mitigating factors could be put in place to reduce the risk of spreading Covid, this risk could not be reduced to nil. The report provided an estimate of the equipment and staffing costs for running hybrid meetings in the Queen's Hall and Ards Blair Mayne Wellbeing and Leisure Complex as these were the venues identified in the report as being most suitable for holding in-person / hybrid meetings while social distancing measures were required to be in place.

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Having taken all of this into consideration, the Council agreed as follows:

“To continue with existing zoom meeting arrangements at no additional cost until social distancing restrictions have been removed, with a request that officers bring back a business case in due course with regard to the long-term use of hybrid arrangements and the infrastructure required and costs involved when social distancing restrictions have eased. Any decision would be subject to further legislative changes.”

Update

Covid Regulations

Due to the recent increase in Covid cases and the projected peak during January 2022, the Covid Regulations, which were amended in December 2021, do not facilitate a relaxation of the mitigations and social distancing measures previously advised in relation to physical meetings. The Northern Ireland Executive has instructed people to work from home where possible and that this must be facilitated by employers where practicable. Therefore, any form of in-person Council or Committee meeting would at present be subject to Covid mitigations being put in place following a risk assessment, and that is likely to remain the case for at least the next number of months as there has been no indication given at present as to when social distancing requirements will be removed.

Legislation

The legislation permitting Councils to meet remotely, either entirely through Zoom or in a hybrid format, is the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020. This legislation is due to expire in March 2022 but may be extended by the Department for Communities (DfC). A consultation has recently been launched by the DfC seeking views on this legislation and asking whether Councils should be given permanent permission to hold remote or hybrid meetings. A Council response was agreed at the Corporate Services Committee meeting on 11 January 2022 and, subject to Council ratification, it will outline to the DfC the Council's view that the legislation should be made permanent, but stressing that the Department should not impose a *requirement* on Councils to hold remote or hybrid meetings, rather the legislation should empower Councils to make their own decisions as to the format their meetings will take. The closing date for responses to the consultation is 15 February 2022 but it is not known how long after that it will then take the DfC to take and implement any decision to make the legislation permanent. The agreed Council response (subject to ratification) to the consultation asks the DfC to ensure that at the very least, and pending the Department's deliberations on the longer term options, the 2022 Regulations are extended before they expire.

Business case

Officers are in the process of preparing a business case that will set out the venue options for running hybrid meetings, the costs and other considerations. There are a number of uncertainties, not least the fact that it is not known when social distancing measures will be removed and the recent increase in Covid cases, that have made

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this process difficult. Work is however progressing and the business case will be brought to Council for consideration in due course.

RECOMMENDATION

It is recommended that Council notes this update report.

ITEM 18**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	26 January 2022
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	17 January 2022
File Reference	CG 12172
Legislation	Local Government Act (NI) 2014
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/>
Subject	Notices of Motion
Attachments	Notices 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.

NOTICE OF MOTIONS UPDATE – JANUARY 2022

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	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	Permanent recognition of Rory McIlroy in Holywood	Councillor Muir	24/06/15	Corporate Services Committee – October 2015	Agreed	Ongoing	
21/1/19	Shelter at slipway in Donaghadee	Councillor Brooks & Cllr Smith	Council – January 2019	Environment Committee	Agreed	February 2022	
25/9/19	Report on feasibility of holding annual remembrance service for those lost to suicide	Councillor Martin	Council – October	Corporate Services – November 2019	Agreed	Reported to CSC January 2020. Further report to come back.	
16/01/20	Closing of a public right of way at Andrew Shorefield, Groomsport	Alderman Keery	Council – January 2020	Corporate Committee – February 2020	Agreed	Reported to CSC in March and October	

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
						2020. Further report to follow.	
16/01/20	Installation of CCTV for Donaghadee with costings	Alderman Keery	Council – January 2020	Environment Committee – February 2020	Agreed	TBC	
27/2/20	Council opposes money spent on Irish Language Act	Councillor Cooper	Council- June 2020	Corporate Committee – August 2020	Agreed	SoS reply reported to and noted by Nov 2020 CSC	Letters sent to SoS and NICS Perm Sec. SoS reply reported to CSC. NICS Perm Sec reply awaited.
3/3/20	Management of Sand Dune Systems in Cloughey and Portavogie	Councillor Adair	Council – June 2020	Community and Wellbeing Committee – September 2020	Agreed	Report on sand dunes to CWB in January 2021 – complete.	Coastal Erosion Forum meeting took place and information to be considered

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
							for scoping out report to be brought back to Members. Awaiting for date of site meeting to progress.
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	Councillor Brooks	Council October 2020	Community & Wellbeing Committee – December 2020	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

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
	involve consultation with the local community."						back a report thereafter.
22.10.20	Officers to work with the National Trust to develop and regenerate the Park Land adjacent to Greyabbey Village Hall as potential village renewal scheme.	Councillor Adair	Council November 2020	Regeneration and Development - December 2020	Agreed	TBC Rural Development Manager post filled. Project has now commenced.	Officers working with the National Trust and key stakeholders to review potential options and report will be brought back to future Council.
23.3.21	Report detailing information on the council participating in the Stonewall Diversity Champion employers programme.	Councillor Egan	Council March 21	Corporate Committee April 21	Agreed	February 2022 CSC	
8 April 2021	Council to source funding for Millisle Lagoon and Beach Park	Councillor Thompson and Councillor MacArthur	Council April 2021	Regeneration and Development Committee - September 2021	Agreed	TBC	Officers working up report for Council consideration

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
19 April 2021	Flying of Union Flag on all Council buildings and war memorials all year round. Flags at half mast on death of any monarch or any other member of the Royal Family or Prime Minister of the UK for the period of mourning.	Councillor Cooper	Council April 2021	Corporate Committee – September 2021	Agreed that a debate deferred until report is brought back with further detail	TBC	
10 May 2021	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	23 June 2021	Environment Committee – October 2021 (deferred from September Committee)	Agreed	TBC	

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
17 May 2021	Loughview Cemetery, Comber - It is requested that officers bring back a report outlining a proposal for the design, costs and positioning of a sign that is comparable to other graveyard signs throughout the Borough. Furthermore, that the report also includes the option of planting flowerbeds or similar at the entrance to the cemetery on the Ballygowan Road.	Alderman Girvan & Councillor Cummings	23 June 2021	Community & Wellbeing Committee -October 2021 (deferred from September Committee)	Agreed	TBC	
17 May 2021	That this Council recognises the value of providing Changing Places facilities and agrees to request a Report on the feasibility of creating such a facility within the public toilet building in Donaghadee. The report should reflect the specific requirements for a	Councillors Walker & Brooks	23 June 2021	Environment Committee – October 2021 (deferred from September Committee)	Agreed	February 2022	

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
	Changing Places toilet, the level of demand at this site, potential costs and possible external sources of funding. Additionally, it should highlight how users might be aware of the new facility including via the Changing Places and Euan's websites. This report should be used to inform a Borough- wide review of provision of Changing Places.						
25.8.2021	That this Council acknowledges the need to react in a timely manner to littering problems on all lands for which it has litter management responsibility, taking account of public health issues, environmental impact and the detrimental effect that the presence of litter has on enjoyment of public spaces.	Councillor McRandal and Councillor Douglas	Council August 2021	Environment Committee - September 2021	Agreed	TBC	

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
	That Environment Directorate Cleansing and Parks Officers work together to agree a draft plan for collaborating to ensure that waste management staff can be deployed to problem litter locations in a timely manner, having regard for severity and urgency. This should include consideration of need for a single, cross department out of hours contact to log issues and to facilitate the deployment of resource. That a report outlining the plan, complete with costings, is brought before the relevant committee.						
20.10.2021	This Council recognises and acknowledges the potential symptoms and impacts experienced during peri-menopause and menopause, and will treat all staff fairly and equally, with	Councillor Kendall and Councillor Dunlop	Council – December 2021	Corporate – January 2022	Agreed (to be ratified by Council)		

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
	<p>dignity and respect, whilst seeking to improve their wellbeing, comfort and general health.</p> <p>Furthermore, council officers will introduce a policy that shows commitment to supporting the wellbeing of our workforce by ensuring appropriate support is available to anyone experiencing symptoms or impacts associated with menopause.</p>						
20.10.2021	That officers bring back a report to consider the option of transferring responsibility for bins which are currently the responsibility of the Parks Section into the Environment Directorate.	Alderman McIlveen & Councillor Cathcart	Council November 2021	Community & Wellbeing December 2021	Agreed	TBC	

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
20.10.2021	That this Council notes and welcomes the additional visitors who attend various sites across the Ards Peninsula during peak tourist times and the positive impact this has on the local economy; acknowledges that during that peak period Main Street, Millisle and Main Street, Springvale Road, Ballywalter experience particular problems with parking which adversely impact on essential services in the Peninsula including emergency vehicles; and tasks officer to liaise with both Dfi Roads and PSNI to look at solutions to this issue to include seasonal prohibitions on parking and adequate enforcement to	Councillors Edmund & Thompson	Council November 2021	Corporate Services December 2021	Agreed	TBC	Letters issued. Responses awaited.

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
	ensure the free flow of traffic on these vital routes.						
20.10.2021	<p>That this council writes to the Minister for Communities to express concern at the high level of housing stress and shortage of social housing within our Borough. Further, that the minister is made aware of the limited temporary accommodation available to our residents.</p> <p>The Council further requests that the minister should bring forward proposals to identify sites in towns and villages within our Borough for additional social housing and, in the interim, requests that she works with the Northern Ireland Housing Executive to ensure that additional emergency</p>	Councillors MacArthur & Adair	Council November 2021	Corporate Services (deferred to January 2022)	Agreed (to be ratified by Council)		

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
	accommodation is made available to those in extreme housing stress, particularly in these challenging times.						
20.10.2021	That this Council notes with concern the significant increase in the cost of energy; recognises this will adversely affect many households across our Borough and calls on the Minister for Communities to establish a departmental led fuel poverty task force to assist the department in developing solutions to support those impacted and prevent many more people from falling into fuel poverty.	Councillors P Smith & Blaney	Council November 2021	Heard at Council November 2021 and Agreed		TBC	Letter issued. Response awaited.

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
3.11.2021	That this Council, in liaison with the Department for Infrastructure, will seek permission for and explore a source of funding in order to make an artistic feature of the steps which lead from Princetown Road to Queen's Parade at Bangor seafront as part of Bangor Town regeneration, and brings back a report to Council addressing how this can be achieved as a pilot for the Borough.	Councillor Douglas & Alderman Wilson	Council November 2021	Regeneration & Development December 2021	Agreed	TBC	
8.11.2021	That this Council considers the current national speed limit on the Portaferry Road, Newtownards which commences at the junction of the Old Shore Road, to be unsafe, and that DfI's application of their speed limit setting policy does not properly account for the	Councillor Mathison & Councillor McAlpine	Council November 2021	Corporate Services Committee December 2021	Agreed		Letter issued. Response awaited.

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
	particular characteristics of this section of road. Council further notes the accidents which have taken place on this stretch of road in both directions, some involving cars coming off the Portaferry Road and onto the lough shore, as well as the serious concerns raised by residents of Teal Rocks in relation to how unsafe it is for cars exiting their development onto a national speed limit Road, and how unsafe it is for pedestrians walking this section of road with the current speed limit in place. Council will write to DfI to ask them to urgently review the speed limit on the section of road from Old Shore Road to the junction of Teal Rocks, and also review any other road						

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
	safety interventions which can be applied at this location.						
01.12.21	That this Council recognises the need for an additional park and ride to serve the Ards Peninsula and agrees to lobby Translink and the Department of Infrastructure to seriously consider this facility, which would further reduce vehicle movements within the Borough and assist our residents to continue to reduce the Borough's carbon footprint.	Councillor Thompson and Councillor Edmund	Council – December 2021	Corporate (deferred from January to February CSC)			



CHAIR
Councillor Anne-Marie Fitzgerald

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JANUARY HOUSING COUNCIL BULLETIN

The Northern Ireland Housing Council met on Thursday, 13th January 2022 at 10.00 am via Conference Call.

For Information, a report of the attendance is undernoted:-

Present by Video Conferencing

Mark Cooper	Antrim & Newtownabbey Borough (Chaired the Meeting)
Nick Mathison	Ards & North Down Borough
Jim Speers	Armagh City, Banbridge & Craigavon Borough
Allan Bresland	Derry City & Strabane District
Tommy Nicholl	Mid & East Antrim Borough
Mickey Ruane	Newry, Mourne & Down District

Apologies

Anne-Marie Fitzgerald	Fermanagh & Omagh District (Chair)
John Finlay	Causeway Coast & Glens Borough
Michelle Kelly	Belfast City
Amanda Grehan	Lisburn & Castlereagh City
Catherine Elattar	Mid Ulster Borough Council

Discussions on the undernoted matters took place as follows:-

Report from Grainia Long, Chief Executive, Housing Executive

The Report provided the Housing Council with a monthly update summarising a range of strategic, major or routine matters, including any emerging issues. A summary of the current / emerging issues are outlined as follows:-

- JMC Mechanical and Construction Ltd
- COVID-19 Update
- Regina Coeli Hostel - Belfast
- Temporary Accommodation / Single Lets
- Contractor issues, Rathcoole
- *NIHE 50th Anniversary Event - Tuesday 7 December 2021*
- *Recent Belfast Telegraph Article - Insulation in NIHE Homes*
- Climate Update
- Supporting People
- Nature Positive Solutions
- Upper Long Streets – Belfast

Continued.....

- Private Sector Improvement Services - Recruitment Challenges and impact on service delivery
- Housing Executive Revitalisation (HER Programme Board Work)
- World Health Organisation - Belfast Healthy Cities Awards
- Hate Crime and Tackling Paramilitarism

Members also received a Presentation from the Housing Executive on Cavity Wall Insulation Action Plan.

Once the minutes of the meeting are ratified at the February Meeting, they can be accessed on the Housing Council website: www.nihousingcouncil.org

The next Housing Council Meeting is scheduled for Thursday, 10th February 2022 at 10.00 am via conference call.

Should you require any further information or have any questions regarding the content.

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Minutes of the 486th Meeting
of the Northern Ireland Housing Council held on
Thursday 9th December 2021 at 10.00 am via Zoom

Present:

Anne-Marie Fitzgerald	Fermanagh & Omagh District (Chair)
Mark Cooper	Antrim & Newtownabbey Borough (Vice Chair)
John Finlay	Causeway Coast & Glens Borough
Nick Mathison	Ards & North Down Borough
Jim Speers	Armagh City, Banbridge & Craigavon Borough
Michelle Kelly	Belfast City
Allan Bresland	Derry City & Strabane District
Amanda Grehan	Lisburn & Castlereagh City
Tommy Nicholl	Mid & East Antrim Borough
Mickey Ruane	Newry, Mourne & Down District

In Attendance:

Paul Price	Department for Communities
Kieran Devlin	Department for Communities
Grainia Long	Chief Executive, Housing Executive
Siobhan McCauley	Director of Regional Services, Housing Executive
Robert Clements	Sustainable Development Manager, Housing Executive
Kelly Cameron	Secretary (Housing Executive Secretariat)

Apologies:

Catherine Elattar	Mid Ulster Borough
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1.0	<p><u>Welcome</u></p> <p>The Chair welcomed Paul Price and Kieran Devlin from the Department for Communities and Grainia Long, Siobhan McCauley and Robert Clements from the Housing Executive.</p>	
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Housing Council
486th Meeting of the Northern Ireland Housing Council

2.0	<p><u>Declarations of Interest</u></p> <p>None.</p>	
3.0	<p><u>To adopt the Minutes of the 485th Housing Council Meeting held on Thursday, 11th November 2021</u></p> <p>It was proposed by Alderman J Speers, seconded by Alderman A Grehan and resolved, that the Minutes of the 485th Meeting of the Housing Council held on Thursday 11th November 2021 be approved and signed by the Chair.</p>	
4.0 4.1 4.2	<p><u>Matters Arising</u></p> <p><u>Housing Association Key Staff Contacts</u></p> <p>It was noted that Members had requested Housing Associations staff key contacts from Ben Collins NIFHA, the information was still awaited.</p> <p><u>Members Queries</u></p> <p>Members had received responses to their queries, as follows:-</p> <ul style="list-style-type: none"> • Councillor Anne-Marie Fitzgerald – Housing Executive Policy on pets permitted in properties (Circulated for Information) 	Secretary
5.0	<p><u>Forward Workplan</u></p> <p>The Paper was noted.</p>	Secretary

Housing Council
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<p>6.0</p>	<p><u>Department for Communities – Housing Top Issues</u></p> <p>Mr Paul Price and Mr Kieran Devlin gave an update of changes under the specific headings on the Department for Communities (DfC) Housing Issues:-</p> <ul style="list-style-type: none"> • Social Newbuild starts <p>Referring to the 10% wheelchair access in the Social Housing Development Programme (SHDP). Alderman Grehan was keen that family homes for those with children who have disabilities should be built. Siobhan McCauley undertook to provide a breakdown of how many family homes, apartments etc.” have been built with wheelchair access in social homes over the last 4/5 years.</p> <ul style="list-style-type: none"> • Co-Ownership • Programme for Social Reform • Fundamental Review of Social Housing Allocations Policy <p>Paul Price confirmed that the 18 out of the 20 proposals in the Review does not require legislation. The Minister has approved the changes to the scheme and waiting implementation. He added that the resources to implement and deliver the proposed changes is the challenge.</p> <p>The Housing Council are keen to see the implementation of the proposals being taken forward by the end of March 2022.</p> <p>Councillor Cooper asked in relation to 'right-sizing' transfers would that be incorporated into the housing selection points system. It was confirmed that this will be part of the current 'shared equity homes' there is no direct relation to the points system.</p> <ul style="list-style-type: none"> • Reclassification of Northern Ireland Social Housing Providers • Supporting People Delivery Strategy • Homelessness Strategy • Regulation of the Private Rented Sector <p>Members welcomed the work in some areas to improve the private rented sector and reiterated the conditions and unfit standards which their tenants, who possibly are the most vulnerable in society are subjected to.</p>	<p>S McCauley</p>
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Housing Council
486th Meeting of the Northern Ireland Housing Council

	<p>Members also welcomed the range of proposed enhanced powers to councils in relation to private landlords and their properties.</p> <p>Reference was made by way of supporting landlords in relation the 'notice period for tenants', who may have built up a substantial amount of arrears, it was explained that to date there has no changes to this set up, it would be an issue for the landlord and tenant to resolve.</p> <p>Members asked was resources going to be made available to private landlords in order to support them to bring their properties up to standards, funding similar to that of Housing Executive and Housing Associations.</p> <p>It was confirmed that the private rented sector is approximately 17% of the social housing market, but there is no discussions for an intervention to provide government funding to enable these properties to be brought up to standard.</p> <ul style="list-style-type: none"> • Increasing Housing Supply • Affordable Warmth Scheme <p>Referring to the budget of approximately £18m for 2021/22, it was confirmed that the spent to date was approximately £7.2 m. It was explained that due to several factors impacting the works being carried out, in particular the increase of cost of materials, the Housing Executive Board has approved a 12% increase and 2,000 re-approvals and re-issued. The other issue is access to properties and staff shortages due to Covid.</p> <p>It was noted that Housing Executive and Council staff are working hard to get as much of the work carried out within this financial year.</p> <ul style="list-style-type: none"> • NIHE Rent Increase • ERDF Investment for Growth and Jobs Programme 2014 -2020 • Housing Executive historical debt and exclusion from having to pay Corporation Tax • Programme for Government (PfG) Outcomes Framework • Long term rent trajectory • Affordability of social rents <p>Mr Devlin undertook to share the links to the Notice to Quit and Housing Supply Strategy Consultations and added that Members feedback on the Consultations would be much appreciated.</p>	<p>K Devlin All Members</p>
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Housing Council
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7.0	<p>Reducing the impacts of Climate Change</p> <p>Robert Clements, Sustainable Development Manager gave Members an update on how the Housing Executive aims to participate in Reducing the impacts of Climate Change (Copies of the Slides are appended to these Minutes – Appendix A).</p> <p>Members welcomed the work the Housing Executive is carrying out and recognise that this is a massive challenge and the need for action is urgent.</p> <p>Councillor Mathison highlighted the Housing Executive's ambition in dealing with how heat is generated in Housing Executive stock and 2025 getting heat pumps installed and the retrofit programme for those properties of the gas grid and move towards possibly the hydrogen technologies. He added how far are those options are developed.</p> <p>Robert Clements explained that from the Housing Executive perspective, both as Strategic Housing Authority and NI's largest landlord, we indicated in our corporate response to the DfE Energy Strategy Policy Options paper an ambition to electrify heating for householders, with a focus</p> <ol style="list-style-type: none"> a. 'off the gas grid' initially through hybrid heating systems (oil/gas with heat pumps) by 2025 and then standalone air source heat pumps by 2030, with improved energy efficiency, better electric tariff options and improved householder education. b. on the gas grid' we aspire for green hydrogen to replace natural gas, however we stated if this wasn't an affordable option by 2030 (NIHE will have to revisit this date as the BEIS Heat & Buildings Strategy, Oct 2021 notes a decision point on hydrogen for heating should be made in 2026) we would move to electrify heating 'on the gas grid'. <p>All this is based on suitable funding and satisfactory outcomes from pilots and programmes.</p> <p>Going forward, the Housing Executive wants to support choice where possible, and will not prioritise fossil fuels in the medium to long term.</p>	
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Housing Council
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	<p>Whilst acknowledging technology is evolving the Housing Executive believe decarbonisation choice is based on:</p> <ul style="list-style-type: none"> a. affordability, b. carbon free, c. sustainability of supply. <p>Members recognised the major challenge is the funding these programmes and the concern are there firms who are equipped to carry out such works.</p> <p>Councillor Cooper referred to the problem of cavity wall insulation with Housing Executive stock and there was a commitment reported in September to Members, that there will be a major CWI replacement programme, as part of the energy efficiency strategy, he added the concern is when funding permits, he felt that all energy efficiency programme could be put in place, but if the stock are not properly insulated, it is a waste of resources. A joint-up approach and investment is required to tackle these issues.</p> <p>Grainia Long confirmed that the Housing Executive Board approved a Cavity Wall Insulation plan which is part funded and she added that it is vital that the right sequence of works to homes is carried out.</p> <p>It was noted that there are several programmes to enable the Housing Executive to seek funding ie. Affordable Warmth scheme, European Regional Development Funding (EDRF) etc. It was recognised that this is a wider investment challenge as part of the Housing Executive's Revitalisation programme.</p> <p>The Chief Executive undertook to provide a Presentation on the Cavity Wall Insulation Action Plan.</p> <p>Members would be keen to see at firsthand some of the Housing Executive's pilot projects illustrating Hybrid heat pumps and electric generation and storage. The Secretary undertook to arrange visits in Spring 2022.</p>	<p>G Long</p>
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Housing Council
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8.0	<p>Housing Policy in NI Conference 'Minister & Housing Executive Keynotes – 7th February 2022.</p> <p>Agreed: Alderman Tommy Nicholl and Councillor Mark Cooper would represent the Housing Council at this Seminar.</p> <p>The Chair would advise the Secretary if she is able to attend nearer the time.</p>	<p>Secretary Chair</p>
9.0	<p><u>Housing Executive's Scheme Starts December 2021</u></p> <p>Members noted the report.</p>	
<p>10.0</p> <p>10.1</p>	<p><u>Any Other Business</u></p> <p><u>Appointed Consultants</u></p> <p>Alderman Speers referred to a property in Hamiltonsbawn where the Contractor was removing the guttering etc and discovered asbestos. Works had to be stopped and with the bad weather the water damaged the property. He sought clarification as to why the Consultant had not identified this issue, if he had have completed a thorough research/investigation of the property, prior to works commencing.</p>	<p>S McC</p>
11.0	<p><u>Date and Venue of Next Meeting</u></p> <p>It was agreed that at the Meeting scheduled for Thursday, 13th January at 10 am via Zoom.</p> <p>The Chair wished Members and Officers a Merry Christmas and a Happy New Year.</p>	<p>Secretary</p>

The Meeting concluded at 12.15 am.

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Appendix A



Reducing the impacts of climate change Housing Council

9 Dec 2021

Robert Clements
Sustainable Development Manager
Northern Ireland Housing Executive

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2021- a tipping point?



This is a one in 20-year flood event that we are having now for the fifth time in the last two decades'

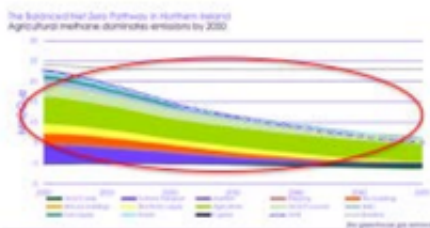


Code Red for Humanity
'unless there are immediate, rapid and large-scale reductions in greenhouse gas emissions, limiting warming to close to 1.5°C or even 2°C will be beyond reach'

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The Context.....Local Picture

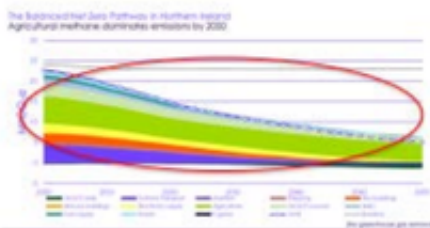


Climate change: Ireland getting warmer and wetter
Ireland is getting warmer and wetter due to climate change, according to a major report published on ...

BBC - 5d

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The Context.....Local Picture



Climate change: Ireland getting warmer and wetter
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BBC - 5d



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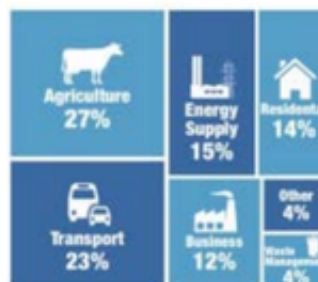
UK Policy Context & Guidance



Duty of the Secretary of State to ensure that the **net** UK carbon account for the year 2050 is **at least 100% lower** than the 1990 baseline



What changes will we see on the Balanced Pathway 2050



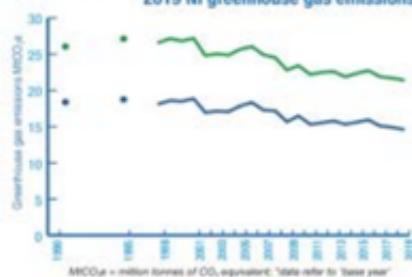
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NI Green House Gases Statistics 1990 - 2019



NI Greenhouse Gas Statistics 1990-2019

2019 NI greenhouse gas emissions have decreased by 18% since 1990*



NI Housing reduce CO₂ by 29% from 1990s to 2016 (NIHCS)



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Climate Challenge in NI

30 YEARS TO ACHIEVE 20% CARBON REDUCTION – **NEXT 29 YEARS TO ACHIEVE 80% CARBON REDUCTION**



CHALLENGE SIMILAR TO UNFITNESS UPGRADES FROM 1970's

All sectors need to spend £1.5Billion per annum for next 20 years
Overall £6-9 Billion Housing Upgrades across NI

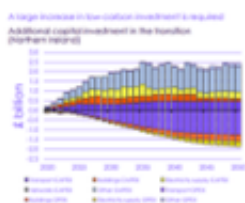


Step Change Now

CCC 6th Carbon Budget

Net Zero for ALL sectors needs 60% carbon reduction over next 15 years

By 2030 NI annual cost of carbon mitigation is £1.5Bn per year...achieve savings by 2040's!



Research into the Future of Energy Efficiency Policy in Northern Ireland



To meet 2050 net zero commitments, it is estimated that policies would need to drive...retrofits for over 50,000 buildings within the decade. Current energy efficiency schemes in NI deliver..16,500 buildings per year, indicating that a doubling or trebling is needed....Overall £6-9 Billion Housing Upgrades across NI

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A busy policy and strategy landscape



NI Energy Strategy ✓

NI Climate Change Bill ✓

NI Green Growth ✓

NI Building Regs

Economic Recovery Action Plan

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Northern Ireland Housing Context



Carbon Emissions - 2018



Energy Consumption – 2017



Northern Ireland had the highest weekly household expenditure on energy of any UK region. It was some 14.7% higher in the period 2016-2019 than the UK average.

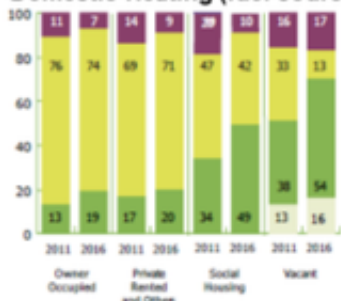
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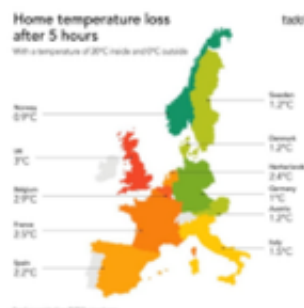
Northern Ireland Housing



Domestic Heating (fuel sources)



- 68% Oil
- 25% N/Gas



NI highest weekly household expenditure on energy of any UK region – 14.7% higher 2016-2019 than UK average (36% 2012-14)

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Climate Change influence ALL areas of business



Housing Executive

86,000 houses
40+ Offices
3,200 staff






10 Key Solutions Needed to Reduce Greenhouse Gas Emissions

1. PHASE OUT coal plants
2. INVEST in clean energy & efficiency
3. RETROFIT buildings
4. DECARBONIZE cement, steel & plastics
5. SWITCH to electric vehicles
6. INCREASE public transport
7. DECARBONIZE aviation and shipping
8. HALT deforestation & RESTORE degraded lands
9. REDUCE food loss and waste
10. EAT more plants & less meat

Source: IEA

WORLD RESOURCES INSTITUTE

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HECA Role

Home Energy Conservation Act (1995) Housing Executive statutory role

3 Themes to deliver HECA role

- **REPORT** annually energy efficiency across all residential tenures
- **SUPPORT** Practical, cost effective, significant improvement (VFM), innovation
- **PROMOTE** energy efficiency awareness across all tenures

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Investment to transition to net zero



1. Housing Executive aims to deliver **£200m+ investment in our homes – and £162m in provision of new social housing** in this year
2. How do we ensure this has maximum impact?
 - a. Make energy efficiency an infrastructure/strategic priority to **reduce energy demand & deliver a step change of energy efficiency retrofitting.**
 - b. **Transition to low and zero carbon heating** systems within new build and retrofit (on/off gas grid networks);
 - c. Greater societal change via the **promotion of education and empowerment** for householders to deliver behaviour change needed to understand new technology and systems.

Some of the Challenges we need to solve



- a. Condition and functionality of **existing stock** and investment requirement
- b. NI has a **long-term dependence on carbon** and imported energy- oil boilers!!!
- c. e. **Fuel poverty is still relatively high** across Northern Ireland.
- d. Energy and climate policy in NI is **devolved into two separate government departments – economic and climate strategy alignment**
- e. Building Regulation policy in NI...**much more to do!**
- f. There is a **challenge of funding retrofitting-who pays and how?**
- g. **Lack of experience and capacity gaps** in local energy and construction sector, a skills shortage, as demonstrated in the NIHE ERDF project.

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Retrofit at scale



- Northern Ireland Housing Executive and ERDF funded retrofit Programme - up to 2000 homes and E45m investment
- **First retrofit, at scale** of its kind in Northern Ireland
- An opportunity to test, innovate, build public trust
- Pilot **PAS 2030 and Retrofit Coordinators**



As a consequence of the recent ERDF retrofit Programme,

- a. **Skills of both consultants and the supply chain** including contractors have increased significantly in this new market.
- b. Housing Executive has developed an **ARTES Initiative** which is their contribution towards **increasing trade skills and social value benefits** within our communities from its long term Maintenance Contracts.
- c. Aim to **use the local construction industry** to generate and mobilise local knowledge, where possible.

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Pilot Projects

AIM: Technology work around tenant, NOT tenant work around technology



6 Houses in Fermanagh

- Hybrid heat pumps, electric generation and storage
- Thermal improvement SAP Band C
- Fitted Winter 2020



RULET

10 Houses in Omagh

- Hybrid heat pumps with gas & oil
- Heat pumps and storage
- AGILE & Time of Use tariffs
- Thermal improvement SAP Band C
- Fit Autumn 2021



Outputs: Low Energy Bills, Low Carbon Heating, Improved Thermal Comfort

Look Forward to 200+ unit pilot for Winter 2022

Collaboration is the key to Success



The Housing Executive social housing new build ambitions:



NIHE New Build Pilot.

The Housing Executive is undertaking the construction of a small development of new social housing units through a research pilot scheme in North Belfast. This scheme will provide 6 no. semi-detached dwellings (2 bed, 3 person) and will incorporate the following:-

- Modern Methods of Construction (MMC)
- Ultra-low energy building techniques
- Mechanical ventilation and heat recovery system with integral heat pump.

New Build Scheme Objectives.

- Demonstrate an exemplar social housing model
- To independently assess modern methods of construction for:
 - Speed
 - Fabric performance
 - Value for money
- Reduce fuel poverty
- Inform future policy

Embodied energy can also be reduced by using low-carbon building materials and construction methods. These standards far exceed the current Building Regulations Building low energy housing now would futureproof our new build stock, as there would be no need to return to retrofit to a higher standard to meet UK targets.

www.nihe.gov.uk

Housing Council
486th Meeting of the Northern Ireland Housing Council

Our Vision...

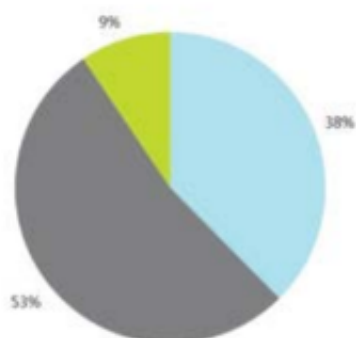


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Technology can't do everything



Role of societal and behavioural changes



- Low-carbon technologies or fuels not societal / behavioural changes
- Measures with a combination of low-carbon technologies and societal / behavioural changes
- Largely societal or behavioural changes

Source: CCC analysis

www.nihe.gov.uk

Education and Empowerment



1. Local Offices Energy Awareness and Carbon Literacy training for staff and community groups - Green Champions
2. HOMEADVICE (*evolution of the previous HEATSMART service*):
3. Tenants with persistent heating issues and modern heating controls
4. Electronic Vehicle Charging Points – need govt policy direction
5. Rewilding in collaboration with Community Groups



www.nihe.gov.uk

30 Years to meet Net Zero WE CAN DO IT



~1.2 million BEVs/year
(136 per hour)
(current 331 vehicles/hour)



~600k installations/year
(68 per hour)
(current 182 boilers/hour)

2025 – Fit Hybrid Heat Pumps off gas grid with deep retrofit – Our ambition

2030 – Fit Heat Pumps off the gas grid and hydrogen boilers on the gas grid – both with deep retrofit – Our Ambition

2030 – No new cars use fossil fuels – National Policy

2035 – No new hybrid cars, electric only – National Policy

www.nihe.gov.uk

The Future.....



- **energy efficiency** (cavity wall and loft insulation, passive fitted windows and air tightness measures)
- **low carbon heating** (heat pumps and hydrogen ready boilers and bigger radiators, still with a wet system)
- **electric tariff change** (offer householders 'time of use' tariffs)
- **better householder education** (provide more interactive solutions, apps on mobile phones and home energy display devices)
- **more renewable technology** (solar PV on roofs, electric and thermal storage batteries)

- Reduced bills
- Reduced carbon emissions
- Healthier Homes – greater thermal comfort
- **Building communities not just houses**

'We can't afford not to do this....'

