

ARDS AND NORTH DOWN BOROUGH COUNCIL

21 March 2024

Dear Sir/Madam

You are hereby invited to attend a meeting of Ards and North Down Borough Council which will be held at the City Hall, The Castle, Bangor on **Wednesday, 27 March 2024 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
3. Declarations of Interest
4. Mayor's Business
5. Mayor and Deputy Mayor Engagements for the Month of March 2024 (Copy to follow)
6. Minutes of Council meeting dated 28 February 2024 (Copy attached)
7. Minutes of Committees (Minutes attached)
 - 7.1 Planning Committee dated 5 March 2024
 - 7.2 Environment Committee dated 6 March 2024
 - 7.3 Place and Prosperity Committee dated 7 March 2024
 - 7.4 Corporate Services Committee dated 12 March 2024
 - 7.5 Community and Wellbeing Committee dated 13 March 2024
 - 7.6 Audit Committee dated 19 March 2024

8. Changes to conducting Committee and Council meetings and changes to the Standing Orders (Report attached)
9. Arts and Heritage Manager Permission to attend Buckingham Palace Garden Party (Report attached)
10. Request for letter of support from Newtownards Masonic Centre and Community Hub (Report attached)
11. Nomination to All Party Group on Climate Action (Report attached)
12. The Battle of the Somme Pilgrimage 2024 (Report attached)
13. Freedom of the Borough - Northern Ireland and Fire and Rescue Service (Report attached)
14. Stonebridge, Green Road, Conlig (Report to follow)
15. Sealing Documents
16. Transfer of Rights of Burial
17. Notice of Motion Status Report (Report attached)
18. Notices of Motion
 - 18.1 Notice of Motion submitted by Alderman Graham and Councillor Martin

That Council brings a report with a view to implementing a "dogs on leads" policy on that part of the Coastal Path which traverses the private road serving the properties 91 to 117 Station Road, Holywood inclusive.

- 18.2 Rescinding Notice of Motion submitted by Councillor Wray, Councillor Kerr, Councillor Boyle, Alderman McAlpine, Councillor Edmund and Alderman Adair

The undersigned wish to rescind part of the resolution in relation to the decision made at the October 2023 Community and Wellbeing Committee and subsequently ratified at the October Full Council meeting.

The full decision read as follows:

"AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Alderman Cummings, that the recommendation be adopted and that Council proceed with:

- The delivery of the upgrade to the play park at The Green Kircubbin (shore)
- Close Parsonage Road and explore the alternative uses as suggested by the consultation and the possibility of turning the site into a sensory garden for the Ards Peninsula.
- The delivery of a Multi Use Games Area at The Green Kircubbin.

- and that Council should not proceed with delivery of a Multi Use Games Area in Holywood at this time. Instead, Council will explore other options for location of a suitable facility, including at locations not currently owned or managed by Council. Council will also undertake further consultation with young people in Holywood, including engagement with local schools, in order to ascertain desirable facilities and desirable locations.”

We wish to rescind the following portion of this decision:

‘Close Parsonage Road (playpark) and explore the alternative uses as suggested by the consultation and the possibility of turning the site into a sensory garden for the Ards Peninsula.’

We propose that Council agree to replace this with the following:

“Work on upgrading the playpark at Kircubbin Green should continue as planned. Council defers plans to demolish the Parsonage Road Playpark in Kircubbin until an officer’s report is brought to the Community and Wellbeing Committee for consideration and debate. This report should detail costs attributed to the demolition of the park, and both the installation and maintenance of the Sensory Garden. The report should also detail costs attributed to the maintenance of the Parsonage Road playpark in its current form.

Further to this, members will have the opportunity to evaluate the original consultation process, and consider feedback from the community.”

18.3 Notice of Motion submitted by Councillor McCollum and Councillor Irwin

That this Council recognises the significant opportunities which the redevelopment of Donaghadee Harbour could bring to the local economy in terms of leisure sailing and tourism and thus instructs officers to work with local groups to scope potential operational facilities which could enhance the offering in the Harbour and further brings back a feasibility report on the various options, including costings and possible funding streams.

Further, that this Council recognises the issues associated with high winds and coastal change and reviews the original 2020 Harbour Study conducted by RPS including the necessity for an offshore breakwater and agrees to bring back a report in time to be presented to Council in September 2024, outlining the budget required to undertake this work, any key considerations, next steps and identify which stakeholders would need to be involved.

Circulated for Information

- (a) Anti-Poverty Strategy (Copy correspondence attached)

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

19. Request from QMAC Construction Limited to use part of Hibernia Street South Carpark (Report attached)
20. Tender for Provision of Infrastructure at Events (Report attached)
21. Protect Duty - Martyns Law - Home Office Consultation - Standard Tier (less than 800 persons) (Report attached)
22. Kinnegar Logistics Base - D1 Process (Report attached)
23. Appointment of the Chief Executive Post 2024 (Report attached)
24. Appointment of an Interim Chief Executive 2024 (Report attached)

MEMBERSHIP OF ARDS AND NORTH DOWN BOROUGH COUNCIL

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

**LIST OF MAYOR'S/DEPUTY MAYOR'S ENGAGEMENTS
FOR MARCH 2024**

Friday 1st March 2024

- 10:45 World Day of Prayer 2024 Salvation, Army Citadel, 7-11 Crosby Street, Bangor
- 13:00 Reception for Exchange Students (Tallwood) Twin Cities, Bangor Castle

Saturday 2nd March 2024

- 11:15 Community Orchard and Hedgerow Planting Day, Hunt's Park, Donaghadee

Monday 4th March 2024

- 14:00 Support Local Photo Op, Comber Square

Tuesday 5th March 2024

- 14:00 Bangor Central Primary School Visit, Bangor Castle

Wednesday 6th March 2024

- 18:30 Food Hero Awards, Bangor Castle

Friday 8th March 2024

- 09:15 Bring IT on Event Space, Castle Park Road, Bangor
- 12:30 Community Advice Ards & North Down AGM, Bangor Community Hub, Hamilton Road
- 14:30 Taking the Primary Curriculum Outdoors, Cairn Wood, Craigtantlet
- 17:30 Youth Volunteer Program Visit, Bangor Castle
- 19:00 Sound Around Ards 40th Anniversary Dinner, Royal Belfast Yacht Club

Saturday 9th March 2024

- 11:00 Cultra Picnic, Ulster Folk Museum
- 18:00 Bangor RNLI Gala Ball - 200 Years, Clandeboye Lodge Hotel
- 19:00 An Evening with Belfast Community Gospel Choir, Hamilton Road Presbyterian

Tuesday 12th March 2024

14:00 Ulster in Bloom Presentation, Belfast Castle

Wednesday 13th March 2024

15:00 Mayor's Charity Committee, Bangor Castle

Thursday 14th March 2024

11:30 Bangor SureStart Annual Health Fair, Bangor Library

19:00 Volunteer Celebration Event Queen's Hall, Newtownards

Friday 15th March 2024

10:30 Launch of Bangor International Choral Festival, Bangor Castle

19:00 Blair Mayne Bursary Presentation evening, Ards Arts Centre

Sunday 17th March 2024

10:45 Royal British Legion - St Patrick's Day Celebration Royal British Legion, Hamilton Road, Bangor

Tuesday 19th March 2024

11:00 Capital Grants Launch Photo Op, Bangor Castle

Wednesday 20th March 2024

19:00 Millisle & Ballycopeland Presbyterian Church Civic Event, Bangor Castle

Thursday 21st March 2024

11:50 Labour Market Partnership Job Fair, Ards Blair Mayne Leisure Centre

15:00 Pipebands Photo Op Bandstand, Ward Park

19:30 Kilmaine Primary School Show, Kilmaine Primary School

Saturday 23rd March 2024

11:00 North Down Model Exhibition, Bangor Grammar School

12:00 City Church Bangor Brick Show City Church, Main St, Bangor (opposite Asda)

13:00 National Autistic Society Ards & North Down Opening Day, Unit 25, 8 Balloo Drive, Bangor

15:00 Kilcooley Health Fair, Kilcooley Square, Bangor

19:00 NI Young Musician of the Year Final, Campbell College, Belfast

Sunday 24th March 2024

12:30 Family Forest School Day, Clandeboye Estate, Bangor

Monday 25th March 2024

12:00 Over 50s Council Lunch, Bangor Castle

18:50 Donaghadee In Bloom Volunteers Evening, 1st Floor, Harbour & Co, Donaghadee

Wednesday 27th March 2024

18:00 Charter Plus Award by NILGA, Mayor's Parlour, Bangor Castle

Thursday 28th March 2024

19:00 Cockle Island Boat Club 50th Reception, Bangor Castle

Friday 29th March 2024

11:00 Young Artists Spring Exhibition Prize Giving, Carnegie Library, Bangor

Saturday 30th March 2024

13:30 Awake The Garden, Walled Garden, Bangor

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting of the Ards and North Down Borough Council was held at the City Hall, The Castle, Bangor and via Zoom, on Wednesday 28 February 2024 commencing at 7.00pm.

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

Officers: Chief Executive (S Reid), Director of Corporate Services (M Steele), Director of Place (S McCullough), Director of Prosperity (A McCullough), Director of Environment (D Lindsay), Director of Community and Wellbeing (G Bannister), Head of Communications and Marketing (C Jackson) and Democratic Services Officers (H Loebnau and P Foster)

1. PRAYER

The Mayor, Councillor Gilmour, welcomed everyone to the meeting and invited the Chief Executive to read the Council prayer.

2. APOLOGIES

The Mayor sought apologies and those were received from Councillor Martin.

NOTED.

3. DECLARATIONS OF INTEREST

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

Councillor Hollywood, Item 13 – Nomination to Community Advice Ards and North Down (CAAND).

NOTED.

4. MAYOR'S BUSINESS

The Mayor explained that on 16 February she had been invited to attend a presentation of the Kings Award for Volunteering to the Friends of the Abbey, Greyabbey. That Award was the equivalent of an MBE to a group and was in recognition of the work that was carried out within the village and the role of volunteering within communities generally. The Lord Lieutenant had also been in attendance to present the award and the Mayor offered her congratulations to the group and thanked them for the contribution they made to life in Greyabbey.

The previous Friday the Mayor had hosted the Mayor's Charity Table Quiz and she congratulated the Council's Environmental Health Team who had won on the evening. The event had raised £1,700 for her three charities; Royal British Legion, the Royal National Lifeboat Institution and K9 Search and Rescue. She thanked Members for the support they had given and all those who had helped in any other way.

The Mayor reminded Members that on Friday 1 March pupils from Tallwood High School, Virginia Beach, would be visiting Bangor Castle along with their exchange school partner pupils at Glenlola Collegiate, Bangor.

The Mayor would also be hosting the 8th Bangor Girl Guides on Tuesday 5 March at Bangor Castle, as part of International Women's Day. The Guides were particularly keen to engage with female elected representatives on that visit and the Mayor had invited Members to attend.

(Councillor Kerr entered the meeting at 7.09 pm)

NOTED.

5. MAYOR AND DEPUTY MAYOR ENGAGEMENTS FOR THE MONTH OF FEBRUARY 2024

(Appendix I)

PREVIOUSLY CIRCULATED: - Copy of the Mayor and Deputy Mayor Engagements for the month of February 2024.

The Mayor outlined her list of engagements for the month of February and made particular mention of the enjoyable visit of Voices of Young People in Care (VOYPIC)

and had been encouraged that they were being helped to shape policies directed at those living in care.

The Mayor had welcomed the local Excel dance group to Bangor Castle and had been delighted to learn of their success and their plans to be represented at an international competition in Prague during June and July this year. She wished them well in that competition.

The Royal National Lifeboat Institution (RNLI) was celebrating its 200th Anniversary this year and to mark that, 200 trees had been planted locally. She had participated in the planting of the final trees and believed that they would be a lasting legacy within Castle Park, Bangor.

The Mayor offered her congratulations to the local students at the South Eastern Regional College (SERC) who had been successful in winning and retaining their title in the Royal Navy's Cook and Serve Competition.

Other highlights of the month involving the Mayor's love of animals had included the opportunity to meet local Guide Dogs and some Alpacas.

AGREED, on the proposal of Councillor McRandal, seconded by Councillor McLaren, that the information be noted.

6. MINUTES OF COUNCIL MEETING DATED 31 JANUARY 2024

PREVIOUSLY CIRCULATED: - Copy of the above minutes.

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

In respect of Item 16.5 – Notice of Motion submitted by Councillor McCollum and Councillor Morgan

Councillor McKimm referred to page 22 of the minutes and the second paragraph which should read Health Minister.

NOTED.

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

7. MINUTES OF SPECIAL COUNCIL MEETING DATED 13 FEBRUARY 2024

PREVIOUSLY CIRCULATED: - Copy of the above minutes.

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

8. MINUTES OF COMMITTEES

8.1 Planning Committee dated 6 February 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

8.2 Environment Committee dated 7 February 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

8.3 Place and Prosperity Committee dated 8 February 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

8.4 Corporate Services Committee dated 13 February 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Proposed by Councillor Moore and seconded by Councillor W Irvine that the minutes be adopted.

In respect of Item 6b – Notice of Motion submitted by Councillor Wray and Alderman Smith

Proposed by Alderman Adair, seconded by Alderman McIlveen that a further addition be made to the recommendation of the Corporate Service Committee to include;

'Further that Council writes to the Minister for Infrastructure expressing concern that Ards and North Down continues to receive the lowest Roads investment across Northern Ireland Councils and requests an increase in funding to make road repairs and resurfacing a priority and for fair allocation in funding for coastal defences, roads and pavements resurfacing and street lighting investment across our Borough as a matter of urgency.'

Alderman Adair commended the Members who had brought the Motion explaining that it was one of the biggest issues being brought before Members by residents. It had come to light that the Council received the lowest funding of all the Northern Ireland Councils since the criteria set by the Department was dependent on length of road as opposed to population size and he thought that appeal should be made.

He was aware that Ards and North Down had already written to the Minister explaining that the policy was in its view outdated and needed to be changed to improve investment within the Borough. The deterioration had been exacerbated recently where the main roads on the Peninsula particularly were in a poor condition with numerous potholes and that needed to be rectified.

He believed the Borough should have equality of funding and the difference was clearly visible when one travelled to other parts of Northern Ireland such as the North Coast where the condition of the roads was generally excellent.

A new Minister had been put in to place recently so he believed now was the time to plead for changes to ensure changes were brought to the Borough and the residents in this area had a fair deal. He asked Members to accept that slight amendment and hoped that the Minister would finally listen and make changes.

Seconding the amendment, Alderman McIlveen thanked those who had brought the original Motion and thought that a change in policy would be important so that Ards and North Down received a fair 'slice of the cake'. He did not believe that funding was allocated fairly, currently, and hoped that the new Minister could address that.

Having brought the original Motion Councillor Wray said that he was more than happy to go along with Alderman Adair's amendment and was delighted that the Motion would now be brought before the Northern Ireland Assembly.

RESOLVED, on the proposal of Councillor Moore, seconded by Councillor W Irvine, that the minutes be adopted with the amendment.

8.5 Community and Wellbeing Committee dated 14 February 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

In respect of Item 18 – Social Supermarkets

Councillor Cathcart asked to raise a matter later in the meeting In Committee.

RESOLVED, on the proposal of Councillor Kendall, seconded by Alderman Adair, that the minutes be adopted with the exception of Item 18.

9. RESPONSE TO REQUEST FOR INFORMATION FROM INVEST NI – LAND AND PROPERTY SERVICES QUESTIONNAIRE (Appendix II & III)

PREVIOUSLY CIRCULATED:- Report from the Director of Place detailing that Members would be aware that Invest NI (INI) owned a 19-acre site adject to Council land at Balloo (Signal and previous NIE site), outlined in the drawing 1. Currently INI land was only available to businesses who met its strict eligibility criteria, and as

such the land had remained undeveloped for some time, despite interest from local businesses over the last few years.

The recent Sir Michael Lyons independent review on INI, which Council fed into, outlined that there was an issue with market failure in terms of provision of industrial land across a number of areas in Northern Ireland and recommended that INI should bring forward a strategy for the development of industrial land and property in partnership with other key stakeholders, in particular local councils.

Following on from that the Department for the Economy (DfE) launched the INI Action Plan on 4 October 2023, (see link below). Action 26 outlined that INI would publish an Industrial Land and Buildings Strategy, developed in consultation with key stakeholders including Councils, that would provide a prioritised and phased approach to the delivery of industrial infrastructure, delivering solutions which supported local businesses to grow and expand and addressed the lack of provision in the areas of greatest need.

<https://www.economy-ni.gov.uk/sites/default/files/publications/economy/independent-review-invest-ni-action-plan.pdf>

Officers had met with INI officials several times over recent months/years, stressing that ANDBC would like to work with INI in relation to its land at Balloo. INI had now written to all councils seeking a response to its questionnaire in relation to industrial land provision within NI. (Appendix1). Council's response to the questionnaire was outlined. (Appendix 2).

Drawing 1 – INI and Council land ownership at Balloo, Bangor



RECOMMENDED that Council approve and submit the response to the INI questionnaire on Industrial Land provision as outlined in Appendix 2.

Proposed by Councillor McCollum, seconded by Councillor W Irvine that the recommendation be adopted.

Councillor McCollum considered that the matters raised in the report were brought to the Place and Prosperity Committee on a depressingly regular basis. The Council was frustrated by the actions of Invest NI and although this looked like progress and she commended the report and response, the information outlined was already within the knowledge of that organisation. She hoped that pressure would be brought to bear to enable some meaningful progress to be made.

Councillor W Irvine agreed and thought that while this was of particular significance to Bangor it was reflected across the Borough. He asked about the discussions which had taken place and the Director of Place stated that the Council and Invest NI had met on numerous occasions and fed into the review outlined in the report. She appreciated the questionnaire which allowed the Council to make it clear that it wished for the lands to be developed and hoped this was the start of a new way forward.

RESOLVED, on the proposal of Councillor McCollum, seconded by Councillor W Irvine, that the recommendation be adopted.

10. DEPUTATION REQUESTS

10.1 Geodiversity Charter Northern Ireland (Appendix IV)

PREVIOUSLY CIRCULATED: Report from the Chief Executive detailing that the attached deputation request had been received from the Geological Survey of Northern Ireland to present to either the Environment Committee, Place and Prosperity Committee or the Planning Committee.

RECOMMENDED that the Council considers the request for a deputation from the Geodiversity Charter and refers it to the relevant Committee.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Smith, that the deputation be referred to the relevant Committee.

10.2 Sustainable Northern Ireland (Appendix V)

PREVIOUSLY CIRCULATED: Report from the Chief Executive detailing that the attached deputation request had been received from Sustainable NI to present to the Council.

RECOMMENDED that the Council considers the request for a deputation from Sustainable NI to the Council.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Smith, that the deputation be referred to the relevant Committee.

10.3 Newtownards Masonic Centre and Community Hub (Appendix VI)

PREVIOUSLY CIRCULATED: Report from the Chief Executive detailing that the attached deputation request had been received from Newtownards Masonic Centre and Community Hub – Hall Management Committee to present to the Place and Prosperity Committee.

RECOMMENDED that the Council considers the request for a deputation from Newtownards Masonic Centre and Community Hub – Hall Management Centre and refers it to the Place and Prosperity Committee.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Smith, that the deputation be referred to the relevant Committee.

11. RESOLUTIONS

11.1 From Derry City and Strabane District Council – Ongoing Bombardment and Siege of Gaza (Appendix VII)

PREVIOUSLY CIRCULATED:- Correspondence from Derry City and Strabane District Council.

Proposed by Alderman Smith, seconded by Alderman McIlveen, that the information be noted.

As proposer to note Alderman Smith suggested that the Council should make its own business a priority rather than becoming involved in international matters.

Councillor McKee brought forward an amended proposal.

'That this Council agrees to collaborate with Derry City & Strabane District Council, other Councils in Northern Ireland and Government Departments to facilitate and support the resettlement of Palestinian families in this Borough'.

The amendment was considered by the Mayor to be a direct negative of what was on the floor and could not be accepted as an amendment at that time.

Councillor McKee was disappointed that the Council was considering simply noting the information and reminded Members that the people of Gaza were facing a desperate situation and that it would be right in his opinion to take a stand for them. He hoped that Members would support him but respected the view that the Council should prioritise its own business.

Councillor McKimm found it peculiar that Members in his view were often inconsistent in the Chamber and to note and move along stood in contrast to the debate that had taken place several months previously on the same conflict. He understood the need to be focused on the Ards and North Down Borough but

commented on the high death rates of adults and children in that area of the Middle East, the displaced, those starving and facing water borne diseases.

Councillor Boyle said he was unsurprised and considered the journey of travel disappointing. He said that he was always willing to try to understand another's point of view but thought that the Council should have the courage, bravery and sympathy for the people of Gaza particularly those who had grown up in Northern Ireland.

Councillor Rossiter was happy to note the Resolution and thanked Stephen Farry, MP for North Down, for the support he was showing to the granting of Visas to Palestinian refugees to the United Kingdom and that was something that the Alliance Party supported.

Councillor Kendall did not support the decision to note the Resolution and pointed to times in history when the United Kingdom had given support to refugees and others caught up in world conflicts so it saddened her that the Council could not support the Resolution.

When put to a vote with a show of hands 32 voted in favour of noting the Resolution and 4 were against.

RESOLVED, on the proposal of Alderman Smith, seconded by Alderman McIlveen, that the resolution be noted.

12. CONSULTATIONS

12.1 Proceeds of Crime Act 2002 – Draft Codes of Practice (Northern Ireland) – NI Direct – Citizen Space (Appendix VIII)

PREVIOUSLY CIRCULATED:- Correspondence from the Department of Justice, Organised Crime Branch, detailing that it was consulting on the Proceeds of Crime Act 2002 (POCA) draft Codes of Practice for NI.

A link to Citizen Space was also provided for convenience. [Proceeds of Crime Act 2002 - Draft Codes of Practice \(Northern Ireland\) - NI Direct - Citizen Space](#)

The closing date for the consultation was Wednesday 10th April 2024.

Proposed by Alderman McIlveen, seconded by Councillor McLaren, that the Council leave the consultation to parties to respond as they wished.

Councillor McLaren considered that the Proceeds of Crime Act was one of the most impressive pieces of legislation that the country had but it was often under-utilised and needed to be revised and updated to stay ahead of the curve. She explained how the crime gangs enjoyed the rewards of criminality often at the expense of young and vulnerable people and caused misery in many of the Borough's communities.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor McLaren, that the information be noted.

(Having declared and interest in Item 13 Councillor Hollywood left the meeting at 7.46 pm)

13. NOMINATION TO COMMUNITY ADVICE ARDS AND NORTH DOWN (CAAND)

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

Following the resignation of Councillor Hollywood from Community Advice Ards and North Down (CAAND), a place had now become available. The Council was represented by three Members, the other Members being Councillor Moore and Councillor McKee.

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

RECOMMENDED that the Council nominate a Member to Community Advice Ards and North Down (CAAND).

RESOLVED, on the proposal of Alderman Smith, seconded by Councillor McLaren, that the recommendation be adopted and that Councillor Smart be nominated.

(Councillor Hollywood returned to the meeting 7.47 pm).

14. SEALING DOCUMENTS

RESOLVED: - On the proposal of Councillor Edmund, seconded by Alderman McIlveen

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

- (a) Grant of Rights of Burial: Nos D40344-D40375
- (b) Duplicate – Agnus Johnston, Kirkistown Cemetery section 10 grave 3
- (c) Duplicate – Gary Roath, Grant number 33539

15. TRANSFER OF RIGHTS OF BURIAL

The following transfers were received:

New Grave Allocated

D40316 – Norman Carson Redburn Cemetery grave 3253.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor Edmund, that the transfer be noted.

16. NOTICE OF MOTION STATUS REPORT

(Appendix IX)

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

This was a standing item on the Council agenda each month and its aim was to keep Members updated on the outcome of Motions. It should be noted that as each Motion was dealt with it would be removed from the report.

RECOMMENDED that the Council notes the report.

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

Councillor Cathcart had a query in relation to Notice of Motion 599 and the Director of Community and Wellbeing was aware of that and believed there would be scope within the Community Grants Working Group and it was hoped that would be set up soon. A transformation project update on that was due this week and the Director would report back to the Council.

Alderman McIlveen had a question in relation to a Notice of Motion which had been called in relating to a decision to fly the Union Flag at war memorials. A legal opinion was imminent, and it was hoped that a report could be brought before Council next month.

RESOLVED, on the proposal of Councillor Cathcart, seconded by Alderman McIlveen, that the recommendation be adopted.

17. NOTICES OF MOTION

17.1 Notice of Motion submitted by Councillor Boyle and Alderman McAlpine

That this Council brings back a report with reference to projected costings associated with repairs and necessary requirements to Kircubbin Harbour, as identified as a priority within the Kircubbin Village Plan, that would create a functioning facility for the Kircubbin village, surrounding areas and a tourism destination for the boating and sailing fraternity; further that an annual projected maintenance costing be included.

RESOLVED, on the proposal of Councillor Boyle, seconded by Alderman McAlpine, that the Notice of Motion be referred to the Place and Prosperity Committee.

17.2 Notice of Motion submitted by Councillor W Irvine and Councillor S Irvine

That this Council in recognition of the 70 years of service rendered by the late her Majesty Queen Elizabeth II gives consideration to the erection of a permanent memorial of Queen Elizabeth II at the redeveloped marine gardens. A report to be brought back to Council to include options on the commissioning and costings of the memorial.

RESOLVED, on the proposal of Councillor W Irvine, seconded by Councillor S Irvine, that the Notice of Motion be referred to the Corporate Services Committee.

17.3 Notice of Motion submitted by Alderman Adair, seconded by Councillor Edmund

That Council note the increasing growing population in the village of Ballyhalbert and the current lack of public open spaces in the village and task officers to bring forward a report on options to provide a public green open space to promote health and wellbeing of the local community and further tasks officers to engage with developer to ensure the new play park planned for Saint Andrews is delivered in line with our Council play strategy.

RESOLVED, on the proposal of Alderman Adair, seconded by Councillor Edmund, that the Notice of Motion be referred to the Community and Wellbeing Committee.

17.4 Notice of Motion submitted by Councillor McKee, seconded by Councillor Kendall

This Council notes the importance of outdoor lighting on Council land and buildings for public safety, security, and tourism. Moreover, it acknowledges the benefits of energy efficient lighting in the Council's decarbonisation journey and the financial savings that are realised.

However, this Council also notes the negative consequences artificial lighting has on our wildlife despite the importance and benefits outdoor lighting can bring. As a Borough committed to improving biodiversity, this Council will ensure that all future installation or retrofitting of outdoor lighting is nature friendly and take cognisance of our obligations for protection of priority species in the Local Biodiversity Action Plan. Furthermore, that the Council's current outdoor LED lighting is assessed for the potential for retrofitting.

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

CIRCULATED FOR INFORMATION

PREVIOUSLY CIRCULATED:- Undernoted items of information:

- a) NICON – Back on Track: Securing the Health and Wellbeing of our Population
- b) NAC (UK) Environment, Heat Recovery and Waste Conference 12-14 January 2024

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

EXCLUSION OF PUBLIC/PRESS

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

In Respect of Item 8.5 – Social Supermarkets, Community and Wellbeing Committee dated 14 February 2024

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

Further discussion took place on the above item from the February meeting of the Community and Wellbeing Committee.

18. EXTENSION OF CONTRACT FOR PROVISION OF CLEANING SERVICES

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

3. Exemption: relating to the financial or business affairs of any particular person.

Council was asked to approve the extension of the contract for the Provision of Cleaning Services for a final one-year period from 1 April 2024 to 31 March 2025.

The recommendation was agreed.

19. EXTENSION TO CONTRACT FOR INSURANCE BROKERAGE SERVICE

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

3. Exemption: relating to the financial or business affairs of any particular person

Council was asked to approve the extension of the contract for the Provision of Insurance Brokerage Services for a final one-year period from 1 April 2024 to 31 March 2025.

The recommendation was agreed.

20. CONTRACT FOR OFFICE SUPPLIES

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

3. Exemption: relating to the financial or business affairs of any particular person.

Council was asked to approve the continued use of the collaborative contract.

The recommendation was agreed.

21. ART LED REGENERATION PROJECT FOR BANGOR CITY

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

Option 3: NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

This report contained information on the Outline Business Case for a potential Art Led Regeneration project in Bangor and potential grant from the Department for Communities to deliver the project and details on the procurement of the artist.

The report recommended that Council approved the Outline Business Case, accepted the Contract for Funding from the Department for Communities and entered into the contract with the Artist following VEAT notice.

22. MINUTES OF SPECIAL COMMUNITY AND WELLBEING COMMITTEE DATED 20 FEBRUARY 2024

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

The minutes were adopted.

RE-ADMITTANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 9.46 pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting (in person and via Zoom) of the Planning Committee was held at the Council Chamber, Church Street, Newtownards on Tuesday 5 March 2024 at 7.00 pm.

PRESENT:

In the Chair: Alderman McIlveen

Alderman: Graham
McDowell
Smith

Councillors:	Cathcart	McRandal
	Creighton	McKee (Zoom)
	Harbinson	McCollum
	Kerr	Morgan
	Kendall (Zoom)	Wray
	Martin	

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

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

Councillor Cathcart declared an interest in Item 4.1 - LA06/2015/0677/F, explaining that he had not been present at its previous hearing in December 2023.

3. MATTERS ARISING FROM MINUTES OF PLANNING COMMITTEE 4 FEBRUARY 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

NOTED.

4. PLANNING APPLICATIONS

ORDER OF BUSINESS

The Chair advised that he had agreed to amend the order of the schedule to accommodate the speakers in attendance.

The applications would be dealt with in the following order:

- 1) Item 4.1
- 2) Item 4.2
- 3) Item 4.5
- 4) Item 4.4
- 5) Item 4.6
- 6) Item 4.3
- 7) Item 4.7

4.1 LA06/2015/0677/F - 251a Bangor Road, Whitespots, Newtownards - Replacement of existing structure with 1 No. single storey unit to accommodate stables, coach house, tack room, workshop and toilet
(Appendix I - V)

PREVIOUSLY CIRCULATED:- Case Officer's Report and Addendum.

DEA: Bangor West

Committee Interest: A local development application attracting six or more separate individual objections which are contrary to officers' recommendation – and deferred from the Planning Committee meeting of 05 December 2023

Proposal: Replacement of existing structure with 1no. single storey unit to accommodate 5no. stables, donkey shelter, tack room/feedstore/WC, tool store, and circulation space/carriage store, with associated septic tank and landscaping (Revised description and amended plans).

Site Location: 251a Bangor Road (77m southwest of 251 Bangor Road, and 135m north to northwest of The Ark Farm at 290 Bangor Road), Whitespots, Newtownards

Recommendation: Approval

(Having previously declared an interest, Councillor Cathcart withdrew from the meeting – 7.03pm).

At the outset, Alderman Smith advised that he had not attended the previous meeting where the decision had been taken to defer the above application. He asked the Chair for guidance in terms of his participation on this item and he was advised that he could read the minutes but that the decision was for himself to make. Alderman Smith then determined to exclude himself from the discussion and voting.

The Principal Professional and Technical Officer (C Blair) outlined the application, explaining that LA06/2015/0677/F had been before the Planning Committee on 5 December 2023. The outcome of that meeting had been to defer the application in order that further investigations could be carried out into an alleged area of hard standing adjacent to the existing shed, as identified by the objector.

The Planning Department had also considered the alleged abandonment of the site, which was raised by the objector. The planning application's site address had been updated to more accurately reflect its location in the surrounding area and the proposal description had been amended slightly to read as follows –

"Replacement of existing structure with 1no. single storey unit to accommodate 5no. stables, donkey shelter, tack room/feedstore/WC, tool store, and circulation space/carriage store, with associated septic tank and landscaping."

The change to the site address and proposal description had been re-advertised and re-neighbour notified; however, no further representations had been received.

A Google Earth 3D aerial image used by the objector's solicitor during the previous Planning Committee could not be relied upon as it was undated. This image comprised a combination of a number of images from different times in order to give it a 3D appearance.

In terms of the hard standing, this was investigated by the Council's Planning Enforcement section in 2015. The hard standing area was found to constitute a breach of planning control and consequently the Council served an Enforcement Notice on the site requiring this area and another section of hard standing to be removed from the site. Full compliance with the Enforcement Notice was achieved in 2017.

A further slide showed a photo of the specific area of hard standing relating to this site being removed on 12 May 2017.

Since this time and as could be seen in further slides 06-07 – dated 19/09/19 and 24/04/21, the hard standing had not been re-installed at the site. It should be noted that whilst the Enforcement Notice was fully complied with, it remained live on the site meaning should it be breached again in the future, this will constitute a new offence which would be investigated by the Council's Planning Enforcement section.

The fourth Addendum Report detailed the legal principles of abandonment through the courts. The findings had concluded that the applicant had been unable to keep his horses permanently on the site for safety reasons with instances of unknown persons trespassing and releasing horses onto the dual carriageway below. There had also recently been issues of ill-health, which the applicant had alluded to in previous Planning Committee hearings.

It could not be concluded that the use of the land had been abandoned, moreover it had temporarily ceased due to extenuating circumstances, which the applicant's agent had previously outlined to Members.

The fourth Addendum provided a number of photographs of the site and a further slide showed an OSNI ortho image dated March 2022 with animals grazing in a field at the site.

The case officer's report concluded that it was evident following further investigations the area of hard standing alluded to by the objector's solicitor was no longer in place and was subject to enforcement action; the use had not been abandoned; and the site's address and proposal description had been clarified. The Planning Department's recommendation remained unchanged in that approval should be granted for the proposed shed for domestic hobby use by the applicant.

The Chair invited Mr Patrick Finnegan and Mr Stuart Magee forward, who were in attendance to speak in support of the application.

Referring to the Planning Committee's protocols for deferred hearings, the Chair advised that there was a time limit of three minutes for the speakers' address.

Mr Magee referred to speaking notes which he had submitted in advance of the meeting and were summarised as follows:

The applicant had contended that the deferral of what was a minor application had been unfair. The minor application was to replace one established structure with another, the detailing of which the applicant had accepted amended at a further defined address and had also accepted amended proposal description (to provide further clarity since that meeting).

The applicant concurred with the Council's reinforcement of its recommendation to approve after reconsideration of the case following its deferral.

The applicant concurred with the thorough processing, detailed and well documented case written by the Council since 2015 in which all material planning matters, policy, legislation, site history and third-party representations had been considered to reach its decision to approve.

The applicant wished to place on record serious concern in respect of the meeting of 5 December which he contended had contravened procedural rules published within the 'Protocol for the Operation of the Planning Committee'.

The speaker referred to Point 31 which stated, 'No additional information will be accepted by the Council after 5pm on the Tuesday prior to the Planning Committee', Point 32 stated, 'In addition, no documentation should be circulated at the meeting' and Point 41 stated 'The planning committee can seek clarification from those who have spoken but must not enter into a debate on any issue raised'. The applicant believed that this had been 'disregarded' and in allowing new evidence to be voiced, discussed and considered that evening, (map) visuals circulated and debate entered with third party representatives, a decision to defer was reached, the reasons for which in the applicant's opinion contravened the Protocol.

Additionally, he asked for it to be recorded that, 'unfairly', as applicant and agent they had not been allowed to clarify any of the newly presented evidence which, if allowed, may have resulted in a different decision being reached.

At this meeting, however, the applicant simply wanted his concerns recorded as; further to that meeting, Council should provide the applicant with reassurances this protocol would not be disregarded tonight. Additionally, he said that Council had provided assurances and clarification in its Addendum that new evidence (which he claimed had been illegally presented on December 5th) would not be further considered as all matters were conclusively documented.

Mr Magee added that his client, Mr Finnegan, had accepted an address and description change and subsequent re-advertisement which had resulted in further

delay. He accepted all to provide additional clarity to Council, Committee and third party representatives regarding the domestic nature of his application; all to supplement a Section 76 agreement.

Finally, he wished to return Council to the material facts as set out below:

The unit (replacing an established structure of 15+ years) was needed to provide a modern fit for purpose building for Mr Finnegan – fit for purpose meaning simply a warm, weatherproof structure with running water, a toilet and winter stabling for his horses, this building allowing Mr Finnegan to ‘tinker away’ in retirement making his own horse equipment, fixing his carriages and tending to his ponies and horses, all of which were bred and trained by him on these, his lands owned now for 20 plus years – in short, his hobby.

This unit and surrounding lands continued to be used non-commercially - Mr Finnegan fixed carriages which he used with his horses for charity events off-site – in 20 plus years those charity events had never required customers (or business) to visit his lands. Tending to his horses and hobby were all he had now and in continuing this in a weatherproof building allowed him to further tidy and upkeep those lands for his horses – in ‘layman’s’ terms, retire in peace doing what he had done and been involved with since a child with his father.

It was his hope now that the Planning Committee could accept his ‘minor’ proposal considering all he had endured since 2015 and throughout the Committee procedure, however importantly considering all material planning matters had been accepted by the Council in continually recommending approval.

The Chair invited questions from Members of the Committee to the speakers but as there were no indications Mr Magee and Mr Finnegan returned to the public gallery. There were no questions raised to the Officer, so the Chair requested a proposal.

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

Speaking to his proposal, Councillor McRandal recalled the previous discussion of this application at the December 2023 Planning Committee meeting and that Ms O’Loan, speaking in opposition, had raised a number of objections including claims of abandonment and creation of a hard standing at the application site. He was now satisfied that those matters had been dealt with by Planning Officers and that, over numerous meetings, this application had been considered rigorously.

The seconder, Alderman McDowell expressed a similar view, believing that the application had been well scrutinised and that the process had gone on for too long. He hoped that the Committee would accept the Officer’s recommendation to grant planning approval.

Councillor McCollum was confident that the section 76 agreement conditioned on the recommended consent should provide some comfort to the objectors.

The Chair sought agreement and the voting was as follows:

FOR (12)
Aldermen
 Graham
 McDowell

AGAINST (0)

ABSTAINED (1)
Alderman:
 McIlveen

ABSENT (3)
Alderman:
 Smith

Councillors
 Creighton
 Harbinson
 Kendall
 Kerr
 Martin
 Morgan
 McKee
 McCollum
 McRandal
 Wray

Councillor
 Cathcart
 McLaren

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

(Councillor Cathcart returned to the meeting – 7.16pm)

- 4.2 **LA06/2022/0873/F- Vacant site north of Balloo Road, West of Bangor Grammar sports pitches and to the rear of No's 1 to 13 Rowan Glen, Balloo Road, Bangor - Relocation and redevelopment of Bangor Central Integrated Primary School to provide a new 22 class primary school building and recreational areas**
 (Appendix VI)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor Central

Committee Interest: Major Planning Application

Proposal: Relocation and redevelopment of Bangor Central Integrated Primary School on vacant site North of Balloo Road to provide a new 22 class primary school building and recreational areas. New vehicular access with right turn lane off Balloo Road, internal vehicular configuration and site layout to include car parking, car and bus pick up/drop off areas and pedestrian crossing points. Other work to include school meal service area, bin storage areas, boundary fencing, entrance walls and gates, underground drainage, landscaping and associated site works.

Site Location: Vacant site north of Balloo Road West of Bangor Grammar sports pitches and to the rear of no's 1-13 Rowan Glen, Balloo Road, Bangor

Recommendation: Grant Planning Permission

The Principal Professional and Technical Officer (C Blair) outlined the application, explaining that it was before the Planning Committee as it fell within the major category of development.

Members were advised that the current location of Bangor Central Integrated Primary School was Castle Park Road, Bangor, just behind the Premier Inn.

In September 2020, the Education Authority announced that a new school would be built for Bangor Central Integrated Primary with a proposed opening date for this new state of the art Integrated school of 2025 on the Balloo Road in Bangor for the benefit of 618 pupils. It was intended that the school would be built without any disruption to the pupils in the existing primary school.

This proposal related to its relocation and new build on a site north of Balloo Road, adjacent to the current Bangor Grammar School.

The proposed new school would consist of a new 22 class primary school building with associated recreation areas, internal vehicular configuration and site layout to include car parking, car and bus pick up/drop off areas, and new vehicular access with right turn off Balloo Road.

The site was currently grassland located immediately south of the Upritchard Park cricket/rugby facility, and west of Bangor Grammar School's playing fields. Historically the site was playing fields associated with the Clanmorris Campus, which was then redeveloped as the Bangor Grammar school site.

Further slides showed the location of the existing site in relation to the proposed site. Within the extant North Down and Ards Area Plan, the site was not zoned for any particular use, but within the draft Belfast Metropolitan Area Plan the site was proposed for housing.

The current school site at Castle Park Road opened in 1958 and was part of a larger Campus which included Bangor Academy and Bangor Central Nursery School. Throughout the years there had been numerous additions including mobile classrooms and a modular school meals block.

This existing accommodation fell significantly short of EA minimum design standards in respect of both accommodation and play areas.

This proposed 22-class based primary school with an enrolment number of between 631- 660 had been agreed in principle with the Department of Education, taking into account school admissions, enrolments and projected pre-school birth rates. The school had therefore been specifically designed and planning permission was sought on this basis.

Page 6 and 7 of the Case Officer's Report set out that 40 sites were assessed that met the minimum size for such a replacement school and the reasoning for discounting those and determining this site as the most appropriate. Further slides showed the proposed layout of the site and provided some CGIs of the final development.

The officer displayed slides indicating the appropriate scale and massing. Differentiation in ridge height would ensure that the building was not overly dominant in the streetscape.

The finishes to the buildings were to be a mix of Portland render and coloured render, as well as brick with powder coated aluminium fenestration. The roof was to be PPC metal coping. There was to be a dual pitch roof light. The design was acceptable and was of a high quality and was of a standard and character expected for a school building within the urban area.

Given the location of the built form in the middle of the site, there was not considered to be any unacceptable adverse impacts on the adjacent residential properties or in relation to the existing school site or Upritchard Park.

The Case Officer's Report assessed the proposal in the context of the extant Local Development Plan (which did not zone the site for any particular use) and the draft BMAP which proposed the site for housing.

The Plan-led system as introduced by the commencement of the Plan Act in 2015 set out that primacy must be attributed to the extant Development Plan. In this case the proposal accorded, but officers had further assessed the proposal against the draft BMAP as a material consideration.

The Southeastern Education and Library Board (SEELB) was in control of the site at the time of the publication of draft BMAP in 2004. The then planning authority, Department of the Environment, had consulted with relevant bodies with statutory responsibility for service provision, such as education, during preparation of the draft Plan, and where the Department had been advised of a specific proposal for provision of facilities such as a school site over the course of the Plan period (to 2015), land was identified within the relevant District Proposals section of the draft Plan. This accounted for the site not having been designated for educational purposes at that time.

The proposal was in accordance with the extant Local Development Plan, but not the draft Plan. But it was important to consider that, even if BMAP were to be lawfully adopted, and the zoning remain given there were no objections to its zoning, its loss to education use would not significantly prejudice the implementation of the plan's objectives and policies. This conclusion was reached taking account of its size against the wider housing allocation to the legacy North Down area (2.2%) and the fact that there was unlikely to be any adverse precedent set whereby other sites owned by the Department of Education had been zoned for housing in the draft Plan. Additionally, the land was in full ownership of the Education Authority and immediately adjacent to an existing school site. It had made it clear that it required the site for educational use, therefore the Officer could only conclude that the possibility of achieving housing on the site was so remote as to be beyond any reasonable prospect of occurring, even if the site was confirmed in any lawfully adopted Plan.

Members would note the wording of Condition 20 which required submission of a detailed Landscape, Planting and Management Plan to include lowland meadow habitat creation within the site which would contribute more to biodiversity.

The site layout indicated potential to create pedestrian linkages through to the Grammar school and also to the right of way which could lead to Rowallene Close and Upritchard Park.

Referring to representations made in respect of the planning application, Members would note there were 10 objections from 10 separate addresses. The detail was set out within the Case Officer's Report, however the main thrust related to anticipated traffic and congestion issues. These matters had been fully assessed by DFI Roads, and indeed there was an official attending this evening from DFI Roads who was available to respond to any specific queries in that regard.

Matters relating to how this site came to be selected, and other high level strategic concerns were not within the scope of this assessment of the planning application. On balance it was considered that the proposal would not cause any significant adverse impact on the character of the area, nor would it result in any significant loss of amenity for surrounding residents.

The proposal would bring significant community benefit and given that the loss of housing land would have negligible impact on the overall housing allocation and availability, it was not considered that the proposal would significantly prejudice the implementation of Draft BMAP's objectives regarding housing provision. Additionally, it was important to note that the proposal was in accordance with the extant local development plan.

Accordingly, the Officer recommended approval of the application, with delegated authority to further refine the conditions where appropriate.

The Chair invited Ms Sarah McDowell, Mr Martin Hoy and Mr Paul Campbell, all speaking in support of the application, to come forward.

Ms McDowell, the planning agent, explained that she was acting on behalf of the Education Authority which was seeking approval of this application. She was joined by the principal of Bangor Central Integrated Primary School, Mr Campbell, and also Mr Hoy, a transport consultant working on the design team.

Ms McDowell praised the Council's Planning team and all of the statutory consultees that had been involved in processing this application. Having progressed through pre-application discussion, pre-application public consultation and full application processes within the last three years and three months, they welcomed the recommendation to approve this major redevelopment of the primary school on the Balloo Road site.

Through the application process, all material planning matters had been fully considered by Environmental Health, DAERA, Rivers, NIW, NIE, Shared Environmental Service, Historic Environment Division, Council's Development Plan team and DFI Roads in terms of noise, natural environment, water connection and wastewater capacity, local plan, car parking and road safety. Points of objection and clarification raised by submitted representations had either been addressed or amendments made to facilitate requested changes. All material considerations were set out and assessed in section 6 (page 4) and section 8 (page 16) of the case

officer's report, consultees had offered no objections and there were 22 conditions, no further representations had been made and no additional speaking rights had been requested.

On behalf of the Education Authority, Ms McDowell hoped that Committee members would ratify the recommendation this evening. In doing so, it would mark the school's aspirations of creating a modern and welcoming environment for pupils, staff and visitors alike.

Mr Campbell stated that he was delighted to have the opportunity to support the planner's recommendation and that this was the culmination of a lot of hard work from all that commenced 17 years ago in 2007. He trusted that the Planning Committee would be able to ratify the recommendation. He added that that Bangor Central Primary School's building opened in 1958 and over the years had grown to the extent that five classes were taught in temporary accommodation and the dining hall was also a temporary building. In 1998, the school transformed to become the only integrated school in Bangor with 360 pupils and the growth had continued. However, the upkeep of an older building was expensive and maintaining temporary classrooms that had been there for over 20 years was like painting the Forth Bridge. The school's current building was below standard for a school of its size and the site was undersized.

He added that the children of Bangor deserved to be taught together in a building which enabled all abilities and backgrounds to learn together. This new building would enable all children to access the same ethos and high quality of education in a modern, fit-for-purpose building. The funding of the build had been given a temporary set-back by the Secretary of State's decision to remove earmarked Fresh Start capital funding. However, he was very optimistic that the funding would be provided in the near future. Gaining planning permission of this development this evening would be an important milestone as they continued to focus on delivering this much needed integrated primary school for the community, staff, parents and, most importantly, the pupils.

In closing, he hoped that Members of the Planning Committee could see the benefit that this new build would have for Bangor, for the current pupils and for future generations to come.

The Chair invited questions from Members to the speakers.

Councillor Morgan queried the energy efficiency ratings of the proposed new school and Ms McDowell advised that the school had been designed to achieve a BREEAM standard of Excellent, explaining that particular industry accreditation and its aims to achieve high levels of environmental sustainability. The design also included use of low carbon renewable energies, greywater recycling, natural ventilation using wind catchers, rainwater harvesting tanks, air source heat pumps and it would include 30 square metres of PV panels on the roof.

Councillor Cathcart appreciated the school's concerns about its existing site and its requirement to grow and he thought those arguments had been made well. He

queried the proposed traffic management and parking plans for the proposed site, particularly in the context of two other schools close by.

In response, Ms McDowell advised that plans included the creation of a controlled pedestrian crossing at Balloo Road where there was currently an uncontrolled pedestrian crossing. There would be several new footpaths linking existing footpaths into the site with a footpath linking from the northwest of the site and a second one coming from Balloo Road. Those would be diverted away from the vehicular access points. She explained that the network would have safety in mind and there would be several access points into the school with children able to access their own classrooms through the rear of the site. There would be different play areas for each Key Stage.

Continuing, Ms McDowell added that for cars there would be a right turning lane linking to the Balloo Road which would provide a 16-metre stretch of road to facilitate up to six cars. Drop off areas on the site itself would accommodate up to 50 vehicles with further parking for a total of 101 vehicles. For exiting the site there would be a right turn and left turn lane on to the Balloo Road.

Expanding on that, Mr Hoy explained the design would allow drop-offs on the school site rather than in the vicinity of the school. In terms of wider traffic, he advised that an extensive traffic assessment was carried out and pointed out that the traffic was already on the road network as this was replacing an existing school.

Referring to Active Travel benefits, Councillor Harbinson asked if there would be provision for bicycle lock ups. Ms McDowell advised that there was provision for 20 bicycle spaces which exceeded the requirement of 15 spaces. This was designed to future-proof and encourage safer and greener modes of transport to the school. She added that the footpath at Balloo Road would be widened to accommodate any future blue-green corridors.

Alderman Graham welcomed the proposed layout, in particular the one-way looped drop-off system directly on site. He asked if there would be sufficient parking for large events where parents would need to attend and remain on site for a long period. Ms McDowell advised that there was a hard standing which would primarily be a play area but would be made available for additional parking of up to 30 cars in those circumstances. This was in addition to the parking already available.

There were no further questions and the speakers returned to the public gallery.

As there were no questions from Members to the Officers, the Chair sought a proposal.

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

While welcoming the plans, Councillor Cathcart commented on what had been a ridiculous decision by Central Government to withdraw the Fresh Start capital funding that would have enabled the building of the much-needed new school to commence following planning consent at this meeting. He was aware that the

Education Minister, along with many others, was raising the matter with the Northern Ireland Secretary of State and he hoped to see construction start in the not-too-distant future.

The seconder, Councillor Harbinson, welcomed the plans, in particular the energy efficiency and active travel measures that would be built in for the next generation. He, too, was hopeful of the capital funding becoming available for the construction of the new site as soon as possible.

The Chair sought agreement and the voting was as follows:

FOR (15)	AGAINST (0)	ABSTAINED (0)	ABSENT (1)
Aldermen			Councillor:
Graham			McLaren
McDowell			
McIlveen			
Smith			

Councillors:

Cathcart
 Creighton
 Harbinson
 Kendall
 Kerr
 Martin
 Morgan
 McKee
 McCollum
 McRandal
 Wray

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

- 4.5 **LA06/2020/0322/F - Lands at High Bangor Road, Donaghadee - Opposite Rocklyn Avenue (Hadlow Development) and to the North and North-West of Donaghadee Rugby Club Playing Fields - Development of 16 No. dwellings and garages, with new access to High Bangor Road and associated landscaping and ancillary works** (Appendix VIX)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor East and Donaghadee

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

Proposal: Development of 16 No. dwellings and garages, with new access to High Bangor Road and associated landscaping and ancillary works

Site Location: Lands at High Bangor Road, Donaghadee - Opposite Rocklyn Avenue (Hadlow Development) and to the North and North-West of Donaghadee Rugby Club Playing Fields.

Recommendation: Approval

Presenting the case officer's report, the Senior Professional & Technical Officer (C Rodgers) stated that this was a full planning application for 16 dwellings at High Bangor Road in Donaghadee.

The application was before the Committee as it was a local application attracting six or more separate individual objections which are contrary to the officer's recommendation.

A further slide showed the location of the site opposite the recently constructed Hadlow housing development and to the north of playing fields associated with Donaghadee Rugby Club. A new development of seven dwellings was located immediately to the west of the site.

The site was located within the settlement limit of Donaghadee as per the Ards and Down Area Plan and was not subject to any particular zonings or designations. The site was adjacent to other similar housing development and the principle of development on this site was therefore acceptable.

A further slide showed photographs of the site from the High Bangor Road and the entrance to Rocklyn Avenue. Another image showed the surrounding residential context characterised by two storey dwellings finished in a mix of render and red brick.

All house types would be detached, two storey and finished in smooth render. The variation in design would create visual interest. The scale, form, massing and materials would respect the character and appearance of the surrounding area.

The design, layout and landscaping would secure the formation of an attractive and quality residential environment. The dwellings would be set back from the High Bangor Road and would have frontage onto this road. The density and plot sizes compared favourably with existing development in the area.

Existing landscaping would be retained where possible and substantial new landscaping would be provided to soften the built form of the development. A communal landscaped area adjacent to the main road would provide an attractive frontage to the development. A landscape buffer would also be provided along the watercourse to the southeast marking the distinction between the settlement limit and the countryside.

Private amenity space for each dwelling exceeded recommended standards. The nearest dwellings were nos. 6 and 7 Montgomery Meadows to the west of the site. Separation distances were in accordance with Creating Places standards and would, together with the intervening boundary, prevent any unacceptable adverse impact on residential amenity.

A further slide showed the proposed road layout. A new right hand turning lane would be created to access the site. The policy limited the circumstances in which access could be obtained from a protected route. The High Bangor Road was classified as an 'other Protected Route - within settlements. No alternative minor road existed to serve the proposed development and following consultation with DFI Roads, the Planning Department was content that the access is safe and will not result in an unacceptable proliferation of access points along the road.

A Transport Assessment Form had been prepared by a chartered roads engineer acting on behalf of the applicant. It indicated that based on TRICS Data - traffic during peak periods travelling to and from the proposed development is estimated to be 7-9 vehicles per hour. The document stated that this represented a very small increase in traffic on the local road network and was unlikely to have any significant impact in terms of highway capacity or risk of accidents.

The internal streets had been determined for adoption by DFI Roads, and a 2m wide footway would be provided across the entire site frontage to assist pedestrian access towards Donaghadee Town Centre. The site also benefited from public transport links to encourage alternatives modes of transport. Adequate provision had been made for parking in accordance with current standards.

Subject to mitigation no objection had been provided from key consultees in terms of natural heritage interests or designated sites. Significant new natural species landscaping is proposed to provide suitable compensatory habitat for wildlife – with development to be carried out in accordance with the Construction Environmental Management Plan.

DFI Rivers reviewed the Drainage Assessment and provided no objection to the proposal subject to a negative condition that requires the submission and agreement of a final Drainage Assessment prior to the commencement of development to safeguard against flood risk.

NI Water had advised that a high-level assessment indicated that the site was affected by network capacity issues. The Planning Department was satisfied that this matter could be dealt with through a negative condition to prevent any development taking place on-site until the method of sewage disposal had been agreed in writing with Northern Ireland Water or a Consent to discharge had been granted.

No objection had been received from any other consultee.

Nine separate objections had been received from members of the public. Matters raised related to the principle of additional housing in the area, the impact on existing infrastructure and services, wildlife, traffic, flood risk, construction noise, loss of rural views and the impact on property values. These matters had all been addressed in detail in the Case Officer's Report.

Having weighed all the material planning considerations it was recommended that this application proceed by way of an approval of planning permission subject to the conditions listed in Case Officer's Report.

(Councillor Kerr, attending remotely, withdrew from the meeting – 7.46pm)

The Chair invited questions to the Officer from Members for clarification.

Alderman Graham welcomed what appeared to be a very attractive development. He referred to the drainage situation and asked why that had been emphasised in the Case Officer's report.

The Officer advised that the intention was to connect the site to NI Water infrastructure, but the water would be collected in attenuation tanks that would then discharge to the watercourse on the southeastern boundary. Due to the outstanding agreement with NI Water however there was a condition placed on the application for a final drainage assessment to be submitted and agreed with the Council prior to any commencement of the development. That would ensure that those drainage proposals were achievable in terms of calculations of the discharge rate.

The Chair invited Mr David Donaldson, speaking in support of the application to come forward.

Mr Donaldson spoke briefly to welcome the Planning Service's recommendation to approve and advised that he was in attendance to take any questions from the Committee.

In terms of footpaths, Councillor Morgan asked if it was possible to walk continuously to Donaghadee town centre from the application site without crossing the main road and Mr Donaldson advised that there was a pinch point at the location of an NI Water substation between the proposed site and the next footpath. Pedestrians would be required to cross the road to the opposite footpath to be able to walk into Donaghadee uninterrupted. He further advised to Councillor Morgan that there was no pedestrian crossing but there could be a pedestrian crossing points installed with dropped curbs. In response to a further query from Councillor Morgan, he accepted that this was a busy road but there was nothing that could be done due to the location of the NI Water substation but there could be discussions as part of the arrangement to connect the site to the wastewater treatment works.

Councillor McCollum was aware of the road and the volume of traffic, but she felt that the sight lines were good and felt assured that the pedestrian crossing points would assist the majority of pedestrians. She had sympathy with the objections in relation to the sewage capacity and she asked if there was an estimated time frame of when the issues with NI Water could be resolved.

Mr Donaldson explained the position with NI Water regarding the site and that a Wastewater Impact Assessment had been submitted when the planning application was lodged which had taken some time to come back from NI Water. He explained that the wastewater treatment site was around 300 to 400 metres up the road from the site and a solution had been agreed with NI Water but the biggest issue for this particular site and others in Donaghadee was the cost of delivering the solution. While the condition was acceptable at this point, it was now a case of moving forward to finding a way of delivering a solution which he understood it was

technically possible to achieve due to the location of the site being in reasonable proximity to the works. He was however unable to offer a timeframe.

There were no further indications and Mr Donaldson returned to the public gallery.

The Chair invited questions for clarification to the Officers and Councillor Cathcart asked why the application had taken so long to process, noting that it dated back to 2020.

The Officer advised that this had been delayed due to the NI Water issues and in addition there had been multiple consultations with NIEA and DfI Rivers given the location of the undesignated watercourse along the boundary of the site.

Returning to her road safety concerns, Councillor Morgan asked that it be recorded that Council urge the developer to engage with NI Water to address the pinch point to enable people to be able to avoid having to cross what was a busy road. She recalled success over a similar issue in Ballyhalbert for a playpark development.

Proposed by Alderman Graham, seconded by Councillor McCollum, that the recommendation be adopted, and planning permission be granted. Alderman Graham clarified that this would be subject to the negative condition referred to.

Praising the development's design, Alderman Graham felt it was important to have a variety of housing accommodation and he hoped the development would progress quickly.

The seconder, Councillor McCollum welcomed what she felt was a fine development that would complement other equally fine developments in the area and encourage young families into Donaghadee.

(Councillor Kerr had returned to the meeting at this stage – 7.58pm)

The Chair sought agreement and the voting was as follows:

FOR (14)	AGAINST (0)	ABSTAINED (0)	ABSENT (2)
Aldermen			Councillor:
Graham			McLaren
McDowell			Kerr
McIlveen			
Smith			
Councillors			
Cathcart			
Creighton			
Harbinson			
Kendall			
Martin			
Morgan			
McKee			
McCollum			

McRandal
Wray

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

4.4 LA06/2023/1791/F - 64 Ballyholme Esplanade, Bangor - Replacement dwelling with a detached garage. (Appendix VIII)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor East and Donaghadee

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

Proposal: Replacement dwelling with a detached garage

Site Location: 64 Ballyholme Esplanade, Bangor

Recommendation: Grant Planning Permission

The Senior Professional and Technical Officer (P Kerr) advised that the application was for a replacement dwelling with a detached garage at 64 Ballyholme Esplanade Bangor. Demolition of buildings on site were included within the proposal.

The proposal was being presented at Planning Committee as it had attracted nine objections from nine separate addresses. It had also received three letters of support.

DFI Roads, Environmental Health, NI Water, Shared Environmental Service and NIEA had all been consulted and all consultees returned no objection aside from NIEA which wanted further consideration given to climate change and coastal erosion but as this was a replacement this was set aside.

The objection letters all largely related to the design of the proposal, with one airing concerns of residential amenity for No 65 Ballyholme Esplanade and loss of light. There was an amended design submitted in January 2024 and there was only one objection received after notification of this relating to concerns about the balcony which the Officer would address later in the presentation. A further letter was received on 1 March 2024 from no.65 stating that they were much happier with the design but had concerns about drainage regarding the rear garden landscaping and building process which was the developer's responsibility.

The site currently consisted of a two-storey detached dwelling with a detached garage with an existing vehicular access. It was considered that there was no distinct style of dwelling within the immediate area. The existing dwelling on site was not replicated within the area and did not possess any features that would merit its retention.

With regard to the Development Plan context, the site lay within the settlement limit of Bangor in both the North Down and Ards Area Plan and Draft BMAP 2015. The

site also lay within a proposed ATC in Draft BMAP. The site was adjacent to but not within the Outer Ards Ramsar, ASSI and SPA.

NED was content with the proposal. The proposal was deemed to comply with PPS2 Natural Heritage.

The replacement of a dwelling with one dwelling in the settlement limit was acceptable in principle and in line with policy requirements of the SPPS. The proposal was compliant with policy LC1 of APPS7 as there was to be no increase in density.

The main policy consideration for this proposal was PPS7 Quality Residential Developments. With regard to the design and visual impact on character of the area it must be noted that the design of the original proposal had been significantly amended and had now taken cues from surrounding dwellings and was now deemed appropriate. The pitched roof and chimney created a more traditional design more in keeping with the area.

The materials were high quality and had been changed to reflect surrounding dwellings. The roof would be dark grey in colour (zinc) rather than the initially proposed bronze. The external finishes would consist of off white render and light beige coloured brick which would reflect other external finishes within the area. There would be timber cladding to the gym with limited views.

With regard to the inclusion of a balcony, there was no policy that precluded balconies and therefore each was taken on its own merits within the character of the area. Balconies were a common feature of many seaside towns in Northern Ireland and indeed the Borough and in this proposal due to its design and scale it was not deemed to have a negative impact on the character of the area.

The proposed dwelling sat comfortably within the site and retained the building line. With regard to increase in ridge height, according to Creating Places historically rooflines had contributed to the character of townscape, and a diverse roofline with a variety of pitches could be considered to improve the richness of the townscape. Contextual drawings had been provided and it was considered that the dwelling would sit within the streetscape without reading as incongruous.

With regard to any impact on the proposed ATC that the site lay within, a very recent appeal decision 2021/A0227 stated that ‘.. the policies within APPS6 and the related provisions of the SPPS refer to ATCs. No reference was made to draft ATCs, which did not have the same status or legal standing as a designated ATC.’ The Commissioner was therefore not persuaded that Policy ATC2 of APPS6 and the aforementioned provisions of the SPPS are applicable to the consideration of the appeal development. Notwithstanding this, the impact of the proposal on the overall appearance of the proposed ATC remained a material consideration and could be assessed. It was considered as outlined above that there would be no significant impact on the proposed ATC and appearance and character of the area.

With regard to residential impact for surrounding residents, the balcony was on the front elevation and would not impact upon surrounding private amenity space nor

create any overlooking into living space. The only properties that had the potential to be impacted by the proposal were Nos. 63 and 65 Ballyholme Esplanade. As set out in the Case Officer Report there would be no significant loss of residential amenity for those properties. It should be noted that an existing residential dwelling already existed on site.

With regard to No.63, the proposed elevation adjacent to No. 63 had no windows on the ground floor and only one on first floor which was for an ensuite and was to have opaque glazing. No. 63 sat on a higher ground level which would help to mitigate against any overshadowing. The 45 degree angle test used for residential extensions was used as a guide and the angle test was not breached in relation to No. 63. The existing dwelling at No. 64 gable-to-gable with No.63 is approximately 5.7m reducing to approx. 4.5 m to the rear. The proposed dwelling will be approx. 4m gable-to-gable. The proposal involved a 2m ridge height increase. The gable-to-gable arrangement that was proposed was common in this area with many dwellings having windows on the side gables with similar separation distance of 4-5 m.

With regards to No.65 the proposed garage had potential to break the light test; however, No. 65's own garage breached this and intervened the impact of the proposed garage. The existing dwelling on site gable-to-gable with No.65 had approx. 5.5m of a separation distance - this was reduced by 0.5m by the proposal. There was a distance of 2.5m from dividing boundary to allow for driveway and No. 65 also had a driveway to access garage beyond.

Due to the separation distance and layout of the proposal the dwellings to the rear at Sandhurst Drive would suffer no loss of amenity. There was a separation distance from rear-to-rear of approx. 50m.

The ridge height proposed of 9 metres would not be overbearing or over dominant and was broadly comparable with many dwellings on Ballyholme Esplanade. There was an excess of 70sqm amenity space remaining.

With regard to PPS3, there were no roads or parking issues. DFI Roads was content that the proposal complied with PPS3.

In conclusion, this proposal was replacing one dwelling with very little architectural merits with a dwelling that was of a high standard of design and materials. It would not have a significant impact on the character or appearance of the area, nor would it significantly impact on adjacent residents considering a dwelling already exists on site. Approval was therefore recommended.

The Chair invited questions from Members to the Officer and Councillor Cathcart queried the latest objection, noting it was the only remaining objection given others had related to the previous design. He asked what the nature of that objection was, and the Officer advised it related to the balcony and concerns of overlooking. The objection noted that it would be the only balcony along the Esplanade.

He queried this further, and it was established that the balcony would only be facing the sea. While there was a very small element at the side the Officer was satisfied

that it would not be overlooking into the living space or private amenity space of the neighbouring property.

In a further query, Councillor Cathcart referred to the proposed ATC and asked if this included any policy regarding balconies and the Officer explained that there was no policy that precluded balconies and that there were many developments within the proposed ATC that included balconies. She returned to the relevant slide which showed the balcony to illustrate that there was no intrusion on the landscape.

Mr Robert Gilmour was attending remotely to speak in support of the application, and the Chair invited him to make an address to the Committee.

Mr Gilmour explained that a series of concerns had been raised during the neighbour notification stages and by the Planning Service which had led to the dramatic redesign of the development to address those initial concerns. That had included engagement a site meeting with Planning Officers.

He thanked officers for their assistance in reaching a recommendation to grant planning approval for what would be a replacement dwelling for a new forever home for a local family.

There were no questions for Mr Gilmour, and he was returned to the virtual public gallery.

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

On proposing, Alderman Graham gave credit to the designers in what he felt was clearly a genuine attempt to alleviate the concerns raised by objectors. He queried the Planning Policy in terms of when it was and was not required to retain the existing character of an area. The Officer advised that it depended on a particular area and advised that any proposed design should take its cues from the surrounding area, and it had been felt that the initial design had failed to do that.

(Councillor Harbinson withdrew from the meeting – 8.11pm)

Councillor Cathcart agreed that the initial design had not been appropriate, but he now felt that this amended proposal had addressed many of the initial concerns. He had no issues with the demolition of the existing house as he felt it did not add any character to the area, admitting that when he had canvassed the area during the election, he had been unable to locate the front door of the house.

The Chair sought agreement and the voting was as follows:

FOR (14)
Aldermen
 Graham
 McDowell
 McIlveen
 Smith

AGAINST (0)

ABSTAINED (0)

ABSENT (2)
Councillor:
 McLaren
 Harbinson

Councillors

Cathcart
 Creighton
 Kerr
 Kendall
 Martin
 Morgan
 McKee
 McCollum
 McRandal
 Wray

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

4.6 LA06/2022/1286/F- 28 and 30 Bryansburn Road, Bangor. Erection of 2no. dwellings and garages and associated site works and landscaping
 (Appendix X)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor West

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

Proposal: Erection of 2no. dwellings and garages and associated site works and landscaping

Site Location: 28 and 30 Bryansburn Road, Bangor

Recommendation: Approval

Presenting the Case Officer's Report, the Senior Professional and Technical Officer (P Kerr) explained that the proposal was for the erection of 2 no. dwellings and garages and associated site works and landscaping at 28 and 30 Bryansburn Road Bangor. The site comprised of the rear garden areas associated with 28 and 30 Bryansburn Road which are two storey semi-detached dwellings.

The proposal was being presented at Committee as it had received more than six objections contrary to the officers' recommendation. The application received a total of 12 objections from seven different addresses. Issues raised were: residential amenity with regard to loss of privacy and loss of light, town cramming and back garden development, plot size, character of area, design and materials concerns, drainage, loss of open space, loss of amenity space, impact on utilities, density, impact on bats and other ecology, impact and loss of trees and vegetation.

Amendments had been requested and received to remove balconies to address overlooking concerns. One objection letter was received after this amendment had been neighbour notified.

With regards to consultee responses, NIW recommended refusal based on potential network capacity issues - this could be dealt with via a negative condition. DFI Roads and Environmental Health had no objections to the proposal.

With regard to the development plan context, the application site was located within the development limit of Bangor as identified in the North Down and Ards Area Plan and Draft BMAP 2015. The site was located within Bangor West Proposed ATC as set out in Draft BMAP. The principle of development within the settlement limit is acceptable. In line with the SPPS this proposal promoted sustainable development within an existing urban area.

With regard to main policy considerations, PPS2 Natural Heritage was complied with - a biodiversity checklist was completed and there was nothing to suggest that there were any protected species on the site. With regard to PPS3 DFI roads was content and there are no issues pertaining to parking as Parking Standards had been met. The Officer explained how the proposal had been assessed against PPS7 Quality Residential Environments as the main policy consideration.

With regard to residential amenity at Nos. 1, 3 and 5 Farnham Park, the proposed dwellings were approximately two and four metres respectively from shared boundary which fell short of the Creating Places guidance. However there was over 35m from the rear elevations of the dwellings at Farnham Park which was ample separation to ensure no significant loss of amenity was suffered as also laid out in Creating Places. Nos. 1 and 3 Farnham Road were perpendicular to the site and due to separation distance and the fact that any first floor windows proposed were not serving living space no significant overlooking would be suffered.

Looking at No. 10 Bryansburn Gardens and potential impact on amenity, it had the majority of private amenity space to the other side of the proposed development and so would suffer no loss of amenity in this regard. No. 1's master bedroom had a bedroom window facing the gable; however, there was over 12m separation distance from this window to the gable and as No. 10 was single storey there will be no direct view.

With regard to No.26 Bryansburn Road there would be no significant impact due to separation distance.

With regard to Nos. 28 and 30 Bryansburn Road and the two storey garages there was to be no upper floor window in the side elevation that faced those properties and adequate separation distances.

Due to generous plots and separation distances as well as layout no significant overlooking, over shadowing, dominance or loss of light would be suffered by neighbouring dwellings.

The Officer referred to the visual amenity and character and appearance of area.

Firstly with regard to the proposed ATC, a very recent appeal decision 2021/A0227 stated that 'the policies within APPS6 and the related provisions of the SPPS referred to ATCs. No reference was made to draft ATCs, which did not have the

same status or legal standing as a designated ATC. The Commissioner was not persuaded that Policy ATC2 of APPS6 and the provisions of the SPPS were applicable to the consideration of the appeal development. Notwithstanding this, the impact of the proposal on the overall appearance of the proposed ATC remained a material consideration and could be assessed. This proposal was deemed to have no significant impact on the character and appearance of the proposed ATC. The officer discussed this further.

The design was acceptable - the materials proposed consisted of a white render finish, grey framed windows and grey/black roof tiles with areas of stone masonry cladding. The design was simple with a pitched roof and chimney breast reflecting other designs in the area. The dwellings would sit neatly behind Nos. 28 and 30 Bryansburn Road and tucked to the side of No. 10 and would therefore have no significant impact on appearance and character of the area or indeed the proposed ATC. Due to the location of the two storey garages and their scale and design, there would be no impact on character or appearance of the area from these either. Density was acceptable under Policy LC1 - the proposal equated to a density of approximately 12.5 dwellings per hectare. The majority of development in the immediate context was either similar in density or indeed higher as stated in the Case Officer's Report.

Plot size was comparable to surrounding area. There were six semi-detached dwellings close to the site. The length of plot was approx. 80m. The proposal broadly respected the building line although this was less important due to location of proposal. The plot size and building-to-plot ratio was comparable to surrounding dwellings as shown on the location plan.

There were no longer balconies proposed and flat roof areas would be conditioned to ensure that they were not used as such.

Having regard to Development Control Advice Note (DCAN) 8 regarding Backland Development it stated that there was the potential in appropriate circumstances to integrate new residential development into backland areas to produce a high-quality residential environment. There were a number of important design principles that should be followed. One was that the proposals should relate to a site which had appropriate plot depth and configuration. A fundamental requirement for successful backland development was for the backland plot to be of sufficient depth to accommodate new housing in a way which provided a quality residential environment for new and existing residents. Backland development on plot depths of less than 80m was unlikely to be acceptable. This proposal had an overall plot depth of approx. 80m. DCAN 8 went on to state that it was important to ensure that new development respected the scale and density of existing development. The scale and massing of new housing in backland areas should not exceed that of the existing dwellings fronting the surrounding streets. It should be able to achieve a coherent and legible form which this proposal did. This proposal would be of an appropriate scale and massing for the area and respected the density. This proposal was comparable to many of the dwellings existing on the surrounding streets.

The proposal was compliant with PPS7.

With regard to PPS15, the Officer had checked flood maps and there was no history of flooding on the site.

The site did not constitute open space. It was privately owned land that had clearly been previously in use as garden and amenity space. There were no protected trees on the site.

The site was quite unique compared with the immediate area with extensive backland that lent itself appropriately to the development of housing within the urban area in line with the SPPS. The proposal had been fully assessed against the SPPS and relevant planning policy and it was considered to be appropriate development for the site and policy compliant. Approval was recommended.

(Councillor Harbinson returned to the meeting – 8.13pm)

The Chair invited questions from Members and Councillor McCollum asked for clarity on the access point to the site. The Officer returned to the relevant slide, pointing to a grey strip, explaining that the access point was located at Bryansburn Gardens, off Bryansburn Road.

In a further query, the Officer clarified to Alderman Graham that the access point would be a private road.

The Chair invited Ms Jenny Mawhinney (planning consultant) forward, who was in attendance to speak in support of the application.

Ms Mawhinney stated that both the applicant and Like Architects were well known for their high-quality residential design evidenced across many sites in Northern Ireland and also within this Local Authority. From the outset, the applicant recognised that this was a sensitive site which required a careful assessment of context and a design response that respected the natural and man-made features of the site and surrounding area.

Consistent with that, early engagement with the Planning Department took place in January 2022 through a PAD process. This confirmed the principle of development was acceptable but sought a reduced density.

The applicant took this advice on board in designing the final submission to the Council. It also looked extensively at the detailed design policy requirements which had two key features: respecting surrounding residential amenity and protecting the established character of the area. Every aspect of the proposed development from the layout, density, orientation, location of windows and open space, as well as the bulk, scale and massing took full consideration of both those matters.

The result was a scheme which would enhance the townscape and urban design of the area. It was a good design which was endorsed by the fact that throughout the application process the only limited change sought was the removal of the balconies and some further detailing on landscaping proposals.

Ms Mawhinney had read the Case Officer's Report, and she fully endorsed its analysis and supported its recommendation that planning approval should be granted.

The speaker drew Members to the following significant points:

1. There were recent comparable approvals in the area immediate to the site – indicative of the acceptability in principle of the proposal;
2. While the Area of Townscape Character designation was only a proposal, it was considered that the development would conserve and enhance this designation which signified the high quality of the design;
3. There would be adequate separation distances between the proposed and existing dwellings in line with the recommended standards set out in Creating Places with respect to properties on Bryansburn Road and Gardens and Farnham Road and Park and no adverse overlooking, over shadowing or loss of privacy would arise.

There were no other planning or environmental constraints to the development of this site, and this was confirmed by the various consultees which had contributed to the planning application as competent authority on those matters. A standard negative condition on sewage was to be attached.

Finally, the speaker highlighted the fact that the proposal brought with it, the following benefits:

- Employment of 25 construction workers over its 18-month development period;
- A total investment of £1.8million;
- Utilisation of sustainable building technologies in the construction of the units to create energy efficient dwellings providing quality residential stock within the area;
- A long-term solution for an otherwise vacant piece of land that has been severed from its original host property with a scheme that will considerably enhance the character and amenity of the area.

For all of those reasons, Ms Mawhinney commended the scheme to the Planning Committee and the applicant endorsed the conclusions and analysis by officers and now invited the Committee to ratify the recommendation.

Referring to the speaker's claims of recent comparable approvals in the immediate area, Councillor Martin asked officers if there had been any refusals. The Chair felt that the question was unrelated to the application before Members and the Director advised the information was not readily available anyway.

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

Councillor Morgan felt this was a good proposal while Councillor McKee also welcomed the application feeling it was a betterment compared to an apartment

block, referring to previous options. He felt that a so-called back garden development of this quality was a good way forward and while he appreciated the objections to the removal of trees, he pointed out that those were not protected which only reinforced the importance of tree protection.

The Chair sought agreement and the voting was as follows:

FOR (14)	AGAINST (0)	ABSTAINED (0)	ABSENT (2)
Aldermen			Councillor:
Graham			McLaren
McDowell			Harbinson
McIlveen			
Smith			

Councillors

Cathcart
 Creighton
 Kerr
 Kendall
 Martin
 Morgan
 McKee
 McCollum
 McRandal
 Wray

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

- 4.3 LA06/2022/0823/F- 25m East of Seaview Farm, 1 Ballyvester Road, Donaghadee- Erection of dwelling and conversion of three existing outbuildings for incidental usage (in substitution for planning application LA06/2017/0376/F).
 (Appendix VII)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor East and Donaghadee

Committee Interest: A Local development application 'called-in' to Planning Committee from the delegated list by a member of that Committee – Cllr McCollum:

- The barn has not been used agriculturally for over 20 years and is seen by local residents as a landmark building when approaching Donaghadee.
- It would be contradictory to integrate it into the landscape as, presently it sits in full view and is a landmark building. The proposal is to build on the same footprint, height and similar elevations, like for like.
- The application is compatible with Policies CTY2, CTY2a and many points in CTY4.

- The site itself is of historical interest as there are two armoury boxes from WW2, also two stone buildings and the shed which have all been there for over 70 years and haven't been used as farm buildings for at least 20 years.
- The surrounding area is now built up with residential housing.
- The site sits on a T-junction of main road with a bus stop right outside.
- There has been a biodiversity list provided that has not been issued on the planning portal.
- The site has a previous planning application already passed; however it involves the armoury boxes being removed. The applicant states that the current planning application is much more sympathetic and would be a huge enhancement to the surrounding area, while keeping the integrity of all the buildings.

The applicant stated that there are two very weak reasons on Policy CTY3 to object to this proposal, however there are very many strong reasons for approval under CTY2, CTY2a and CTY4 to support application. The application has had no objections and all departments have come back positively.

On the above grounds, it was appropriate to be called in and considered by the Planning Committee.

Proposal: Erection of dwelling and conversion of three existing outbuildings for incidental usage (in substitution for planning application LA06/2017/0376/F).

Site Location: 25m East of Seaview Farm, 1 Ballyvester Road, Donaghadee

Recommendation: Refusal

Presenting the case officer's report, the Officer (P Kerr) stated that this proposal was for the erection of a dwelling and conversion of three existing outbuildings for incidental usage.

The proposal description also stated 'in substitution for planning application LA06/2017/0376/F' which was for the sympathetic conversion, adaption and re-use of existing vernacular outbuilding to create a dwelling house which was granted full permission under LA06/2017/0376 on 18 October 2018 but had expired in October 2023 without evidence of commencement after the most recent site visit in January of this year.

Another application to renew the expired permission had been submitted by applicant but has not yet been validated. There was an Enforcement case on site under investigation for unauthorised worked with a recommendation that it was not expedient to pursue.

The site was located 25m East of Seaview Farm, 1 Ballyvester Road, Donaghadee. The site was comprised of a disused steel framed agricultural building and a linear vernacular stone outbuilding which was not listed by HED. The disused agricultural building was to be demolished to make way for the dwelling.

The proposal was being presented at Committee as it has been called in.

There were no objections received in respect of this proposal - DFI Roads, NIW, HED, NIEA and SES were consulted, and no objections came back from any consultee.

As previously stated, it appeared that the Pre commencement condition for LA06/2017/0376/F had not been carried out as no access had been put in aside from splays and therefore this application being presented at Committee was not deemed to be in substitution of the above as it was no longer extant.

With regard to the development plan context the proposal was located outside any settlement limit and within the countryside as designated in the Ards and Down Area Plan 2015.

The policy context for the proposal was contained within PPS2, PPS3, PPS6 and PPS21.

The proposal complied with PPS2 Natural Heritage, PPS6 Planning Archaeology and the Built Heritage and PPS3 Access, Movement and Parking.

Referring to PPS21 (Sustainable Development in the Countryside) as the main policy consideration, in respect of Policy CTY1 it stated that there were a range of types of development which in principle were considered to be acceptable in the countryside and that would contribute to the aims of sustainable development. Other types of development would only be permitted where there were overriding reasons why that development was essential and could not be located in a settlement, or it was otherwise allocated for development in a development plan. Policy CTY1 directs us to Policy CTY3 to assess an application for a replacement dwelling which is essentially what this proposal was trying to attain.

Policy CTY3 stated planning permission would be granted for a replacement dwelling where the building to be replaced exhibited the essential characteristics of a dwelling and as a minimum all external structural walls were substantially intact. The building proposed to be replaced did not have the essential characteristics of a dwelling; in fact, in the design and access statement that was submitted alongside this application, it highlighted that this building had been used for agricultural purposes. It quite clearly stated in Policy CTY3 that buildings designed and used for agricultural purposes, such as sheds or stores like this one, would not be eligible for replacement under this policy. Therefore the proposal failed the policy requirements of CTY3 and therefore CTY1.

The part of Policy CTY3 that provided favourable consideration in respect of replacement of a redundant non-residential building with a single dwelling, where the redevelopment proposed would bring significant environmental benefits and provided the building was not listed or otherwise makes an important contribution to the heritage, appearance or character of the locality, was also assessed and was considered not to apply to this proposal. The part of Policy CTY3 that would lend itself to a non-agricultural building replaced with a single dwelling would be the likes of an abandoned building that was incongruous to the character of the countryside with a very specific set of circumstances. This type of building that was the subject of this proposal was common place in the countryside and therefore not eligible for replacement under Policy CTY3.

If this proposal was to be allowed it would set a very unwelcome precedent for the Borough welcoming applications to come in to knock down an old agricultural shed and build a new dwelling, which was not considered sustainable development. It would create a harmful precedent that would encourage people to let agricultural buildings fall into disrepair. This was an agricultural building that was in poor repair, of which there were many in the Borough.

Although this proposal had the intention of securing the upkeep of a vernacular building, the building was not listed and a sympathetic conversion as previously approved would also achieve this without an additional dwelling in the countryside. If this proposal were to be approved there was nothing to stop the applicant coming in under Policy CTY4 for the sympathetic conversion of the outbuilding in question. This would result in an additional dwelling on this site and would create further urbanised visual impact at this prominent corner site in the countryside.

Although the proposal was not acceptable in principle it had been assessed against the remaining criteria of Policy CTY3 to ensure a full policy assessment if Committee were minded to approve. The proposal met all of these criteria if the principle of the development were approved.

With regard to Policies CTY 13 and 14 it was considered that due to the roadside location the proposed dwelling would be a prominent feature in the landscape and would rely on the use of new landscaping and is therefore contrary to both CTY 13 and 14.

In conclusion it had not been demonstrated that the proposal was essential in this countryside location. It failed to meet the criteria in Policy CTY3 and therefore failed to meet Policy CTY1. The proposal would be a prominent feature in the landscape and would rely on new landscaping to integrate and therefore failed Policies CTY13 and 14 also. Refusal was recommended.

The Chair invited questions from Members to the Officer.

Through a series of questions, Councillor McRandal was able to establish that the previous expiry of planning approval related to a smaller building conversion to a dwelling and that the application before the Committee now was for conversion of the three smaller outbuildings for incidental usage. The officer was aware that the applicant had recently submitted another application for the sympathetic conversion of the incidental buildings.

Councillor McCollum asked the Officer for her view on the applicant's case that the outbuildings were of historical interest and the officer advised that there was no listing and therefore those outbuildings could not be afforded any protection. Officers could take in to account sympathetic conversion under Policy CTY4.

Councillor McCollum noted there appeared to be an attachment to the armoury boxes and on reflection of that response, added that a sacrifice may have been required.

In a further query, Councillor Cathcart referred to impacts on the countryside and the precedents for conversions from sheds to dwellings. He asked if viewed from the Millisle Road this would be seen as countryside and the Officer confirmed it was designated as countryside in the development plan and as such PPS21 on the countryside applied.

As a matter of accuracy, Councillor Wray noted that earlier in the report it referred to a recommendation to grant planning permission and the Officer apologised for this error and clarified that the recommendation was to refuse planning permission as referred to later in the report.

Proposed by Councillor Morgan, seconded by Councillor Harbinson, that the recommendation be adopted, and that planning permission be refused.

Councillor Morgan felt that approval of this application could have opened a dangerous avenue for more houses in the countryside.

The Chair sought agreement and the voting was as follows:

FOR (14)	AGAINST (0)	ABSTAINED (1)	ABSENT (1)
Aldermen		Councillor:	Councillor:
Graham		McCollum	McLaren
McDowell			
McIlveen			
Smith			
Councillors			
Cathcart			
Creighton			
Harbinson			
Kerr			
Kendall			
Martin			
Morgan			
McKee			
McRandal			
Wray			

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

4.7 LA06/2024/0041/A - 45 Metres South of 108 Shore Road, Kircubbin - Static Village Entrance Signage (Appendix XI)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Ards Peninsula

Committee Interest: An application made by the Council

Proposal: Static Village Entrance Signage

Site Location: 45 Metres South of 108 Shore Road, Kircubbin

Recommendation: Consent

Presenting the Case Officer's Report, the Principal Professional and Technical Officer (C Blair) explained that the application was before Members as it was a Council planning application for Advertisement Consent.

The application site was located on the grass verge entering Kircubbin, south of the existing road signs that demarcated the speed change of the road, and approximately 5m from an existing roadside bench.

The sign was compliant with the Ards and Down Area Plan 2015 and its design, scale and finishes did not have an adverse visual impact on the surrounding Strangford and Lecale Area of Outstanding Natural Beauty or the Local Landscape Policy Area.

There was no proliferation of signage in the area and the proposal does not result in visual clutter in the street scene. DfI Roads had no objections to the proposal and no representations had been received. Accordingly, it was recommended that Advertisement Consent be granted.

Proposed by Councillor Wray, seconded by Councillor Kerr, that the recommendation be adopted, and planning consent be granted.

Councillor Wray welcomed the location for the sign, particularly as he was aware of specific location issues for the signs in other villages. He recognised that there had been a delay which had been out of the control of the Planning Department, but he appreciated that officers had progressed the application quickly once it had been submitted.

Councillor Kerr welcomed the application and felt the sign would be a great addition to Kircubbin.

The Chair sought agreement and the voting was as follows:

FOR (15)
Aldermen
 Graham
 McDowell
 McIlveen
 Smith

AGAINST (0)

ABSTAINED (0)

ABSENT (1)
Councillor:
 McLaren

Councillors:
 Cathcart
 Creighton
 Harbinson
 Kerr
 Kendall
 Martin
 Morgan

McKee
 McCollum
 McRandal
 Wray

RESOLVED, on the proposal of Councillor Wray, seconded by Councillor Kerr, that the recommendation be adopted, that advertising consent be granted.

5. DEPARTMENT FOR INFRASTRUCTURE (PLANNING) 'CALL FOR EVIDENCE ON A FUTURE FOCUSED REVIEW OF THE STRATEGIC PLANNING POLICY STATEMENT ON THE ISSUE OF CLIMATE CHANGE'

(Appendices XII - XIV)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity providing the undernoted detail:-

1.0 Background

- 1.1 The Department for Infrastructure (Dfi) announced a consultation in the form of a 'Call for Evidence' in relation to the Strategic Planning Policy Statement on the issue of climate change. The associated questionnaire paper was appended at Item 5a and an easy read version at Item 5b. DFI indicates that the primary purpose of the Call for Evidence is to engage with stakeholders on the proposed areas of focus for a review of the SPPS and to invite the submission of evidence on the relevant factors that could assist with determining the best way forward.
- 1.3 The consultation was open at present and ran until 5.00 pm on Thursday 28 March 2024.
- 1.4 The information gathered through the Call for Evidence would be considered by DFI. At the time of the launch by the Department, it was stated that it was envisaged that it would 'help inform any decision by a future Infrastructure Minister on a potential review of the SPPS and the options for it'.
- 1.5 Since the SPPS was published in September 2015, tackling Climate Change had become a legislative requirement and it was a priority consideration in the context of the work and functions of Dfi in relation to water, transport and planning. Members should be aware that DFI was also currently reviewing regional strategic planning policy for renewable and low carbon energy.

2.0 Detail

- 2.1 The aim stated by DFI of the review is part of the process of gathering the necessary information to inform a potential focused review of the SPPS in relation to Climate Change and the options and scope for it.

- 2.2 DFI intended that the focus on the following policies in the SPPS as it considered these were the areas which were most impacted by, and were most relevant to, Climate Change:
- The Purpose of Planning,
 - Furthering Sustainable Development,
 - The Core Planning Principles of the planning system,
 - Flood risk,
 - Transportation, and
 - Development in the countryside.
- 2.3 DFI stated that it was also interested in any evidence on other policies in the SPPS that were also relevant in terms of Climate Change.

Next steps

- 2.4 Responses to the Call for Evidence Paper were requested by e-mail to DFI by 5pm on 28 March 2024.
- 2.5 It was suggested to use the response form (at Item 5c), but other responses were welcome. The response should indicate that was submitted ahead of the completion of the Council call in period.

RECOMMENDED that Council notes the Call for Evidence consultation document and agrees the response at Item 5c.

The Principal Professional & Technical Officer (L Maginn) outlined the report and recommendation and referred Members to the attachments which contained the consultation paper and the draft response for the Planning Committee's consideration and approval.

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

6. UPDATE ON PLANNING APPEALS (Appendices XV - XVI)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity outlined as follows:

Appeal Decisions

1. The following appeal was upheld on 29 January 2024 following a hearing held on 16 November 2022, some 14 months earlier.

PAC Ref	2021/A0227
Application ref	LA06/2021/0413/F
Appellant	Mr James Morley

Subject of Appeal	The refusal of full planning permission for demolition of existing dwelling and erection of 4 no. 2 bed apartments
Location	115 Station Road, Craigavad, Holywood

The Council refused the above application on 22 February 2022 for the following reasons:

- 1) The proposal was contrary to Policy QD1 of PPS 7 – Quality Residential Environments in that the proposed development involved intensification of site usage within an Area of Townscape Character and it did not meet any of the exceptional circumstances, and would, if permitted, adversely affect the local character of the area.
- 2) The proposal was contrary to Policy QD1(a) of PPS 7 – Quality Residential Environments in that it would, if permitted, result in over development of the site and cause unacceptable damage to the local character and environmental quality of the established residential area by reason of its layout, scale, proportions, massing and appearance of the building which would be out of keeping with the character of the area and which consisted mainly of large detached single houses within large curtilages. The proposed development would also create an unacceptable precedent and the potential cumulative impact of similar development would further detract from the environmental quality, residential amenity and established character of the surrounding area.
- 3) The proposal was contrary to Policy ATC 2 of the Addendum to PPS 6 – Areas of Townscape Character, in that the proposed development would not respect the built form of the area and would not maintain or enhance the overall character of the area by reason of its density, layout, scale, massing and appearance of the building.
- 4) The proposal was contrary to Policy LC 1 (a) of the Addendum to PPS 7 – Safeguarding the Character of Established Residential Areas, in that the proposed density on the site was significantly higher than that found in the established residential area.

The Commissioner noted that the Council had granted full planning permission in February 2021 for replacement of the in-situ dwelling with a larger replacement dwelling (ref. LA06/2018/1077/F). That building was notably larger than the in-situ dwelling and was of a modern design, with a 3-storey high element with front facing balcony at one end, sizeable window panels and a double garage emplacement in its front façade.

The Commissioner did not sustain the Council's first and third reasons for refusal on the basis that they referred to Areas of Townscape Character (ATC) whilst the appeal development was located within a draft ATC. Notwithstanding that position, he agreed that the potential impact of the appeal development on the proposed ATC remained a material consideration.

He continued that, as it was not known how any lawfully adopted BMAP would describe the overall character of the area to be designated, it was not possible to assess the impact of the appeal development on that character. However, regardless of the lack of a policy context, the impact of the appeal development on the proposed ATC remained a material consideration and could still be objectively assessed against the context of the surrounding built form.

Whilst the previous approval did not constitute a fall-back in the conventional meaning of the term, the Commissioner considered that it provided a starting point to assessing the potential impacts of the appeal development versus what had previously been approved. Despite its size, it was not considered to read as unacceptably dominant or overbearing in the streetscene, nor would it present as overdevelopment of the site given its utilisation of the footprint for the previously approved dwelling.

Additionally, he determined that the proposed apartment building would not appear out of keeping with the character of the area given its position relative to existing built development. He determined that the appeal development would respect the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas. The appeal development satisfied criterion (a) of Policy QD1 of PPS7, that policy read as a whole, as well as the related provisions of the SPPS. Likewise, it also accorded with section 13.7 of the NDAAP.

As such the Council's second reason for refusal and related concerns of the Objectors were not sustained. For the same reasoning he considered that whilst dBMAP was only to be afforded limited weight in this appeal, the appeal building by reason of its layout, scale, massing and overall design would not fail to maintain or enhance the overall character of the proposed ATC. The Council's and Objectors' related concerns as to the proposed ATC were not sustained.

Whilst he accepted the density would be significantly higher than that found in the ERA (40 dwgs/ha compared to the ERA of 5.2/ha), he considered that these differences, when taken together with the "end of lane" location and position of the proposal as part of an anomalous, tighter group of buildings on smaller plots, would not render the appeal development disharmonious with, or result in unacceptable damage to the local character and environmental quality of the area. He also referenced that whilst over-development of the site had been raised as an issue, there was no suggestion that there would be insufficient amenity space for the appeal development, which was often an indicator of over-development or unacceptable density.

Whilst the Commissioner found that the proposed development did not comply with criterion (a) of Policy LC1, harm would be avoided for the reasons given earlier in his decision. In the specific circumstances of this case, which he opined were unlikely to recur, these considerations outweighed the policy failure. In addition, he was satisfied that the appeal development satisfied the essential thrust of Policy LC1 of APPS7 in the round, and therefore the Council's fourth reason for refusal was not sustained.

A copy of the appeal decision was appended to this report.

2. The following appeal was upheld on 26 January 2024.

PAC Ref	2022/A0220
Application ref	LA06/2021/1141/F
Appellant	Castlebawn, Newtownards Ltd
Subject of Appeal	The refusal of full planning permission for 'New car dealership including mobile structure for office use
Location	Site to rear of Tesco and adjacent to Translink Depot, A20 Relief Road, Newtownards

The Council refused this application on 07 March 2023 for the following reason:

- The proposal was contrary to Planning Policy Statement 3 Access, Movement and Parking, Clarification of Policy AMP 3, in that it would, if permitted, result in the intensification of use of an existing access onto a Protected Route thereby prejudicing the free flow of traffic and conditions of general safety.

The above refusal reason was based on the consultation response from DFI Roads. In order to address the Council's sole reason for refusal the appellant provided amended drawings to Council after the submission of the statements of case at appeal stage, but prior to the hearing. These were then forwarded to the Commission. The drawings included changes to the access arrangements from the service road onto the appeal site. As the amendments overcame the reason for refusal, the Council then withdrew its objection to the proposal prior to the hearing, subject to the imposition of a number of conditions, which could be read in the attached PAC decision.

New Appeals Lodged

3. As of the date of this report there had been no new appeals received.

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

RECOMMENDED that Council notes the report and attachments.

The Principal Professional & Technical Officer (C Blair) outlined the report and attachment, explaining that it referred to two planning appeal decisions with decisions to allow planning permission.

Councillor McRandal found the potential ramifications, in relation to the first appeal, worrying. He noted that this had been overturned on the basis that the apartments had a similar sized footprint to the private house application that had been approved and all of the concerns around intensification had been disregarded. He asked for the Officer's view on the potential impacts and ramifications of the decision. The Officer had noted that the Commissioner had viewed this as a unique site and

therefore did not believe that any precedents could occur or therefore have any ramifications in the consideration of future applications.

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

Councillor Cathcart queried the second appeal and noted that it had been upheld on the basis of amended drawings submitted following the Council's decision to refuse. He was concerned that situation could occur and asked for the Officer's view on that.

The Director advised that the PAC always encouraged the Planning Authority to negotiate before appeal stage and given that it related to a roads issue and lack of clarity from DfI on the category of protected route, the Planning Service had received the amendment and agreed it with the applicant in advance. The PAC had always accepted amendments which had been opposed by the Planning Service, but in this case, under relevant legislation, it related to a piece of information that had not been applicable at the time of the application and Officers had been content that it had been submitted to the Planning Service in advance of the PAC hearing.

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

7. RESPONSE SUBMITTED TO DFI CONSULTATION ON THE PLANNING (DEVELOPMENT MANAGEMENT) REGULATIONS (NI) 2015

(Appendices XVII - XIX)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity detailing the undernoted:

Background

1. The Department for Infrastructure (Planning) issued a consultation on 11 December 2023 with a closing date of 03 March 2024.
2. This consultation invited views from the public and stakeholders on potential changes to **The Planning (Development Management) Regulations (Northern Ireland) 2015** (the Development Management Regulations). These potential changes focused on the following aspects of the Development Management Regulations:
 - Regulation 2 (Hierarchy of developments – i.e. local and major)
 - Regulation 3 (Department's jurisdiction in relation to developments of regional significance)
 - Regulation 5 (Pre-application community consultation)
 - Regulation 7 (Pre-determination hearings)
 - Schedule (Major development thresholds)

Detail

3. Changes to the Development Management Regulations were part of a wider package of measures delivering change through the **Planning Improvement**

Programme [1] (PIP), brought forward by the Department for Infrastructure (the Department), local government and other stakeholders. The aim was to create an efficient, effective and equitable planning system, trusted to deliver high quality, sustainable inclusive and healthy places.

4. The PIP included actions and measures recommended through the review of the implementation of The Planning Act (Northern Ireland) 2011 (the 2011 Act), which was required under section 228 of the 2011 Act. The recommendations emerged from numerous proposals, suggested revisions and recommendations for change or improvement submitted following the Call for Evidence [2].
5. In relation to the Development Management Regulations, the Department confirmed in its Review Report [3] it would undertake the following three actions:

(PT3-1) Classes of development & thresholds

The Department would review existing thresholds and categories of development to determine the need for revisions.

(PT3-10) Pre-determination hearings (PDHs)

The Department would bring forward proposals to make all PDHs discretionary for councils in the exercise of their functions. This would require amendments to subordinate legislation.

(PT3-3) Provide for both in-person and on-line/electronic PACC public engagement

The Department would bring forward proposals to provide for both in-person and on-line/electronic Pre-Application Community Consultation (PACC) public engagement. This would include consideration of any recommendation to emerge from the work of the Planning Engagement Partnership.

6. An easy read version of the consultation was attached as Item 7b.
7. The response as submitted was attached as Item 7c.

The detail of the consultation could be viewed here <https://www.infrastructure-ni.gov.uk/consultations/consultation-review-planning-development-management-regulations-northern-ireland-2015>

RECOMMENDED that Council notes this report and the response as submitted to the Department for Infrastructure consultation on the Planning (Development Management) Regulations (Northern Ireland) 2015.

The Director of Prosperity outlined the report and the response attached. She advised that while the deadline for response to the consultation had closed the previous week, the DfI would accept any further comments if Members wished to add anything.

Councillor McRandal referred to the response at question 11, noting that it stated that the threshold of comprising 50 units or more should be reduced to allow Pre-Application Community Consultation on lesser schemes. He noted there was no indication of what officers felt would be a suitable number for the threshold and the Director explained that they had wanted to make the point that even a small settlement of five dwellings could have an impact and require pre-application community consultation, so it was about the context of the development.

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

8. QUARTERLY UPDATE ON TREE MATTERS

(Appendix XX)

PREVIOUSLY CIRCULATED:- Report from the Director of Prosperity detailing that this report represented the quarterly update to Planning Committee regarding detail relating to Tree Preservation Orders served and applications for consent to carry out works to protected trees. This update provided information from 15 November 2023 (date of previous report) to 16 February 2024.

Detail

The table attached set out the figures from the date of the last report to Committee.

RECOMMENDED that Council notes the content of this report.

The Principal Professional & Technical Officer (C Blair) outlined the report.

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

Councillor McKee thanked officers for their work and welcomed the conditions for three new trees to be planted within the approved applications that were listed.

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

EXCLUSION OF PUBLIC/PRESS

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

9. QUARTERLY UPDATE ON ENFORCEMENT MATTERS

(Appendix XXI)

****IN CONFIDENCE****

This report is presented in confidence to Members under Part 1 of Schedule 6 of the Local Government (Northern Ireland) Act 2014, Exemption 6a –

Information which reveals that the council proposes to give under any statutory provision a notice by virtue of which requirements are imposed on a person.

It provides updates for Members in respect of the status of live enforcement notices, court proceedings and proposed summons action.

RE-ADMITTANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 9.03 pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting (in person and via Zoom) of the Environment Committee was held at the Council Chamber, Church Street, Newtownards and via Zoom, on Wednesday, 6 March 2024 at 7.00 pm.

PRESENT:

In the Chair: Councillor Morgan

Aldermen: Armstrong-Cotter (7.10 pm Zoom)
Cummings
McAlpine

Councillors:	Blaney	Kerr (7.10 pm Zoom)
	Boyle	McKee (Zoom)
	Cathcart	Smart
	Douglas	Rossiter
	Edmund	Wray
	Harbinson	

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 (Temporary) (R McCracken) and Democratic Services Officer (H Loebnau)

1. APOLOGIES

Apologies for lateness were received from Alderman Armstrong-Cotter.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

NOTED.

3. PROPOSED STREET NAMING – COASTLANDS, BALLYHALBERT

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that a small development comprising six dwellings was currently under construction on lands at Shore Road, Ballyhalbert.

The developer had requested the name Coastlands for the new development.

The name was appropriate for the site and its location and was in keeping with the general neighbourhood.

RECOMMENDED that the Council agree to adopt the street name Coastlands for this development, and that the Council accepts the general name and delegates acceptance of suffixes to the Building Control department.

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

4. GRANT OF ENTERTAINMENT LICENCES

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that applications had been received for the Grant of an Entertainment Licence as followed:

1. Trinity Presbyterian Church Hall, 69 Main Road, Cloughey

Applicant: Geoffrey C Stewart, Seahaven Drive, Portavogie

Days and Hours: Monday to Sunday 1pm – 10.30pm

Type of entertainment: Theatrical performance, dancing, singing or music or any other entertainment of a like kind.

2. Exploris Aquarium, The Rope Walk, Castle Street, Portaferry

Applicant: Kieran Quinn, Millview, Portaferry

Days and Hours: The permitted hours during which intoxicating liquor may be sold or consumed on these premises under the Licensing (NI) Order 1996

Type of entertainment: Dancing, singing or music or any other entertainment of a like kind.

There were no objections to those applications.

RECOMMENDED that the Council grants the applications.

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

5. REVIEW OF PAVEMENT CAFÉ LICENCE FEES

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that the Council in November 2023 agreed proposed new fees for Pavement Café Licences as shown below and to consult upon those (the Act specifically required such consultation where pavement café licence fees were being set or altered).

	Previous fee	Proposed fee
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Grant fee	£225 (£147 non-refundable plus refundable £78)	£240 (£157 non-refundable plus £83)
Renewal fee	£150 (£103 non-refundable plus refundable £47)	£160 (£110 non-refundable plus £50)
Variation fee	£85	£91

The Council was permitted to charge a fee to administer the Pavement Café Licensing regime.

In June 2020 the Council reduced the application fee from £225 to nil to help premises in their recovery from the COVID emergency. That was reviewed in June 2021 and the nil fee was retained at that time.

Currently 51 premises held a pavement café licence.

Consultation

All current licence holders were written to and advised of the proposed new fees and that they could provide their comments within 28 days.

At the end of the consultation period one email was received from Camphill Café, Hollywood objecting to the increase (copy attached).

Given that the substantive issue raised in the letter of objection of other non-hospitality traders using public footpaths to display/sell goods, was not an issue that was under Council control but rather an issue for the Department for Infrastructure, and the fact that other Council goods and services had been increased annually, it was proposed that the fees for grant, renewal and variation of Pavement Café Licenses should be increased as set out in this report.

RECOMMENDED that the Council agrees to changes to Pavement Café Licensing fees as set out in this report.

Proposed by Alderman Cummings and seconded by Councillor Blaney that the recommendation be adopted.

Councillor Rossiter thought that the letter which the Council had received from Camphill Café was worth noting and the discrepancy which existed in Hollywood, and many other towns, that all businesses were not under the same legislation while using footpaths during trading. He asked how that was enforced and if there was anything that the Council could do about the situation.

In response the Director was aware of incidences where there was a sense of intrusion on to footpaths by traders which impeded their easy use particularly for people using wheelchairs or for prams. The Council could contact the Department of Infrastructure where that was occurring and indeed on the website reports could be made by members of the public directly and those would be investigated.

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

6. LICENSING FEE SCHEDULE 2024/25

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that services were required to publish their list of fees on an annual basis and Council policy required all fees to be increased by the rate of inflation where possible. Statutory fees set out in the various pieces of legislation and could only be changed by the Assembly and were therefore not subject to increase as part of this fees policy.

RECOMMENDED that the Council notes the fees for 2024-25.

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

Councillor Smart welcomed the fact that the same service was being offered for a very moderate increase in price.

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

7. DESIGNATED PERSONS RECOMMENDATIONS

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that Members would recall that during the audit results presentation to Committee in January 2024, the Council's Designated Person, Kevin Baird made a number of recommendations in regard to management of the Council's harbours under the Port Marine Safety Code.

The purpose of the report was to update Members on how those recommendations would be addressed.

Recommendation 1: *"I would recommend that the letter of Compliance issued to the MCA on 1st Dec 2023 be published (online) alongside the MSMS & Consultation Info."*

Action to be taken: Officers would update the "Harbours" section of the Council website with the information.

Recommendation 2: *"I would recommend the Councils website relating to the harbours be updated to reflected recent changes and to include updated Notices to Mariners."*

Action to be taken: As per action 1 above, all relevant information would be updated on the Council website. However, Notices to Mariners typically comprised time-sensitive information, for example to advise mariners about navigational hazards. Therefore, officers did not deem the website as the most appropriate means to disseminate that information. Harbour staff currently used a text message system to alert all berth holders instantly of such matters. Printed versions were also placed on all harbour notice boards. In addition, the information was also distributed via

Bangor Marina's Facebook page (8.5k followers). The existing measures were thought to be sufficient.

Recommendation 3: "I would recommend that printed copies of the PMSC and Guide to Good Practice be issued to every member of this committee."

Action to be taken: The Port Marine Safety Code comprised 39 pages and the associated guide to good practice was 195 pages. Therefore, in the interests of reducing our use of paper, the relevant web link was provided below as part of the report.

[Port marine safety code - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Recommendation 4: "I would recommend that the Council publish a 3-year safety plan, stating safety objectives with suitable timelines to add to its relevance."

Action to be taken: Some activities were programmed over 5 years so it was thought that a 5 year plan was more appropriate. A draft 5-year plan was attached for Members' approval.

Recommendation 5: "I would recommend that that this committee be regularly briefed (every 6 months) by the HM or an appointed Council Officer on the higher ranked hazards and incident reports as a standing agenda item at committee meetings."

Action to be taken: A 6 month briefing had been included in the above safety plan and a template attached for approval.

Recommendation 6: "There is clear evidence of Stakeholder engagement with mooring holders and water users. It is worth considering establishing one or more forum/fora to ensure all stakeholders, including contractors, have been given an opportunity to comment on the safety of operations. These meetings to minuted/recorded."

Action to be taken: Officers proposed to set up a Marine Safety Stakeholder's group and hold a meeting every 6 months, or more regularly if subsequently deemed appropriate by the group.

RECOMMENDED that the Council approve and implement the above actions to address the recommendations noted by the Council's "Designated Person", Kevin Baird.

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

8. PRODUCER RESPONSIBILITY OBLIGATIONS (PACKAGING AND PACKAGING WASTE) REGULATIONS 2024

PREVIOUSLY CIRCULATED:- Report from the Director of Environment advising and updating Members on discussions which had taken place at a national level with regard to agreeing proposals across the four nations of the United Kingdom in respect of proposals/draft regulations for Extended Producer Responsibility (EPR) for packaging waste scheme.

To seek Member approval to recruit a shared waste specialist to deal with the implications of EPR, representing and assisting District Councils and NILGA on national forums with regard to policy development for EPR, a Deposit Return

Scheme (DRS) and Common Collections Guidance in consideration of meeting waste, circular economy and climate goals.

Background

'Producer responsibility' was a concept used widely within the waste regulation sector aimed at ensuring that businesses that manufactured, imported and sold products onto the open market were responsible for their end-of-life environmental impact.

The regulations required businesses to minimise waste arising from those products and promoted their reuse.

The current producer responsibility system for packaging had been in operation since 1997 however it had not covered the full costs of recovering/disposing of packaging waste.

DAERA launched a public consultation on packaging EPR in July 2023. The consultation was UK wide and ran until 9 October 2023. The purpose of the consultation was to test the clarity of the obligations created in the regulations and test their operability.

Following the consultation closure further discussions took place with all stakeholder organisations following which it was agreed to pause the process to allow for further and detailed engagement across all UK regions.

This engagement had developed into practical implementation, with local government being brought together with the packaging sector, as part of the whole collection and packaging value chain in a Steering Group to design a "Scheme Administrator" which would be responsible for delivery of the pEPR scheme from 2025.

The new UK pEPR scheme would move the cost of dealing with packaging waste away from the taxpayer and on to packaging producers, who would pay for the full cost of managing packaging waste from households. Through the fees they paid to Councils, producers would be incentivised to use less packaging, to use packaging that could be recycled, and to meet higher recycling targets.

Key Issues

Extended Producer Responsibility (EPR) would move the full cost of dealing with packaging waste from households away from local ratepayers and councils to the packaging producers (applying the Polluter Pays principle) giving producers responsibility for their packaging throughout its life cycle.

The scheme/regulations once finalised would encourage producers to reduce their use of packaging and use packaging that was easier to recycle. Producers would be required to pay more for less sustainable packaging, incentivizing producers that used less material and which was easier to recycle.

Producers would also be responsible for meeting ambitious new recycling targets

and to use clear recycling labelling to make it easier for consumers to do the right thing.

A national Steering Group was being established with representatives from local government across the UK invited to participate so as to ensure that the views and considerations of local authorities were fully reflected in the design and implementation of the finalised scheme.

In consideration of the above it was the considered view of SoLACE, Council Waste Forum (CWF) and NILGA that a dedicated resource be appointed to represent all of Northern Ireland's District Councils on this steering group, and related (preparatory) national meetings of local government.

Following discussions with SIB, they had agreed to recruit and manage this resource with the postholder working 2.5 days per week on EPR and related matters for the 11 district councils.

The postholder would report to and receive direction from a co-ordinating group of SoLACE (via CWF), SIB and NILGA on a regular basis.

Implications

The Regulations were consistent with the Council's commitment to reduce waste and to encourage greater recycling whilst delivering positive climate benefits. The extended EPR regulations played a part in the UK government's strategy in meeting net zero carbon emissions by 2050. The new EPR regime aimed to deliver a more circular economy and achieve a reduction in the environmental impact of packaging through its life cycle.

The impact of those regulations for Council would result in a net gain as producers made payments for the costs of managing household waste. That was thought to provide an estimated £1.2 billion of funding to local authorities across the United Kingdom each year for managing packaging waste easing pressures on Council's current tight budgets.

Councils were asked to provide funding to support the appointment of this resource for a minimum 2-year period with each authority contributing £5k per annum.

RECOMMENDED that the Council approves this approach and our participation in the funding of a shared waste specialist to represent all Northern Ireland Councils in the development and finalisation of the new EPR regime.

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

Councillor Rossiter reiterated some of the support for the initiative and thought it was timely. He referred to the deposit return scheme which had been introduced recently in the Republic of Ireland and the impact it was having on the levels of recycling. Having the initiative implemented in Northern Ireland would be good for waste collection statistics and would effectively provide a trickle down benefit with less

waste for the Council to collect. He believed that the 'polluter pays' principle was very important, and he welcomed the roll out and hoped that it would be successful.

(Councillor Kerr and Alderman Armstrong-Cotter entered the meeting at 7.10 pm)

Councillor Cathcart stated that Ards and North Down Borough Council had been looking at this for a long time and Members had been made aware that action needed to be taken at a higher level to have less waste produced in the first instance. He welcomed the extra funding which would be made available to Councils and on the advice of the Director those figures were expected later this year. He stressed that recycling paid and it was good to encourage it further.

The Director replied that it had come to the point of fruition where tangible benefits would be seen and Councils could help negotiate the final shape and format of the EPR regulations. He believed that it was certain that Councils who were performing better in terms of recycling would receive more funding and that would be a further incentive.

Councillor McKee welcomed the report and the changes coming forward and said that the Environment Committee and officers acting for this Committee had been vocal in lobbying to improve the environment and it was good to have in place a system for Northern Ireland as a whole and he hoped it would be fit for purpose for everything it needed to be.

Speaking as Chair of the Committee, Councillor Morgan asked the Director for timely reports on how this was progressing.

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

9. PROPOSED ADDITIONAL "DOGS ON LEAD" SIGNAGE FOR BANGOR SEAFRONT

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that in May of 2013 legacy North Down Borough Council exercised its power under the Clean Neighbourhoods and Environment Act (NI) 2011 to introduce the Dog on Leads (Promenades and Gardens) Order for 10 specific areas including Ballyholme Promenade and Bangor Seafront. Dog Control Orders replaced the previous system of byelaws for the control of dogs and the statutory procedure (including consultation) was followed at the time for the introduction of such Orders.

It was subsequently noted that an absence of signs to advise dog walkers, restricted the impact of this dog control order. In February 2023 the Council agreed to a trial of surface markings and signage at Ballyholme Promenade. The signage trial was aimed at encouraging better compliance with existing legal controls, and no decision was being sought from the Council about changes or extensions to such controls.

The area was the subject of monitoring prior to the display of new signage and reviewed one year later. Since introduction of the new signage, no complaints had been received concerning uncontrolled dogs on the promenade and whilst fouling still occurred sporadically, the level appeared to have reduced because of the greater supervision of dogs by dog walkers. The Council's Cleansing Section had confirmed that there was now no highlighted reason for concern about the fouling levels in the area.

Further inspections of Ballyholme Promenade had been carried out and full compliance at the time of patrolling had been noted, with all dogs in the area being walked on a lead.

Following the successful signage trial at Ballyholme Promenade, officers had inspected the Bangor seafront area with a view to providing signage at access points - to encourage compliance once again with the existing control order that applied to the area. The area between Pickie Breakwater and Eisenhower Pier was a popular mixed use/shared space, where unfortunately some dog walkers appeared not to be aware of the dogs on lead requirement and no appropriate signage existed.

It was estimated that some eleven signs would be needed immediately with some required to be held in reserve. The estimated cost of erecting 15 x A2 Aluminium signs was £1,542. That could be facilitated from the existing budget.

RECOMMENDED that the Council expands the provision of 'dogs on lead' signage as outlined in this report.

Proposed by Councillor Harbinson, seconded by Alderman Cummings, that the recommendation be adopted.

Councillor Harbinson was pleased to see the report in respect of Ballyholme and it was clear that the signage and ground markings were working well and would help residents and visitors to understand the requirements when visiting with their dogs.

Alderman Cummings believed that the direction being taken would be reasonable to most dog owners. He asked about extended leads which were often problematic when dog owners had limited control over their animal, and it was noted that those types of leads would be prohibited.

Councillor McKee agreed with the direction the Council was taking at that location and he had been contacted by a runner who described the negative contact with dogs while in open spaces. The Member and the runner both loved dogs but recognised that something needed to be done and it was good that the action being taken was having a positive effect. He added that this was a new system, and it could not be assumed that the average resident would know immediately how and where to comply with the legislation.

It was noted that at Ballyholme there were ground markings to show the enforcement area and Councillor McKee enquired if Bangor seafront would have footpath markings as well as signage on posts. The Head of Regulatory Services

(Temporary) informed the Member that that was dictated by the surface finishes and although it would be possible to do that it was felt that it would be inappropriate. The Director added that the situation in that area would be monitored and reviewed and changes could be made where thought necessary.

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

10. Q1 LICENSING SERVICE ACTIVITY REPORT (APRIL – JUNE 2023)

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that the information provided in the report covered, unless otherwise stated, the period from **1 April to 30 June 2023**. 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 April – June 23	Same quarter last year April – June 22
Entertainment Licence	40	6
Cinema Licence	0	0
Amusement Permits	1	1
Marriage and Civil Partnership Place Approval	2	6
Pavement Café Licence	23	3
Street Trading Licence	0	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

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

	Period of Report April – June 23	Same quarter last year April – June 22
Entertainment Licence	24	4
Cinema Licence	0	0
Amusement Permits	0	0
Marriage and Civil Partnership Place Approval	5	7
Pavement Café Licence	10	1
Street Trading Licence	2	0
Lottery Permits	0	1

Inspections

The service 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, Council officers inspected with officers from the NIFRS.

During performance inspections were an important element in ensuring the licensees were abiding by their licence terms and conditions and that they were safe for patrons.

	Period of Report April – June 23	Same quarter last year April – June 22
Initial/ renewal Entertainment Licence Inspections	24	4
During performance Inspections	52	17
Initial Inspections of Street Cafes	23	3
Initial Inspections of Places of Marriage and Civil part.	1	0
High Hedges Site Investigations	1	1

The Service had an annual planned programme of 'during performance inspections' which concentrated on the higher risk premises such as night clubs through the year.

CCTV Management

The following table provided a breakdown of incidents captured on town centre CCTV during the 6-month period, 1 January 2023 to 30 June 2023.

Date	Time	Incident	Action
13.01.23	11.20	Road Traffic Accident High Street, Hollywood	CCTV footage provided to driver
23.01.23	11.55	Road Traffic accident High Street, Hollywood	CCTV footage provided to PSNI
12.01.23	23:25	Altercation between two individuals in High Street Bangor	No request from PSNI
21.01.23	21:45	Accidental injury to pedestrian - High Street Bangor	Contacted Safe Zone who gave her First Aid
02.02.23	22:50	Altercation between two individuals at Taxi Rank Abbey Street, Bangor	No request from PSNI
11.02.23	11.45	Altercation between two individuals - Main Street, Bangor	No request from PSNI
17.02.23	21:20	Altercation between two individuals – High St, Bangor	No PSNI request
12.03.23	2:10	Altercation between three individuals at Taxi Rank Bridge Street, Bangor	No PSNI request
26.03.23	00:40	Altercation between group of individuals - High Street, Bangor	No PSNI request
12.04.23	14.45	Altercation between two individuals - High Street, Bangor	No PSNI request
08.06.23	21.20	Altercation between two individuals - Main Street, Bangor	No PSNI request
09.06.23	01.10	Assault High Street, Bangor	Footage provided to PSNI
09.06.23	15.20	Assault Main Street, Bangor	Footage provided to PSNI
16.06.23	11.50	Bicycle incident - Bridge Street, Bangor	No PSNI request
17.06.23	01.45	Altercation between two individuals - High Street, Bangor	No PSNI request

In line with agreed protocol, minor altercations were not proactively reported or CCTV footage provided to PSNI, unless a police complaint was made and/or PSNI

requested the information. More serious incidents (eg. ongoing significant issue, altercation involving injury etc.) were proactively reported to the PSNI. The PSNI could access CCTV footage of any incident/timeframe/location upon request.

Off Street-Car Parking

The Council currently operated 22 pay and display car parks in Bangor, Holywood and Newtownards. Ticket sales and usage had not returned yet to pre-Covid levels.

Table 1: Income from Ticket Sales

	Period of Report	Previous year
Income from ticket sales	£192,784	£154,671

Table 2: PCN's Issued

	Period of Report	Same quarter previous year
Bangor	227	341
Holywood	300	264
Newtownards	360	449
Total	937	1054

RECOMMENDED that the Council notes the report.

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

Councillor Wray referred to the CCTV systems and questioned the thresholds for cases to be reported to the PSNI and if the images were fit for purpose. In response the Director explained that there was a Protocol with the PSNI if officers noted an altercation. If there was no apparent or significant injury the information would not be passed on but, for a more serious altercation, where it looked like a crime was being committed, the information would be proactively sent to the Police. PSNI procedures, along with time and privacy matters, would not permit the reporting back to the Council on any detail that followed from the supply of the images.

Councillor Wray was aware of some cases where the quality of the images recorded by the CCTV system were not of good quality and it was his opinion that the system was not fit for purpose and he asked that his views be recorded.

Councillor Cathcart asked about investigations on high hedges and mentioned that no feedback on the legislation had been given along with how useful it had been. It was explained that the legislation was at times lacking in some detail and was not easy to use. The Member asked for a report on how that legislation was used within the Borough and the Director agreed to provide it indicating that it was one of

these delegated powers, dealt with by environment health, that was done routinely. He explained that the complainant needed to show that they had engaged with the neighbour in the first instance and to make a payment to the Council to investigate and that would be refunded if the complaint was upheld. It was clunky legislation which at times was difficult to use.

Following that Councillor Edmund asked the Director if the report could include the number of refunds given and he expressed concern that cost could discourage people from making contact with the Council for what could be a genuine grievance.

Referring back to the CCTV systems Councillor Blaney was unaware if the images were good enough quality but if they were not, it seemed foolish for the Council to continue to pay so he thought advice should be sought. He thought it could come back to 'bite' the Council if pictures could not solve crimes.

The Director explained that the system was examined under a review made a few years previously and while the images were not useless it was significantly impaired in its value. It was hoped that through prudent management of resources it could be reconsidered and Councillor Blaney believed that that should be a key priority so that the public could have confidence in it.

The Chair echoed the comments of Councillor Blaney and hoped that the system could be reviewed as soon as possible.

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

11. NORTHERN IRELAND LOCAL AUTHORITY MUNICIPAL WASTE MANAGEMENT STATISTICS, Q2JULY TO SEPTEMBER 2023

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that the official waste management statistics for the second quarter of 2023/2024 (July to September 2023) had been released by the Northern Ireland Environment Agency.

The aim of this report was to:

1. Report key quarterly waste management performance statistics relative to the new baseline year of 2021-22, and
2. Provide some detail around operational waste service management activities/actions that had been implemented during the quarter with the aim of improving performance.

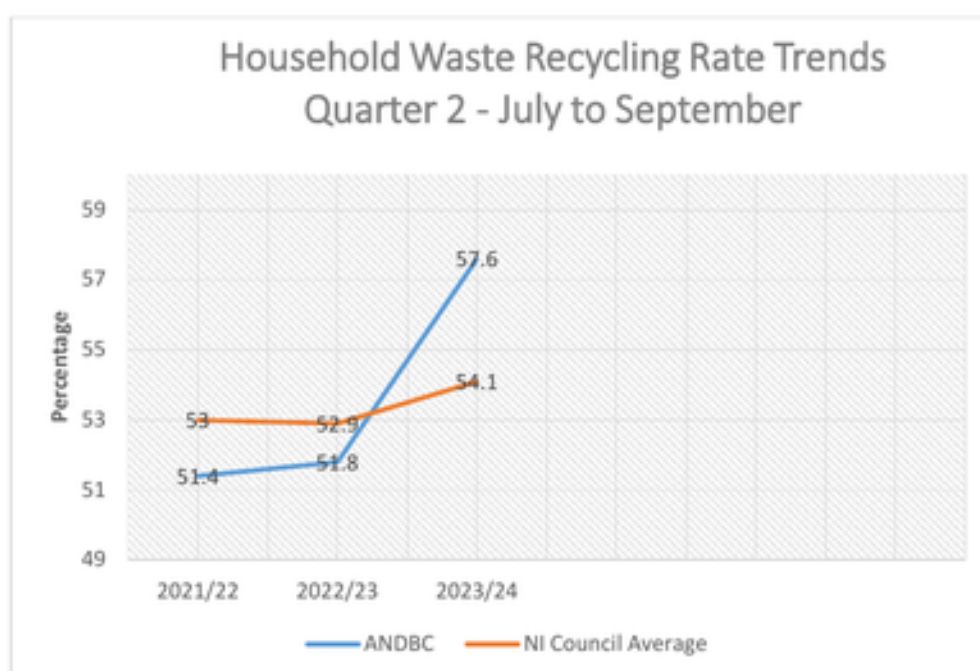
In summary, all key indicators had been positive for this reporting period relative to the comparator 2021-22 baseline year. The Council had experienced a decrease in its total municipal waste arisings and falls in both total waste and landfill waste received at HRCs and kerbside. The landfill disposal cost saving for the quarter, relative to the same period during the 2021-22 baseline year, equated to almost

£277k at the current landfill gate fee and tax rate. The Council's recycling rates both at HRCs and kerbside had increased, and overall Borough household waste recycling rate increased by 6.2% against the same quarter in the 2021-22 baseline reporting year - compared to a NI Council average increase of just 1.1%.

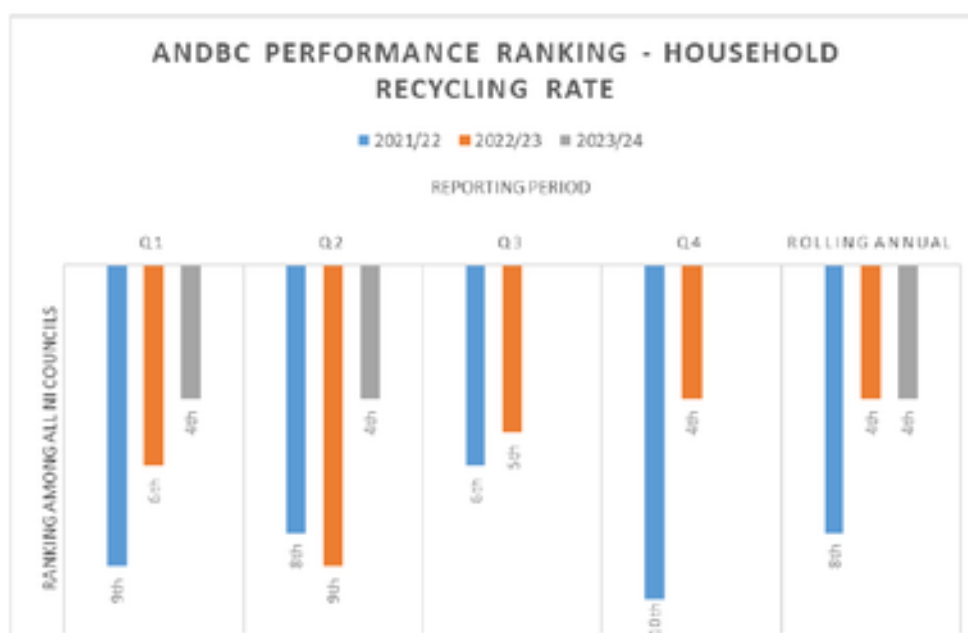
Northern Ireland Local Authority Collected Municipal Waste Management Statistics – July to September 2023

The significant headlines contained within the latest DAERA report showed that:

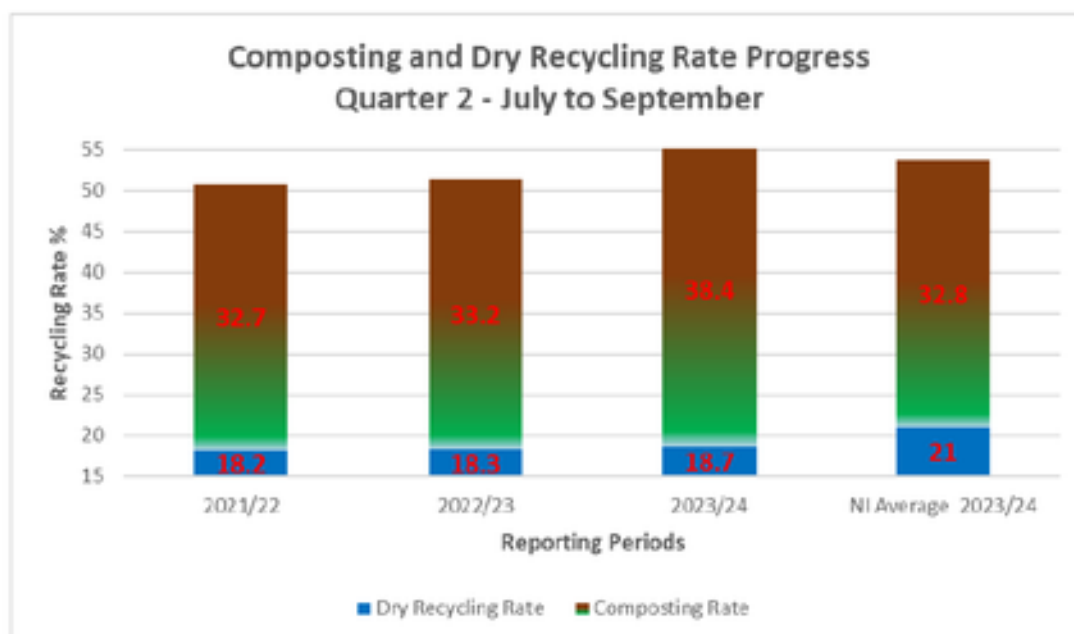
- i. Household waste recycling rate **increased** by 5.8% compared to Q2 last year, from 51.8% to 57.6%.



- ii. Household waste recycling rate of 57.6%, was 3.5% **higher** than the NI average of 54.1%.
- iii. The Council was ranked **fourth** out of the eleven NI Councils for our household waste recycling rate.



- iv. The Council's household waste composting rate **rose** significantly by 5.2% - from 33.2% to 38.4%. Our household waste dry recycling rate **rose** marginally by 0.4% - from 18.3% 18.7%.
- v. The Council's household waste composting rate of 38.4% was 5.6% **higher** than the NI average of 32.8%.
- vi. The Council's household waste dry recycling rate (ie. recycling of items other than organic food and garden waste) of 18.7% was 2.3% **lower** than the NI average of 21%.

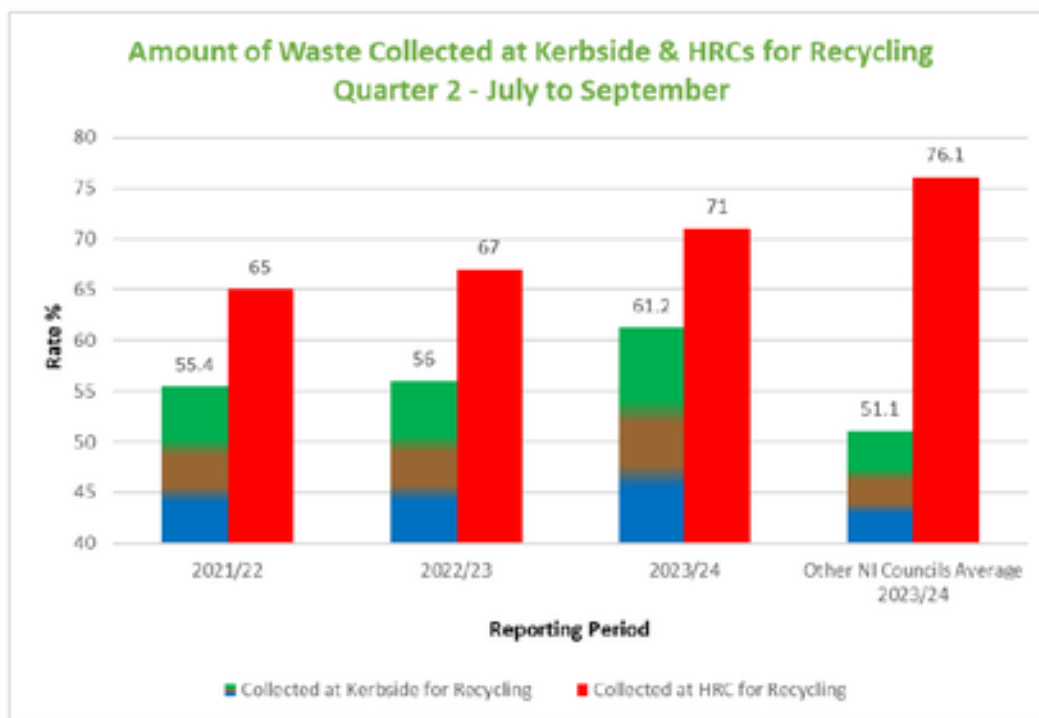


- vii. The Council's kerbside recycling capture rate of 80.1% for household compostable waste materials compared to a NI Council average of 72.6%.

- viii. The Council's **lowest** kerbside capture rate for recyclable materials was for mixed plastics, at 21.6%.

Recyclable Material	Kerbside Capture Rate for Recycling %	NI Average Kerbside Capture Rate for Recycling %
Glass	55	48.5
Paper & Card	58	52.2
Mixed Metals	35	30.6
Mixed Plastics	21.6	21.5
Organic/Compostables	80.1	72.6

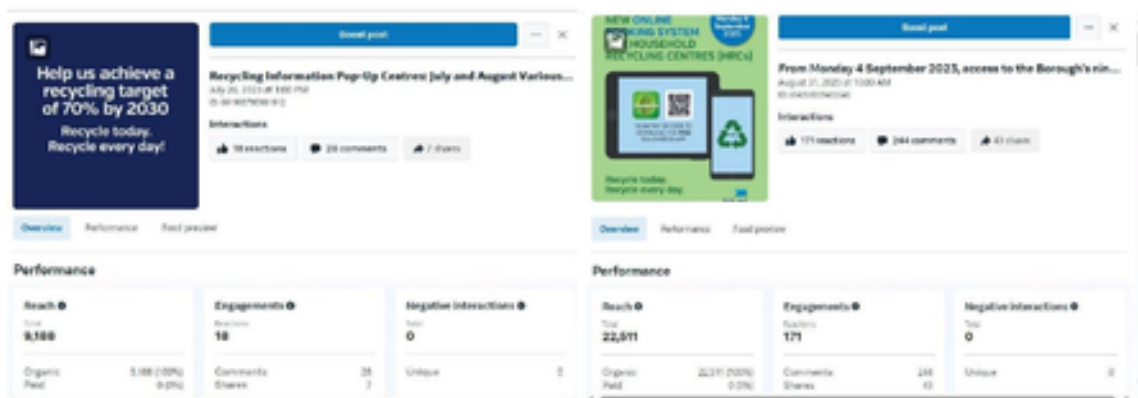
- ix. The Council was still at the **bottom** end of the performance table for 'dry' recycling rate, ranking ninth out of eleven Councils.
- x. The Council received 17.4% **more** waste per capita at its HRCs compared to the average for other NI Councils, although that was significantly **down** from the 38% differential experienced during the same period the previous year.
- xi. The amount of waste collected at the HRC sites for recycling was **less** than the average for other Councils – 71%, compared to an average rate of 76.1% for other Councils.
- xii. The Council collected 3% **more** waste per capita from homes through its kerbside bin collection services compared to the average for other Councils.
- xiii. The amount of waste collected for recycling through the kerbside bin collection system was significantly **higher** than the average for other Councils – 61.2%, compared to an average of 51.1% for other Councils.



Operational Performance Improvement Measures

Marketing and Communications Indicators

MC1 – 43 social media posts were issued, with associated engagement/management of feedback across Waste and Recycling on ANDBC corporate channels.



MC2 - 55 articles were published in print press and online (including 4 Bin-ovation news and info articles and 7 Bin-ovation push notifications).

MC3 – 14 community engagement and education events were delivered.

- 2 Recycling Educational Presentations
- 11 Drop-In Sessions
- 1 Event Attended (over 260 attendees)

Household Recycling Centre Indicators

HRC1 – Volume of blue bin recyclable materials separated from mixed waste by residents on-site: 604,600 litres.



That equated to approximately 25 tonnes of blue bin waste; whilst that was a relatively modest weight of material, it represents a very large/visible volume of recyclable waste extracted from bags of mixed waste which was initially intended to be placed in landfill skips at HRCs. A collateral benefit of that practice of requiring removal of blue bin recyclables from black bags of mixed waste before using the landfill skip was that it should help to 'educate' householders - promoting more efficient separation of waste in the home and greater use of blue bins at the kerbside.

That represented just one type of recyclable waste category which was prevented from entering landfill skips at HRCs as a consequence of more focused attention to supervision of landfill skip access; many other recyclable waste types would also have been prevented from entering the landfill skips as reflected in KPI, HRC3.

HRC2 – Number of visitors turned away from site: 262

That was a significant number in itself, but it was likely to be the case that a significant number of out of Borough residents would have avoided coming to the Council's sites because of the widely publicised focus upon checking ID for everyone entering and those turned away would, in all probability, avoid further attempts to enter and use the HRCs; the impact of that would also be reflected in HRC3 and other KPIs.

HRC2a (new indicator) – Number of HRC bookings: 22,199

HRC2b (new indicator) – Average number of HRC visits per household: 0.3 (averaged across the 71,079 households in the Borough)



15:16

Ards and North Down
Borough Council

Book a visit to the Household Waste Recycling Centre

Your details

E-mail address

Enter your e-mail address

I am a blue badge holder and require assistance during my visit

Is this a residential or charity booking?

(Please select)

Your address

Enter postcode... Search

HRC3 – % change in tonnage of total waste received (compared to same period in baseline year 2021-22)

- The Council experienced a **19% decrease** in the total amount of waste received at its HRCs, from 8602T to 6995T.

HRC4 - % change in tonnage of waste received for landfill (compared to the same period in baseline year 2021-22)

- The Council experienced a **32% decrease** in the amount of waste received for landfill at its HRCs, down from 2998T to 2035T.

HRC5 - % change in tonnage of waste received for recycling (compared to same period in baseline year 2021-22)

- The Council experienced an **11% decrease** in the amount of waste received for recycling at its HRCs, down from 5604T to 4960T.

HRC6 - % change in proportion of HRC waste materials collected for recycling (compared to same period in baseline year 2021-22)

- The Council experienced a **6% increase** in the proportion of all waste received at HRCs which was collected for recycling, up from 65% to 71%.

Kerbside Household Waste Collections Indicators



KSI – Number of recycling alert stickers applied to grey bins (yellow): 2714
KS2 – Number of recycling alert stickers applied to grey bins (amber): 226
KS3 – Number of recycling alert stickers applied to grey bins (red): 92
KS4 – % change in tonnage of total waste collected (compared to same period in baseline year 2021-22)

- The Council experienced a **5% decrease** in the total amount collected at the kerbside, down from 15,596T to 14,812T.

KS5 - % change in tonnage of grey bin waste collected for landfill (compared to same period in baseline year 2021-22)

- The Council experienced a **17.4% decrease** in the amount of grey bin waste collected, down from 6956T to 5747T.

KS6 - % change in tonnage of waste collected at kerbside for recycling (compared to same period in baseline year 2021-22)

- The Council experienced a **4.9% increase** in the amount of waste collected at the kerbside for recycling, up from 8640T to 9065T.

KS7 – % change in proportion of kerbside waste materials collected for recycling (compared to same period in baseline year 2021-22)

- The Council experienced a **5.2% increase** in the proportion of kerbside waste that was collected for recycling, up from 56% to 61.2%.

Summary and Trend Analysis of Indicators

Indicator Reference	Monitoring Period 1 (December 2022 – March 2023*) *Waste tonnage indicators reflect period January to March 2023 only	Monitoring Period 2 (April 2023 – June 2023)	Monitoring Period 3 (July 2023 – Sept 2023)
MC1 Social media posts	25	23	43
MC2 Print press and online articles	10	13	55
MC3	17	29	14

Engagement events/sessions			
HRC1 Blue bin waste	1,322K Litres	762,460 Litres	604,600 Litres
HRC2 Visitors denied entry	1742	397	262
HRC2a No. of bookings	N/A	N/A	22,199
HRC2b Average number of HRC visits per household in the Borough	N/A	N/A	0.3
HRC3 Total HRC waste compared to same period 2021/22	16% Decrease	26% Decrease	19% Decrease
HRC4 Landfill skip waste compared to same period 2021/22	27% Decrease	42% Decrease	32% Decrease
HRC5 Recycling skip waste compared to same period 2021/22	8% Decrease	15% Decrease	11% Decrease
HRC6 Proportion of HRC waste collected for recycling compared to same period 2021/22	5.5% Increase	9.1% Increase	6% Increase
KS1 Yellow warning stickers on grey bins	2784	6079	2714
KS2 Amber warning stickers on grey bins	255	414	226
KS3 Red warning stickers on grey bins	52	179	92
KS4 Total kerbside waste compared to 2021/22	4.8% Increase	0% No Change	5% Decrease
KS5 Grey bin waste compared to 2021/22	9.3% Decrease	16.5% Decrease	17.4% Decrease
KS6 Kerbside waste collected for recycling compared to same period 2021/22	20.7% Increase	13% Decrease	4.9% Increase
KS7 Proportion of kerbside waste collected for recycling compared to same period 2021/22	7.2% Increase	7% Increase	5.2% Increase

Summary Analysis of Indicators

The report showed a very encouraging picture, and generally conveyed continued reversal of the downward trend that the Council had experienced in its sustainable

waste resource management performance over the past couple of years. Following the changes to the waste service model design and the associated education and engagement campaigns, the Council was experiencing sustained and further improving falls in the amount of landfilled waste as well as improvements in its recycling rates. During the reporting period, the Council experienced:

1. Sustained falls in the total amount of landfill waste both at HRCs and kerbside. In total, it received/collected 2,691 tonnes less of landfill waste at kerbside and HRCs over the 3-month reporting period compared to the same period in the baseline year of 2021/22; at current landfill cost (£127.42/T), **that represented a £276,756 landfill saving.**
2. Falls in the total amount of waste collected at both HRCs and kerbside. In total municipal waste arisings **fell by 7.2%.**
3. A significant further rise in the recycling rate at HRCs. The percentage of materials collected for recycling at HRCs rose by 6% compared to the same period in the baseline year of 2021/22. **The overall Borough household waste recycling rate rose by 5.8% compared to the same period in 2021/22.**

Whilst the indicators set out in the report were very encouraging indeed and reflected a lot of hard work and dedication on the part of the waste and recycling teams, the Council undoubtedly had much further progress to make if it was to have any chance of ultimately reaching the 70% recycling target for 2030 that was laid down in the Climate Change Act (Northern Ireland) 2022. Continued bedding in and ongoing careful management of the new booking system for HRC access, the planned review of the kerbside collections model and a strategic review of HRC capital assets, would be critical.

It was important to reiterate that 'step change', sustained improvements in both the HRC and kerbside recycling rates would be required to move towards the new 70% target.

RECOMMENDED that the Council notes the report.

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

Councillor Harbinson was pleased that generally the results were good, showing big decreases where they were needed and while it was early days following some major changes to the system, he was happy to note the report and looked forward to the next one.

Councillor McKee also welcomed the progress that had been made and raised a matter with regard to recycling alert stickers which were being discussed on social media. It was important that bins were checked to ensure as much compliance as possible at the kerbside but he hoped that those who had recycled wrongly would be given information which helped them not to repeat that because often people were simply unaware of where they were going wrong.

The Director explained the alert sticker system stating that the sticker was a generic one and he thanked collection crews, often working in cold and unpleasant conditions, who helped to implement the system for the Council. Where stickers were put on bins a record was made in the cab of the vehicle and that was fed back to recycling officers who in turn generated a letter to the householder which had more information. Following that, if ambiguity existed, the resident could email or phone and officers would make contact with follow up information.

Councillor Cathcart welcomed the improvements being shown in the figures and he hoped that the rewards would be translated to the householders to provide further encouragement. He questioned the figures and asked why 2020/21 was being used as a baseline year. The Director explained that had been chosen as the reset year since up to that date the Council's waste services were on a positive trajectory and had declined since. Figures following the implementation of the booking systems were also shown so the picture provided was a full analysis of progress.

In terms of wider savings Councillor Cathcart asked when the Committee would receive a report on staffing at the recycling sites. In response the Director said it had been agreed that a significantly lower number of manpower hours would be needed going forward since the system was now bedded in.

Referring to vehicle types it was confirmed that where it was clear that a vehicle had been adapted for use by someone with a disability or where a business vehicle was clearly being used privately by an individual householder there would be no issues raised by staff at household recycling centres.

Councillor Douglas thanked officers for the comprehensive report and the encouraging results. She had been contacted on three occasions the previous week about fly tipping in the Comber area and wondered if that was something that the Council needed to be concerned about and if the figures were rising elsewhere.

The Director confirmed that the figures of fly tipping had been closely monitored following the implementation of the Council's booking system and no correlation was being shown at all between the two around the Borough.

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

12. REMOVAL OF CARCASSES FROM FORESHORE

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that in January 2024 the Council agreed a Notice of Motion stating;

"That this Council notes the continuing issue of dead seals washed up on our beaches and coastline and the negative impact that this has on the use of beaches when the carcasses are not picked up in a timely manner. It therefore tasks officers to bring forward a report to ensure seal carcasses are prioritised for removal as soon as possible after reporting to ensure that our beaches continue to be a clean, safe, and well-managed coastal environment to be enjoyed by everyone."

During the discussion reference was made that the response times for removal had recently deteriorated and there was a specific focus upon a recent service response which had allegedly taken 14 days.

Service Response Statistics

The following statistics had been obtained from our job monitoring system:

Year	No. of Carcasses Lifted	Average Response time for removal (days)
2016	7	2
2017	6	2
2018	11	1
2019	22	3
2020	17	3
2021	22	2
2022	14	2
2023	10	3

The figures above indicated that there had been no considerable change in response times, although 2023 response times were in the slower end of average range.

Given the comments and concerns raised during the NOM debate with regard to a specific incident in Portavogie, where it was alleged that it took two weeks to remove a seal carcass, officers investigated this incident, and a timeline was noted below.

Thu 23 Nov 14:20	Cllr Wray reported dead seal at Ratallagh to the Cleansing and Parks Services
Sat 25 Nov 08:00	Cllr Wray emailed Assets and Property Services (A&PS) about the seal
Sun 26 Nov 13:01	Cleansing Service forwarded original email to A&PS
Mon 27 Nov 10:31	A&PS responded to Cllr Wray seeking exact location
Mon 27 Nov 12:21	Cllr Wray sent images to identify location
Mon 27 Nov 14:12	A&PS advised the job had been issued to the contractor and may take a few days to action.
Tues 28 Nov 16:22	Cllr Wray advised seal still there
Tues 28 Nov 16:25	A&PS responded to Cllr Wray to advise contractors currently had high workload and would action as soon as possible.
Tues 28 Nov 16:30	Cllr Adair emailed A&PS & CE to ask if seal could be removed, stating it was reported previously
Wed 29 Nov	Job complete

The above timeline confirmed that the seal was first reported on 23 November, but it was not until 27 November that the appropriate department (Assets and Property Services) was provided with details in relation to the specific location.

The seal was lifted on 29 November, giving a 2-day response time from the date on which A&PS received specific location information. Furthermore, it was apparent that the time from initial receipt of any notification of that specific service request by Council (initially Cleansing and Parks) to the removal of the seal, was 6 days - rather than the 14 days referred to during the debate on the Notice of Motion. The response period was longer than the average - largely due to the service request initially being received by services other than the A&PS which managed the carcass removal service with the contractor, and a delay in receipt of detailed location information that could then be passed on to the contractor.

Factors Affecting Removal of Carcasses

Response times varied for a number of reasons.

1. **Reporting.** Quite often the carcasses were not reported to the correct department or were sent to one person who may be off on leave or was unavailable, slowing response time.
2. **Workload.** Carcasses were removed by the Council's general works contractors who were typically working on various civil works projects throughout the Borough on most days. It was considered unfeasible to ask the contractor to pack up their equipment, make safe and secure the site and travel to remove a carcass immediately upon receipt of the service request. To do that would add significant time and cost to ongoing projects. Officers therefore typically asked the contractor to deal with the carcass the next day or as soon as possible when they were expected to be in the area. The table above suggested that approach normally resulted in a timely response.
3. **Other Agencies.** When feasible, the Department for Agriculture, Environment and Rural Affairs (DAERA) may need to examine the recently deceased carcasses of seal pups or small cetaceans for signs of disease, so may need to be consulted before removal. Whilst DAERA requested that carcasses were reported to directly to them, that could potentially add time to their removal as DAERA officers would need to visit the site, assess the carcass and then notify Council for removal. If the request came to officers in the first instance, the Council could notify DAERA if necessary.
4. **Access.** Quite often carcasses were washed up on rocky outcrops, making access difficult and removal of large carcasses practically impossible. DAERA's advice was not to remove those more inaccessible carcasses, noting that they formed part of a natural eco-system and were often washed back out to sea, providing food for marine scavengers.

Next Steps

Officers noted Members' desire for a timely carcass removal service, but that must be balanced against limited resources and competing priorities. Officers noted the slight dip in response time in 2023 and would endeavour to rectify that, ensuring those requests were prioritised so far as was practicable. In order to make removals as swift as possible, Members were encouraged to:

- Use the following email address to report the request:
apsadmin@ardsandnorthdown.gov.uk;

- Enter an appropriate subject line on the email. Emails without a subject line cannot be grouped/identified as readily, making delayed response more likely;
- Include as much detailed location information and photos/maps as possible.

RECOMMENDED that the Council note this report.

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

Councillor Boyle remembered this Motion being brought to the Committee and at the time had wondered if the Council could do better. The recommendation on the report brought before the Committee was to note but there had been some startling facts outlined within it which he believed should be raised. He thought that the report should be a lesson to Members that they were in place to work with officers having a common denominator of providing a service to residents of the Borough.

When the Motion was brought at first it had been stated that the Council had taken two weeks to remove a dead seal from a beach and that was shown to simply not be the case. The report had shown that Councillor Wray had actively tried to progress the matter followed by Alderman Adair, it had not been reported through the proper channels, but had it been it would have been dealt with promptly and even in the case outlined it was not two weeks but rather six days before the dead seal was collected.

The media had ripped apart the Council and its officers for being slow to respond when that had not been the case and he hoped that those who had been so quick to criticise would now step in to rectify the misinformation.

Councillor Cathcart said he was disappointed with Councillor Boyle's response urging him not to attack a Member who had raised what he considered to be a genuine concern. It was not intended to 'have a go' at officers the procedure was complicated because it fell between the work of two Council Directorates, and he welcomed the clarity for the future that had been laid out in the report.

Councillor Wray thought that it was important that Members were fair and careful with their language and accepted that everyone made mistakes at times but the reporting procedure had been outlined for future reference. He had supported the Motion because he considered that every dead animal should be collected within two to three days due to the dangers posed to other animals and humans.

(Councillor Blaney left the meeting at 8.00 pm)

Councillor McAlpine reported that Alderman Adair had accepted an amendment to his Motion to include all mammal carcasses and the Head of Property and Assets confirmed that those were collected in the same way as seals and no differentiation was made.

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

13. NOTICES OF MOTION

13.1 Notice of Motion submitted by Councillor McKee, and Councillor Kendall

This Council notes the importance of outdoor lighting on Council land and buildings for public safety, security, and tourism. Moreover, it acknowledges the benefits of energy efficient lighting in the Council's decarbonisation journey and the financial savings that are realised.

However, this Council also notes the negative consequences artificial lighting has on our wildlife despite the importance and benefits outdoor lighting can bring. As a Borough committed to improving biodiversity, this Council will ensure that all future installation or retrofitting of outdoor lighting is nature friendly and take cognisance of our obligations for protection of priority species in the Local Biodiversity Action Plan. Furthermore, that the Council's current outdoor LED lighting is assessed for the potential for retrofitting.

Councillor McKee began by making a small amendment to his Notice of Motion as outlined below in the second paragraph.

"This Council notes the importance of outdoor lighting on Council land and buildings for public safety, security, and tourism. Moreover, it acknowledges the benefits of energy efficient lighting in the Council's decarbonisation journey and the financial savings that are realised.

However, despite the importance and benefits outdoor lighting can bring, there can be negative consequences for wildlife. Officers are tasked with ensuring that all future installation or retrofitting of outdoor lighting is nature friendly and take cognisance of our obligations for protection of priority species in the Local Biodiversity Action Plan. Furthermore, that current outdoor LED lighting is assessed for the potential impact on wildlife and suitable adaptations are made where possible".

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

Councillor McKee thanked the Committee for hearing his Motion and stated that as custodians of public spaces and a provider of community facilities the Council had an obligation to ensure that public safety, security and crime prevention were considered in the management of lighting in outdoor spaces. The Council also must ensure that it supported local hospitality, the arts and retail businesses in ensuring people were kept safe when they were spending time outside in times of darkness.

With increases to energy costs affecting the Council and with the technological advances in lighting, it was right that the benefits achieved by retrofitting lighting should be realised and he said that officers were doing a great job in providing outdoor lighting to support the Council's functions and their drive to make finances stretch further and be more sustainable were welcomed.

However, he thought that one aspect was missing and that was the question of how outdoor artificial lighting affected nature. In the Biodiversity Crisis facing the planet, according to recent figures, compiled in the Living Planet Index, a metric developed by WWF and the Zoological Society of London, wildlife populations had plunged by an average of 69% between 1970 and 2018.

Although there was a massive list of causations for the Biodiversity Crisis, one well researched and clear threat to nature came from outdoor artificial lighting. A 2009 paper estimated that 100 billion insects died in Germany each year as a direct result of attraction to artificial light sources. That indicated that light pollution may be a driver of the "catastrophic insect population collapse" observed over the last two decades and some estimates predicted up to 40% of insects would go extinct within the next decades.

That mass extinction had knock on effects for birds, mammals and so many other species including humans, whose interdependency relied on insects and whose numbers were decreasing year on year.

He went on to say that in years gone by it would have been commonplace after long journeys, to have to clean windscreens to maintain visibility, due to all the unfortunate insects who would have perished on the front of vehicles and he doubted many motorists were finding that anymore due to the dwindling number of insects that were in the environment.

One priority species that deserved focus were bats, whose success was so dependent on abundance of insects and could be directly impacted by lighting that was not nature friendly. He reported that he had been fortunate enough to see bats flying around Bangor Castle in the last couple of months and that had been a real pleasure and a delight to see them in an urban location. Unfortunately, some outdoor lighting had a detrimental effect on bats' ability to forage and without food their numbers were now under threat. Some species of bat were especially negatively impacted by the introduction of LED lighting.

LED lighting mostly emitted light in the blue part of the light spectrum. That had been found to be bad for wildlife and there was a big focus on how those lights affected humans too more people used more LED screens. People were seeing the negative effects they could have on sleep patterns as a result.

The reason he and his colleague, Councillor Kendall, had brought this Motion was that in a time when the Council was rightly focussed on greater efficiency to help lower the Council's CO2 emissions and seeking to cut costs of the energy needed to provide lighting, they believed that the opportunity to make Council outdoor lighting nature friendly must not be lost.

It was not envisaged that budget increases and lavish spending was required to make a big difference, the fundamental thing that must be done was to ensure assessments were made when retrofitting and making fresh installations of outdoor lighting.

There were already great industry standard guidance and case studies that could help inform the Council's lighting choices and help to make a real positive change for nature. The Motion sought to give officers the direction of the Council that this must be part of the focus moving forward and not something to have thought of after changes to lighting were made.

The Borough had so many residents who valued nature and wanted to see the Council doing all it could to adjust what could be done for the benefit of the planet. He finished by saying he hoped all Members of the Committee would be able to support the Motion.

Councillor Kendall said that there was a clear commitment from the Members and Council as a whole to improve the Borough's biodiversity and make positive changes for the planet and she hoped the Motion would receive support.

She outlined two examples that showed how huge, positive impacts upon biodiversity could be made, when working with the community and thinking about, and making basic changes to lighting. Those were the Comber Greenway and Albert Bridge in East Belfast.

Last year, after the completion of a public consultation the Department for Infrastructure installed artificial lighting on the Comber Greenway for the first time. It was clear from consultation responses that residents, environmentalists, and NGOs were concerned about the potential damage that could be caused by artificial lighting on the Greenway – it was an important nature corridor, used by so many species for nesting, foraging and navigating the urban and countryside landscapes. The Department listened, and used a design that utilised a red-light spectrum to minimise disturbance to bat colonies, while back louvres on the light heads and shorter columns minimised light spill into the hedgerows to shield wildlife and diminish light pollution into adjoining properties.

She remembered enjoying a bus journey home from Belfast over the Albert Bridge and watching the starling murmurations. As a result of new public realm works in that area, including the installation of new lighting under the Albert Bridge, there was a sharp decline in starlings in the area and the famous murmurations almost disappeared. However, following successful lobbying from environmentalists and the local community, the Department installed mitigations to minimise the impact of the new lighting. That had resulted in hundreds of starlings returning to roost and the return of the spectacular amazing murmurations.

She stressed that much could be done to ensure that outdoor lighting met the social needs of people, saved money, and was nature friendly including;

- Carefully assessing the need for new installations of lighting
- Minimising the number of lights installed could cut costs and help darkness remain where lighting was not required.
- Timers and sensors which triggered lighting to be activated, only when people were present, and facilities were occupied.

All of those could cut the costs of installation, energy and benefit to wildlife.

As has been used successfully by the Department, red spectrum lighting, louvers and filters could be used to prevent damaging ultraviolet or blue spectrum light. Those steps were simple but necessary mitigations to prevent negative consequences for wildlife.

Excessive, misdirected, and intrusive use of light impacted plants and animals, including humans, who all relied on natural light cycles, to regulate life-sustaining behaviours like reproduction, nourishment and sleep. The Council's Local Biodiversity Action Plan, clearly set out the responsibility to Protect, Manage, Enhance, restore and to raise awareness of the importance of Biodiversity. The outcomes from the Motion had the potential to do all those things.

To quote Chad Moore, formerly of the US National Park Service, "When we add light to the environment, it has the potential to disrupt habitat, just like running a bulldozer over the landscape can".

So much of nature that enriched human life and was fundamental for the survival of the human race, could be negatively impacted by outdoor artificial lighting. Although the Council was not responsible for all of the lighting in the Borough, it could enhance its own, and through making those changes, could inspire other landowners to take the issue seriously.

Councillor Rossiter was happy to support the Motion and paid tribute to the ecologist, Conor McKinney, who had done a lot of work in Belfast looking at how lights were designed and placed. He asked about the impact of the Motion to the Council and officers were unaware of any projects in the immediate pipeline that would be affected by this.

Councillor Cathcart also welcomed the Notice of Motion and referred to the obligations the Council had under the Biodiversity Action Plan along with balance of public safety. Appropriate lighting could make a major financial saving to the Council along with retrofitting and he looked forward to the Council exploring the matter further.

Councillor Smart thanked Members for the Motion and the proposal struck the right balance in his opinion. He referred to the lighting at Londonderry Park which had led to the development of a thriving running club but equally recognised that not far from that park land development had had a negative impact upon the bird numbers in the area. This was however a good balance and the Council should be cognisant of that moving forward.

Councillor Boyle also rose to support and agreed that it should be balanced. He thought with good design the Motion should be fairly easy to implement.

Councillor McKee thanked Members for their positive comments and support.

AGREED.

14. ANY OTHER NOTIFIED BUSINESS

There were no items of Any Other Notified Business.

EXCLUSION OF PUBLIC/PRESS

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

15. TENDER FOR THE PROVISION OF FUEL OIL SUPPLIES

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

NOT FOR PUBLICATION SCHEDULE 3 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON

A report on a tender for the provision of fuel supplies, was considered.

It was agreed that a contract be awarded to Nicholl Fuel Oils as set out in the report.

16. TENDER FOR THE REPAIR OF PLUMBING WORKS AT COUNCIL PROPERTIES

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

NOT FOR PUBLICATION SCHEDULE 3 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON

A report on a tender for plumbing works at Council properties, was considered.

It was agreed that a contract be awarded to Irwin M+E Ltd as set out in the report.

17. COSTS FOR EXTERNALLY LIGHTING BUILDINGS

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

NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO A CLAIM TO LEGAL PROFESSIONAL PRIVILEGE

A report on the external lighting of Council property was considered. It was agreed that the preferred option set out in the report be adopted, subject to an agreed amendment.

18. UPDATE REPORT ON REVIEW OF KERBSIDE WASTE COLLECTION SERVICES

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 3 – INFORMATION RELATING TO CONSULTATIONS OR NEGOTIATIONS

An update report on the work of the Elected Member Working Group that has been established in relation to the review of the Council's kerbside waste collection services model, was considered.

It was agreed that the report be noted.

READMITTANCE OF PUBLIC AND PRESS

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

TERMINATION OF MEETING

The meeting terminated at 8.57 pm.

ITEM 7.3.

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ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Place & Prosperity Committee was held at the Council Chamber, Church Street, Newtownards on Thursday 7 March 2024 at 7.00pm.

PRESENT:

In the Chair: Councillor Blaney

Aldermen: Adair
McDowell

Councillors: Edmund McCracken
Gilmour McCollum
Hollywood Rossiter
Kennedy Smart (7.05pm)
MacArthur

In Attendance: Director of Place (S McCullough), Director of Prosperity (A McCullough), Head of Regeneration (B Dorrian), Head of Economic Development (C McGill) and Democratic Services Officer (P Foster)

Also in Attendance: Alderman McAlpine and Councillor Boyle

1. APOLOGIES

The Chairman (Councillor Blaney) sought apologies at this stage.

Apologies had been received from Alderman Armstrong Cotter and Councillor Ashe.

NOTED.

2. DECLARATIONS OF INTEREST

The Chairman sought any Declarations of Interest, and none was declared.

NOTED.

3. DEPUTATION - NEWTOWNARDS MASONIC CENTRE & COMMUNITY HUB – HALL MANAGEMENT COMMITTEE (Appendix I)

The Chairman invited Mr Hugh McKeag and Mr Alastair Wilson, to come forward and make their presentation.

(Councillor Smart entered the meeting at this stage – 7.05pm)

Mr McKeag thanked members for the opportunity to attend the meeting and share their exciting plans for the Masonic Hall in Newtownards. He proceeded to guide members through a PowerPoint presentation.

Members were provided with a brief history of the building and details of current users. It was noted usage comprised of a mixture of both Masonic and Community activities, with dance activities being the most popular use of the facility. Plans for its future use were to target new community users to include regular activities such as Pensioners Heat & Eat Club and Mothers and Toddlers. Occasional activities would also be welcome such as Community Men's Health Events, Short Courses and the provision of an Arts/Performance space. Members were informed of fund raising activities and targets for 2023/24 and Mr McKeag took the opportunity to express thanks to the Council for its grant which helped to develop their proposal for their project. Continuing Mr McKeag showed photographs depicting hall repair and refurbishment and outlined the remedial works planned for Phase 1 of the project, for which they hoped to secure a Heritage Lottery Grant, with Phase 2 seeing the building of a new Community Hub extension, subject to securing the required funding.

In conclusion, Mr McKeag advised that the Masonic was seeking a letter of support from the Council to accompany their Heritage Lottery grant application, confirming support and community need for the project. He added that they were all very excited and passionate about their proposals and thanked the Council for enabling them to make their presentation.

The Chairman thanked Mr McKeag and Mr Wilson for their interesting and informative presentation and invited questions from members. The following comments were made.

Thanking Mr McKeag and Mr Wilson for their presentation, Councillor Smart stated that it was as a fantastic project for this building which had such rich history in the town. He added that he was aware that Listed Buildings were very complex to work with and continuing he sought clarification on whether or not Phase 2 would be a total new build or refurbishment of the existing building.

Mr Wilson confirmed that Phase 2 was a concept design at this stage. It essentially would see the development of the entire rear end of the building at the car park to provide smaller and larger room spaces.

Also thanking Mr McKeag and Mr Wilson for their presentation, Councillor McCollum welcomed their ideas for the community usage. Noting their plans for Phase 1 she sought clarity on the £250,000 and if that would be used for a full refurbishment.

In response Mr Wilson confirmed that Phase 1 was to protect the existing building already in place and secure its future. He advised that £209,000 was for the actual building works themselves with the additional £40,000 going towards the engagement of a Part Time Outreach person to help the group get to where they needed to be.

Councillor McCracken commented that he had encountered similar issues in a building he had worked on in London and as such he expressed his thanks for their commitment to this building. Continuing he sought some clarification around the sustainability of Phase 1 in respect of day to day activities.

Mr McKeag confirmed that sustainability had been a fundamental requirement of the Lottery Funding and it was planned to become more sustainable through community outreach programmes.

The Chairman thanked Mr McKeag and Mr Wilson for their comments and wished them well with their future plans.

(Mr McKeag and Mr Wilson left the meeting at this stage – 7.19pm)

REPORTS FOR APPROVAL

4. VILLAGE PARTNERSHIPS (IN REPLACEMENT OF RURAL ADVISORY GROUP (FILE 160125))

PREVIOUSLY CIRCULATED:- Report from the Director of Place stating that the Council previously in October 2023 agreed that officers would consult on the establishment of a Rural Advisory Group. The purpose of the Group was to be a forum for information and knowledge sharing and to provide direction for the regeneration and community development of the rural villages. It was proposed that the forum would include representation from each of the Village Community/Regeneration Associations, elected members and Council officers.

Following approval of the proposal, officers commenced discussions with each of the village groups.

Ards Peninsula Villages Partnership

The Ards Peninsula Villages Partnership (APVP) was a group drawn from the Ards Peninsula with the aim of encouraging joined-up thinking for the future of the Peninsula. The group comprised of representatives from most of the villages within the Ards Peninsula and was administered by the County Down Rural Network.

Officers attended a meeting of the APVP to propose the formation of a Rural Advisory Group that would include all villages within the Ards and North Down Borough. It was felt that this group was not necessary for the Ards Peninsula, as the APVP had a similar role.

It was suggested that a similar forum to the APVP could be established for the villages outside of the Peninsula with a representative from the APVP attending these meetings and vice-versa.

Formation of New Partnerships

Council officers held discussions with each of the groups across the villages outside of the Peninsula, and the suggestion of creating a similar forum to that of the APVP was widely received.

It was suggested that two partnerships were established to cover the following areas:

1. North Down* Villages Partnership
Groomsport, Helen's Bay, Crawfordsburn, Conlig and Six Road Ends
2. Strangford* Villages Partnership
Ballygowan, Killinchy, Lisbarnett and Lisbane

(*Name to be agreed with the group)

The groups would take a consultative and non-decision-making role which would help to shape, influence, and inform rural regeneration.

It was proposed that each Forum would comprise of:

- Elected members per DEA
- A representative from the County Down Rural Network
- A maximum of two representatives from each Village Community/Regeneration Association

Those would be supported by officers from the Regeneration section and other Council departments and external stakeholders as required.

It was proposed that each partnership would meet quarterly, with a review after six months.

RECOMMENDED that the Council agrees to the formation of the two proposed Villages Partnerships with a view of the first meetings taking place in April/May 2024.

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

Alderman Adair stated that it gave him great pleasure to propose the recommendation. He welcomed the good work which had already taken place throughout the Ards Peninsula and welcomed the joined up approach which would be adopted by these proposals. He added that it would also demonstrate that those rural areas mattered to the Council and he took the opportunity to express his thanks to the Head of Regeneration and his team.

The seconder Councillor MacArthur sought further clarification around the Six Road Ends, stating that it was more of a location rather than a destination. She added that she was also aware there could be interest in the formation of a community group for Six Road Ends and asked if the proposed North Down Villages Partnership would include the Cottown.

The Head of Regeneration commented that it had always been the intention to include the Cottown, adding that he was more than happy to meet with any residents if the member could provide him with some contact details.

In response to a query from Councillor Rossiter about consultation, the Head of Regeneration confirmed that officers had met with various rural groups to consult on their Village Plans. It was noted that to date all groups were content with the process.

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

5. COVID19 SMALL SETTLEMENTS PROGRAMME (FILE RDP236)

PREVIOUSLY CIRCULATED:- Report from the Director of Place stating that as members would recall the Council was awarded £2,217,000 under the Covid-19 Small Settlements Programme (CSSP).

The CSSP was a collaboration between the Department for Communities (DfC), Department for Infrastructure (DfI) and the Department of Agriculture, Environment and Rural Affairs (DAERA), working closely with local government to identify priority projects in rural areas.

The programme aims were to address long standing issues in small settlements and supports projects that attracted investors and visitors and created vital and viable villages that met the needs of local citizens and the surrounding areas.

The funding was awarded in October 2022 and the programme completion date was now 31 March 2025 (one year extension period was granted from the original completion date of March 2024).

Funding Breakdown

The below breakdown detailed the budget allocated within each funding stream:

Department for Communities Capital	£985,000.00
Department for Communities Revenue	£147,000.00
Department for Infrastructure Capital	£670,000.00
Department of Agriculture, Environment and Rural Affairs Capital	£415,000.00

The below detailed the budget allocated to each project within each funding stream:

Portaferry Public Realm Scheme	DfC Capital	£985,000.00
	DfI Capital	£270,000.00
	DAERA Capital	£415,000.00
	Council Contribution	£214,667.00
	<i>Total</i>	<i>£1,884,667.00</i>

Kircubbin Coastal Path	Dfl Capital	£60,000.00
Groomsport Harbour	DfC Revenue	£20,000.00
School Lane, Ballywalter	Dfl Capital	£20,000.00
Greyabbey Community Park	DfC Revenue	£25,000.00
	Dfl Capital	£120,000.00
	<i>Total</i>	<i>£145,000.00</i>
Millisle Lagoon	DfC Revenue	£37,000.00
Ballygowan Village Improvements	DfC Revenue	£25,000.00
	Dfl Capital	£156,280.80
	<i>Total</i>	<i>£181,280.80</i>
Portavogie Promenade	Dfl Capital	£43,719.20
Professional Services	DfC Revenue	£40,000.00

Update on Project Progress

1. Portaferry Public Realm Scheme

The Portaferry Public Realm Scheme included the following areas: Market Square | Castle Street | Ferry Street | High Street | Meetinghouse Street. The scheme would welcome improved street lighting, widening, and resurfacing of footpaths, better pedestrian connectivity, incorporation of street furniture and planting, and the creation of a usable civic space in the Market Square.

Schedule of Works:

Phase 1 – Trial holes and Ferry Street | October 2023 - December 2023

Phase 2 – Castle Street | November 2023 – February 2024

Phase 3 – Market Square and Junctions of Ferry Street/The Strand & Castle Street/The Strand | January 2024 – July 2024

Phase 4 – Meetinghouse Street | June 2024 - July 2024

Work was continuing and was on schedule to be completed by the agreed completion date, July 2024.

Department officials had been onsite and were pleased with the progress to date and the contractor continued to engage with the public via monthly newsletters, engagement sessions and letter drops.

2. Kircubbin Coastal Path

The Kircubbin Coastal Path would welcome improvement works from the play park to the Main Street. Works would include lighting to improve safety and accessibility, street furniture including new benches and picnic tables and incidental tree planting.

The scheme aimed to promote connectivity for the village services, playpark, community centre, school, and housing. The design of the scheme had been completed and a planning application lodged. Following receipt of planning approval, the scheme would progress.

It should be noted that works could not take place between October to March as per the Habitats Regulations Assessment.

3. Groomsport Harbour Environmental Improvement Scheme (Revenue only)

The existing 60 number space car park located at Groomsport Harbour was often at capacity. The need was identified to look at ways in which that could be improved, whilst also improving the surrounding areas.

In 2023, under the CSSP, a design for the Groomsport Harbour was completed. The concept design welcomed extra overflow car parking and environmental improvements for walking and leisure time.

Officers would now seek to identify suitable funding opportunities for the delivery of this scheme.

4. School Lane, Ballywalter

School Lane was located at the rear of Ballywalter Primary School. The pathway connected the main village to the school, sports pitches, play area and residential area.

The current path was not accessible for all and regularly flooded, becoming unusable during wet weather. The proposed works would raise, widen, and resurface the path to improve its accessibility and connectivity.

The pathway covered three different land folios; the Council, the Education Authority (EA), and a private owner. All potential path designs involved works on the folio owned by the EA.

Discussions had been held with the EA and it supported the scheme. However, it advised that it was standard practice that any works carried out on its land must be insured and maintained by the body completing the works on an ongoing basis. This would be contrary to normal policy for the Council to accept this.

In discussing this with the Risk Management Section concerns were raised about the Council accepting further responsibility for non-Council land. The Council in the past had been reluctant to agree to this.

In agreeing to the conditions of the EA, the Council would be required to take on all liability for this path during and after the works, adding to the Council's obligations and setting a precedent for future similar schemes.

This was currently being discussed with the EA and the Council may wish to await the outcome of these discussions before proceeding with the project.

5. Greyabbey Community Park

The Greyabbey Community Park would deliver a new community space at the Village Hall. The project sought to encourage residents and visitors of the

village to walk/cycle to the community space which would provide a pathway to a picnic area and a natural play area with additional tree planting.

As members would be aware the scheme was reduced in scope to exclude works to the area of privately owned land. Due to this more works could be undertaken on the Council's land.

A meeting of the Village Hall Committee requested officers to investigate potential drainage solutions for the grass area within the Community Park, this would ensure the Community Park was available for use all year round. This was currently being reviewed.

Officers were also looking at additional infrastructure such as cycle infrastructure and signage that would ensure the scheme met the requirements of the CSSP objectives.

Officers met with members of the Greyabbey & District Community Association in January 2024 and provided an update on the current scheme. The Greyabbey & District Community Association proposed that should any further budget become available within this scheme that officers investigated works to the pathway that ran along the shore adjacent to the football pitch. Officers were currently making enquiries with the National Trust regarding land ownership.

The proposed Community Park scheme was currently on display at the Tennis Courts adjacent to the Village Hall for public view. To date there had been no comments received.

The works package for the community space was currently being developed, with completion expected late February 2025.

6. Millisle Lagoon Environmental Improvement Scheme (Revenue only)

Council officers met with representatives from the Millisle Community Group to discuss how the CSSP funding could be allocated to the Lagoon. Given the size and nature of the site, it was agreed the Concept Plan required development via a phased approach. This enabled projects to be identified which could be delivered quickly under Permitted Development rights should funding become available.

Design consultants, AECOM, was appointed to develop a design of an environmental improvement scheme at the Lagoon.

A Public Information Session on the Concept Design took place on Wednesday 18 October 2023. A presentation was delivered by AECOM, followed by a group discussion.

A dedicated webpage was created to host the Concept Plan and allow members of the public that were unable to attend the session to review the plan and provide feedback. The closing date for feedback was Friday 3 November 2023 – no further feedback was received.

The scheme had been revised with minor changes to reflect the outcome of the public information sessions.

The Concept Plan included improved access to the beach, floating pontoons to allow access for Watersports, tiered amenity space, beach huts/ kiosks, shower/ toilet facilities, seating, planting, and lighting. The Plan also included items which could be progressed by permitted development should funding become available.

A planning application for the items which required planning approval was submitted in February 2024.

Officers would seek to identify suitable funding opportunities for this scheme.

7. Ballygowan Village Improvements

Under the CSSP Ballygowan Village had received circa. £181K to develop and deliver a village improvement scheme.

Following the funding award Council officers met with representatives from Ballygowan & District Community Association to discuss a potential scheme for the village. It should be noted that at this time the period of contract for the funding was to 31 March 2024 which limited the works that could be delivered. A proposal was designed to include planting throughout the village, a community area adjacent to the community centre and improvements to the War Memorial. Following a review with DfC officials it was felt that the proposed scheme did not fully meet with the objectives of the contract.

Given the extension permitted to the completion date it was agreed that a further meeting would be held with the Ballygowan & District Community Association (BDCA) to review the proposals and look at alternative options to ensure the funding objectives are achieved.

A meeting took place on 4 December 2023 with Council officers and BCDA board members. It was agreed BCDA would review the existing proposals and suggest ways to improve and/or suggest new proposals that would align with the funding objectives.

Following this meeting BCDA submitted new proposals which were aimed at promoting active travel and encouraging residents and visitors to walk and cycle (this was in line with the funding objectives). Council officers were currently reviewing the proposals and land ownership details.

8. Portavogie Promenade

Minor environmental improvement scheme at the promenade. This project was primarily funded by the SEAFLAG fund with a contribution of £43,791.20 from the CSSP.

The project included new surfacing, lighting, planting, and signage. This project was now completed, and a post project evaluation would be conducted following completion of the CSSP.

Conclusion

As outlined work across the individual projects within the Covid-19 Small Settlement Programme was progressing well and further update reports would be brought back in due course.

RECOMMENDED that the Council:

1. Kircubbin Coastal Path

proceeds to the appointment of a contractor for the construction works to commence following receipt of planning approval.

2. School Lane, Ballywalter

agrees one of the following:

Option 1 – defer making a decision on the project to allow further discussions with the EA and await the outcome of these.

Option 2 – the scheme does not proceed due to the requirements of the EA and the budget is reallocated to a new project within Ballywalter.

Option 3 – the Council enters a licence agreement or transfer of the land from the Education Authority and proceed with this scheme, accepting full liability for this pathway indefinitely.

Alderman Adair proposed, seconded by Councillor Edmund, that the recommendation be agreed and furthermore that Council defer making a decision on School Lane Ballywalter Project and continues its discussions with the Education Authority and writes to the Minister of Education highlighting the benefits of accepting funding to enhance and improve the school lane for the community of Ballywalter currently in the ownership of the Department for Education.

Furthermore, that Council writes to the Minister of Agriculture, Environment and Rural Affairs highlighting the success and benefits of the Small Settlements Funding, NI Rural Development Funding and Fisheries Funding to our rural villages across Ards and North Down and asks the Minister when similar funding opportunities will become available and reopen to maximise opportunities to revitalise and regenerate our villages across the Borough.

The proposer, Alderman Adair, commended officers on the report stating that it had been an added bonus and made a real difference to many rural settlements, particularly Portaferry and Portavogie. Referring to School Lane, Ballywalter, Alderman Adair advised that currently it was in a sorry state, flooded regularly and was not accessible to those with disabilities. He added that it was a matter of concern which was regularly raised with him and his colleague Michelle McIlveen MLA. As Stormont was now back up and running, he suggested that the Council wrote to the Minister of Education in an attempt to try to resolve the situation. It was further noted that the Lane led to a school and playpark. Continuing Alderman Adair

took the opportunity to raise a query about Kircubbin Coastal Path to seek an update on that.

In response the Head of Regeneration confirmed that the matter currently lay with the Planning Department which was seeking consultation responses. He indicated that he would seek an update and report back to the member in due course.

Commenting as seconder, Councillor Edmund thanked Alderman Adair for his comments adding that the Lane was well used by many and currently was unfit for purpose. He noted that Ballywalter Harbour had secured £60,000 of funding through the Fisheries Fund and as such any form of funding available was to be welcomed particularly by those living in rural communities. Councillor Edmund urged members to support the proposal.

Councillor McCollum commented that School Lane, Ballywalter, appeared to be a very important access point for both a school and play area. Continuing, she sought clarification on the line 'any works carried out on its land must be insured and maintained by the body completing the works on an ongoing basis' contained within the report.

The Head of Regeneration advised that EA were more than happy for the Council to carry out the proposed remedial works but on the basis that it would then accept liability thereafter. This he added was apparently standard EA Policy. So effectively what was happening was that there were two policies butting heads and therefore the proposer had felt there may be merit in writing to the Minister to establish if some common sense could prevail. He indicated that it was his intention to bring back a report on this in due course.

In seeking to understand the reasons behind this the Chairman suggested was it a case of the Council would not be using EA's usual contractors to carry out the works. The Head of Regeneration stated that was not the case and instead it was a blanket policy of EA.

By way of summing up Alderman Adair thanked members for their supportive comments, adding that School Lane was an accident waiting to happen. He expressed disappointment that a joined up approach had not been adopted by the EA and was hopeful the Minister would be able to provide some help to resolve the situation.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Councillor Edmund, that the recommendation be agreed and furthermore that Council defer making a decision on School Lane Ballywalter Project and continues its discussions with the Education Authority and writes to the Minister of Education highlighting the benefits of accepting funding to enhance and improve the school lane for the community of Ballywalter currently in the ownership of the Department for Education.

Furthermore, that Council writes to the Minister of Agriculture, Environment and Rural Affairs highlighting the success and benefits of the Small

Settlements Funding, NI Rural Development Funding and Fisheries Funding to our rural villages across Ards and North Down and asks the Minister when similar funding opportunities will become available and reopen to maximise opportunities to revitalise and regenerate our villages across the Borough.

(Councillor Edmund left the meeting at this stage – 7.38pm)

REPORTS FOR NOTING

6. CAG AND TAG MINUTES (FILE) (Appendix II)

PREVIOUSLY CIRCULATED:- Minutes of Meetings of:

- 6.1. Bangor CAG
- 6.2. Comber TAG
- 6.3. Donaghadee TAG
- 6.4. Holywood TAG
- 6.5. Newtownards TAG

RECOMMENDED that the minutes be noted.

Councillor McCracken proposed, seconded by Councillor Rossiter, that the recommendation be adopted.

The proposer Councillor McCracken noted the funding recently allocated to Derry City Council and Coleraine from the UK Government's Town Fund. He noted that had been achieved through three specific things which the Town Fund required to be in place:

1. A Group of Local Representatives
2. A Plan with ideas that could be progressed
3. The funding which the UK Government could provide

He expressed the view that the Council's CAG and TAGs were good and well represented by the statutory agencies, but he recognised that at this stage they were merely talking shops. As such he suggested there was a disconnect between how issues were taken forward. In respect of the UK Town Fund the key to success was having plans in place. He acknowledged that currently the Council did have plans in place with the Paul Hogarth work and reiterated the importance of ensuring that they were meaningful. He suggested that better links were forged between the Paul Hogarth work and that of the CAG and TAGs. The third element was funding and the need to ensure that some form of mechanism for funding was in place for the CAG and TAGs. As such he asked officers to take some of those points onboard to ensure that the Groups did not remain as they were, talking shops.

The Head of Regeneration informed members that a review was currently underway of the CAG and TAGs, adding that the matter of funding had always been an issue since their inception. However, he advised that it had always been the case that the

Department would not provide funding to anyone other than a corporate body. He added that there was also a significant amount of time involved with the completion of corporate governance in respect of the CAG and TAGs.

Commenting as seconder Councillor Rossiter took the opportunity to express his thanks to the Head of Economic Development for her assistance with the Holywood TAG in respect of providing an update on the Innovation Hub.

In response and by way of an update, the Head of Economic Development confirmed that discussions had continued and that officers were working in tandem with representatives of Invest Northern Ireland. She advised that initial feedback had been positive at this stage, and a final decision was anticipated in approximately 16 weeks' time.

Referring to the TAGs and CAG, Councillor Gilmour commented that she always had had some concerns in respect of the town and city boundaries and those areas which fitted the criteria for funding from DfC. She added that she especially had those concerns about Bangor where those businesses on the other side of the boundary in Abbey Street as one example missed out on potential funding opportunities. She also asked that the Agenda for meetings of the TAGs and CAG were circulated to all members in future.

The Head of Regeneration confirmed that the boundaries of the towns and city were being considered as part of the overall review process, the results of which would be reported back to members in due course.

Councillor MacArthur commented that in respect of Donaghadee TAG it was often felt that while it was a useful forum its brief was too wide and as such there was a disconnect at times. She asked if officers could look at that also as part of the review.

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

7. 'SUPPORT LOCAL' MARKETING AND PROMOTION CAMPAIGN (FILE)

PREVIOUSLY CIRCULATED:- Report from the Director of Place stating that as members would be aware the Council with support from the Chambers of Commerce and local Community Groups delivered a Borough-wide Marketing and Promotion Campaign in the Spring of last year 'Let's Keep It Local'.

The highlights of this campaign were:

- 70+ local businesses engaged and provided an offering/promotion for the shoppers.
- 340+ positive engagements through social media during the campaign.

- A high level of Chamber of Commerce and Community engagement with Council officers to ensure the successful delivery of the campaign.
- A joint-up approach between the Council, Chambers of Commerce, and community group to support local businesses.

Funding Application

To continue the success of the 'Support Local' messaging, officers had made an application for funding to the Department for Communities for £30,000 to deliver a follow up campaign in March 2024, which would continue through into Easter. The funding had now been secured.

'Support Local' Marketing and Promotion Campaign 2024

As businesses continued to recover from the COVID-19 pandemic and were now facing the challenges associated with the cost-of-living crisis, the Marketing and Promotion Campaign would aim to reinforce the messaging of 'Support Local'.

The Campaign would include a series of marketing initiatives that would be implemented to promote the local offerings and promotions, and the 'Support Local' messaging, including digital and traditional channels (social media, web, email marketing, print advertising, outdoor and PR).

The Campaign would commence in March 2024, and it was hoped that this would give local businesses a much-needed boost in the run up to the Easter period.

To bolster the 'Support Local' messaging and facilitate a 'call to action', officers would be reaching out to businesses across the Borough to gather a listing on the Council's website signposting to special offers and promotions during the period of the campaign.

The Campaign aimed to:

1. Drive footfall to the local businesses by offering promotions and offers.
2. Promote the Ards and North Down Borough as a visitor destination, showcasing the unique business offerings.
3. Encourage shoppers to continue to support local businesses, in turn boosting the local economy.

Council officers would engage with the Chambers of Commerce and local Community Groups to deliver this campaign.

This was an opportunity to boost local businesses, towns, and villages during difficult times.

RECOMMENDED that the Council notes the above.

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

The proposer, Councillor MacArthur commented that while it was a small budget it was essential for the Council to continue to promote the 'Support Local' campaign. She sought clarification on how it was proposed to use the budget recalling the previous success of animated windows in many shop windows to promote 'Support Local'.

In response the Head of Regeneration advised that DfC had approached the Council during the second week of February 2024 to notify it of the availability of the funding. He stated that it was planned to use the funding to promote the 'Support Local' campaign via social media, radio advertising and through local businesses offering a range of offers.

Commending officers, Alderman Adair recalled the success of the animated shop windows and noted the variety of independent retailers in Newtownards town. He stated that those businesses would benefit from the Council's 'Support Local' campaign and that was to be welcomed. He added that he agreed with Councillor MacArthur that experiences such as the animated windows had been a huge draw and brought many people into the town centres and as such, he asked that consideration was given to that type of experience once again.

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

8. RENEWED AMBITION PROGRAMME – MIPM 2024 (FILE RDP196)

PREVIOUSLY CIRCULATED:- Report from the Director of Place stating that as members would recall Council gave approval, October 2023, for participation in the Renewed Ambition Programme, as well as attendance of up to two Council officers at MIPIM, Cannes in March and UKREiiF Leeds in May 2024.

Since that time officers had met with key private sector investors who had confirmed they were not attending MIPIM in 2024, although they were interested in attending UKREiiF. The Chief Executive therefore made the decision not to send officers to MIPIM this year. However, development sites within the Borough would still be promoted via marketing materials on the stand, copy of the Belfast Region Investment Guide attached (at Appendix).

The Director of Place and Head of Regeneration were booked to attend UKREiiF, Leeds in May 2024.

RECOMMENDED that Council notes this report.

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

9. NEWTOWNARDS LINKAGES ENVIRONMENTAL SCHEME (FILE REG9)

PREVIOUSLY CIRCULATED:- Report from the Director of Place stating that Court Square, Court Street and South Street areas of Newtownards were key gateways into the town centre from Comber, Bangor and the Ards Peninsula, with considerable daily throughput of traffic and pedestrians.

At the time of the Newtownards Public Realm Scheme in 2013, the areas mentioned above were removed before implementation due to budget constraints. It was hoped that there would be future opportunities to revisit and incorporate those areas as funding and resources became available.

1. Newtownards Linkages Environmental Improvement Scheme

The Department for Communities (DfC) and the Department for Infrastructure (DfI) had confirmed that both had now secured budget to deliver the Newtownards Linkages Environmental Improvement Scheme.

The scheme aimed to enhance the areas mentioned by introducing new kerbs and improving the surface quality, making it safer, more functional, visually appealing and to harmonise with the surrounding town centre. Such enhancements were crucial to creating a cohesive and pleasant environment for residents and visitors alike.

2. Funding Package

The levels of funding had been agreed as follows:

Department for Communities £297,439.99
Department for Infrastructure £255,262.14

The DfC had requested Council contribute to the Newtownards Linkages Environmental Improvement Scheme by carrying out the cleaning of the wall and the re-painting of the railings around the War Memorial at Court Square. This collaborative effort between DfC, DfI and the Council reflects a shared commitment to enhancing the town's aesthetics and the involvement of various stakeholders was essential in ensuring the success and sustainability of such urban regeneration improvement projects.

The scheme was to be delivered by DfI and the completion date was 31 March 2024.

Outcomes

The objectives of the Newtownards Linkages Environmental Improvement Scheme aligned with the goal for sustainable development and community enhancement, by striving to create a town centre that was economically vibrant, socially inclusive, accessible and fostered civic pride.

The project aimed to generate a positive impact on the quality of life for residents and visitors, promoting a sense of belonging and pride within the community which

was essential for creating a thriving and cohesive urban environment that benefited all stakeholders involved.

RECOMMENDED that Council notes this report and agrees the in-kind contribution of maintenance works within Court Square which can be undertaken within existing budgets.

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

The proposer, Alderman Adair, commended officers for the report and asked if a diagram would be provided depicting where the works would be taking place.

In response the Head of Regeneration stated that this was an agreement between DfC and DfI which would see footpaths and kerbs being redone and signs cleaned. The work to be undertaken would include the small wall around the War Memorial and see the railings cleaned, taken away, stripped back and re powder coated.

Alderman Adair stated that would be tremendous and would add to the success of the public realm works in Newtownards and revitalise the area in and around the War Memorial which was so special to many people.

Commenting as seconder, Councillor Smart expressed his thanks to the whole team involved with this and acknowledged the amount of hard work which was undertaken in projects such as this. In respect of the new paving he asked if officers were aware if dropped kerbs would be installed as part of those works given the poor connections in that area. He added that the matter had previously been raised with DfI and it was aware there was a need for their installation.

The Head of Regeneration indicated that he would be happy to raise that with the Section Engineer who would be overseeing the works.

Councillor Gilmour acknowledged that this was an important piece of work and sought confirmation that the Newtownards branch of the Royal British Legion had been notified of the proposed works.

In response the Head of Regeneration advised that they had not been notified yet as officers had wished to bring the matter to Committee for initial consideration. He added that they would now be notified in due course as a courtesy.

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

10. NOTICES OF MOTION REFERRED TO COMMITTEE BY COUNCIL

(Alderman McAlpine and Councillor Boyle entered the meeting at this stage – 7.58pm)

a) Notice of Motion submitted by Councillor Boyle and Alderman McAlpine

(Councillor Hollywood left the meeting at this stage – 7.59pm)

Councillor Boyle proposed, seconded by Alderman McAlpine, that this Council brings back a report with reference to projected costings associated with repairs and necessary requirements to Kircubbin Harbour, as identified as a priority within the Kircubbin Village Plan, that would create a functioning facility for the Kircubbin village, surrounding areas and a tourism destination for the boating and sailing fraternity; further that an annual projected maintenance costing be included.

The proposer, Councillor Boyle, thanked the Chairman and the members of the Place and Prosperity Committee for having Alderman McAlpine and himself present at their committee meeting.

Councillor Boyle stated that over a period of time a number of people, including elected members representing the Ards Peninsula had met with those on the Kircubbin Harbour Development Committee and others to discuss this issue. There had been various discussions as to how the issue that had been, and continued to be a priority on the Kircubbin Village Plan could potentially be progressed.

The group had asked that this issue was raised within the Council as conversations that had proven difficult to progress in the past were now taking place with what he and others believed to be key players. This process he stated was moving forward slowly which in some way was progress from what had previously been a prolonged period of no conversations.

Continuing Councillor Boyle indicated that now there appeared to be a grouping quite keen to progress the project for the betterment of Kircubbin as well as those living within and visiting the Ards Peninsula. He added that he was also aware that it would be appreciated if any funding streams could be explored moving forward. Members were advised that the Kircubbin Harbour Development Committee was under no illusion of the mammoth task that lay ahead and therefore would appreciate a flavour of costings referenced to such a scheme and where that could potentially lead to.

By way of summing up Councillor Boyle took the opportunity to thank the committee for listening and asked that members support the motion.

Commenting as seconder, Alderman McAlpine stated that there were two walls at the harbour which were of concern particularly as there were some significant holes in the wall. She questioned how that could be connected to the maintenance of the road; however, added that she was aware the inner walls close to water also had a number of issues. Continuing she informed members that those walls were classed as historic monuments and as such the question was how to move this issue forward and secure further funding to carry out the necessary repairs to the harbour.

Expressing thanks to Councillor Boyle and Alderman McAlpine, Alderman Adair stated that the disrepair to the harbour was regrettable and he acknowledged the difficulties now being faced with it being under private ownership and scheduled as a historic monument. He was aware that year on year the disrepair was getting worse so much so that there was a danger that it could be lost forever. At this point he took the opportunity to commend the working group for their work which had been undertaken to date in respect of this matter. Continuing he asked for clarification on whether or not consent had been obtained from the landowner to have repair works carried out.

The Head of Regeneration acknowledged that the Group were very keen and passionate about this however he confirmed that to date there had been no contact from the private owners of the harbour. As such no work could be undertaken until that had been secured. He added that he had received a letter from the Group stating that the owner was going to or intended to gift the Harbour, but no correspondence has been received from the owner. In respect of potential costs associated with undertaking a report to review what repairs would be required, he stated that it would be necessary to engage specialist structural engineers with associated costs of approximately £60,000 to undertake such a report.

Alderman Adair indicated that he was keen to see the matter move forwards like so many others however he would have some concerns in respect of the required budget. As such he asked the proposer and seconder if they would consider adding into their proposal the following wording "reference to any funding opportunities".

Councillor Gilmour commended the members for bringing forward their motion but expressed some concern that the Council did not own the land in question and noted that, as yet, the landowner had not engaged with the Council. Continuing she recalled the inference that the area in question may be gifted to the Council, and she urged caution particularly as this could be a gift that kept on giving. As such she indicated that she could not support the motion even with the additional wording regarding funding as suggested by her colleague.

At this stage Councillor McCollum sought clarification around what the projected budget of £60,000 would include.

The Head of Regeneration indicated that he would envisage that being used to commission one of the larger companies with specialist structural engineers who could carry out under water surveys. They would be asked to survey and review the wall both under water and over water in order to provide the Council with a detailed structural report of the overall condition of the feature. He added there could also be

issues around the water and seabed and whether it fell under the ownership of the Crown Estate. A full structural report would be sought which would outline the works needed to be done to make the harbour safe and the costs associated with such works. He added that if any land was gifted to the Council, it would be normal practice to obtain a report from the owner confirming that it was in a good state of repair.

At this stage the Director of Prosperity reminded members that this was scheduled monument and as such the Council would need to ensure that within that budget it had the required specialists, given the requirement potentially for specific materials. She added that could potentially push up the cost of the report.

Councillor Smart commended his colleagues for all of their efforts in respect of this matter, particularly as the disrepair of the harbour at Kircubbin had been an issue for such a long time. He agreed that it would be appropriate to have a report come back to the Council first to give it an idea of the type of investigations which would be involved including matters of cost and due diligence. He added that it would also be important to outline any issues there could potentially be if the Council was to be gifted this.

Councillor MacArthur also thanked the members for bringing this matter forward, adding that the harbour could potentially look amazing. However she did feel uncomfortable in respect of the Council entering into a spend on something which it did not own, particularly as it was listed as a scheduled monument. Continuing she concurred with Councillor Smart's comments and agreed that a lighter touch would be welcome with a report to come back detailing potential costs involved with carrying out investigations by structural engineers. She added that she could not support the motion which had been put forward.

The Head of Regeneration advised that for him to bring a report back he would go to one of the bigger companies who could say that before they could quote for the Council some initial work would need to be undertaken at cost. He reiterated that he did not have a budget current to carry out this work and reminded members that the Council would very shortly be going into a new financial year and currently there was no money in his budget to work up a report to bring back to the Committee detailing costings.

At this stage the Director of Prosperity recalled a previous site meeting which had taken place at which a number of representatives from DFI Roads had been in attendance. During that site meeting the point had made that any previous attempts to get access onto that particular piece of land had not been forthcoming with very little response from the landowner. As such she would urge caution with commissioning a report if access to the land were not likely to be granted.

Councillor Kennedy noted the comments around the challenges to fund a report which for him highlighted the difficulties with this matter. He did acknowledge the passion which many local residents had for the harbour and its reinstatement. Given the difficulties with the fact that this was not under Council ownership he struggled to see how any progress could be made on this matter. While he did however agree

that there was merit in investigating the possibilities were possible, he also concurred with his colleagues who had expressed concern with proceeding as was suggested.

By way of summing up, Councillor Boyle thanked members for their contributions and officers for sharing their knowledge on this matter. He added that he would have no problem accepting Alderman Adair's suggested wording. Continuing he also noted members concerns which they had raised particularly around the ownership of the area in question. Councillor Boyle stated that while it may be a case of going back to the drawing board, he would take on board members' positivity about this area and hope to come back with a "Plan B". He noted the levels of genuine interest in this matter and that was something which he appreciated from the Committee. However on this occasion he confirmed that he would withdraw his motion.

NOTED.

(Alderman McAlpine and Councillor Boyle left the meeting at this stage – 8.23pm)

ANY OTHER NOTIFIED BUSINESS

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

NOTED.

EXCLUSION OF PUBLIC/PRESS

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

REPORTS FOR APPROVAL

11. SHARED ISLAND LOCAL AUTHORITY DEVELOPMENT FUNDING SCHEME UPDATE – FOUR POINTS FEASIBILITY STUDY (FILE TO/TD/66) (Appendix III)

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

Option 3: NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

This report provides an update to Members on the Shared Island Local Authority Development Funding Scheme regarding the Four Points of the Island Feasibility Study, and includes business case related economic projections and costs (extracted from a business case report marked as commercially sensitive). It

recommends that Members note the preferred option and next steps, approve that officers continue to scope and submit funding applications should they arise, to progress some or all of the physical interventions as noted in the report, subject to budget; and approve that Officers continue regular communication with ROI partners to determine the likelihood of progressing a further funding application to deliver the preferred Option.

12. KINNEGAR SOC (FILE RDP37) (Appendix IV)

IN CONFIDENCE

Option 3: NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

The report presents the Strategic Outline Case for the potential redevelopment of the Kinnegar Logistics Base for Council's consideration. This report includes financial and commercially sensitive information in relation to the redevelopment of the site including potential private sector interest.

REPORTS FOR NOTING

13. BANGOR MARINA Q3 2023-24 (FILE 141671) (Appendix V)

IN CONFIDENCE

TITLE OF REPORT:

Bangor Marina Q3 Report Oct-Dec 2023

Option 3: NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

A Report from the Director of Prosperity attaching Bangor Marina Q3 23-24 report. The covering report detailed that Members would be aware that Boatfolk operated Bangor Marina on behalf of Council. As part of the agreement, Boatfolk provided a quarterly report, which was presented to Committee as received, covering the entire range of activities undertaken in the Marina, and related commercial information.

14. EXPLORIS Q3 2023-24 REPORT (FILE DEVP3C)

IN CONFIDENCE

Option 3: NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

This report sets out the performance of AEL, operator of Exploris on behalf of the Council, for Quarter 3 of the current financial year. This report includes financial and commercially sensitive information in relation to the operation of the Aquarium.

15. PICKIE Q3 2023-2-24 REPORT (FILE 171006)

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

Option 3: NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

This report details the performance of Pickie Fun Park over the third quarter of the 2023/2024 financial year, as operated by Pickie Ltd on behalf of the Council, in respect of visitor numbers and financials. This report includes financial and commercially sensitive information in relation to the operation of Pickie Funpark.

RE-ADMITTANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 9.42pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting the Corporate Services Committee was held at the Council Chamber, Church Street, Newtownards on Tuesday 12th March 2024 at 19:00.

PRESENT:

In the Chair: Councillor Moore

Aldermen: Brooks
Graham (19:12)
McAlpine

McIlveen
Smith (19:12)

Councillors: Chambers
Cochrane
Gilmour (19:04)
Kennedy
S Irvine

W Irvine
Irwin
McCracken
McRandal

Officers: Head of Administration (A Curtis), Head of Finance (S Grieve), Head of Communications and Marketing (C Jackson), Chief Executive (S Reid) (from 20:00) and Democratic Services Officer (S. McCrea)

Also Present: Councillor Boyle

1. APOLOGIES

Apologies were received for Alderman P Smith for lateness, Councillor MacArthur and the Director of Corporate Services (M Steele) for absence.

NOTED.

2. DECLARATIONS OF INTEREST

No Declarations of Interest were made.

NOTED.

3. DEPUTATION – NORTHERN IRELAND WATER

The Chair (Councillor Moore) invited NI Water representatives, Dr Steve Brockwell (Head of Investment Management, Engineering and Sustainability Directorate) and Mr Mark Consiglia (Wastewater Assets Area Manager, Customer & Operations Directorate) to speak on their deputation, advising they had ten minutes to speak followed by a fifteen minute period of Q&As.

Dr Brockwell presented the deputation to Members. NI water had been formed in 2007, transformed from a government department to a standalone company with a

Board of Directors in similar fashion to other utility regulators. Money was derived from business companies and the Department for Infrastructure.

(Councillor Gilmour entered the meeting at 19:04.)

NI Water operated on a six year business plan, commonly referred to as Price Control Plans of which NI Water was amidst the 2021-27 plan (named PC21). 605 million litres of water were supplied and 362 million litres of waste collected to and from businesses daily.

NI Water was the largest consumer of electricity in Northern Ireland and most of its assets were legacy which remained a challenge with modern needs. They had been working with Councils across Northern Ireland on their Development Plan and knew of Council ambitions relating to housing and jobs which in turn, informed needs in relation to supply and collection needs of water and waste. Period PC21's capital expenditure included a target costs reduction of £953m.

The next slide provided an overview of deliverables over the next six years with some examples of projects delivered such as Ards North Wastewater Treatment Project and a range of works and upgrades such as Kinnegar and Killinchy with investment values totalling over £160m. Water supply reinforcing had occurred in locations like Whitespots and Greyabbey to provide more resilience during times of high demand.

The effects of legacy underfunding were becoming more prominent. The PC21 price controls were designed to reduce pollution but in turn affect decisions with regard to connections for maximising infrastructure. Applications would be supported through NI water's three-stage planning process that consisted of a pre-development enquiry (PDE), impact assessment and planning permission whilst refusals were recommended where the PDE had not been followed.

(Aldermen Smith & Graham entered the meeting at 19:11 and 19:12 respectively)

In Impact Assessments, 51 Solutions Engineering Reports had been sent to developers whilst 26 occasions had been closed off due to like-for-like development with 23 impact assessments were being progressed at the time of writing.

An overview of planning applications was shown to Members with 67 refusals, usually caused by developers who did not go through the PDP process. Conversely, 2019 applications were approved with standard conditions and 58 with specific conditions.

NI Water had also begun a campaign called F.O.G; Fats, Oil and Grease and the effects on local wastewater infrastructure which Councils could support. An example photo of Portrush harbour was shown where a buildup of fat in wastewater infrastructure had resulted in constriction of waste runoff pipes.

In summary, the shareholder, the Department of Infrastructure had signalled a move away from the agreed plan and that, for the benefit of Northern Ireland and Councils,

it was essential that the plan was funded and NI water remained hopefully that further funding would be forthcoming.

With the end of the deputation, Councillors were invited to a fifteen minute Q&A with NI Water representatives. Alderman McRandal asked what the ramifications would be due to of a lack of funding in regard to Kinnegar Treatment Works and what risks existed due to sewage overflows. Dr Brockwell explained that without funding, there would be no further connections and alternatives would be explored. If the works were at capacity and causing pollution, NI Water would also be unable to allow further connections and could be prosecuted if such an issue was ignored. Multiple treatment works existed around Belfast loch that were regularly monitored to ensure they stayed within consent. Dr Brockwell did not believe Kinnegar was a major source of pollution in this regard. Mr Consiglia added that it was unwise to look at a singular treatment works on its own. Kinnegar was not only pivotal to Ards & North Down Borough Council but also Castlereagh. Sydenham had been a source of issues in recent times with flooding having occurred. As it was an integrated sewer network, one site could not be upgraded without the other.

Councillor W Irvine asked if any works would be carried out to alleviate flooding caused by heavy rainfall such as at Ballyholme. Mr Consiglia advised that Ashley Pumping station had struggled with flow but that it had been the river that surcharged in Ballyholme. The Cotton Pumping station was listed for upgrade by increasing the size of the well to hold more water before overflow occurred to the adjacent river.

Councillor McCracken asked for an update in relation to waterworks for Central Bangor such as waste connections required by developers. Mr Consiglia explained that drainage studies had been carried out including upgrading of stations and Brompton and Stricklands, Clandeboye stream behind Abbey Primary School as well as works below the coastguard station at Bangor Marina. The latter included installation of large tanks to avoid CSOs discharging into the marina or the Long Hole. Part of this work involved identifying other areas that would require upgrading.

Councillor Chambers referenced NI Water's budget cuts and asked how they would constrain development in Donaghadee which had over recent years undergone vast expansion. Dr Brockwell explained that NI Water had been underfunded for many years and that even if full funding was granted, it would take twelve to eighteen years to fully address issues. If the treatment works were overloaded, the whole catchment would be closed due to biological load which would lead NI Water to seek alternative processes to find storm hole separation opportunities. Mr Consiglia added that Donaghadee had been lucky to have a state of the art water works facility but that the infrastructure in the surrounding areas was of such an age that the issue often lies with water reaching the site as opposed to the site's ability to deal with the volume of wastewater. Some local issues were being investigated such as flooding at Cannyreagh Road and both High and Main Street.

REPORTS FOR APPROVAL

4. ABF 80TH ANNIVERSARY – ROYAL IRISH CONCERT, WATERFRONT HALL 6 APRIL 2024

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services advising that a letter had been received from the Army Benevolent Fund (ABF) inviting a group of Councillors and staff to an Anniversary Concert scheduled for 6 April 2024 in the Waterfront Hall. The concert had been intended to celebrate ABF's 80 Years as a service charity and was a salute to His Majesty the King in the second year of his reign. The concert would raise funds for soldiers, army veterans and their families in need. ABF had extended an invitation to a group of Councillors and staff at a cost of £66pp and had asked that the date of the concert be added to the Councils scheduled of events for 2024.

RECOMMENDED that the Council that Council considers the invitation and nominates Councillors to attend the Concert if desired.

AGREED TO RECOMMEND, on the proposal of Alderman McIlveen, seconded by Councillor Cochrane, that the recommendation be adopted and Alderman Cummings, Veteran's Champion be nominated to attend the concert. Additionally, Alderman Graham proposed, seconded by Councillor Cochrane that the Mayor be nominated to attend the concert also.

5. CIVIC EVENT POLICY

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which explained that the Council had agreed a Civic Events Policy in October 2016. It was considered prudent to review the Policy given that a reasonable period of time had elapsed and in response to an increasing number of requests having been received.

Officers had been considering levels of recognition, given the differing requests that were received. In an effort to address the volume of requests, they had proposed a tiered approach of recognition, to better manage the limited budget. In the financial year at the time of writing, the Civic Events budgets was £20,000. Civic receptions ranged in cost from £1,000 to £3,500 each.

Additions/changes to the attached draft policy were indicated in red text (Appendix 1).

RECOMMENDED that Council adopt the draft Civic Event Policy.

Alderman McIlveen asked what the practical difference would be to the Civic Event Policy as he believed it operated on a tiered approach already. The Head of Administration explained that currently when a request came in, it was considered as a civic event and Officers would work their way down through the tiers to a less formal event dependent on circumstances. The draft Civic Event Policy would allow for the approach to work from the bottom tier to the top. Going forward when a request for a Civic Event was being considered, Members should consult with Democratic Services in advance and they could advise if another option should be

considered first. Only if an event was deemed appropriate for a full Civic event would it require three Members' signatures and a report taken to Committee for approval.

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

6. SCHEME OF ALLOWANCES

(Ref: FIN23)

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which explained that the background requirements outlined Regulation 3 of the Payments to Councillors regulations required district councils to prepare and publish a scheme of allowances payable to its Members for each year.

SCHEME OF ALLOWANCES

Following the recent National Joint Council (NJC) pay agreement for staff, the Department for Communities (DfC) had issued Circular LG 23/2023 (attached in Appendix 1), which set new limits on all allowances for the financial year at the time of writing and for dependant carers allowance for the 2024/25 financial year. The Committee considered this circular when setting the budget for Members' allowances for the 2024/25 financial year.

Appendix 2 set out a draft revised scheme of allowances for 2023/24. When the budget for this year was set, no provision was made to increase allowances as per column 1 (version 11.1). The additional cost of implementing version 11.2 in column 2 below would be in the region of £100k.

Appendix 3 set out a draft revised scheme of allowances for 2024/25. The budget for the next financial year was recommended to include an additional £100k to accommodate the increase proposed in version 12 (set out in column 4 below).

These were both substantially the same with only changes being in regard to the rates of allowance paid. The table below set out a comparison for Members' convenience:

	1 Current 2023/24 Version 11.1	2 Draft 2023/24 Version 11.2	3 DfC Circular	4 Draft 2024/25 Version 12	5 DfC Circular
Basic Allowance	£15,071	£17,030	£17,030	£17,030	Note 1
Special Responsibility	£51,040	51,040	£83,944	£51,040	Note 1
Dependant Carers Allowance - Std	£10.42	£10.42	£10.42	£11.44	£11.44
Dependant Carers Allowance - Specialist	£20.84	£20.84	£20.84	£22.88	£22.88

	1 Current 2023/24 Version 11.1	2 Draft 2023/24 Version 11.2	3 DfC Circular	4 Draft 2024/25 Version 12	5 DfC Circular
Mileage (max rate)	£0.45	£0.45	£0.65	£0.45	Note 2
Subsistence - Accommodation	£152.00	£152.00	£122.45 + inflation	£158.00	Note 2
Subsistence - Meals	£68.00	£68.00	£50.65 + inflation	£72.00	Note 2

Note 1 - The maximum payable for basic and special responsibility allowances for the 2024/25 financial year were to be issued once the NJC pay agreement for staff had been published, which the DfC used as a benchmark for making its determination.

Note 2 – The maximum payable for mileage and subsistence will be published at the same time as for basic and special responsibility allowances but these amounts had not changed in a number of years and were unlikely to for the foreseeable future.

Both the scheme of allowances and the statutory guidance issued by the Department for Communities form Part 5 of the Council's constitution and therefore need updating following approval of the new schemes.

RECOMMENDED that Council:

1. Considers version 11.2 of the Scheme of Allowances to replace the previous version 11.1 with effect from 1 April 2023;
2. Considers version 12 of the Scheme of Allowances with effect from 1 April 2024; and
3. Updates its constitution accordingly.

Councillor S Irvine proposed an amendment to the recommendation, seconded by Councillor W Irvine.

That Council approves:

1. Version 11.2 of the scheme of allowances, aligning the mileage rates to the Department's determination, with effect from 1 April 2023 and this be funded from in-year salary underspends.
2. Version 12 of the scheme of allowances, aligning mileage rates to the Department's determination, with effect from 1 April 2024.
3. The updating of its constitution.

Councillor S Irvine explained that the proposal did not incur additional costs, had no impact on Council reserves and complied with Council reserves and budgeting

policies as well as Department for Communities Guidance. It would also bring the Council into line with all other Councils across Northern Ireland.

Councillor Gilmour was unable to support the proposal to backdate pay to 1 April 2023, explaining that last year, Councillors took the decision to not increase the last pay award due to a difficult rate setting process. She believed renegeing on that decision was disingenuous to the ratepayer. However, it was always expected that realigning allowances would be investigated again. Today onward provided the opportunity for realignment but retrospective realignment was not the right choice. With regard to mileage the Council had decided to agree of £0.45 per mile as that was the level proposed by HMRC and the same figure doctors and nurses were entitled to. Councillor Gilmour felt it would be wrong for Councillors to be able to claim a higher mileage rate than those individuals, advising that she did not claim any mileage and disputed the argument of no cost to the ratepayer as the money had to come from somewhere.

Alderman McIlveen agreed with Councillor Gilmour, citing the democratic vote taken in 2023 to freeze Councillor allowances. Any change to that decision would be breaking a promise to ratepayers. He also disagreed with changing mileage rate allowances. The opportunity to realign now was appropriate, as if it were left any longer, the pay increase between a frozen allowance and realignment would only become a more stark change in the future.

Alderman Brooks regarded the report's mention of monies being found from an underspend fund, wanting to know how much money there was as there had been many occasions where Members had been told there was no budget. The Head of Finance advised that a budgetary control report was regularly provided to the committee, most recently in January 2024. The underspend was in excess of £2m and Members were advised in January that Ards and North Down Borough Council had the lowest percentage of reserves out of all Councils in Northern Ireland in comparison to expenditure. As had been suggested in the estimates process, underspend was used to bolster the general fund and strategic funds for transformation, sustainability and tax-based development. This would remain in the Officer's proposal in order for Council to modernise and meet its obligations under the Climate Change Act. The underspend was regularly reported to Council which had also recently agreed the reserves and budgeting policies. It was important for Members and Officers to maintain financial discipline even though it was inevitable that changes would occur during each financial year through both Officer and Member proposals. Without adequate reserves, the Council would have nothing to fall back on when it met financial challenges.

The report before Members covered the current year as well as 2024-25. Option one (version 11.2) would be in-year and backdated whilst Option 2 (version 12) was in connection with next year and that had been budgeted for as part of the estimates. The 2024-25 Council allowances were generally tied to increases in staff salaries through NJC pay settlements, the next of which may not be for quite a few months.

Councillor McRandal agreed with other Councillors that the concept of backdating was not appropriate and so would not support it.

Alderman Smith advised that Ards and North Down Councillors had the lowest allowances across Northern Ireland for many years. The decision to freeze them was just but to leave realignment any longer would, as Alderman McIlveen stated, only create a larger pay gap to be filled in the future. The thought of increasing mileage rates to £0.65 was overly generous, and Alderman Smith believed the solution was not for Councillors to increase their mileage allowance but for all other areas to lower theirs.

Alderman Graham also agreed that it would be improper for Councillors to backdate and thanked his colleagues for keeping rates down.

Given the opposing nature of comments by other Committee Members, Councillor S Irvine advised that he was happy to withdraw the amendment.

AGREED TO RECOMMEND, on the proposal of Alderman McIlveen, seconded by Alderman P Smith, that Council approve Option 2, version 12 of the scheme of allowances, with effect from 1st April 2024 and Option 3, updating of its constitution.

7. FINANCE POLICIES (REF: FIN58)

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services stating that Section 1 of the Local Government Finance Act required Councils to "make arrangements for the proper administration of its financial affairs". For a number of years, the Finance Service had been operating under legacy policies and had therefore been working on a programme to reviewing and updating current practice. To date following policies had been approved:

1. Anti-fraud, bribery and corruption v3 (March 2023)
2. Asset Management v1 (March 2023)
3. Reserves v1 (July 2023)
4. Charging and Income v1.1 (July 2023)
5. Budgeting v1 (November 2023)

The next two policies for approval were the draft Purchasing and Payments Policy and the draft Inventories Policy. Corporate Leadership Team, Heads of Service and Service Unit Managers had all been consulted on during the drafting process and their responses considered.

The main points of both documents are set out below:

Purchasing and Payments:

Chapter 1: Purchasing and Payments Policy Statement

Setting targets of paying 95% of invoices within 30 days and 85% within 10 working days. In addition, the draft policy required the use of electronic purchase orders for most purchases, puts in place numbering system for grant payments, standardises delegated authority thresholds for approving purchases and puts special delegations for repayment of loans.

Chapter 2: Overview of Responsibilities

Chapter 3: Suppliers and Payees Database

Chapter 4: Ordering of Goods and Services

This chapter sets out the arrangements for purchase orders and provided details on when they were not required and indicated that invoices not quoting a purchase order number would be returned to the supplier.

Chapter 5: Receipt of Goods and Services

Chapter 6: Internal Payments

Chapter 7: Non-Purchase Order Payments

Chapter 8: Completing the Weekly Authorisation Report

Chapter 9: Credit Card Controls

Chapter 10: Transitional Arrangements

As the new policy moved away from a paper-based purchasing ordering system, transitional arrangements were required to move to an interim system before the implementation of a new corporate financial management system.

Appendix 1: Chief Executive Credit Card Conditions of Use

Appendix 2: Performance Accountant Credit Card Conditions of use

Inventories:

Chapter 1: Inventories Policy Statement

Introduction, Policy Objectives, Policy Statement and Related policies

Chapter 2: Holding Stock

Need for stock, Service Unit Procedures, Finance Service Responsibilities and Importance of Maintaining Internal Controls

Chapter 3: Security and Records

Security, Records, Stock takes and Returns to Finance Service

Chapter 1 in each policy document is the formal policy and as such was subject to Council approval. The remaining chapters were procedural in nature and therefore subject to periodic management review.

RECOMMENDED that Council approves the Purchasing and Payments Policy and the Inventories Policy.

Alderman Graham proposed, seconded by Councillor McCracken, that the recommendation be adopted.

Councillor McCracken referred to Chapter 1 Policy Objectives and asked what local purchasing policies existed, if any and how Council would try to spend money in the borough to help local businesses. The Head of Finance explained that it was covered in the procurement policy within which provisions existed in line with current regulations to buy local if possible. A new Procurement Act was coming into force that may have some implications but these would be considered by the Strategic

Transformation Service. Councillor McCracken asked that Council be mindful of small businesses who found it difficult to engage due to Council processes and procedures. The Head of Finance advised that the Procurement Manager and their team did engage and provided assistance in that regard.

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

REPORTS FOR NOTING

8. REVENUE RAISING CONSULTATIONS

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which advised that a letter had been received from The Northern Ireland Local Government Association (NILGA) in relation to the Revenue Raising Consultations initiated by the Secretary of State for Northern Ireland and NILGA in turn had written to the Land and Property Services and the Chief Executives of the Northern Ireland Councils. Copies of the letters are attached.

RECOMMENDED that Council notes the letters.

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

9. QUARTERLY REPORT ON EQUALITY AND GOOD RELATIONS (REF: EQ33)

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which advised that, in accordance with the Council's Equality Scheme, a progress report was required to be submitted to the Council's Corporate Services Committee every quarter. This ensured that the Council complied with its obligations to meet its equality and good relations duties and responsibilities, as identified in Section 75 of the Northern Ireland Act 1998.

This report lists the actions of Council officers to meet the statutory duties since 1 January 2024.

Consultative Panel

A meeting of the consultative panel was held on 5th March 2024 in Alderman George Green Community Centre, all members were invited to come along a meet with the panel. The panel members reviewed Council policies, and suggestions were taken on board and added to the screening forms.

Screening of Council policies

The Internal Screening Panel met in January 2024 and again in March 2024. Officers from across the Council directorates screened 11 Council policies. This enabled comments to be received, considered, and addressed. All Heads of Service

and Service Unit Managers had been issued a reminder of the Council's screening obligations and instructions on completing the Jot Form.

Quarterly Consultations

The Council had a requirement within the Equality Scheme to publish the outcome of screened policies quarterly. A quarterly report was uploaded onto the Council's website on 25th January 2024.

Equality Action Plan

The Compliance Officer (Equality and Safeguarding) continued to review and ensure that items outlined in the plan were in place and on track. Officers were reminded of their responsibilities during the quarterly Screening Panel meetings. A review of the EAP was required and a new EAP for 2025 – 2030 is underway.

Disability Forum

The Disability Forum met in March 2024.

At the meeting, Linda Doherty from the Patient and Client Council gave a presentation on their services.

The Compliance Officer (Equality and Safeguarding) updated members regarding the review of the Disability Action plan. A number of parking issues and concerns had been identified by both the Over 50s Council and Disability Forum members. As a result, a workshop was to be facilitated on Wednesday 13 March 2024, 2pm – 4pm at Londonderry Park, Newtownards. The aim of the workshop was to develop key messages for an awareness campaign that would help people to understand the consequences of their actions and to alter their parking habits.

Disability Confident Scheme

Ards and North Down Borough Council signed up to the Disability Confident scheme, level 1 in January 2024. The scheme had 3 levels

- Level 1 to become a Disability Confident Committed
- Level 2 to become Disability Confident Employer
- Level 3 to become Disability Confident Leader

The Disability Confident scheme developed by CIPD supported employers to make the most of the talents disabled people can bring to the workplace. whilst

- challenging attitudes towards disability
- increasing understanding of disability
- removing barriers to disabled people and those with long-term health conditions
- ensuring that disabled people have the opportunities to fulfil their potential and realise their aspirations.

Together with Councils Human Resources department, the Compliance Officer (Equality and Safeguarding) would work towards achieving level 2.

Disability Action Plan

The Compliance Officer (Equality and Safeguarding) continued to work to deliver the Disability Action Plan. This was reported through the Internal Screening Group and the Disability Forum. At these meetings, any identified concerns may have been added to the plan to ensure appropriate actions were identified and undertaken promptly to enable the Council to remain compliant with the relevant legislation. A review of the DAP was required and a new DAP for 2025 – 2030 was underway.

Disability Employment and Support Day

In conjunction with the Labour Market Partnership Manager the Compliance Officer (Equality and Safeguarding) held a Disability Employment and Support Day In February 2024. The programme was aimed at those who self-identify as having a disability or a neurodiverse condition as well as parents, carers, or guardians of someone with a disability or neurodiverse condition. Local exhibitors who offer programmes and support packages for those with a disability were in attendance, to give advice on training, employment options and offer help and assistance.

Complaints

During this period, no Section 75 complaints had been received.

Safeguarding

Employee training had been developed in line with the Keeping Safe initiative, which aimed to raise awareness of the issues concerning Safeguarding Children and adults at risk. Between November 2023 and March 2024, the Council had trained 170 employees across all directorates.

The Compliance officer (Equality and Safeguarding) continued working together to safeguard and promote the welfare of children and young people and prevent and protect them from risk and harm.

No Safeguarding referrals had been made in this reporting period.

It Takes All Sorts

The It takes all sorts events 2023/2024 were very successful and gave staff and members of the public a wide variety of information ranging from Money advice to suicide prevention advice.

It is envisaged that another 4 events will take place from September 2024 through to January 2025, which was to be reported in the next quarterly report.

RECOMMENDED that Council notes this report.

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

10. LOCAL GOVERNMENT STAFF COMMISSION FOR NORTHERN IRELAND CONTINUING OPERATIONS BEYOND 2024

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which advised that a letter had been received from the Local Government Staff Commission for Northern Ireland in relation to their continuing operations beyond 2024. The letter indicated that Department of Communities had advised the Commission that their operations were to be extended to March 2027. The Commission had advised that once the schedule detailing the Estimated Penny Rate Product for Rates Support Grant for the incoming financial year was forwarded by the Department for Communities that they would advise Ards and North Down Borough Council of the Councils apportioned contribution for the financial year 2024/2025.

RECOMMENDED that Council notes the letter.

Alderman Graham proposed, seconded by Councillor Gilmour, that the recommendation be adopted.

Councillor Gilmour had in the past questioned why the Council had paid into the service but after having engaged with the services in recent times, now understood their purpose and asked if payments were an obligation. The Head of Finance explained that it had been intended for the Commission to be wound up at re-organisation but this had failed to happen and though not a priority, Council had an obligation to pay.

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

11. CHARTER PLUS AWARD FOR MEMBER DEVELOPMENT

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which explained that, on 29 January 2024, NILGA assessed the Council under the Charter Plus Framework (attached) for Member Development. Over 30 councillors and officers were interviewed as part of the day long assessment process, which was successful.

The Charter Framework helped councils to support councillor development and recognised those that had built an effective approach. The Elected Member Development Steering Group led the work involved and provided a comprehensive menu of development opportunities across a 4 year period after each election.

RECOMMENDED that Council note the information contained in this report.

Alderman Graham proposed, seconded by Alderman McAlpine, that the recommendation be adopted.

Alderman Graham found the assessment encouraging and wished to thank the enthusiasm of Samantha Rea who had been a driving force throughout the process.

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

12. RESIDENTS SURVEY **(REF: CJ/2024RS)**

PREVIOUSLY CIRCULATED:- Report from the Chief Executive's Office which explained that Council had committed to undertaking a formal survey of residents every two years to gain an insight into satisfaction levels with the organisation and the services delivered. The information gathered was shared across all service areas and used to inform a number of performance improvement measures including our annual service plans, performance improvement plan and financial statements.

A procurement exercise was undertaken to secure a market research company to deliver a survey that would provide:

- an insight into how the Council is perceived by the community it serves
- satisfaction with the local area
- satisfaction with 'key' Council services
- the responsiveness of the Council
- how informed residents feel
- their perception of the value for money the Council provides.

Social Market Research Ltd (SMR) was successful in the procurement exercise and commissioned to undertake the survey. The research was conducted in line with ISO20252 of which Social Market Research (SMR) is fully accredited.

The survey was based on a representative sample of 1,004 residents aged 16+, with quotas applied for age, gender, social class and location within the Borough.

The survey was conducted using Computer Assisted Telephone Interviewing (CATI). All interviews were conducted by telephone with interviewers fully briefed before the commencement of fieldwork.

A summary of the headline findings is attached in Appendix A and the full report in Appendix B

It was encouraging to note that residents report a high level of overall satisfaction with the Council – 83%. The comparative figure for all GB Councils in June 2021 was 60%.

The findings had been considered by Corporate Leadership Team and Heads of Service and as referenced previously, would be used to inform a number of our performance improvement publications.

RECOMMENDED that Council notes the results of the 2023 Resident Survey, which will be shared across all service areas and used to inform a number of performance

improvement measures including our annual service plans, performance improvement plan and financial statements.

Alderman Smith proposed, seconded by Councillor McCracken, that the recommendation be adopted.

Alderman Smith found the report positive, noting 83% satisfaction compared to the benchmark of 60% with only a 5% dissatisfaction. 97% had used at least one Council service which allowed for an informed opinion. 78% had said that the Council kept them informed whilst 67% believed there was good value for money which, when compared to the 55% benchmark was positive. Unfortunately, there had been a decrease in contributing to recycling which was down from 67% in 2021 to 58%. He hoped that the information gleaned from the survey would allow officers to develop policies. Alderman Smith noted however that satisfaction rates appeared to be quite different in DEAs with the former North Down area appearing to be more satisfied than the former Newtownards area. He believed it was possible this may have been attributable to announcements of investments over the past two years that may have led some ratepayers to believe Council acted more favourably to some areas.

Councillor McCracken offered congratulations to the team especially in the increase for value for money opinions from 49% to 69%.

Councillor W Irvine agreed with his colleagues and hoped the information on the HRC booking system would be passed onto the Environment team.

Councillor Gilmour thought the feedback was useful for shaping future agendas whilst also pointing towards areas that needed to be targeted and also noted the difference in satisfaction by DEA areas, as did Councillor Moore.

Alderman McIlveen reminded Members that Comber was once an area that was considered as significantly dissatisfied with issues such as dog fouling and flags. There was perhaps an underlying current of seeing millions of pounds of investment in Bangor as opposed to Newtownards but likely, such undercurrent was fuelled by social media and newspapers. The survey provided some evidence of disparity which would require investigating.

Councillor Cochrane queried if the sample size could be increased given that it was less than 1% of the total population and the frustrations some ratepayers may have with not being involved. The Head of Communications and Marketing advised that each survey interview took between twenty to thirty minutes, which was resource intensive, making the exercise expensive for Council to undertake. Sample size could be increased but costs need to be factored in. She reminded Members that additional service specific surveys were ongoing throughout the year allowing further exploration of satisfaction in particular areas of Council's work. She invited Donal McDade, Managing Director SMR Research, to comment on the validity/representation of the sample size.

Mr McDade explained that the sample size of 1000 was determined with consideration of managing the 'margin of error'. It delivered a 95% confidence rate

that the sample was representative across the Ards and North Down population. It was the number used by most councils in NI. He commented that Belfast City Council had used a 1500 sample size last year in their survey, but this was because they wanted more detailed geographical breakdown. The sample size could be doubled but the margin of error would only increase by 1%, which would be hard to justify in terms of the additional costs.

Alderman Graham was encouraged by the survey results and agreed with other Members that dissatisfaction should be investigated further in the hopes of identifying and improving any issues such as the apparent HRC dissatisfaction. He noted that certain social media pages would make one believe that the borough was very dissatisfied and was happy to see this was not actually the case before thanking officers and staff for their efforts.

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

13. PRUDENTIAL INDICATORS & TREASURY MANAGEMENT – 2023/24 QTR 3 (REF: FIN161)

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which explained that, in February 2023, Council approved its annual Capital and Treasury Management Strategies, including the setting of Prudential Indicators (PIs) for the financial year at the time of writing that was to end 31 March 2024. These were statutory requirements in accordance with the Local Government Finance Act (NI) 2011, the CIPFA Prudential Code and the CIPFA Treasury Management Code.

The purpose of this report was to provide Members with an update on the PIs and treasury management activity at the end of quarter 3 of the financial year, as required by the CIPFA Codes. The figures presented in this report were based on knowledge and information held at 31 December 2023.

1.1 Capital - Expenditure & Financing

The PIs for capital expenditure and financing should ensure that, within a clear framework, the capital investment plans of the Council would be affordable, prudent and sustainable. Updates to these PIs are set out below.

	Original Forecast	Revised Forecast
Table 1.11	£m	£m
Capital Expenditure 2023/24 (Current Year)	17.406	7.788

The original estimate of £17.406m had been revised to £7.533m, reflecting the capital expenditure that was then expected to be incurred by 31 March 2024. The reduction in the forecast was primarily due to programme slippages in the planned major capital schemes, particularly

- Greenway Schemes – Comber to Newtownards and Newtownards to Bangor, due to delays in the planning process, including awaiting responses from statutory consultees;
- Bangor Aurora Pool Floor – currently undergoing a detailed assessment of business needs;

The revised capital expenditure forecasted for the three-year plan, together with the capital financing implications and previous year activity are summarised below.

	Actual	Revised Forecast		
	2022/23	2023/24	2024/25	2025/26
Table 1.12	£m	£m	£m	£m
Capital Expenditure	5.187	7.788	19.406	30.593
Financed by:				
Loans	2.427	4.901	10.341	17.520
Grants	1.384	1.983	7.309	11.725
Capital Receipts	1.080	0.895	1.346	0.953
Revenue/Reserves	0.296	0.009	0.409	0.395

1.2 Capital – Capital Financing Requirement and External Borrowings

The Council's cumulative outstanding amount of debt finance was measured by the Capital Financing Requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP (minimum revenue provision). See section 1.4 for further information on MRP.

Statutory guidance was that debt should remain below the capital financing requirement, except in the short term. The Council had complied and expected to continue to comply with this requirement in the medium term as shown below.

	Actual	Revised Forecast		
	2022/23	2023/24	2024/25	2025/26
Table 1.2	£m	£m	£m	£m
Capital Financing Requirement (CFR)	76.328	75.853	79.784	90.301
External Gross Borrowing	63.725	59.651	61.226	72.574
Gross Borrowing within CFR	Yes	Yes	Yes	Yes

The difference between the CFR and the Gross Borrowing figures represented the Council's underlying need to borrow (£14.6m 23/24 forecast) and indicated that historic capital expenditure had been temporarily financed from internal revenue resources. This had been made possible due to an increase in the Council's cash reserves in the current and previous years. The position had been similar for several years with the Council last taking out long-term borrowings in November 2018.

1.3 Capital - Debt and the Authorised Limit and Operational Boundary

The Council was legally obliged to set an affordable borrowing limit each year, known as the 'Authorised Limit.' In line with statutory guidance, a lower 'operational boundary' was also set as a warning level should debt approach the limit.

The revised forecast for external gross borrowing at 31/03/24 was £59.7m (table 1.2). The Council was therefore forecast to remain well within both the Authorised Limit and the Operational Boundary set for the year as follows:

Table 1.3	2023/24
Authorised limit – borrowing	£ 86.235m
Operational boundary – borrowing	£ 81.235m

1.4 Capital - Revenue Budget Implications

Capital expenditure was not charged directly to the revenue budget. Instead, interest payable on borrowings and MRP (minimum revenue provision), together known as capital financing costs, were charged to revenue. These financing costs were compared to the net revenue stream i.e.. the amount funded from District Rates and general government grants, to show the proportion of the net revenue stream which was made up of capital financing costs.

Table 1.4	2022/23 Actual	2023/24 Forecast	2024/25 Forecast	2025/26 Forecast
Financing costs (£m)	8.158	7.782	8.781	9.712
Proportion of net revenue stream (%)	14.0%	12.4%	13.9%	14.1%

The forecast financing costs for 2023/24 of £7.8m were in line with the budget set for the year.

2.1 Treasury Management – Debt Activity

The following table summarises the position on long-term borrowings at 31/12/2023.

Table 2.1	Balance 01/04/23	New Loans	Repayments	Balance 31/12/23
Lender				
Dept of Finance	£ 56.450m	£ -	(£ 1.604m)	£ 54.846m
Banks (LOBOs)	£ 7.275m	£ -	(£ 1.000m)	£ 6.275m
Totals	£ 63.725m	£ -	(£ 2.604m)	£ 61.121m

The Council, at the time of writing did not hold any short-term borrowings.

The revised capital financing requirement (table 1.2) showed that the Council could increase its level of external borrowings to £75.8m by 31 March 2024. However, an assessment of the Council's cashflow position forecasts that there would be adequate cash reserves to temporarily finance capital expenditure for the remainder of the current year and therefore no further borrowing were anticipated before 31 March 2024.

Therefore, after further repayments on existing long-term loans are made in February 2024, the level of external borrowings at 31 March 2024 was forecast to be £59.65m.

2.2 Treasury Management - Debt Related Treasury Activity Limits

The table below shows the position of all debt related treasury activity limits.

Table 2.21		
Interest rate exposures	Limit 2023/24	Actual at 31/12/23
Quantity of debt held at variable interest rates - upper limit	30%	2%
Quantity of debt held at fixed interest rates - upper limit	100%	98%

Table 2.22			
Maturity structure of fixed interest rate borrowing	Lower Limit 2023/24	Upper Limit 2023/24	Forecast 2023/24
Under 12 months	0%	15%	4.7%
12 months to 2 years	0%	15%	6.0%
2 years to 5 years	0%	20%	13.8%
5 years to 10 years	0%	30%	27.2%
10 years and above	30%	90%	48.3%

2.3 Treasury Management - Investment Activity

The objectives of the Council's investment strategy were safeguarding the repayment of the principal and interest on its investments on time, with the investment return being a secondary objective. The investment climate at the time of writing continued to be one of overriding risk consideration, particularly that of counterparty risk. In line with advice provided by treasury management consultants, officers continued to implement an operational investment strategy of placing short-term investments with approved high-quality counterparties.

For the period from 1 April to 31 December 2023, Council had earned interest of £463k on investment deals with approved financial institutions as summarised below:

Table 2.31	Average Deposit Size	Average Term	Average Interest Rate	Interest Earned
CCLA Public Sector Deposit Fund	£2.7m	Call A/c	4.89%	£103,187
Invesco Investment Mgt Ltd	£2.6m	Call A/c	5.02%	£86,489
State Street Global Advisors	£2.7m	Call A/c	4.86%	£101,285
Barclays Bank	£1.7m	Call A/c	4.80%	£53,357
Bank of Scotland	£2.0m	Call A/c	4.85%	£77,029
Santander	£1.1m	Call A/c	2.91%	£10,060
Other Local Authorities	£3.0m	3 mths	4.20%	£31,414
Totals				£462,821

This compared favourably to the budget set for the year of £220k. The forecast investment interest income for the financial year is expected to be circa £600k, which will result in a favourable variance of £380k.

The total balance of funds held in investment accounts at 31 December 2023 was £11m. The table below shows the risk and return metrics on these investments against other NI Councils.

Table 2.32	Counterparties	Investments	
	Credit Rating	Liquidity	Rate of Return (%)
ANDBC	A+	100%	5.31%
NI Council Average	A+	74%	5.17%

Source: Arlingclose Ltd Local Authority Quarterly Investment Benchmarking report Dec-23

The Council's limit for total principal sums invested for periods longer than 364 days is £500k. The Council had not entered into any such investments.

RECOMMENDED that Council notes this report.

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

14. RESPONSES TO NOTICES OF MOTION

(a) NOM 164 – EVENT MANAGEMENT

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services stating that the following Notice of Motion was agreed by Council at its meeting in March 2023:

'That this Council acknowledges the exceptional work which community and voluntary groups carry out, often staging events which were previously run by this Council. Risk Management and Event Management Plans should assist the planning and the safe running of these events. However, many voluntary groups find the process arduous and inflexible, especially when trying to organise events on Council owned land. This Council therefore requests that a full review of this process takes place in consultation with community groups to ascertain their concerns, ensuring that Health and Safety expectations are realistic and meet the necessary requirements. Groups should be more actively supported as part of the process and that, if necessary, a wide range of supporting materials should be provided for a range of events; thereby ensuring that voluntary groups are more robustly assisted in their work rather than hindered by the current burdensome process.'

A report was brought to Corporate Services Committee in June 2023, detailing the review that officers had carried out in relation to the process that organisers of events on Council Land were required to follow to secure approval for the event to proceed, with a particular focus on the health and safety evidence requirements that formed part of the approvals process.

It was accepted that health and safety, in particular Risk Assessments and Event Management Plans, could be a complex area to navigate therefore, to further support event organisers, officers intended to hold an Event Organisers workshop. Officers wrote to 59 event organisers to seek feedback on the aspects of event management that caused them the most difficulty or concern, in order that these issues could be factored into the design of the workshop and it was recommended that Council noted that officers had undertaken a review of the process and that the Notice of Motion had been addressed. It was further agreed that officers would report back to the committee after the Event Management Workshop had taken place.

The Events Management Workshop took place on Saturday 20th January 2024 at Ards Blair Mayne Wellbeing and Leisure Complex and the details are summarised below:

- The workshop was led by an external facilitator, Vanessa Mawer, who has spent many years working with agencies and event organisers, advising, educating and implementing event safety.
- Officers sent an invitation to attend to all Elected Members, 59 stakeholders and relevant officers.
- Attendees: 1 Elected Member, 7 officers and 14 stakeholders.
- The aim of the workshop was to enable attendees to plan their events and to ensure (so far as is reasonably practicable) the events take place safely. The objectives were to explain relevant legislation and guidance for events, to understand what a landowner needs to allow their land to be used and considerations for the content of event documentation.
- Information was provided at the event by Council's Head of Environmental Health on Safety Advisory Groups (SAG) – the rationale and benefits of attending and Council's terms of reference for SAG, details of which can be found at Appendix 5 of the Council's Land and Property policy Council land and property | Ards and North Down Borough Council

- A follow up email was sent out to all attendees providing further support including relevant links and documents – see Appendix 1.

The attendees were asked to evaluate the workshop on a feedback form with a score between 1 (lowest) and 4 (highest) and the responses were as follows:

1. Workshop objectives were stated clearly and met - 100% scored a 4/4
2. The workshop was well organized – 100% scored 4/4
3. The information presented was relevant and useful – 83% scored 4/4, 17% scored 3/4
4. The facilitator and officers provided adequate time for questions and answered them satisfactorily – 100% scored 4/4
5. This workshop increased my understanding of Health & Safety, Event Management and Risk Assessments – 50% scored 4/4, 50% scored 3/4
6. The workshop gave me a good understanding of the Council's responsibilities as landowner – 83% scored 4/4, 17% scored 3/4
7. The presenter(s) suggested ways to follow up the training and provided information on where further information could be accessed – 67% scored 4/4, 33 % scored 3/4
8. The physical arrangements were adequate – 100% scored 4/4
9. How would you rate this workshop? (Please check one) – 100% scored 4/4

Comments from attendees:

"Really enjoyed the workshop, especially as someone not very au fait with event management topics. Topic was very interesting, and Vanessa was a great presenter. The catering was also very good."

"The Workshop was extremely useful and explained the Landowners responsibilities well."

"Event was a great opportunity to match faces to names. Some content not directly relevant to our operations (e.g. Bouncy Castle requirements), but still useful background information. Have previous experience of Health & Safety and Risk Assessment process in a work context. Standardised template will be helpful for future submissions. Vanessa's extensive knowledge base and practical application was particularly helpful. Overall, a great Council initiative that will be mutually beneficial to both Council and land users – well done to all involved."

"Very well organized, excellent speaker, ideal venue, and very enjoyable lunch."

"It was useful to see just how seriously the Council took their responsibility to ensure health and safety arrangements at events. I came away with a clear appreciation of the organizers' equally demanding responsibility. The facilitator was excellent."

RECOMMENDED that the Council notes the review that officers have undertaken, that an Event Management Workshop has taken place, the feedback from attendees and agrees that the Notice of Motion has been addressed.

Alderman McIlveen proposed, seconded by Councillor W Irvine, that the recommendation be adopted.

Councillor W Irvine asked if any practical steps had changed from the first policy or feedback taken on board from attendees, stating that volunteer groups attempting to organise events had been onerous.

The Head of Administration advised that Terms and Conditions for 3rd parties using Council Land remained the same, however a notable change was that people were engaging with the Council earlier in the process now which was positive. She felt that the workshop had been positive and all had come to the understanding that risks were both the responsibility of the Council and organisers. A schedule of Safety Advisory Groups (SAG) had now been scheduled with dates aligning to grants. This was a multidisciplinary internal and external group which organisers may have been asked to attend, depending on the nature and scale of the event.

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

15. NOTICES OF MOTION

(a) NOTICE OF MOTION SUBMITTED BY COUNCILLOR W IRVINE AND COUNCILLOR S IRVINE

That this Council in recognition of the 70 years of service rendered by the late her Majesty Queen Elizabeth II gives consideration to the erection of a permanent memorial of Queen Elizabeth II at the redeveloped marine gardens. A report to be brought back to Council to include options on the commissioning and costings of the memorial.

Councillor W Irvine proposed, seconded by Councillor S Irvine, that Council bring back a report to include options on the commissioning and costings of a memorial.

Councillor W Irvine explained that the memorial would be very fitting to commemorate the longest reigning monarch in a lasting tribute. He recounted key moments in Queen Elizabeth's life and her unwavering commitment to duty which led to her being seen as a beacon of hope.

Councillor S Irvine shared his fellow proposer's sentiments and spoke of the Queen's dedication over seventy years. The erection of a permanent memorial would commemorate her legacy with the gardens being a cherished public space in the

community offering future generations a reminder of her commitment to duty and service.

Alderman McIlveen explained that Council had taken a decision previously to name the gardens in her memory and that it would be interesting to see public feedback on what kind of memorial would be most fitting. He recalled that Councillor Cathcart had initially brought a proposal forth for an area in the borough to be named after Queen Elizabeth II and that this Notice of Motion complimented that decision.

Alderman P Smith thought a memorial was appropriate to highlight the naming of the gardens in what would be a fitting and practical statement.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor S Irvine that Council bring back a report to include options on the commissioning and costings of a memorial. Any decision arising from this will be subject to an EQIA.

16. ANY OTHER NOTIFIED BUSINESS

There were no items of notified business.

EXCLUSION OF PUBLIC/PRESS

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

REPORTS FOR APPROVAL (IN CONFIDENCE)

17. REQUEST FROM PANORAMIC WHEEL CO. LTD TO USE COUNCIL LAND AT MCKEE CLOCK ARENA, BANGOR

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

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

A report was provided to Members with regard to the Panoramic Wheel Co. Ltd using Council land at the McKee Clock Arena in Bangor during allotted times, subject to various terms and conditions as laid out by the Council.

The recommendation was adopted.

18. RENEWAL OF LEASE – MILLISLE LAGOON AND BEACH PARK (Appendix IV)

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

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

A report was provided to Members outlining the renewal of a lease in relation to Millisle Lagoon and Beach Park subject to a review of costs.

The recommendation was adopted..

19. SPFG MINUTES 26 FEBRUARY 2024

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

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

A copy of SPFG minutes from 26th February 2024 was presented to the Committee for noting.

The recommendation was adopted.

RE-ADMITTANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 20:33.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Community and Wellbeing Committee was held at the Council Chamber, Church Street, Newtownards and via Zoom, on Wednesday 13 March 2024 at 7.00 pm.

PRESENT:

In the Chair: Councillor Martin

Aldermen: Adair
Brooks
Cummings

Councillors:	Boyle	S Irvine
	Chambers	W Irvine
	Creighton	Kendall
	Douglas	Moore
	Irwin	

Officers: Head of Environmental Health, Protection and Development (A Faulkner), Head of Community and Culture (N Dorrian), Head of Leisure Services (I O'Neill), Parks and Cemeteries Officer (J Bettes) and Democratic Services Officer (H Loebnau)

1. APOLOGIES

Apologies for inability to attend were received from the Director of Community and Wellbeing, Councillor Ashe, Councillor Cochrane and Councillor Holywood.

2. DECLARATIONS OF INTEREST

The following declarations of interest were notified:

Councillor Chambers – Items 13, 14 and 19
Councillor Kendall – Item 4
Councillor W Irvine – Item 13 and 14
Councillor Martin – Item 13 and 14

Order of Business

Proposed by Alderman Adair, seconded by Councillor Boyle, that the Circulated for Information item be taken before the exclusion of public and press. Alderman Adair explained that he had a few comments to make at that point and wished to hand over a petition. The Chair and Members were in agreement.

AGREED.

REPORTS FOR APPROVAL

3. ASHBURY PLAY PARK UPDATE (FILE CW4)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that the purpose of this report was to update the Committee on the current status of the proposed Ashbury Play Park. Following the last update report in September 2023, Members agreed, 'That council note that the playpark cannot be delivered until the planning application has been determined. Officers, in the meantime, will return a report to this Committee, detailing alternative options in the event of the current plans not being progressed. In addition, Council Officers meet with NI Water and the developer for an onsite meeting to address the drainage issues.'

BACKGROUND

Under the legacy North Down Borough Council Play Park Strategy 2014, the east Bangor area was identified as having a lack of play provision. The more recent Ards and North Down Borough Council Play Strategy 2021 – 2032 also reiterated the lack of play provision in that area. An area around Ashbury Avenue (Ashbury Shops) and Linear Park was identified as being the best location to deliver a play park in that area to serve the local population. A site in the Lower Linear Park area was considered but was discounted due to the proximity of the dual carriageway. The sites which were identified were a location on the grass area to the front of the Ashbury Shops (not in Council ownership) and another within Linear Park (Council owned). It was proposed that a Tier 2 play park be delivered.

In the summer of 2019, a total of four public consultation events were held (two sets of two sessions), which were facilitated by the Community Development Team of the Council. The events were advertised locally via a leaflet drop (1,000 per session), posters were placed in the shops, local schools were given flyers, and the consultation was promoted on social media. Two of the sessions were held in local Primary Schools in June and a further two sessions were held in a local shop unit in September 2019. A survey in the form of a questionnaire was available at the sessions. A total of 114 questionnaires were completed over the four events.

The two possible locations for the play park were displayed on the map below at the public consultation sessions. Site A being the green space at the front of the shops at Ashbury and Site B within Linear Park.



The results were as follows:

1. Do you live in the Ashbury/Ballycrochan area? **97% said Yes**
2. Do you feel there is a need for a play facility in the area? **81% said Yes**
3. Looking at the map on display where do you feel is the best location for the play facility? **42% preferred Site A. & 46% preferred Site B. 3% indicated they would be happy with either location. 9% did not include a preference.**

At a subsequent Council meeting in August 2020, it was determined that the play park should be delivered at Site A, in front of the shops.

Negotiations began with the landowners as well as Land and Property Services to establish if the land could be obtained to deliver the play park and under what conditions. The landowners had aspirations of extending their commercial units at the site and following lengthy negotiations it was finally agreed that they would submit a planning application for their commercial extension. The application included additional commercial units, an extension of the car park and the play park.

The play park was designed by the Council's contracted installers in line with the normal Council specifications and the drawings were issued to the landowner's agent for inclusion in the planning application. The Council also paid the element of the planning fee attributable to the play park (£848). Indication was given by the landowners that when they received their planning permission, they would then transfer the land needed for the play park to the Council and it would deliver the play park. The conditions of the land transfer would be determined at that point.

The planning application was submitted on 20th July 2022:

LA06/2022/0750/F: Two class 1 shop units and 1 hot food unit to the ground floor and first floor accommodation for use as class B1(a) or class A2 financial professional and other service use with associated car parking and children's play area.



As previously reported, NI Water requested an assessment of the network capacity in the area. The landowners Agent had been liaising with NI Water to resolve the issue.

NI Water had sent its report on their Wastewater Impact Assessment to the applicant (landowner) which they had to pay for, it was received by the landowner on 21 April 2023 and its recommendations were valid for 18 months.

A further report had now been commissioned by the landowner in order to address the recommendations in the NI Water report. That required further investigations to be undertaken along with recommendations for further work, especially in relation to stormwater offsetting (SWO) solutions etc.

NI Water stated:

Once the SWO location has been confirmed with NI Water Clerk of Works on site, then developer will need to provide detailed design to demonstrate how SWO will be completed, and confirm that all consents are in place as detailed in Section 6 of the SER. We would advise that before our Clerk of Works visits the site that the necessary

onsite investigation are completed. The visit by our Clerk of works can be arranged by contacting the Impact Assessments Team.

Under certain circumstances there may be a requirement for the developer to undertake a habitat regulations assessment. NI Water may need to complete modelling to determine if the solution meets the requirements of a no detriment solution.

When NI Water are satisfied that there is a suitable solution can be completed on site and the proposed solution is in line with the NIEA agreement, then we can agree to release of the Article 161.

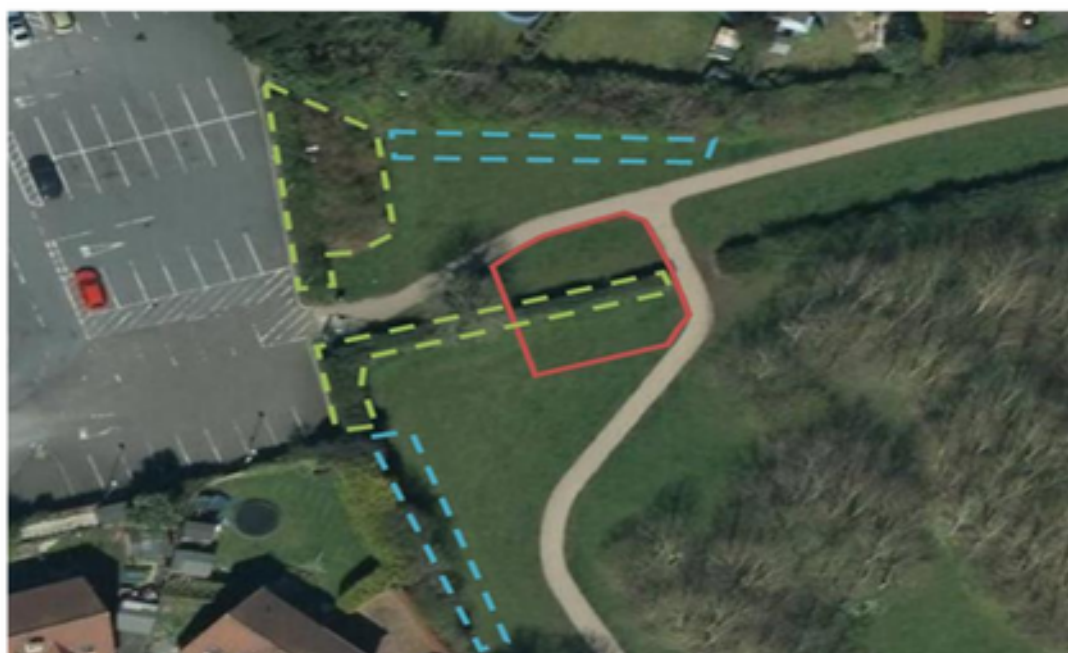
Only once the solution has been agreed with NI Water and all third-party consents are in place will we be in a position to agree a positive response to the planning application associated with the development.

Therefore, until the issue had been resolved to the satisfaction of NI Water and it advised the planners that it was content, the planning application could not be determined by the planners.

An issue relating to open space raised by the planners, had generally been resolved following direction received from the Local Development Plan Team. It stated that the Local Development Plan was not at an advanced enough stage to merit it being a material consideration in relation to this planning application and the potential for the area (the grass area to the front of the shops) to be classified as open space. It did state that further points of clarification relating to the retail and office use may be required.

The play park could not therefore be delivered until the planning process had been completed. The terms of the transfer would then be determined, and the legal transfer process would need to be undertaken. Should the application not be successful then further negotiations would be required. Members subsequently in September 2023 asked that Officers explore other options for the delivery of a play park in this area.

Going back to the public consultation the other site considered during that process was a site within Linear Park (Site B), which was Council owned. Back in 2020 Officers did visit the site and considered the potential of the location.



The proposed alternative location was outlined in red within Linear Park. The areas within the dashed blue line would be where bunds (earth mounds) would be located to act as an acoustic barrier and therefore reduce potential noise nuisance to the adjacent dwellings. Those could also be landscaped with evergreen planting to provide a year-round screen to protect the residential amenity of the adjacent dwellings. The area within the dashed green line indicated where vegetation would need to be removed.

The play park location had been selected to increase the separation distance between it and the adjacent houses.

Linear Park (Site B)	
Advantages	Disadvantages
No purchase cost	Vegetation would need to be removed to open up the visibility of the site so it could be easier monitored. Compensatory planting would be required.
Easy to deliver	Would require mitigation measures in order to create a noise/privacy buffer between the site and the adjacent houses (additional planting along the boundaries and bunding). Would require mitigation measures to protect the river (silt traps).
Would be locked at night along with the wider Linear Park	Would require planning permission and Habitats Regulation Assessment due to proximity to watercourse which was hydrologically linked to Areas of Special Scientific Interest, Special Protection

	Areas and Special Areas of Conservation and a Ramsar site.
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Some Members would be aware that there was also a reasonable degree of objection from neighbours to a playpark being built within Linear Park.

While Linear Park was designated as a Local Landscape Policy Area (BR 19 Ballycrochan) it was not considered that the development of the play park would adversely impact on those features for which it was designated as followed:

- Area of local amenity importance – A river corridor and associated public pathways developed as a contemporary urban park.
- Area of local nature conservation interest – Structured planting, managed by the Woodland Trust and providing linkage and a wildlife corridor within an urban environment.

Play parks were generally considered as open space so it would generally be acceptable in the location. Given the proximity of the site to the river within Linear Park (approx. 103m) which hydrologically linked to the Outer Ards Ramsar, ASSI and SPA designated area, a Stage 1, Habitats Regulations Assessment (HRA) would be required, and that was likely to require an additional report and a recommendation of the appropriate mitigation measures before any development could occur. Therefore, planning permission would be required to fully consider those aspects as outlined above. Appropriate mitigation measures such as silt traps etc would be required to protect the river from any sediments created during construction.

The existing fencing and gates of Linear Park would remain in situ and the gates would continue to be locked at night to reduce any antisocial behaviour issues. The existing paths would also remain in situ. It should be noted that the entrance gates leading to the commercial site were also locked at night (11pm) and managed by the landowner.

Alternative sites

Alternative sites within Linear Park considered in the areas generally outlined in the dashed blue lines shown below. Those were discounted due to the lack of visibility/access, which would create issues in terms of being able to monitor any antisocial behaviour, child protection issues as well as construction and maintenance access. They would also bring the proposed play park closer to the river corridor. The topography of those sites would also more difficult especially the central area which would make developing this area more expensive and challenging.



Conclusions

Site A to the front of the shops, had been in the planning system for a considerable time and it was hoped that the negotiations between the developer/landowner and NI Water should be nearing a conclusion. Once they were finalised, the planners could make a decision on the planning application and the delivery of the play park could progress subject to the transfer agreements etc. Should planning approval not be granted then further negotiations with the landowner could be held.

Site B in Linear Park would likely also require a planning application and so that process would have to be initiated and it too could take a considerable amount of time to reach a conclusion as well as costing additional money for the planning fees and the cost of preparing drawings and the Habitats Regulation Assessments etc.

RECOMMENDED that Council await the outcome of the current planning application and continue with the delivery of the play park at Site A.

Proposed by Councillor Irwin, seconded by Councillor Chambers, that the recommendation be adopted.

Councillor Irwin was aware that some discussion had taken place before the meeting and she thought that Members were not completely satisfied about taking Site B off the table. Much exasperation, frustration and dismay had been expressed at the slow progress of this playpark proposal which had been under discussion for many years. While Site A was held up in the application process currently, if Site B was to be progressed it would need its own application and she wondered if the officer had any idea how long that would take. The Parks and Cemeteries officer indicated that, that application may be more complicated, and it was difficult to be clear about timelines. The Member thought that there was not much more that could be said and that she hoped the application would progress quickly because generations of

young people were missing out on play facilities in that area, she thanked officers for bringing the report.

Councillor Chambers agreed that there was not much more to be said and although the proposal had rumbled on it was in no way a criticism of Council officers or even the landowner but rather NI Water causing the delay. He asked officers how long the Council could continue on this road before looking at other options. The advice from the officer was to wait on the outcome of the current application, which was close to expiring, and that would determine the timeline or if other options needed to be considered. The Member was aware that the matters relating to Site A were completely out of the Council's hands but that there was comfort knowing that obstacles at Site B could be controlled. He advised he had previously called for a site meeting with NI Water officials and Council officers to engage in conversations. The officer reported that there were challenges in arranging the meeting.

Alderman Adair advised that whilst this was not his area, the question he was going to ask for a colleague had already been answered but he wished Members of Bangor East every success. He had previous experience working with NI Water and that had been challenging since it continually moved the goalposts and that was regrettable since he believed that two public bodies should have a common purpose in helping to deliver for the community.

Concluding the discussion, the Chair proposed that the Committee write to NI Water inviting them to address the Community and Wellbeing Committee and if a reply was not made that that matter be addressed with the Minister.

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

(Having declared an interest in Item 4 Councillor Kendall left the meeting at 7.13 pm)

4. IN BLOOM FUNDING AND UPDATE (Appendix I)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing attaching the In Bloom Funding Application Table. The report stated that the purpose of the report was to provide an update on the Ards and North Down in Bloom initiative and consider the 22 applications from local community groups for 'In Bloom' funding.

Ards and North Down in Bloom Update

The Ards and North Down in Bloom initiative had been developed with three overlapping objectives which were: horticultural excellence, community participation and environmentally sustainable practices. Those were in line with the objectives of national award schemes such as Britain in Bloom and regional awards such as Translink Ulster in Bloom.

By actively supporting this initiative, applicants not only made their communities more attractive, but also contributed to the Borough's entry to the Translink 'Ulster in Bloom' Competition and other regional awards. In recent years that had proved to be a great success, particularly in the towns of Comber (runner-up in 2021 & 2022), Groomsport (runner-up in 2023) and Donaghadee (winner 2021,2022 and 2023) also winning Gold at Britain in Bloom 2023.

While the success was welcomed, the Council's Parks Service recognised the opportunities for growth through further community engagement and participation. To support communities with their 'In Bloom' entries, the Park Service invite annual applications from environmental and community groups and associations within the Ards and North Down Borough, for funding to enable the purchase of flowers, plants, shrub and tree material, for planting within local villages or towns. The allocation of funding was subject to Council budget approval and capped at £1,000 per application. Since 2019, the 'In Bloom' Funding Scheme had awarded more than £95,000, supporting 106 projects. The scheme was projected to support a further 21 groups through 2024.

The benefits of the wider 'In Bloom' initiative included increased numbers of visitors who travelled around the Borough's towns and villages to see the floral displays. Shops and businesses in the respective communities reported considerable increase in their business for weeks afterwards. In addition, people perceived those floral places as attractive areas to live resulting in demand for properties, thus increasing property value. The success at Translink's 'Ulster in Bloom' and success of Donaghadee at RHS 'Britain in Bloom' enhanced the attractiveness of the Borough across the United Kingdom.

Community Competitions

To further promote and support the 'In Bloom' initiative, the Council Parks Service launched the Ards and North Down in Bloom Community Competitions in 2020. The competitions were coordinated by Ards and North Down Borough Council. That community competition encouraged everyone who lived or worked in the Borough to think about their local environment and how attractive flowers, plants, trees and gardens could enhance it. By supporting the competition residents not only made their garden or business more attractive, but also contributed to the Borough's entry to the Translink 'Ulster in Bloom' Competition and other regional awards.

The competitions were designed to attract a wide demographic to become involved in activities that promoted horticultural excellence, increased environmental responsibility and encouraged community participation. The competitions regularly attracted over a thousand entries per year.

The general categories for the Community Competition categories were:

- Best Kept Front Garden
- Gardening for Wildlife Award
- Volunteer of The Year
- Best Kept Commercial Premises
- Best Kept Community Planting Scheme.

The structure of the competitions recognised the importance of educating young people on environmental responsibility, benefiting the Borough now and for future generations. The competitions included categories specifically aimed at entrants aged under 16. The Young People's Categories for the Community Competitions were:

- Best School Gardening Project
- Painting Competition
- Tallest Sunflower Competition
- Young Volunteer of The Year

The most popular Young People's category was the Tallest Sunflower Competition. The category was designed to engage young people in a fun horticulture activity, while learning about how to grow and care for plants. The Parks Service had found many stories of children working with friends, neighbours and relatives to grow their sunflower as tall as possible. To support the scheme, free packets of sunflower seeds were distributed to schools across the Borough. In 2023, the scheme saw the delivery of 8,000 packets of seeds (approx. 80,000 seeds) and the Council was continuing the initiative in 2024.

In October 2023, Parks and Cemeteries Services organised the second Ards and North Down 'In Bloom' Awards ceremony in Clandeboye Lodge Hotel in Bangor, to celebrate the winners within each category. More than 60 residents and special guests were in attendance. The event proved a huge success with participants and further strengthened the Council commitment to community engagement and support.

In Bloom Funding

Ards and North Down Borough had a reputation for leading the way with 'In Bloom' efforts. The Borough had won regional and national competitions in recent years and the common theme throughout all the success was the incredible hard work and enthusiasm shown by Council staff and the local communities they worked with.

The grant scheme assisted the Ards and North Down in Bloom initiative which had been developed with three overlapping objectives: horticultural excellence, community participation and environmentally sustainable practices. Those were in line with objectives of Translink Ulster in Bloom and other regional awards schemes.

Ards and North Down Borough Council currently made budget provision for the allocation of funding to community groups in order to assist with floral displays in the towns and villages throughout the Borough, to assist with the Council's commitment to the Ulster in Bloom competition.

The allocation for funding was intended to supplement floral display and amenity area maintenance currently carried out by the Council's Parks and Cemeteries section. That may be in the form of hanging baskets, planters, flower beds etc. on Council property, NIHE property, Roads Service property, or privately owned non-domestic areas in public view.

The maximum limit for funding was £1,000 per annum per group. A further grant may be provided for funding, in whole or in part, appropriate liability insurance covering the floral display work over and above the group's normal insured activities. Funding would be allocated with 80% advance payment, with the further 20% paid upon the receipt of invoices.

Council wished to encourage a collaborative approach by groups, where there was more than one group applying in a town or village, consideration may only be given to one project.

The 22 applications were assessed against the following criteria:

- Provide a vision as to how the funding would enhance the particular areas and how that would be sustained in subsequent years.
- Evidence of approval from relevant landowners where works were to be carried out.
- When appropriate insurance liability cover was in place, copy of certificate and schedule to be submitted.
- How the works were to be carried out, and by whom.
- Detailed breakdown of how funding would be utilised, and receipts submitted accordingly.

The Appendix clearly demonstrated how each application met each of the criteria.

In the assessment, 21 applications were considered to have met the criteria. That was the greatest number of successful applications received for this funding call and was consistent with the increase in community group activities experienced during the current pandemic.

Currently, there was budget allocation of £21,000 for the In Bloom programme. The 21 successful applications amounted to £20,525 in total.

RECOMMENDED that the Council:

1. Continue to support the 'In Bloom' initiatives across the Borough
2. Awards the 21 applications for funding.

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

Alderman Adair commended those who had applied and complemented the ongoing work of the Parks team. The work that the volunteers carried out showed wonderful results and he paid tribute to one of his constituents Ellie Dempster from Portaferry who had pioneered volunteering on the Ards Peninsula encouraging others to become involved. This was a great partnership within the community and with the Council helping to increase civic pride and intergenerational participation to provide a feel-good factor and in turn make local areas beautiful for residents and tourists alike. He thought that the floral displays across the Borough were second to none.

Alderman Brooks shared that view, and he also offered his thanks to Council officers and referred to the recent success of Donaghadee in both Ulster and Britain in Bloom. He was happy to support the recommendation.

Councillor Boyle remembered that several years ago not many villages had taken up the initiative and it was now very encouraging to see many more community groups come on board. It was, in his view, vitally important to recognise the impact the limited funding could produce making it a great return for the Borough. All volunteers should be praised, and this was great news for the Borough and a great return for a modest investment.

Councillor Douglas shared the enthusiasm noting that twenty-one applications had been successful including three in her own area, Comber, Lisbane and Ballygowan.

The Chair took the opportunity to thank all the volunteers and officers for their efforts in helping to transform the appearance of local areas.

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

(Councillor Kendall returned to the meeting at 7.18 pm)

5. DISPLAY BED APPLICATIONS (PCA5) (Appendix II)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing attaching Display Bed Designs. The report detailed that Members would be aware that Council had an agreed policy for the use of Display Beds in the Borough, the policy required Officers to report to Council any applications received by external organisations.

The Council had received applications for use of multiple display beds, officers had assessed the applications and had determined that all requests met the criteria in the policy and were recommended for approval. The applications were deemed by officers to not require equality screening.

The applications and the proposed designs of the displays were included in the appendices attached to the report. The Parks team would endeavour to replicate the designs as far as possible, however detailed design may alter to facilitate installation. If necessary, the Officer would liaise with the applicant if the installation may have to be significantly different from that proposed.

Name of Group / Organisation	Display Bed applied for	Proposed dates of display	Reason for the display	Drafted Display image
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Bryansburn Rangers	Bangor Post Office	03/06/2024-19/07/2024	Commemorate 50 Year Anniversary	See Appendix 1
RNLI Holywood	Ballymenoch Park	15/04/2024-26/05/2024	200 th Year Anniversary	See Appendix 2
RNLI Donaghadee	Donaghadee	15/04/2024-26/05/2024	200 th Year Anniversary	See Appendix 2

RECOMMENDED that Council approve the proposed display bed applications.

Proposed by Councillor W Irvine, seconded by Councillor Irwin, that the recommendation be adopted.

Councillor W Irvine welcomed the applications and commented that the RNLI had had a lot of traction in its anniversary year. Further he commented on Bryansburn Rangers who were a long-established football club and the Member wished the Club well on its 50th Anniversary.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor Irwin, that the recommendations be adopted.

6. DFE CONSULTATION ON ONSHORE PETROLEUM LICENSING FOR NORTHERN IRELAND

(Appendix III)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing attaching DfE Consultation Document. The report detailed that DfE had launched a consultation the purpose of which was to consult on options for onshore petroleum licensing policy in Northern Ireland, provide detail on the proposed policy and to seek views on the issues raised, as well as the way forward. The Council had requested that a response to the consultation was submitted. The full documentation could be found here [DfE website](#).

Background

The petroleum licensing system was the set of rules for how companies could search for and extract onshore oil and gas in Northern Ireland. It was the responsibility of DfE under the Petroleum (Production) Act (Northern Ireland) 1964 and other regulations. Offshore petroleum exploration and production which took place in coastal or open waters was not devolved to the Northern Ireland Executive and was the responsibility of the North Sea Transition Authority (formerly known as the Oil and Gas Authority).

In October 2020, the Northern Ireland Assembly passed a Motion calling for a moratorium on petroleum licensing for exploration, drilling or extraction of hydrocarbons (oil and gas) in Northern Ireland. In advance of the October 2020 Assembly debate, DfE obtained legal advice that a moratorium on fracking or, on

petroleum exploration and extraction, prior to the independent research and policy development process completing, could result in a legal challenge with a high likelihood of success. The Climate Change Act (Northern Ireland) 2022 had also been passed. There was considerable public interest in the issue, especially concerning the potential use of hydraulic fracturing (fracking). Those developments demonstrated the need for the review of the onshore petroleum licensing policy position in Northern Ireland to ensure it was fit for purpose.

Key information

The consultation document in the Appendix explained onshore petroleum exploration and production, it outlined Global and regional policies, outlined the situation in Northern Ireland, summarised independent research relating specifically to Northern Ireland and discussed options for the way forward.

Note that within the information in the consultation document, a map was provided showing the areas that had potential for oil and gas exploration, potential conventional hydrocarbon resource and potential unconventional hydrocarbon resource. None of those fell within the perimeter of Ards and North Down Borough Council.

Options

Four options outlined by the consultation were as followed;

Option 1: Status Quo – Do Nothing. That would involve no change to the current licensing rules and no change to the current policies. The open-door policy would remain in place and the focus would continue to be on maximising the economic potential of Northern Ireland's oil and gas resources.

Option 2: Change from open door policy to licensing rounds in defined areas. That would maintain the policy to maximise the economic potential of Northern Ireland's natural resources but remove the open-door policy and adopt a licensing round approach.

Option 3: Moratorium and eventual legislative ban on exploration or production of unconventional hydrocarbons. That would represent a significant shift in the current policy. It would lead to a moratorium and eventual legislative ban on exploration for all unconventional oil and gas (including fracking) in Northern Ireland. Companies would still be able to apply for licences to explore for conventional oil or gas.

Option 4: Moratorium and eventual legislative ban on all forms of onshore petroleum exploration and production. That would represent the most significant shift in the current policy. It would lead to a moratorium and eventual legislative ban on exploration and production of all forms of onshore oil and gas in Northern Ireland. That would introduce a closed-door policy for onshore petroleum exploration and production in Northern Ireland. **This was the preferred option proposed by DfE.**

There was no strong economic case to support the exploration for and possible production of any potential onshore oil and gas resources in NI. Such a course of action also ran contrary to the objectives of the NI Energy Strategy and targeted in the Climate Change Act (Northern Ireland) 2022. In addition, both the Hatch Report

and BGS Report on Seismic Activity in NI Basins raised concerns about the environmental and social impacts of onshore oil and gas exploration and extraction. On that basis, the recommended preferred policy was a moratorium and eventual legislative ban on exploration and production of all forms of onshore oil and gas in Northern Ireland.

The Consultation

The consultation asked five questions which were outlined below with a draft response showing support for the preferred option.

1. Do you agree with the assessment of the policy context and potential for onshore oil and gas resource in Northern Ireland? **Yes**
2. Do you agree with the assessment of the economic impacts of potential onshore oil and gas exploration and production in Northern Ireland? **Yes**
3. Do you agree with the assessment of the potential social and environmental impacts of onshore oil and gas exploration and production in Northern Ireland? **Yes**
4. Do you agree with the preferred option for onshore petroleum licensing policy? **Yes**
5. Do you think there are alternative options for onshore petroleum licensing policy in Northern Ireland which should be considered? **No**

RECOMMENDED that Council approves the response to the consultation and agrees that the response was submitted by the Head of Environmental Health and Development on behalf of the Council to DfC by the deadline of 12th April 2024.

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

Councillor Kendall was pleased with the recommendation and thanked officers for bringing forward the report which had reiterated that this Council was aware of its responsibilities in combating the climate emergency. She referred to the huge profits being made by the energy companies and believed that investment should be made into renewables and that there should also be an outright ban on all forms of oil and gas exploitation.

Seconding the recommendation Councillor Irwin thanked the officers for the report and commented that she was glad to see that progress was being made following a return to government at Stormont.

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

7. 2018 PUBLIC CONSULTATION ON ANTI-SOCIAL BEHAVIOUR (ASB) LEGISLATION (FILE ASB – PCSP) (Appendix IV)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing attaching draft response to the public consultation on ASBs legislation. The report detailed that in April 2018, the Department of Justice (DoJ) carried out a

public consultation to review the criminal legislation framework to tackle anti-social behaviour.

Following that consultation a multi-agency, cross-governmental ASB Delivery Group was formed to take forward the out workings of the consultation. The group was tasked to consider five powers that were consulted upon, as well as four additional powers that were raised as a result of the 2018 consultation.

The ASB Delivery Group considered nine legislative powers as followed:

- Criminal Behaviour Orders (post-conviction order to stop individuals engaging in ASB by placing prohibitions and requirements on them);
- Public Space Protection Orders (order imposing conditions on use of designated areas);
- Closure Powers (power to close premises that are being used, or likely to be used, to commit nuisance or disorder);
- On-Street Drinking (commencement of sections 68 to 72 of the Criminal Justice (NI) Order 2008);
- Powers in section 54 of the Civic Government (Scotland) Act 1982 to address noise nuisance through seizure of sound producing devices;
- Civil Injunctions (power to stop individuals engaging in ASB by placing prohibitions and requirements on them);
- Absolute Grounds for Possession (power for possession of secure and assured tenancies where ASB / criminality has been proven by another court);
- Dispersal Powers (power to direct a person who is in a public place to leave the locality and not return for a specified period); and
- ASB Case Review /Community Trigger (power for victims of ASB to request a review of actions taken to address ASB).

Conclusions of the ASB Legislative Review Delivery Group

The ASB Delivery Group undertook a detailed scoping exercise to identify, where possible, an evidence base that would indicate how successful some of the proposed legislative measures were in addressing ASB in other jurisdictions. It was also necessary to compare the powers under consideration with those already in place in Northern Ireland to ascertain whether their introduction would bring any tangible benefit.

Not all of the powers were deemed suitable for progression and the Delivery Group concluded that legislative amendments could be progressed for four of the nine powers. Therefore, together with the Department for Communities (DfC), DoJ was seeking views on those four pieces of legislation, policy responsibility for which fell across both departments, with a view to ensuring relevant authorities had effective and proportionate powers to help address ASB and its effects within communities. The proposals related to:

- Amendments to the Anti-Social Behaviour (NI) Order 2004 (amendments to ASBOs) - DoJ
- Amendments to the Criminal Justice (NI) Order (amendments to on-street drinking legislation) – DoJ / DfC

- Amendments to Housing (NI) Order 2003 (amendments to ASB Injunctions for housing providers) – DfC
- Amendment to the Housing (NI) Order 1983 (introduction of Absolute Grounds for Possession of secure tenancies) – DfC

The purpose of the consultation was to seek the views of stakeholders on those proposed amendments to ensure that powers available to relevant authorities (Councils, Police and Social Housing providers) were proportionate, effective and would have an appropriate impact on addressing ASB and its effects within communities.

RECOMMENDED that Council approves the attached consultation response.

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

Alderman Cummings was delighted to propose the recommendation and thanked officers for the report. He referred to the good working relationship that the Council had with the PSNI and other agencies and was pleased with the progress that was being made.

Seconding the recommendation Councillor W Irvine thought that anything that added more powers should be welcomed and he asked about the next steps. The Head of Community and Culture said that this would be reported back to the Department for Justice following the Council meeting at the end of March.

Councillor Kendall stated that unfortunately she could not entirely support the response and had some concern about it. She quoted that the minimum age of responsibility was ten years old and that receiving an ASBO could lead to a criminal conviction and there was evidence that historically ASBOs had not worked well in Northern Ireland. She thought that early contact with the Justice system for children was not helpful and that such punitive measures might not be the best solution as it also put additional pressure on the PSNI. Instead, she believed that decision makers needed to go back to the drawing board and consult more widely and include restorative justice methods. She also stated that the consultation had not included talking to children and young people.

The Chair asked that a vote be taken by a show of hands and 9 voted IN FAVOUR of the recommendation, 3 were AGAINST and 1 ABSTAINED so the recommendation was CARRIED.

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

8. ARDS AND NORTH DOWN SPORTS FORUM GRANTS (WG FEBRUARY 2024) (FILE SD149)

(Appendices V-IX)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing attaching Successful Goldcard Report for Noting 23-24, Successful

Individual Travel & Accommodation Report for Noting 23-24, Successful Club Travel & Accommodation Report for Noting 23-24, Unsuccessful Report 23-24 and Successful Individual Travel & Accommodation Report for Noting 24-25. The report detailed 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. £45,000 had been allocated within the 2023/2024 revenue budget for this 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 January 2024, the Forum received a total of 15 applications: 1 Event, 6 Goldcard, 7 Individual Travel/Accommodation and 1 Club Travel/Accommodation Grant (1 Individual Travel/Accommodation Grant was for an event in April 2024, hence, that was assessed as a 2024/25 Grant). A summary of the 14 successful applications were detailed in the appendices attached to the report.

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

2023/24 Budget £45,000	Annual Budget	Funding Awarded January 2024	Remaining Budget
Anniversary	£1,000	£0	£250.00
Coaching	£3,000	£0	£1,453.75
Equipment	£14,000	£0	*-£4,755.74
Events	£6,000	£0	-£523.33
Seeding	£500	£0	£55.01
Travel and Accommodation	£14,500	*£980.00	-£4,088.99
Discretionary	£1,000	£0	£1,000.00
Schools/Sports Club Pathway	£5,000	£0	£3,002.00
*Goldcards proposed during the period January 2024 is 6 (27 Goldcards in total during 2023/24).			

*The proposed remaining budget for Travel and Accommodation of **-£4,088.99** was based on a proposed award of **£980.00** – for Noting.

*The proposed remaining budget for Equipment of **-£4,755.74** was based on a withdrawn amount of **£2,000.00** and reclaimed amount of **£121.29**.

The proposed funding for January was **£980.00** and the proposed remaining budget for 2023/24 was **-£3,607.30** (108% of the 2023/24 budget spent).

The proposed funding for January 2024, relating to 2024/2025 budget was **£200**. That would be deducted from the Travel and Accommodation grant allocation 2024/25 subject to confirmation of the 2024/2025 Budget.

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 Councillor Boyle, seconded by Councillor S Irvine, that the recommendation be adopted.

Councillor Boyle said that he always welcomed these reports celebrating the sporting activities and achievements of local people. He further commented on his recent attendance at the Sports Awards and how he would have liked to have seen more of the Borough's elected representatives in attendance and urged the Council to continue to provide funding for this event annually.

There was obviously great sporting talent locally and he had enjoyed hearing about the successes and phenomenal support shown through coaching and family commitment and sacrifice. He also thought that Council officers and sponsors should be given thanks for their commitment and hard work behind the scenes and that should be built upon.

Councillor S Irvine was in agreement and thought that this was one of the Borough's greatest successes. A few parents had made contact with him to express their thanks and he pointed to world champions within the local community. He further stated that the Council could not rest of its laurels but continue to push the Sports Awards further. He asked that homecoming recognitions be made for all the athletes, including those who competed while living with disabilities. Officers agreed to provide Members with information on how that could be achieved.

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

REPORTS FOR NOTING

9. CAIRN WOOD POST PROJECT EVALUATION (FILE PCU38) (Appendix X)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing attaching Cairn Wood Post-Project Evaluation. The report detailed (PPE) should be carried out on all capital works following completion of project. The 'Cairn Wood Recreation Project', funded and administered by the Department of Agriculture, Environment and Rural Affairs (DAERA), Forest Service, through the Tackling Rural Poverty and Social Isolation Fund (TRIPSI) was completed by 4 February 2022.

The Post Project Evaluation (PPE) was service led and was an assessment of the projects results, activities, and processes. It was an essential tool to show that the project objectives had been met and, in terms of public accountability, to demonstrate what had been achieved with the investment of public funds. It also facilitated recognition of project achievements and acknowledged people's work. This phase was also used to capture any learnings gained from the project while the memory of any issues encountered were still recent. The PPE primarily evaluated:

- If the benefits, scope and deliverables of the project, as stated in the Project Brief, have been met;
- The performance of the building/facility;
- Lessons to be learned from the experience which may help future projects.

Members should note that DAERA, Forest Service had verified and paid all claims and a separate PPE had been submitted to them at their request and using their templates etc.

RECOMMENDED that Council notes this report.

Proposed by Councillor Kendall, seconded by Councillor W Irvine, that the Council notes the report and further that;

In light of the impact on priority species, such as red squirrels and pine martens in Cairn Wood, this Council, in preparing a management plan, will explore any possible replanting, rewilding and other measures to improve biodiversity within the Wood and to mitigate, as far as possible the impacts of increased footfall.

Councillor Kendall welcomed the improvements that had been made at Cairn Wood which had been well done but with extra footfall some of the priority species such as red squirrels and pine martens had fallen. She hoped that the Council could look at replanting and rewilding in places to improve biodiversity and to mitigate the impacts of the increased footfall.

Councillor W Irvine praised what had been a successful project with many more visitors using the opportunity to enjoy the Wood and outdoor environment but hoped that protections would be put in place to preserve the beauty and biodiversity of the area.

The Chair supported the amendment stating that it was known that red squirrels and pine martens needed to be protected to allow them to thrive in the competition of the grey squirrel.

AGREED TO RECOMMEND, on the proposal of Councillor Kendall, seconded by Councillor W Irvine, that the recommendation be adopted and further that in light of the impact on priority species, such as red squirrels and pine martens in Cairn Wood, this Council, in preparing a management plan, will explore any possible replanting, rewilding and other measures to improve biodiversity within the Wood and to mitigate, as far as possible the impacts of increased footfall.

10. NOTICE OF MOTION

(a) Notice of Motion submitted by Alderman Adair, seconded by Councillor Edmund

That Council note the increasing growing population in the village of Ballyhalbert and the current lack of public open spaces in the village and task officers to bring forward

a report on options to provide a public green open space to promote health and wellbeing of the local community and further tasks officers to engage with developer to ensure the new play park planned for Saint Andrews is delivered in line with our Council play strategy.

Proposed by Alderman Adair, seconded by Councillor Edmund, that the Notice of Motion be adopted.

Alderman Adair brought his Motion on behalf of the constituents of Ballyhalbert, which was located on the Ards Peninsula and was the most easterly point on the island of Ireland. Over a period of about thirty years the population of the village had grown from approximately 300 and was now about 2,000. The sad reality was that while the population had grown, the services and infrastructure locally had not. Everyone was aware of the importance of green space and its benefits for wildlife and human wellbeing and the community lacked that, which was a shame. A ray of hope had been provided when the developer of Saint Andrews/Longfield had amended its plans to develop a playpark in that area but sadly that did not meet the Council's specification. He hoped that negotiations could continue with the developer to provide a playpark that was in line with the Council's strategy and that could be delivered for everyone. He hoped that the Council could provide for the people of Ballyhalbert who deserved the same facilities as everyone else and he asked Members for their support.

Councillor Edmund also referred to the large population in Ballyhalbert over recent years, the lack of an adequate connecting footpath around the village and the need to provide facilities that would encourage the people to enjoy community life outdoors. He reported that this was the only village on the Peninsula that did not have its own football pitch for the local team. All of that needed to be examined to meet the needs of people living in Ballyhalbert.

Councillor Boyle expressed his support and thanked Alderman Adair, and Councillor Edmund for bringing forward the Motion. He thought that in Ballyhalbert life had moved on rapidly except for the provision of facilities and services. While being unsure of the developer's obligations, under the Council's own Play Strategy, Ballyhalbert still required a playpark over and above what was suggested within the new housing development at Saint Andrews.

Alderman Adair summed up and thanked Members for their positivity and said that Councillor Boyle was quite right, Ballyhalbert needed a playpark in the centre of its village. The one that had been built in the centre of the village in 2005 was coming to the end of its life. He hoped that the developer and the Council together could work with other stakeholders to provide the best possible outcome for residents, and he wanted to see quality playparks that would be maintained. He believed that the people of Ballyhalbert deserved better.

AGREED.

11. ANY OTHER NOTIFIED BUSINESS

There were no items of Any Other Notified Business.

Circulated For Information**(i) Parsonage Road Play Park Petition**
(Appendix XVIII)

Alderman Adair rose to present a petition in respect of Parsonage Road Play Park, Kircubbin. He explained that there were 400 names of local people living in the village who were opposed to the closing of the Parsonage Road playpark and who had signed the petition. They had met with local representatives earlier in the day to hand over the petition and make their views known.

The Member went on to say that at the time the Council presented its findings based on consultation in Kircubbin it showed that 88% supported the removal of the playpark and he wondered that not all views had been expressed. He thought that the Council had got things wrong, and this was an opportunity to put that right. Many of the people he had spoken with had not been given an opportunity to express their views in the original consultation. He suggested there was also misinformation circulating that the Member himself was thought to be in support of the closing of the playpark when in fact he had proposed the installation of a sensory garden. He stressed that the Council was in place to serve people and the children of Kircubbin should have the best facilities and they deserved these as much as anyone else.

Councillor Boyle concurred with the comments of Alderman Adair, and it was important to make clear that this was a collective approach. Members had met at different times and had much communication with local people who were passionate about holding on to their current playground. The consultation process may not have been everything it could have been, and he referred to one school being consulted and another school was not even though it was located just beside the playpark. He hoped that the people's voices would be listened to.

NOTED.

EXCLUSION OF PUBLIC/PRESS

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

REPORTS FOR APPROVAL (IN CONFIDENCE**)****12. Extension to the Tender for the provision of Pre and Post Bonfire Services**

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 3 – Exemption relating to the financial or business affairs of any particular person.

A report was presented to Community & Wellbeing detailing the tender for the provision of a Pre and Post Bonfire Services.

The report recommended that Council award the tender in line with the process.

The recommendation was agreed.

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

13. Aurora Pool Floors Outline Business Case (OBC)

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

NOT FOR PUBLICATION SCHEDULE 5 – A claim to legal professional privilege

A report was presented to Community & Wellbeing detailing the Outline Business Case and options.

The report recommended that Council approve the progression to the preferred option.

The recommendation was agreed.

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

14. Extension to the Tender for the provision of an Integrated Consultancy Team for Replacement of Moveable Pool Floors at Bangor Aurora Aquatic and Leisure Complex

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

NOT FOR PUBLICATION SCHEDULE 3 – Exemption relating to the financial or business affairs of any particular person.

A report was presented to Community & Wellbeing detailing the tender for an Integrated Consultancy Team for Replacement of Moveable Pool Floors at Bangor Aurora Aquatic and Leisure Complex.

The report recommended that Council award the tender in line with the process.

The recommendation was agreed.

AGREED TO RECOMMEND, on the proposal of Councillor Brooks, seconded by Councillor S Irvine.

15. Social Supermarket Pilot Review

*****IN CONFIDENCE*******NOT FOR PUBLICATION SCHEDULE 3 – Exemption relating to the financial or business affairs of any particular person.**

A report was presented to Community & Wellbeing detailing a review of the Social Supermarket Pilot.

The report recommended that Council agrees to launch an open call application process in April 2024 to procure social supermarket provision across the whole Borough, subject to funding being made available from DfC.

The recommendation was agreed.

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

16. PEACEPLUS Partnership Minutes****IN CONFIDENCE******NOT FOR PUBLICATION SCHEDULE 3 – Exemption relating to the financial or business affairs of any particular person.**

A report was presented to Community & Wellbeing detailing the confidential minutes of the PEACEPLUS Partnership meeting on 7th December 2023.

The report recommended that Council note the minutes.

The recommendation was agreed.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor Kendall, that the minutes be noted.

17. PCSP Minutes****IN CONFIDENCE******NOT FOR PUBLICATION SCHEDULE 3 – Exemption relating to the financial or business affairs of any particular person.**

A report was presented to Community & Wellbeing detailing the confidential minutes of the PCSP meeting on 20th November 2023 and 15th January 2024.

The report recommended that Council note the minutes.

The recommendation was agreed.

AGREED TO RECOMMEND, on the proposal of Alderman Cummings, seconded by Councillor Moore, that the minutes be adopted.

18. Leisure Transformation Phase 3

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 2 – Exemption likely to reveal the identity of an individual.

A report was presented to Community & Wellbeing detailing the progress and next steps regarding the Council's Leisure Services transformation project.

The report recommended that Council note the progress.

The recommendation was agreed.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor Irwin, that the recommendations be adopted.

19. Northern Community Leisure Trust Quarter 3 2023-2024

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 3 – Exemption relating to the financial or business affairs of any particular person.

A report was presented to Community & Wellbeing detailing NCLTs quarter 3 activity and performance.

The report recommended that Council note the report.

The recommendation was agreed.

AGREED TO RECOMMEND, on the proposal of Councillor W Irvine, seconded by Councillor Boyle, that the recommendations be adopted.

RE-ADMITTANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 9.01pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Audit Committee was held at the Council Chamber, Church Street, Newtownards, on Tuesday 19 March 2024 at 7.00pm.

PRESENT: -

In the Chair: Councillor McLaren

Aldermen: McAlpine

Councillors: Cochrane McKee
Hollywood Wray
McCollum

Independent Member: Mr P Cummings

In Attendance:

Deloitte – N Sammon

Deloitte – S Bonar

Officers: Chief Executive (S Reid), Director of Corporate Services (M Steele), Head of Finance (S Grieve), and Democratic Services Officer (P Foster)

1. APOLOGIES

The Chairman (Councillor McLaren) sought apologies at this stage.

Apologies were received from Councillors Ashe and MacArthur.

Apologies for lateness were recorded for Alderman Armstrong-Cotter and Mr Brian O'Neill (NIAO).

NOTED.

2. CHAIRMAN'S REMARKS

The Chairman welcomed everyone to the meeting including the internal auditors from Deloitte. Continuing she commented that this was the first Audit Committee being fully held in person without the Zoom facility, and as such she welcomed seeing everyone back to the Council Chamber. Councillor McLaren also acknowledged that this would be the Chief Executive's last meeting with the Audit Committee prior to his retirement and she took the opportunity to wish him well on his endeavours.

The Chief Executive thanked the Chairman for her comments.

NOTED.

3. DECLARATIONS OF INTEREST

The Chairman asked for any Declarations of Interest and none were declared.

NOTED.

4. MATTERS ARISING FROM PREVIOUS MEETINGS

(a) Audit Committee Minutes from December 2023

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

(b) Follow-Up Actions

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services stating that in line with best practice, the purpose of this report was to make the Audit Committee aware of the status of outstanding recommendations or any outstanding actions from the previous Audit Committee meetings.

There was one item from the previous committee which had now been actioned.

Item	Title	Action	Officer	Status
September 2023				
6b	Report to those charged with governance	<ul style="list-style-type: none"> Update on progress in respect of compensation for the vesting of William Street site 	Director of Corporate Services	Verbal update at Committee
December 2023				
6b	Audit and Assessment Report	<ul style="list-style-type: none"> Review Terms of Reference of both Audit Committee and Corporate Services Committee in respect of reporting Performance Improvement matters 	Director of Corporate Services	Due June 2024
		<ul style="list-style-type: none"> Drafting of formal communications strategy 	Head of Communications and Marketing	Due December 2024

Item	Title	Action	Officer	Status
7c	Finance Service Review	<ul style="list-style-type: none"> User consultation in connection with new financial management system 	Head of Finance	Due September 2024

RECOMMENDED that Council notes the report.

The Director of Corporate Services guided members through the report highlighting the salient points within it. He provided members with an update on the William Street vesting matter which he noted had been a significant issue raised within last year's Audit report. He advised that there had been much interaction between solicitors and a final Statutory Declaration had been issue to the DSO on 14 March 2024. Following that it was hoped to bring the matter to a positive conclusion.

Councillor McCollum sought confirmation that the Statutory Declaration would be sufficient to satisfy all parties.

In response the Director of Corporate Services replied no but added that from the Council's solicitor's point of view they were content.

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

5. EXTERNAL AUDIT

(a) Draft Audit Strategy (Appendix I)

As Mr O'Neill from the Northern Ireland Audit Office (NIAO) had been unable to attend the meeting, it was suggested that the matter was deferred.

AGREED TO RECOMMEND, on the proposal of Alderman McAlpine, seconded by Councillor McKee, that the matter be deferred.

6. INTERNAL AUDIT

6a) Internal Audit Progress Report 2023/24 (Appendix II)

PREVIOUSLY CIRCULATED:- Report from Deloitte detailing the Audit Progress to date for 2023/24.

RECOMMEDED that the report be noted.

Ms N Sammon (Deloitte) guided members through the report highlighting the Summary Status of the 2023/24 Plan and Progress to Date. Members were advised that 10 reports were now complete out a total of 13. Ms Sammon added that four of those reports were being presented at this meeting. It was further noted that the three outstanding reports were up for review in the near future.

In respect of those Outstanding Recommendations members were advised that there were 45 Open Issues at the previous Audit Committee meeting. Eight issues had been added to the Tracker and nine had subsequently been closed. By way of a verbal update Ms Sammon reported that since the publication of the report there were now 43 Open Issues with 17 Partially Implemented.

Queries from members were sought at this stage.

Alderman McAlpine expressed disappointment at the apparent lack of progress which had been made.

The Director of Corporate Services commented that it was important for officers to consider the narrative behind each of the Priority findings highlighted. By way of example he stated that while the Business Continuity Plan was in place there had not as yet been any opportunity to roll out training. Continuing he advised that in December 2023 a significant amount of Findings had been closed off.

The Head of Finance added that officers were working through Policies and Outstanding Recommendations, with five Finance Policies now approved and two remaining outstanding. He added that the two challenging Policies were Travel & Subsistence and Employee Payments particularly as they would need to be consulted on by the various Trade Unions. Members were advised that officers were endeavouring to work through this.

Alderman McAlpine noted that on further investigation some of the Outstanding Recommendations had been ongoing for a couple of years and as such she would have some concern that not as much progress was being made as there could be.

Concurring with Alderman McAlpine's comments Mr Cummings agreed that the outstanding Travel & Subsistence review had been ongoing for a considerable length of time. As this one particularly stood out for him he indicated that he would like to see progress on this.

The Head of Finance commented that there were a number of significant issues around this however he reiterated that he would endeavour to have a draft Policy available for the next meeting of the Audit Committee.

Referring to the Outstanding Recommendations associated with the HR Recruitment & Retention Policy, Councillor McCollum noted that three Target Dates had been scored out with a new date of 31.03.2025 now set. She suggested consideration of those outstanding issues were prioritised particularly as recruitment and retention problems continued to persist within the Council.

At this stage the Director of Corporate Services commented on the significant amount of documentation within HR which would need to be brought together to create a Workforce Strategy. Continuing he advised that this piece of work had to be reprioritised due to competing work pressures and the need to close off any outstanding Priority One recommendations.

In response to a query from Councillor McCollum about who made the judgement over whether something should be classed as Priority One or Two, the Director of Corporate Services confirmed that was considered by the Auditors. However he agreed with the Auditors that this one was not a Priority One risk and was content with its classification as a Priority Two recommendation.

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

(i) **PCSP Review** (Appendix III)

PREVIOUSLY CIRCULATED:- Copy of the above report from Deloitte.

Councillor Hollywood proposed, seconded by Councillor Cochrane, that the recommendation be adopted.

The proposer, Councillor Hollywood commented on the poor attendance at a recent PCSP training event adding that he would have some concerns about that. He asked what form the training had taken, whether it had been face to face or online. He also asked if any alternative dates had been offered or presentation materials made available to those members unable to attend.

The Chairman recalled that only four members out of the 21 members had attended the training session, referred to by Councillor Hollywood.

The Director of Corporate Services commented that as this had been highlighted as an issue it would need to be investigated further.

Commenting as one of the members who attended the training session, Councillor Wray reported that it had been based around 'Outcome Based Accountability' and while it had not been mandatory training he suggested many members may have already undertaken such training, hence the low turnout. Continuing he welcomed the report before them adding that he was content the issues raised were manageable.

AGREED TO RECOMMEND, on the proposal of Councillor Hollywood, seconded by Councillor Cochrane, that the report be noted.

(ii) **Labour Market Partnership Review** (Appendix IV)

PREVIOUSLY CIRCULATED:- Copy of the above report from Deloitte.

AGREED TO RECOMMEND, on the proposal of Councillor McKee, seconded by Councillor Cochrane, that the report be noted.

(iii) **Dog Licensing Review** (Appendix V)

PREVIOUSLY CIRCULATED:- Copy of the above report from Deloitte.

The Chairman invited Ms Sammon from Deloitte to speak to the report.

Ms Sammon (Deloitte) highlighted the salient points and audit priorities within the report commenting that it had considered the Council's responsibilities under The Dogs (NI) Order 1983. She reported that there were four Priority 3 recommendations identified with an overall satisfactory level of assurance given. Queries from members were sought at this stage.

Referring to concessionary dog licensing fees, Councillor Hollywood asked what evidence was sought.

Ms Sammon noted there were three Concessionary license fees available for applicants who were:

- In receipt of income-related benefits;
- Applying for a dog who had been neutered;
- Those over 65 who had already availed of their free dog licenses

It was recommended that Council Management should liaise with its counterparts in other Councils to determine whether it was possible to validate income-related benefits, prior to the issue of a discounted license.

AGREED TO RECOMMEND, on the proposal of Councillor McCollum, seconded by Councillor McKee, that the report be noted.

(iv) **Events Management Review** (Appendix VI)

PREVIOUSLY CIRCULATED:- Copy of the above report from Deloitte.

The Chairman invited Ms Sammon from Deloitte to speak to the report.

Ms Sammon (Deloitte) highlighted the salient points and audit priorities within the report and noted there were five Priority 3 recommendations with an overall satisfactory level of assurance given. Ms Sammon provided members with a brief synopsis of each of those Priority findings before seeking queries from members.

Councillor McCollum noted one of the recommendations around Event Debriefing and agreed this was a useful exercise to be undertaken by all those involved with the event. Important issues such as liability, challenges during the event and lessons to be learnt could all be discussed post-event. As such she asked how information from those debriefing events could be made accessible, for example could they be included in some form of handbook or be downloaded.

Ms Bonar suggested that would be a matter for Council Management to consider going forwards.

The Head of Finance indicated that he would feed those comments back to the relevant Head of Service for further consideration.

At this stage Councillor Wray noted the success last year's events had been for the Council, however he commented that he did have some concerns in respect of the tendering process for trade stalls to attend Council events.

Ms Sammon advised that the Internal Audit was undertaken primarily to consider Events Planning and Budgeting. Any tendering exercises undertaken as part of an event was not considered as part of the Audit process.

Councillor Wray asked if feedback from members of the general public had been considered as part of the overall Audit scope.

In response Ms Sammon confirmed that the Audit had taken into consideration the post event procedures and processes rather than public feedback.

AGREED TO RECOMMEND, on the proposal of Councillor Wray, seconded by Councillor McCollum, that the report be noted.

6b) Annual Assurance Statement (Appendix VII)

PREVIOUSLY CIRCULATED:- Report from Deloitte detailing its statement on the overall adequacy and effectiveness of Ards and North Down Borough Council's framework of governance, risk management and internal control as it operated during the year to 31 March 2024 (FY2023/24).

RECOMMEDED that the report be noted.

The Chairman invited Ms Bonar from Deloitte to speak to the report.

Ms Bonar (Deloitte) provided members with an overview of the report highlighting the salient points within it. Members were advised that their reporting process ensured that all issues identified as part of the assurance Internal Audits were categorised as being either a Priority 1, 2, or 3. Currently there were no Priority 1 issues, four Priority 2 issues and 19 Priority 3 issues. It was further noted that some Audits were still ongoing and as such the report would be updated in due course. Referring members to Page 6 of the report, Ms Bonar advised that based upon the conclusions of their work during the year 1 April 2023 to 13 March 2024, a satisfactory level of assurance in relation to the Council's arrangements for governance, risk management and control was provided to the Chief Executive. It was however noted that there remained a significant number of Internal Recommendations that had to be fully implemented.

Councillor McCollum expressed delight that there were no new Priority 1 recommendations and continuing she sought clarification on how close the Council was to closing off those remaining outstanding Internal Recommendations.

Ms Bonar commented that it was difficult to say adding that it was a question regularly raised by clients. She added that they preferred to base their decisions

upon whether or not every element within each recommendation had been completed. All details she commented were included within the attached Appendix and included all current and previous target dates with context provided as to why some of those targets had been missed.

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

6c) Internal Audit Plan 2024/25 (Appendix VIII)

PREVIOUSLY CIRCULATED:- Report from Deloitte detailing its draft Internal Audit Plan for 2024/25.

RECOMMENDED that the report be noted.

Ms Bonar (Deloitte) guided members through the report and highlighted the salient points contained within it. She informed members that the last Internal Audit Plan was approved in March 2023. It was noted that a significant amount of work went into the planning process including taking into account what was happening within the sector itself. Queries from members were sought at this stage and none were put forward.

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

7. CORPORATE GOVERNANCE

7a) Corporate Risk Register (Appendix IX)

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services detailing that the redesign of the Corporate Risk Register (CRR) was reported to the Committee in September 2023. The redesign incorporated improved headline Risk descriptions aligned to the achievement of strategic priorities, associated risk categories and assignment of the Risk Appetite agreed by Council. There were currently 18 Corporate Risks, those were identified during the July 2023 CLT / HOST workshop facilitated by Deloitte. Each Corporate Risk now had named Risk Leads to assist with the oversight, management and reporting of risks in line with the Corporate Risk Strategy. As members would be aware, the Corporate Risk Register (CRR) was a live document which was amended as required. The attached CRR reflected the status as of 27 February 2024.

Further Development

Work continued to develop the Corporate Risk Register with the aim of improving assurance and reporting detail capability. Risk detail and actions plans were currently in development with the updated and revised register to be reported to Audit in June 2024.

RECOMMENDED that Council note the report.

The Director of Corporate Services guided members through the report highlighting the salient points within it. He took the opportunity to remind members that the CRR was a live document and one which was reviewed by the Council's Corporate Leadership Team and Heads of Service.

In response to a query from Councillor McCollum, the Director guided members through the headings at the top of the CRR and explained their rationale.

Referring to CRR5, Council's Ability to meet Net Zero Targets, Councillor Wray sought clarification on whether those were Council targets or Northern Ireland wide targets.

In response the Director indicated that the Council's target was to action those targets laid out within the relevant legislation.

As a member of the Council's Environment Committee, Councillor Wray was of the opinion that the Council was doing well in respect of its Net Zero targets. As such he believe that Northern Ireland and indeed all of Europe needed to be doing more to achieve those targets. Continuing he referred to CRR16 which was around failure to fulfil the Council's statutory obligations under the Burial Grounds Regulations (NI) 1992 regarding the provision of burial space. He noted that this was a Category 5 Inherent Risk adding that clearly there was work there which needed to be carried out in the not too distant future.

The Director of Corporate Services commented that the risk was that of failure of the Council to meet its statutory obligations and categorised as a five which flagged up the need for a full plan to be put into place to fulfil those obligations.

At this stage Alderman McAlpine asked if all members of the Council's Corporate Leadership Team adopted the same approach when it came to mitigations presented in the CRR. She added that would be important for a level of consistency to be maintained when managing any risks.

In response the Director of Corporate Services suggested that it could be a case of 'Apples versus Oranges' but he advised that there was a linkage in the middle of the process in the form of the Risk Manager who reviewed and challenged the members of the Corporate Leadership Team on those matters. Continuing he stated that once the CRR was completely up and running he would be looking to report on matters such as this and include any changes which had taken place in scoring and provide an update on actions.

Alderman McAlpine stated that what she would be looking for would be to establish if the action had been taken and if it was then completed. However if there were any issues which remained as work in progress those in her opinion remained a risk. She added that consistency across the board would be useful.

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

8. MEETING SCHEDULE AND WORKPLAN 2024/25 (FILE AUD02)

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services stating that in order to assist the Committee with its oversight responsibilities a suggested meeting schedule and work plan has been prepared.

Meeting Date	Agenda Items
24 June 2024	<ul style="list-style-type: none"> • Draft Financial Statements Review • Governance Statement Review • Statements of Assurance Update • Review of Terms of Reference • Internal Audit Strategic and Annual Plan • Performance Improvement Progress
23 September 2024	<ul style="list-style-type: none"> • Audited Financial Statements Approval • Draft Report to those charged with Governance • Internal Audit Recommendations follow-up • Corporate Risk Register Review • Policy Status Review
16 December 2024	<ul style="list-style-type: none"> • Final Report to Those charged with Governance • Final Audit Letter • Improvement Audit and Assessment Reports • Interim Statements of Assurance Update • Performance Improvement Progress • Internal Audit Contract Review
24 March 2025	<ul style="list-style-type: none"> • Annual Internal Audit Report • Draft Internal Audit Plan for 2023/24 • Review of Corporate Risk Register • Internal Audit Recommendations follow-up • Internal Audit Plan 2024/25 • Meeting Schedule and work plan 2025/26

In addition, there were standing items on the agenda:

- Follow-up actions from previous committee meetings
- Outstanding Audit Recommendations Follow-up
- Performance Improvement Progress
- Internal Audit Update
- Single Tender Action Update
- Fraud, whistleblowing and data breaches update

RECOMMENDED that Council notes the report.

At this stage the Director of Corporate Services drew members attention to the section highlighted in yellow within the report which was around Performance Improvement Progress. Referring to Item 4B considered earlier in the meeting he noted a follow up action from the previous Committee meeting about a review of the terms of reference in respect of the Performance Improvement Progress. He added that as there had been queries around whether that should be reported to this Committee or the Corporate Services Committee, that was why it had been highlighted in yellow in the report.

Councillor McCollum asked if there could be an argument for bringing those outcomes to both Committees, going to Corporate Services first before coming before the Audit Committee even if just for noting.

The Director of Corporate Services indicated that the member's comments would be taken on board.

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

9. ANY OTHER NOTIFIED BUSINESS

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

NOTED.

EXCLUSION OF PUBLIC/PRESS

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

10. SINGLE TENDER ACTIONS UPDATE (FILE 231329)

*****IN COMMITTEE*****

3. Exemption: relating to the financial or business affairs of any particular person

Council was asked to note that there had been no single tender awards since the previous Audit Committee meeting.

The recommendation was adopted.

11. FRAUD, WHISTLEBLOWING AND DATA-PROTECTION MATTERS

*****IN COMMITTEE*****

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

(Councillor Wray left the meeting at this stage – 8.14pm)

12. MEETING WITH NI AUDIT OFFICE & INTERNAL AUDIT SERVICE IN THE ABSENCE OF MANAGEMENT

*****IN COMMITTEE*****

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 AND PRESS

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

TERMINATION OF MEETING

The meeting terminated at 8.16pm.

Unclassified

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ITEM 8

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 March 2024
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	13 March 2024
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	Changes to conducting Committee and Council meetings and changes to the Standing Orders
Attachments	Appendix 1 Letter from Department for Communities 1 March 2024 Appendix 2 Letter from Department for Communities 12 March 2024 Appendix 3 draft legislation

Background

Section 78 (local authority meetings) of the Coronavirus Act 2020 ("CVA") contained provision to provide councils with the flexibility to hold meetings by remote or hybrid means during the Coronavirus emergency. This included an enabling power for the Department to make subordinate legislation regarding remote/hybrid meetings and the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 were subsequently made and came into operation on 1 May 2020.

Not Applicable

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Council was informed in a letter from the Department for Communities (Appendix 1) that the current extension Order (S.R. 2023 No. 140) ceased to have effect by virtue of section 96(7) of the Coronavirus Act after 6 March 2024. This means that the provisions which enable councils to hold remote/hybrid meetings fell and legislation reverted to the position before the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 were made meaning meetings must be held in person after 6 March 2024.

It should be noted that a further letter (Appendix 2) and draft legislation (Appendix 3) were received on 12 March 2024 and Council Chief Executives were asked to examine the draft regulations and respond by 26 March 2024 with any comments. On examination, it was deemed that it was not necessary to make any comments.

Changes to Standing Orders

As a result of the current legislative position, Standing Order 30 and Annex 2 of the Standing Orders are currently redundant. Standing Order 30 of the Standing Orders, Version 10, February 2024 is written as follows:

30 Remote Attendance

30 1 Definition of remote attendance

In line with the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020, any reference in these Standing Orders to a Council or Committee meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a "place" where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers

30 2 Elected Member remote attendance

An Elected Member in remote attendance attends the meeting at any time provided they are able: (a) to hear, and where practicable see, and be so heard, and where practicable be seen by, the other Members in attendance; (b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public in attendance in order to exercise a right to speak at the meeting; and (c) to be so heard and, where practicable, be seen by any other members of the public in attendance

30 3 Press and public remote attendance

Any reference in these Standing Orders to a member of the public or press being present at a meeting includes such persons attending by remote access, and the reference in Standing Order 8 1 to every meeting being "open to the public and press" includes through enabling remote access

30 4 Voting when attending remotely

Any vote that would otherwise be taken by a show of hands in line with Standing Order 21 4 will, if any of the Elected Members entitled to vote are in remote

Not Applicable

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attendance, be taken by way of a verbal confirmation from each Member as to whether they are for or against the motion

30 5 Miscellaneous remote attendance provisions

References in Standing Orders 10 and 28 to excluding the public and press from the Council Chamber or removing them from the room, shall be read as removing their remote access where their attendance is, or would be but for their exclusion, remote attendance

There is no requirement for an Elected Member in remote attendance to stand when addressing the Presiding Chairperson in line with Standing Order 20 6

A Presiding Chairperson in remote attendance shall call a meeting to order, rather than rise to do so, in line with Standing Order 20 19

It is recommended that Standing Order 30 as above and Annex 2 of the Standing Orders Version 10, February 2024 is revoked. If Council is instructed by the Department for Communities that new legislation is in place to allow hybrid meetings, a report regarding a new Standing Order will be brought to Council.

Stand Down Standing Orders

Members should be aware when making these decisions, that under Standing Order 29 – Suspension and Amendment of Standing Orders - that any motion to, add to, vary or revoke the Standing Orders will, when proposed and seconded, stand adjourned and be referred without discussion to the next ordinary meeting of the Council and any resultant amendment will be ratified at the meeting.

Any motion under this Standing Order to suspend the Standing Orders shall require the support of a qualified majority vote and suspension can only be for the duration of the meeting.

RECOMMENDATION

It is recommended that Council notes the draft legislation and notes the recommended changes to the Standing Orders as set out and agrees that they are stood down without debate for one month, being brought back to the Council meeting in April 2024.

To: Council Chief Executives

**Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG**

Telephone: (028) 90582 3346
e-mail: anthonycarleton@communities-ni.gov.uk
Our ref:
Date: 1 March 2024

Dear Chief Executive

Council Remote/Hybrid Meetings

Section 78 (local authority meetings) of the Coronavirus Act 2020 ("CVA") contained provision to provide councils with the flexibility to hold meetings by remote or hybrid means during the Coronavirus emergency. This included an enabling power for the Department to make subordinate legislation regarding remote/hybrid meetings and the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 were subsequently made and came into operation on 1 May 2020.

The expiry date of section 78 of the Coronavirus Act 2020 has been extended a number of times, with the current extension Order - the Coronavirus Act 2020 (Extension of Provisions Relating to Local Authority Meetings) (No. 3) Order (Northern Ireland) 2023 - extending the provisions to 24 March 2024, thus allowing councils to continue to hold remote/hybrid meetings under the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020.

The section 78 extension orders were made under the Assembly's confirmatory procedure which means that, whilst an Order comes into operation once made, it will cease to have effect 40 days from the date of making unless it has been approved by resolution of the Assembly (the 40 day period does not include any time in which the Assembly is dissolved, in recess for more than 4 days or adjourned for more than 6 days). The 40-day approval period for the current extension Order is due to expire on 6 March 2024.

The CVA was intended as emergency legislation. The Communities Minister, Minister Lyons, having considered whether it is appropriate for the current extension order to be put before the Assembly for approval and whether another extension order should be made to extend the provisions of section 78 of the CVA for a further 6 months, has concluded that there is no justification for the continued extension of provisions of the CVA.

The current extension Order (S.R. 2023 No. 140) will cease to have effect by virtue of section 96(7) of the Coronavirus Act after 6 March 2024 (although that does not affect anything previously done under or by virtue of the order). This will mean that the



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provisions which enable councils to hold remote/hybrid meetings will fall and legislation will revert back to the position before the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 were made.

Councils should therefore make arrangements to ensure they are positioned to hold meetings in person after 6 March 2024.

The Local Government (Meetings and Performance) Act (Northern Ireland) 2021 provides a power for the Department to make regulations for the purpose of or in connection with ensuring district councils meetings may be held remotely. The Minister has asked that the Department proceed on regulations under the 2021 Act instead.

The Department will continue to update councils regularly on this matter.

Yours sincerely

Anthony Carleton
Director
Local Government & Housing Regulation

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To: Council Chief Executives**Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG**Telephone: (028) 90582 3346
e-mail: anthonycarleton@communities-ni.gov.uk
Our ref:
Date: 12 March 2024

Dear Chief Executive

Council Remote/Hybrid Meetings

My letter of 1 March 2024 refers.

Minister Lyons is committed to giving councils the flexibility to hold meetings by remote/hybrid means and will be bringing forward regulations, as soon as possible, using the powers in the Local Government (Meetings and Performance) Act (NI) 2021. The Minister considers this to be more appropriate than continuing to use powers under the Coronavirus Act 2020, which was intended as emergency legislation, and will ensure that councils will have powers for remote/hybrid meetings but based upon more regularised legislation.

A draft of the proposed regulations has been sent to the Department's solicitors for scrutiny. In order to keep the gap in legislative provision for remote meetings to a minimum, the Department, in parallel with obtaining legal scrutiny of the draft regulations, is seeking your input. A first draft of the regulations is attached for your information and comment.

The proposed regulations are very similar to the previous regulations, the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020.

The Department had previously carried out a public call for evidence on remote meetings (from December 2021 to February 2022) and the responses indicated



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general support for the arrangements made by the 2020 Regulations and for permanent provision on remote meetings being made.

Please examine the draft regulations and respond by 26 March 2024 with any comments you may have.

Yours sincerely

Anthony Carleton
Director
Local Government & Housing Regulation

Draft Regulation laid before the Assembly under section 2(5) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021, for approval.

DRAFT STATUTORY RULES OF NORTHERN
IRELAND

2024 No.

LOCAL GOVERNMENT

**The Local Government (Remote Meetings) Regulations
(Northern Ireland) 2024**

Made - - - - *X Month 2024*

Coming into operation - *X Month 2024*

The Department for Communities^(a) makes these Regulations in exercise of the powers conferred by section 2(1) to (4) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021^(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government (Remote Meetings) Regulations (Northern Ireland) 2024 and shall come into operation on X Month 2024.

(2) In these Regulations—

“the 2014 Act” means the Local Government Act (Northern Ireland) 2014^(c);

“council” means a district council;

“council meeting” means a meeting of—

(a) a council;

(b) an executive of a council (within the meaning of Part 6 of the 2014 Act);

(c) a joint committee of two or more councils; and

(d) a committee or sub-committee of anything within subparagraphs (a), (b) or (c).

“remote access” means the ability to attend or participate in a meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming; and

“remote attendance” is to be construed in accordance with regulation 2(2) and (3).

^(a) Formerly known as the Department for Social Development; see the Departments Act (Northern Ireland) 2016 c. 5 (N.I.), Article 8 of and Schedule 5 to the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76) transferred functions to the Department for Communities which were previously exercisable by the Department of the Environment.

^(b) 2021 c. 8 (N.I.).

^(c) 2014 c. 8 (N.I.).

Remote attendance

2.—(1) A reference in any enactment to a council meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

(2) For the purposes of any such enactment, a member of a council (“a member in remote attendance”) attends the meeting at any time if all of the conditions in paragraph (3) are satisfied.

(3) Those conditions are that the member in remote attendance is able at that time—

- (a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance;
- (b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public in attendance in order to exercise a right to speak at the meeting; and
- (c) to be so heard and, where practicable, be seen by any other members of the public in attendance.

(4) In this regulation, any reference to a member, or a member of the public, attending a meeting or being in attendance includes that person attending by remote access.

(5) The provision made in this regulation applies notwithstanding any prohibition or other restriction contained in the standing orders or any other rules of the council governing the meeting and any such prohibition or restriction has no effect.

(6) A council must make other standing orders governing remote attendance at meetings of that council, which shall—

- (a) specify the basis or process for considering whether (including who is to assess or decide whether) district council meetings should or are to be held remotely;
- (b) govern the arrangements for and conduct of such meetings whenever such meetings are to be held remotely; and
- (c) regulate—
 - (i) the public’s access to such meetings,
 - (ii) the availability to the public of documents pertaining to such meetings,

whenever such meetings are to be held remotely.

3. In section 28(7) (overview and scrutiny committees: supplementary provision) and paragraph 9 of Schedule 5 to the 2014 Act, a reference to a person attending before a meeting includes that person attending by remote access.

4. Schedule 5 to the 2014 Act (meetings and proceedings) applies as follows—

- (a) any reference to being “present” at a meeting includes being present through remote attendance;
- (b) any reference to a “place” where a meeting is held, or is to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers; and
- (c) in paragraph 5(1)(a) after “the offices of the council” insert “and on the council’s website”.

Decision-making

5. In sections 39 (simple majority) and 40 (qualified majority) of the 2014 Act references to “members present and voting on the decision” includes a member being present through remote attendance.

Sealed with the Official Seal of the Department for Communities on X Month 202x.

(L.S.)

Anthony Carleton
A senior officer of the Department for Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 2(1) to (4) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021. These Regulations make provision regarding the running of district council meetings by making amendments to the Local Government Act (Northern Ireland) 2014.

Regulation 1 sets out preliminary matters and defines terms used in these Regulations.

Regulations 2, 3 and 4 make provision for remote attendance at council meetings by members of the council. They also require a council to make standing orders regarding the decision to hold a meeting remotely, the conducting of the meeting and access by the public.

Regulation 5 amends the governance provisions of councils to ensure that “members present and voting on the decision” includes members in remote attendance.

Unclassified

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ITEM 9

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 March 2024
Responsible Director	Director of Community and Wellbeing
Responsible Head of Service	Head of Community & Culture
Date of Report	05 March 2024
File Reference	ART 16/02 24
Legislation	N/A
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below: N/A
Subject	Arts and Heritage Manager Permission to attend Buckingham Palace Garden Party
Attachments	N/A

The Arts and Heritage Manager has been invited to attend a Garden Party at Buckingham Palace, London, on Tuesday 21 May 2024.

Long-serving Arts and Heritage Panel member and Vice Lord Lieutenant, Catherine Charley nominated the Arts and Heritage Manager for attendance under guidelines seeking people who carry out public work or contribute to public life. The event is in recognition of front line or key individuals within a public organisation, rather than a CEO or Senior Manager.

The Arts and Heritage Manager requests permission to attend and that the cost of attending the Garden Party is covered by Council and will seek the best value flights and accommodation available.

Not Applicable

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Return Flights:	
BHD - LGW	£78.98 (at time of report)
Hotel x 1 night:	£150-£160 (approximately)
TOTAL COST:	<£275 (allowing for fluctuation in current prices)

RECOMMENDATION

It is recommended that Council approve the Arts & Heritage Manager to attend the Buckingham Palace Garden Party in May 2024.

Unclassified

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ITEM 10**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 March 2024
Responsible Director	Director of Place
Responsible Head of Service	Head of Regeneration
Date of Report	12 March 2024
File Reference	RDP36
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Request for letter of support from Newtownards Masonic Centre and Community Hub
Attachments	None

Representatives from the Newtownards Masonic Centre and Community Hub gave a presentation to the Place and Prosperity Committee on 7th March 2024.

They detailed their plans for the regeneration of the facility which is currently used by both the Masonic fraternity and the wider community, outlining a two-phase approach. Phase one is to make the building waterproof and to replace the rendering on the B1 listed building. Currently an application is being developed for the Heritage Lottery Fund (HLF) to cover the costs of this work and to assist with employing a part time outreach officer who would work in the wider community to promote the facility as a community venue. Phase 2 would be a substantial extension to the facility, but this will be considered at a later date.

The representatives requested a letter of support from the Council for their application to the HLF for funding for Phase 1 works. Officers believe that this facility does provide community facilities and that the application should be supported.

Not Applicable

RECOMMENDATION

It is recommended that the Council agrees to write a letter of support for the Newtownards Masonic Centre and Community Hub's application to the Heritage Lottery Fund.

Unclassified

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ITEM 11**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 March 2024
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	06 March 2024
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Nomination to All Party Group on Climate Action
Attachments	

Places on outside bodies are filled through nomination at the Council's Annual Meeting and are thus held by individual Members rather than Parties. When a position becomes vacant, it reverts back to Council to nominate a Member to fill the place rather than Party Nominating Officers.

Following the resignation of Councillor Woods from Council, a place has now become available on the All Party Group on Climate Action. The Council is represented by two Members, the other Member being Councillor Rossiter.

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

RECOMMENDATION

It is recommended that Council nominate a Member to All Party Group on Climate Action

Unclassified

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ITEM 12**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 March 2024
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	12 March 2024
File Reference	CX 181
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	The Battle of the Somme Pilgrimage 2024
Attachments	

The Council has participated annually in the commemorative events and wreath laying at the Thiepval Monument, Ulster Memorial Tower and the Memorial at Guillemont, to mark the anniversary of the Battle of the Somme on 1 July.

This has usually also included wreath laying at the Menin Gate, Ypres, a visit to the Island of Ireland Peace Tower at Messines and lay a wreath in the honour of Edmund de Wind VC, from Comber, at the Pozieres British Cemetery. In addition, a visit to the Sir John Monash Centre at Villers-Bretonneux, where the Australian National Monument of the Great War is located. There has been the opportunity to view this Centre as a case study for the planned redevelopment and investment in the Somme Museum, Newtownards.

In line with previous years, it is recommended that the Council approves the attendance at the commemoration events departing on 29 June and returning on 3 July 2024 of the Mayor (or if unable to travel, the Deputy Mayor), another Member and an Officer. Nominations for the Member are now sought.

Not Applicable

RECOMMENDATION

It is recommended that the Council approves the attendance at the annual Battle of the Somme Commemorations in 2024, as set out in this report, of the Mayor (or Deputy Mayor) plus one additional Member to be nominated by Council, and an Officer.

Unclassified

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ITEM 13**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 March 2024
Responsible Director	Director of Corporate Services
Responsible Head of Service	Head of Administration
Date of Report	12 March 2024
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	Freedom of the Borough - Northern Ireland and Fire and Rescue Service
Attachments	

Background

At the Council meeting in October 2023, it was agreed:-

“That this Council bestows the Freedom of the Borough of Ards and North Down upon the Northern Ireland Fire and Rescue Service. This is as a mark of deepest appreciation, respect and in recognition of their unwavering dedication to duty and selfless service, bravery in the face of danger, saving lives and protecting our community with great honour and distinction.”

Since then, a number of meetings have taken place between officers and Northern Ireland Fire and Rescue Service (NIFRS) officials.

We have now reached a point of agreement for the conferral of the Freedom of the Borough ceremony, which is to be held on Saturday, 14 September 2024 in the

Not Applicable

Council Chamber, Bangor Castle, following normal protocols and concluded by dinner. The event will commence at 6pm.

The event will include: -

- Drinks reception
- Formal proceedings with Members robed
- Speech of Conferral – The Mayor of Ards and North Down
- Recitation of the resolution – Chief Executive
- Signing of the Honorary Book of Burgesses by the Mayor, Chief Executive and the Chief Fire and Rescue Officer
- Presentation of Illuminated Certificate
- Response speech from the Chief Fire and Rescue Officer
- Dinner

Wording for Certificate

It is proposed that the certificate be worded as follows:-

To: Northern Ireland Fire and Rescue Service

Greetings

Whereas the Mayor, Aldermen and Councillors of the Borough of Ards and North Down in the County of Down being sensible of the exceptional and outstanding service to the community over many years; being desirous of recognising the unwavering dedication, selfless service and bravery in the face of danger; and expressing appreciation, support and admiration for lives saved and protecting our community with great honour and distinction.

Do by these presents confer upon you the Freedom of the Borough of Ards and North Down.

In witness thereof the Common Seal of Ards and North Down Council is affixed hereto this 14 September 2024.

Display – Saturday, 14 September – 3pm-6pm (Timings to be agreed)

It is planned, that NIFRS will stage a display at the City Hall, Bangor on the afternoon of the conferral. This event will be geared towards the public although members are welcome to attend. The exact format of the event is still at the discussion stage.

RECOMMENDATION

It is recommended that the Council: -

1. Adopts the plans for the conferral of the Freedom of the Borough on Northern Ireland Fire and Rescue Service as outlined in this report;

Not Applicable

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2. Agrees the above wording for the Certificate to enable the calligraphic illumination to be commissioned; and
3. Agrees the outline plans for the display.

Unclassified

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ITEM 14

Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 March 2024
Responsible Director	Director of Prosperity
Responsible Head of Service	
Date of Report	19 March 2024
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	Stonebridge, Green Road, Conlig
Attachments	Appendix 1 - Letter from Andrew Muir MLA dated 14 March 2024; Appendix 2 - Letter from Chair of Infrastructure Committee dated 15 March 2024; Appendix 3 - Letter to Andrew Muir MLA from Planning 28 September 2022. Appendix 4 - DFI Roads Abandonment Order Appendix 5 - Map of proposed abandonment area Appendix 6 - Maps/Orthos/Streetview Images

Background

'Stonebridge' is a road-over-former railway bridge located off Green Road, Conlig, Bangor, which formed part of the Belfast and County Down Railway (BCDR) Branch Line, Comber – Donaghadee. It is immediately adjacent to an existing housing development known by the same name, but outside of the designated settlement

Not Applicable

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limit of Bangor, thus in the countryside. The railway line was closed in 1950 and, in this particular location, this is the only remaining feature.

The Historic Environment Division (HED) has surveyed the site twice but has not listed the structure as it did not meet its requirement for listing under Section 80 of the Planning Act (NI) 2011. It is, however, recorded as Industrial Heritage on the Department's Industrial Heritage Record.

The Industrial Heritage Record lists more than 16,000 industrial sites, however, there is no corresponding regional planning policy to ensure protection; rather it is envisaged that such sites would be afforded protection via either listing or designation as an archaeological site and monument, to which regional planning policies apply.

Detail

Further to the Green Road having been realigned under permissions granted in 2006 and 2011, the Department for Infrastructure previously issued a consultation on its intention to abandon 1358m² of road on the basis that the road was no longer required for traffic purposes; however, further to local objection in the form of a petition to the abandonment, the matter has since been stalled.

It has been confirmed that DFI Roads originally made contact with the Council in September 2019 to advise that it had received an inquiry from a developer (subsequently confirmed as Boland Reilly Homes Ltd) seeking abandonment of a portion of old road/bridge at this site, in order to incorporate the site into its adjacent Stonebridge development. The majority of the affected area is confirmed as unregistered, but the bridge is registered in private ownership. DFI roads was seeking comments, and further to internal consultation no comments were returned in respect of the information. DFI Roads has since confirmed that it will be shortly writing to the Council again in respect of the proposed abandonment.

The map detailing the portion of the road proposed to be abandoned is included as Appendix 3.

Letter to Chief Executive

More recently the matter of the proposed abandonment was tabled before Members of the NI Assembly's Committee for Infrastructure on 13 March 2024, at which Members agreed to write to the Council to make further inquiries. Immediately following that session, Andrew Muir MLA wrote to the Chief Executive outlining the background to the case, and expressing concern that should the Abandonment Order proceed, the bridge could be demolished. Mr Muir's letter is attached as Appendix 1, and Mrs Deborah Erskine's (MLA and Chair of Infrastructure Committee) letter is attached as Appendix 2.

As can be read within Mrs Erskine's letter the Committee agreed to ask Council to consider options to address concerns raised by objectors and within a petition against the proposed abandonment order, specifically with consideration of the

Not Applicable

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option to purchase the section owned by DFI and steps that could be taken to preserve and maintain the bridge structure in the event it is purchased by a third party.

Brief Background to Road Abandonment

Article 68 of the Roads Order enables the Department (by Order) to abandon any road as it considers necessary to prevent or restrict access to the road by traffic, including if it is of the opinion that the road is not necessary for road traffic purposes. An Abandonment Order would remove public rights from the structure and eliminate Departmental liability. As the improvement scheme undertaken by the Department on Green Road, Conlig, in the early 1990s provided alternative road facilities, which run adjacent to the disused road, bypassing the old Stonebridge, abandonment was therefore deemed appropriate as the road was no longer required for road traffic purposes. In addition, it is Departmental policy to dispose of assets which are no longer required for the effective functioning of the road network to reduce its liability and maintenance costs and the Department has no plans to utilise this section of old superseded road.

If an Abandonment were successful ownership of the bed and soil would revert to the registered owners or in the case of those unregistered areas to the legal owners.

At its meeting on 13 March 2024 the Infrastructure Committee **did not** agree the procedure (the 'SL1') to Make the Order. The Committee also confirmed the SL1 will be reviewed at a later date so at this present time the Order has not been made.

Potential Protection

The Council's Planning Service has previously issued advice to Mr Muir setting out that it could not consider issuance of a 'Building Preservation Notice' (BPN) in respect of Stonebridge. This is due to the fact that a BPN would only afford protection for a period of six months, during which the Department for Communities' Historic Environment Division (HED) would be responsible for assessing the site for potential listing. Given that HED has twice reviewed the site and ruled it out of any listing, any Building Preservation Notice would be pointless.

In order to afford any protection via the Local Development Plan (LDP) process, Mr Muir was also advised that the Council will take account of 'non-designated heritage assets' which are of local significance to the community, in its policy preparation. Should monitoring identify the need to afford particular protection to such assets, the creation of a 'local list' and accompanying policy may be reviewed at the Local Policies Plan, which is the second document/stage in the Local Development Plan process. Given the draft Plan Strategy forms the first stage in the LDP process and is currently at an advanced stage in the process toward public consultation, it not expected that Stonebridge could be afforded any current protection in the short-medium term.

Not Applicable

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The request by Mr Muir / Infrastructure Committee

As Members will read in Mr Muir's letter, he is seeking the Council to explore options for the Council, or a heritage group, to acquire the bridge, either through the Local Development Plan (LDP) or presumably purchase if the abandonment goes ahead.

The timeframe for dealing with the matter through introduction of a 'local list' via the LDP is set out above, and not considered appropriate in the current circumstances, if the issuance of the Abandonment Order is imminent.

The other option Mr Muir has raised is for the Council, or potentially a sponsored heritage group, to acquire the old railway bridge, or as first right of refusal if the abandonment goes ahead. As set out above, if the Abandonment Order is successful ownership of the bed and soil would revert to the registered owners or in the case of those unregistered areas to the legal owners.

Given the passage of time since Boland Reilly Homes Ltd made the original request for abandonment, and the fact that the site lies outside the development limit and therefore of limited development value (in respect of restrictive planning policies relating to development in the countryside) it is uncertain if Boland Reilly Homes Ltd is still interested in pursuing the abandonment for its own purposes. Regardless of the restrictive planning policies in place, demolition of the bridge is not precluded as it would not require planning permission given it is unlisted.

The Council is in the process of preparing its feasibility study in respect of the Conlig to Donaghadee greenway and there is potential that this site could be incorporated into that route.

The Council is not in possession of any evidence regarding the current structural integrity of the bridge or what associated works would be required to ensure its integrity, in the interests of safety, if the Council were interested in acquiring the site.

It is not fully understood how interest among heritage groups in acquiring the site and maintaining could be achieved at this present time. It is considered therefore that the most appropriate way forward would be to make contact with Boland Reilly Homes in respect of its land ownership in the first instance and review the position when DFI Roads writes to Council shortly.

RECOMMENDATION

It is recommended that the Council approves the Chief Executive to respond to Mr Muir and the Infrastructure Committee to advise that the Council will consider the site in respect of its proposed Conlig to Donaghadee Greenway and will make contact with Boland Reilly Homes to establish whether its interest in the site is still relevant, alongside which elements are in its ownership, to further guide consideration of the request. A report will be returned to Council when more information is known.



Northern Ireland
Assembly

Andrew Muir MLA

Alliance Party Member of the Northern Ireland Assembly for North Down

14th March 2024

Dear Mr Stephen Reid,

I am writing to you as Chief Executive of Ards and North Down Borough Council to raise the matter of the ownership of the Stonebridge at Green Road, Conlig. You may be aware that the matter was discussed during a session of the NI Assembly's Committee for Infrastructure on 13th March 2024, where MLAs agreed to write to Council to make further inquiries.

During the meeting, Members were asked to consider an Abandonment Order from the Department for Infrastructure that would see the lands including the bridge freed up for development. There is significant local interest in retaining the Belfast and County Down Railway Bridge with a petition of over five hundred signatures calling for a halt to the Order, which I spearheaded and presented to the Assembly. Further, it is the view of DfI's Historic Environment Division that Stonebridge is a site of industrial, archaeological significance.

Should the Abandonment Order proceed, it would put the future of Stonebridge at severe risk and could lead to its demolition. I would, therefore, urge you to explore options for Council, or potentially a sponsored heritage group, to acquire the old railway bridge, either through the Local Development Plan or as first right of refusal if the abandonment goes ahead. I would further ask that you work with the Committee and Department in this regard, and do everything in your power to protect this piece of heritage.

The future of Stonebridge is an issue that I have campaigned on for many years alongside the local community and interested groups. It is a matter close to my hearts and I would be grateful for your assistance.

Yours sincerely,

Andrew Muir MLA

Northern Ireland Assembly, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX
North Down Constituency Office: 33 Church Road, Holywood, BT18 9BU
Telephone 028 9544 2944 | Email andrew.muir@co.niassembly.gov.uk



Northern Ireland Assembly

Mrs Deborah Erskine MLA
Chairperson, Committee for Infrastructure

Mayor Jennifer Gilmour
Ards and North Down Borough Council
City Hall
The Castle
Bangor
BT20 4BT
mayors.office@ardsandnorthdown.gov.uk

15 March 2024

Dear Mayor Gilmour,

The Green Road, Conlig (Abandonment) Order (Northern Ireland) 2024

At its meeting on 13 March 2024, the Committee for Infrastructure received oral evidence from the Department for Infrastructure in consideration of policy proposals for 'The Green Road, Conlig (Abandonment) Order (Northern Ireland) 2024'. The Rule would abandon an area of 1,358 square metres of superseded road, which includes an old stone bridge, at Green Road, Conlig extending from a point 974.5 metres west of its junction with Newtownards Road for a distance of 134 metres in an easterly direction.

The Department carried out the consultation and received nine objections. Following a review of the objections by the Department, it was determined to proceed with the abandonment. To date none of the objections have been withdrawn. On 28 February 2022, Mr Andrew Muir MLA sought leave under Standing Order 22 to present a public petition to the Assembly, comprising 546 signatures and calling on the Minister to withdraw the proposed abandonment order.

In the course of the oral evidence, the Committee was informed that the Department has no requirement to maintain this disused section of road and had no plans to utilise the area. Members were further informed that the abandonment order arose as a result of a request from a developer who intends to utilise the land as part of a housing development.

The departmental official informed the Committee that the nine objections had a degree of commonality including: the historic nature of the bridge and concerns that it might be demolished; general local interest in the wider heritage; the impact on wildlife; and concerns

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regarding the promotion of greenways and the potential for the site to be developed as a greenway in the future. He stated that the public petition was presented after the consultation period had expired and that the Department understands that the petition reflects the connection and affection that exists locally for the heritage in the area. He also outlined some health and safety concerns in relation to the deterioration of the structure and concerns regarding the potential for children from local houses to explore the area.

The Department has engaged with the Department for Communities, Historic Environment Division, to receive its assessment of the structure. DfC has indicated that the historic nature of the structure would be a material consideration in any potential future planning application. There is currently no listing on the bridge, however, Historic Environment Division has indicated to the Department that the bridge has been recorded as a site of industrial archaeology interest on the Industrial Heritage Record and that the desire would be to retain the structure from a heritage perspective.

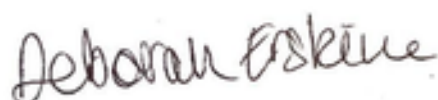
The official explained that the land is part owned by the Department, part by the developer and part is unregistered with ownership undefined. Should the abandonment proceed, the section owned by the Department would be put forward for disposal through Government procedures. This would provide the opportunity for Ards & North Down Borough Council or other public body acting for in interested party such as a heritage group, to express interest in acquiring the section. The official explained that the Department would be very sympathetic to such a request as it understands the strong local sentiment that exists to preserve this part of local heritage.

The Committee was informed that the Council did not raise concerns in relation to the proposed abandonment order, however, as the petition was received and considered by the Assembly after the consultation period had closed, the Council may not have been fully acquainted at the time, with the strength of public feeling on the matter.

The Committee understands that the issues raised are mainly local heritage matters and, therefore, agreed to ask the council to consider options to address the concerns raised by the objectors and in the petition. This could, potentially, include consideration of the option to purchase the section owned by the department and consideration of steps that could be taken to preserve and maintain the structure in the event that it is purchased by a third party.

I understand that the next scheduled Council Meeting is due to take place on Wednesday, 27 March. I would, therefore, appreciate a reply on or before Friday, 5 April in time for consideration by the Committee at its meeting on Wednesday, 10 April when the Committee will consider the proposal further.

Yours sincerely,



Deborah Erskine
Chairperson, Committee for Infrastructure.

CC: Committee for Infrastructure
Stephen Reid Chief Executive, Ards & North Down Borough Council
Department for Infrastructure
Andrew Muir MLA

Our Ref: COR 2022-166

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**Ards and
North Down**
Borough Council

Planning Department
2 Church Street
Newtownards
BT23 4AP

Mr Andrew Muir MLA
office@andrewmuir.net

28 September 2022

Dear Mr Muir

Ref: Stonebridge, Green Road, Conlig [EC:68L6M]

Thank you for your email of 26 August 2022 concerning the above and your request for spot listing following DfI's decision to proceed with its Abandonment Order at Green Road.

Firstly, I wish to apologise for the delay in responding to you.

I appreciate your concern presented by the Roads Abandonment Order. We have investigated land ownership for the bridge. However, we have been unable to confirm ownership so we are unsure if it is in private ownership or is unregistered.

Under section 81 of the Planning Act (Northern Ireland) 2011 a Council can serve a Building Preservation Notice (BPN), which places a building into Temporary listing for a maximum period of six months. This would be placed on buildings that are not just in danger of demolition but would also be considered of special architectural or historic interest.

During the six months that a BPN is in force it is the responsibility of the Department (HED) to assess whether the building is considered worthy and should be included on its compiled list permanently, as is set out in section 80 of the above Act. The Department will either confirm or advise that a building is not to be included on its list.

In relation to your request to spot list Stonebridge, the Council contacted the Department for Communities' Historic Environment Division (HED) for comment. HED responded to advise that Stonebridge was assessed for listing following an application on 23 September 2019. The outcome of this was that Stonebridge did not meet the requirements for listing and would not be included on a list under section 80.

Taking account of the above the Council would not be in a position to serve a BPN, which would result in the building being included on a list of buildings of special architectural or historic interest permanently.

However, Stonebridge is recorded as Industrial Heritage with the reference IHR 02568:002:00, which would form a material planning consideration in relation to any proposals affecting the bridge.

Our Ref: COR 2022-166



Additionally, and as previously advised in a correspondence response to you from Ms Leona Maginn (Principal Planning Officer for the Local Development Plan LDP team) under COR 2020-030 on 11 February 2020, the Council will take account of 'non-designated heritage assets', which are of local significance to the community, in its policy preparation.

The Council recognises that Stonebridge forms part of the industrial heritage of the Borough. As part of the LDP policy formulation, the Council is developing a policy approach for non-designated heritage assets. This approach was discussed with Members at an LDP workshop on 19 August 2020 and a Member Development workshop 30 November 2021. At a recent meeting of full Council (28 September 2022) an approach for Non-Designated Heritage Assets was included in a draft tabled.

Should monitoring identify the need to afford additional protection to such assets, the creation of a 'Local List' and accompanying policy may be reviewed at Local Policies Plan (LPP) stage, that is the second part of the plan. Stonebridge as an example of non-listed heritage asset is likely be considered a suitable candidate for such a list.

I trust this is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read "CB", with a long horizontal flourish extending to the right.

Mr Chris Blair MRTPI
Acting Service Unit Manager – Planning Enforcement & Trees

STATUTORY RULES OF NORTHERN IRELAND

2016 No. 38

ROADS

**The Green Road, Conlig (Abandonment) Order (Northern
Ireland) 2016**

Made - - - - - *11th February 2016*

Coming into operation - *18th May 2016*

The Department for Regional Development^(a) makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993^(b) and now vested in it^(c).

The Department in accordance with Article 68(4) of that Order proposes to abandon the area of road described in the Schedule as it is not necessary.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

No objection has been received.

Citation and commencement

1. This Order may be cited as The Green Road, Conlig (Abandonment) Order (Northern Ireland) 2016 and shall come into operation on 18th May 2016.

Application

2. The area of road described in the Schedule is abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

Sealed with the Official Seal of the Department for Regional Development on 11th February 2016

(L.S.)

G F McKenna
A senior officer of the Department for Regional Development

(a) S.I. 1999/283 (N.I. 1) Article 3(1)

(b) S.I. 1993/3160 (N.I. 15)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

SCHEDULE

Article 2

AREA OF ROAD TO BE ABANDONED

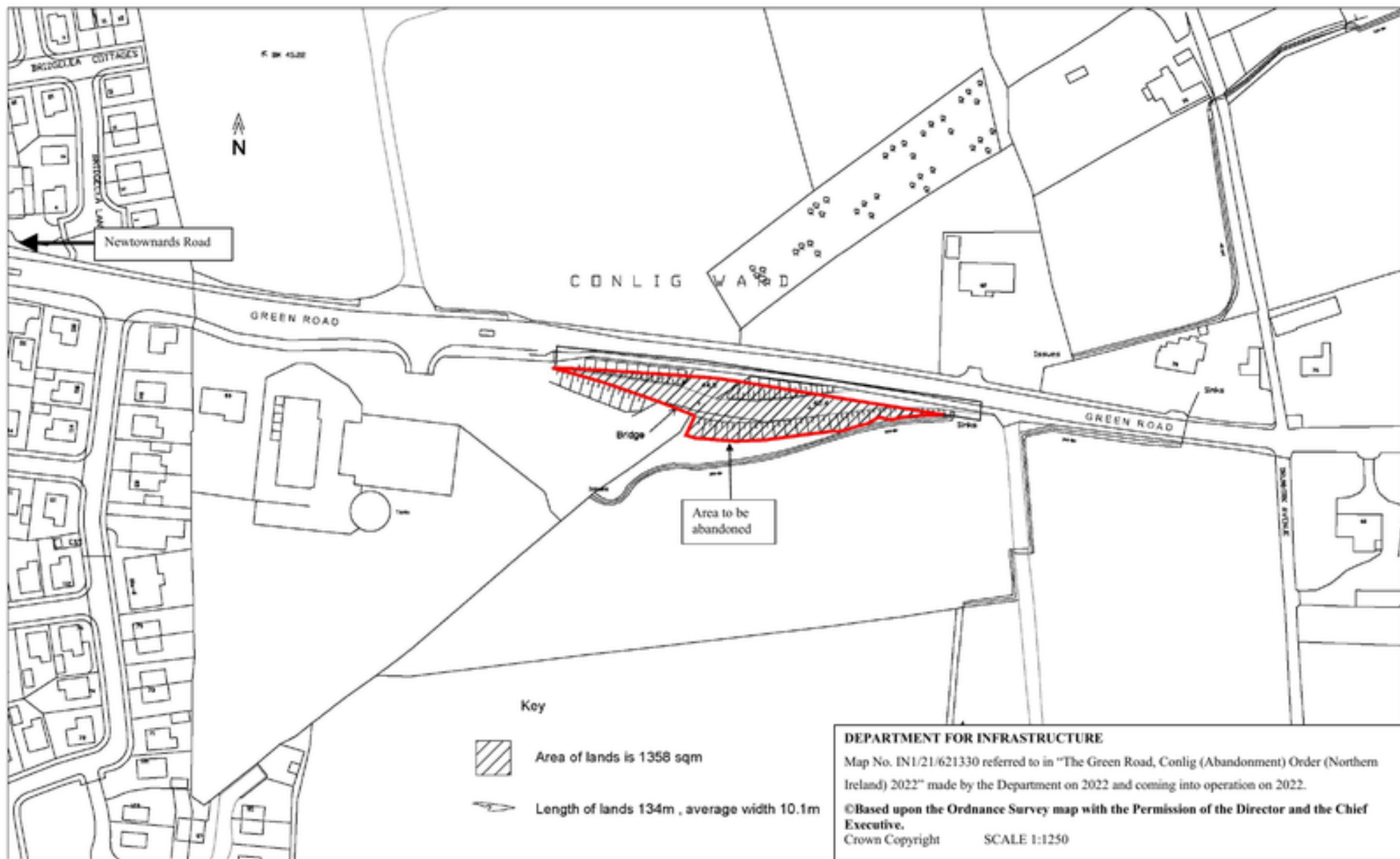
An area of 16 square metres of superseded road adjacent to the C368 Green Road, Conlig from a point 30 metres west of its junction with Stonebridge Avenue extending for 21 metres in a westerly direction, more particularly delineated and shown hatched and coloured red on Map No. DR1/15/439091.

A copy of the map has been deposited at the Department's Headquarters, Room 301, Clarence Court, 10-18 Adelaide Street, Belfast; TransportNI Southern Division, Marlborough House, Central Way, Craigavon and North Down Section Office, 72 Balloo Road, Bangor.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abandons the area of road described in the Schedule.



Map based on Ordnance Survey Digital Data		
B	DRI Roads revisions	July 21
A	DRI Roads revisions	May 21
Revision	Description	Date

Client
Boland Reilly Homes

Project
Abandonment of Bridge at Green Road South

Drawing
Location of Bridge

Scale 1:1250@A3	Date Mar 20	Drawn MC
Drawing No. 18-205-RB1b		

Lisbane Consultants
Consulting Civil & Traffic Engineers
Heritage Enterprise Centre, Scarva Road, Scarva
Tel. 028 40662327 Fax 028 40662327
enr@lisbaneconsultants.co.uk

DEPARTMENT FOR INFRASTRUCTURE
Map No. IN1/21/621330 referred to in "The Green Road, Conlig (Abandonment) Order (Northern Ireland) 2022" made by the Department on 2022 and coming into operation on 2022.
©Based upon the Ordnance Survey map with the Permission of the Director and the Chief Executive.
Crown Copyright SCALE 1:1250

Maps, Orthos, and Streetview Images of Site

1926



2005



2022





Unclassified

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ITEM 17**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 March 2024
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	15 March 2024
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Notice of Motion Status Report
Attachments	Notice of Motion Status Report

Please find attached a Status Report in respect of Notices of Motion.

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

RECOMMENDATION

It is recommended that the Council notes the report.

NOM REF	DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
11	31.05.15	Rory McIlroy recognition	Councillor Muir	Jun-15	Corporate Services Committee – October 2015	Agreed	May-24	Further Report to follow in May 2024.
330	21.01.19	Shelter at slipway in Donaghadee	Councillor Brooks & Cllr Smith	Jan-19	Environment Committee	Agreed	TBC	Officers awaiting feedback from potential funder
372	25.09.19	Report on feasibility of holding annual remembrance service for those lost to suicide	Councillor Martin	Oct-19	Corporate Services – November 2019	Agreed	TBC	Proposer updated - awaiting feedback
419	20.10.20	"I would like to task officers to produce a report to consider what could be a more environmentally friendly and benefit the wellbeing of the community for the use of the disused putting green on the Commons and play park at Hunts park in Donaghadee . Following the success of the Dog park in Bangor and the demand for a Dementia garden, both should be considered as options in the report. The process should involve consultation with the local community."	Councillor Brooks	Oct-20	Community & Wellbeing Committee – December 2020	Agreed at December 2020 C&WC. Ratified at December 2020 Council	TBC	Report to follow after consideration of Masterplan and application of play strategy with local consultation when it takes place in Donaghadee
463	10.05.21	That officers are tasked to bring back a Report on how the Council might approach a Climate Change Action Plan and perhaps including - but not limited to - a review of all Council long-term investment, a Borough-wide engagement via an Innovation Lab, a Conference of Ideas, and values-based recommendations for next steps.	Councillors Walker & Egan	Jun-21	Environment Committee – October 2021 (deferred from September Committee)	Agreed	TBC	Various strands of work taking place across different departments on development of Council Climate Action Plan - led within Corporate Services Directorate.

509	13.04.22	That this Council recognises the environmental damage caused by modern day packaging, much of which is disposed of in landfill or as litter. This Council agrees that producers, not ratepayers, should be responsible for the net costs of managing packaging waste and that litter payments must be included in any Extended Producer Responsibility scheme. This Council tasks Officers with bringing back a report detailing what initiatives Council have undertaken to encourage businesses within the Borough to review, change and/or reduce the packaging they use. The report should include analysis of achievements and challenges encountered to date and outline further initiatives that could be undertaken to encourage businesses to change or reduce the packaging they use.	Councillors McRandal and Douglas	Apr-22	Environment Committee – June 2022	Agreed	Reported to January 2024 Environment Committee - agreed to bring back another report on further actions - to be ratified by January 2024 Council	Agreed amendment: We propose the Officers bring back a further report outlining future initiatives that could be undertaken to encourage businesses to change or reduce the packaging they use, instead of waiting for the 2024-2028 Corporate Plan.
513	17.05.22	2028 Centenary of the internationally renowned Ards TT races. Asking Council how best to commemorate this important sporting anniversary.	Alderman McIlveen and Councillor Kennedy	May- 22	Community and Wellbeing June 2022 - Moved to Place & Prosperity Committee	Agreed	Reported to November 2023 P&P, agreed and ratified by Council	NoM transferred to P&P Committee.
514	19.05.2022	Business case for redesign of the parallel sports pitches and facilities at Park Way, Comber	Councillors Cummings and Johnson	Jun-22	Community and Wellbeing Committee – September 2022 – deferred to October 2022	Agreed at October 2022 C&WC. Ratified at October 2022 Council	TBC	Council agreed Comber 3G pitch is ranked 21st in project prioritisation. Stakeholder engagement to commence at the appropriate time
515	20.06.2022	Review of health and safety process re community groups	Councillors MacArthur, Brooks, T Smith and Kennedy	Jun-22	Corporate Services Committee - deferred to October 2022	Agreed	Mar-24	Report sent to March 2024 committee- remove from tracker in April 2024
516	20.06.2022	Report exploring the possibility of introducing a policy that shows commitment to supporting the wellbeing of our workforce by ensuring appropriate support is available to anyone undergoing IVF.	Councillor Greer and Councillor McKee	Jun-22	Corporate Services Committee – deferred to October 2022	Agreed	TBC	Further Report to follow during 2024.

519	21.06.2022	Engagement with relevant community stakeholders to ascertain community need and desires in respect of the Queen's Leisure Complex	Councillors Kendall, McRandal and McClean	Jun-22	Community and Wellbeing Committee – September 2022 – deferred to October 2022	Amended and agreed at October 2022 C&WC. Ratified at October 2022 Council	April 2024 C&W Committee	Engagement Ongoing
522	5.07.2022	That this Council changes the name of Queen's Parade to Queen's Platinum Jubilee Parade in honour and recognition of the 70th anniversary of the Queen's accession to the throne. *** Amendment Received from Councillor Cathcart - That this Council, in recognition of Her Majesty's Platinum Jubilee and her conferment of City Status upon Bangor, agrees to name an appropriate place or building within Bangor in her honour and that future Council Bangor entrance signs make reference to Bangor being a Platinum Jubilee City.	Alderman Irvine & Keery	Jul-22	Environment Committee - September 2022	Amended and agreed	TBC	Officers considering report to be brought back to future Committee once advice from the Cabinet Office is received. This NOM went to
525	24.08.2022	That this council withdraws all funding to any sporting organisations with any political objectives or named references to terrorism in their constitution, club names, stadiums or competitions, and tasks officers to bring back a report outlining the specific relevant council policy.	Cllrs Cooper, T Smith and Councillor Irvine	Aug-22	Corporate Committee – deferred to October 2022 NoM transferred to C&W Committee	Amended and agreed	TBC	NoM Transferred to C&W Committee. Officers considering report to be brought to future Committee
529	22.08.22	Street Clutter Audit for the Borough	Councillor Dunlop and Councillor Douglas	Sep-22	Environment Committee – October 2022	Agreed	Reported to October 2022 EC Committee	Report to be brought back to a future meeting

532	21.09.22	Given the public health issues and the desire to encourage outdoor eating and entertainment in Conway Square, that officers look at humane means to address the pigeon problem in the Square to include a new bylaw to prohibit feeding of the birds in and around the Square and to erect in the meantime advisory signs to deter feeding of birds in the area.	Alderman McIlveen and Alderman Armstrong-Cotter	Sep-22	Environment Committee 2022	Agreed	Reported to February 2024 EC Committee	Agreed to instruct the Council's solicitor to draft a bylaw to control the feeding of pigeons in Conway Square, with reference to wording as outlined earlier in this report as deemed appropriate. Thereafter, proceed with the bylaw approval and implementation process as set out under the Local Government Act 1972.
545	16.11.22	That Council officers open discussions with Historic Environment Division regarding the return of the 13th century 'Movilla Stones' to the Borough and the provision of a suitable site for these to be located. Officers are also tasked with promoting these extremely important archaeological artefacts in the local community and local schools when the stones have been returned.	Alderman McIlveen & Councillor Cummings	Nov-22	Community & Wellbeing - December 2022	Agreed at December 2022 C&WC. Ratified at December 2022 Council	March 2023 and June 2023 C&W Committee	Officers to discuss further with HED and report to future C&W Committee when final arrangements for return of the stones is agreed.
549	09.12.22	That this Council adopts the White Ribbon Pledge to 'Never commit, condone or remain silent about violence against women and girls', agrees to sign the Pledge, and tasks Officers to bring back a report outlining how we can amalgamate existing relevant policies, undertake the Listen, Learn, Lead programme within the Council, and identify effective routes to encourage other agencies and organisations in our Borough to engage with the White Ribbon Project.	Councillors Douglas & Walker	Dec-22	Corporate Services Committee – January 2023 Community and Wellbeing Committee - TBC	Agreed	January 2024 C&W Committee	Womens Night Charter reported to January C&W Committee to be ratified at Council. Action plan being developed by PCSP and brought back to C&W Committee

550	13.12.22	That this Council expresses concern with the number of residential and commercial bins left on public footways in the Borough long after the bin collection date. Bins left on public footways are not only unsightly, they can lead to hygiene and contamination issues, as well as safety concerns, forcing pedestrians onto the road due to the blocking of a footway. This Council notes its own lack of enforcement powers to tackle this issue and expresses concern at the Department for Infrastructure's reluctance to use its own enforcement powers. Accordingly, this Council agrees to write to the Department for Infrastructure asking the Department to engage with Councils with the aim of creating appropriate enforcement powers to tackle this issue. Council Officers, will in the meantime, bring back a report to the appropriate committee detailing action that the Council can take under current powers to try address the issue of bins left on public footways.	Councillors Cathcart and MacArthur	Dec-22	Environment Committee – January 2023	Agreed	TBC	Alternative proposal agreed at June 2023 Ctee. Update report to be brought to a future meeting (date to be confirmed) Letters sent to Dfi and PSNI 12/10/23 - Response rec'd from PSNI 13.11.23, Response rec'd from Dfi 02.11.23 Letter sent to DAERA 12.12.23 and response rec'd 14.12.23
555	08.12.22	This Council acknowledges the environmental and health benefits associated with the recent increase in cycling and declares Ards & North Down a cycling friendly borough. The Council also recognises that people who cycle are among the most vulnerable road users, and tasks officers with producing a report detailing ways in which we can help improve safety. The report should include possible sources of funding, potential partnerships, and ways in which we can promote good relations between users of different forms of transport	Alderman Wilson & Councillor Douglas (Postponed from Dec Council to Jan Council)	Jan-23	Community and Wellbeing Committee – February 2023	Agreed at February 2023 C&WC. Ratified at February 2023 Council	June 2023 C&W Committee	Further report to future C&WC including a report recommendatio n on declaration.

554	08.01.2023	That this Council writes to the Permanent Secretary of the Department for Infrastructure expressing concern that the provision of a footpath at Shore Road Ballyhalbert is currently not considered a priority by the Department following the completion of a feasibility study which demonstrated need. That the Council highlights the road safety concerns raised by residents for pedestrians using the Shore Road from the village to the residential developments including Park Homes and St Andrew's. That Council requests that the Department for Infrastructure makes the installation of a footpath a priority and commits to deliver the scheme as a matter of urgency.	Councillors Adair & Edmund	Jan-23	Place & Prosperity – February 2023	Agreed and ratified at Council 5.7.23	P&P 11 April 2024	Perm Sec's of DfI ltr of 10.8.23 reported to Sept P&P where it was agreed that Council writes to the Perm Sec of DfI expressing disappointment at the lack of understanding in the response...CEX issued letter 3.11.23, response to be reported to P&P when received. Chaser email re invite to attend site meeting sent by CX to DfI 6.3.24. Response rcvd 7.3.24
562	18.01.2023	The prolonged cold weather spells just before Christmas and last week resulted in icy, slippery, and dangerous footpaths and car parks in the Borough's City and town centres. It is not acceptable that in such circumstances the Council does not have a plan or the resources or facilities to grit these areas to enable residents to walk safely to and from the main shopping areas or fall when they step out of their cars onto ice. It is proposed that officers bring back a report with costs to outline what steps can be taken to ensure that Council car parks and footpaths in the City and town centres are gritted when the weather is forecast to have heavy snowfall or prolonged freezing weather conditions.	Councillors Morgan and McRandal	Jan-23	Environment Committee – February 2023	Agreed	01/10/2023 and ratified at October 2023 Council	

560	18.01.2023	That Council, subject to consultation with addressees on the road, considers changing the name of that stretch of the A21 in Newtownards which runs from Portaferry Road to the junction with upper Greenwell Street, Newtownards currently named New Road to Viscount Castlereagh Avenue as a mark of the life and legacy of Robert Stewart, 2 nd Marquess of Londonderry, who was known by the courtesy title of Viscount Castlereagh during most of his life, in the 200 th year of his passing.	Alderman McIlveen and Alderman Armstrong-Cotter	Feb-23	Environment Committee March 2023	Agreed	TBC	Report to be brought to future meeting
564	08.02.23	That this Council tasks officers to begin discussions with the Education Authority with regards to the Future of Bloomfield playing fields, Bangor. This is to include the lease and the exploring of the possibility of bringing the facility up to intermediate level for football. A report to be brought back to Council following said discussions.	Alderman Irvine and Alderman Keery	Feb-23	Community and Wellbeing Committee March 2023	Agreed at February C&WC. Ratified at February Council	TBC	Officers considering report to be brought back to future Committee
567	14.02.2023	This Council rename the square at Portavogie War Memorial Queen Elizabeth Square in memory of our late Sovereign Queen Elizabeth II.	Councillor Adair and Councillor Edmund	Feb-23	Corporate Services March 2023		TBC	Officers considering next steps for further report to be brought back once advice from Cabinet Office is
	6.3.2023	Officers are tasked with reviewing current powers and how council could best effect positive change. As part of this review officers would investigate using part or all of Newtownards town centre as a pilot scheme to tackle dereliction, which could then be broadened across the Borough if successful. The review may form a working group which would consider what incentives could be provided through, DFC whom hold regeneration powers, the Planning system, Building Control, or by other means, to encourage the re-use or redevelopment of local derelict buildings to provide new business opportunities or homes. Consideration would also be given to what limitations can be placed on public and private property owners who are not willing to work in partnership for regeneration and the public good.	Councillor Smart and Councillor Irvine	Mar-23	Place and Prosperity Committee June 2023	Agreed and ratified by 5 July Council	June 2024 P&P	
559	20.3.2023	That this Council recognises the issues and concerns detailed in the letter sent to the Chief Executive by The Kircubbin Harbour Action Group and agrees to write to the Permanent Secretaries of the Departments of Infrastructure and Communities, asking them to provide details of the responsibility they have in ensuring the public safety of the harbour and listing any details of dealings their departments have had with the owner.	Councillors Thompson & Adair	Mar-23	Place and Prosperity Committee June 2023	Agreed and ratified at Council 5.7.23. Discussed at P&P 7.12.23 - Amended and agreed that Council defer a decision on the Kircubbin Harbour report to February 2024	Feb 2024 P&P	CEx issued ltrs to Perm Secretaries of Dfi and DIC 2.8.23 - Kircubbin HAG to consider response. P&P 7.12.24

575	31.07.2023	That this council notes that the number of households with homelessness status on the social housing waiting list across NI has increased from 12,431 to 26,310 households between 31 March 2013 and 31 March 2023, an increase of 111.7%; notes the enormous strain the homelessness system is under with the number of households in temporary accommodation at unprecedented levels; agrees that this council has a role to play in preventing homelessness in this borough alongside other organisations and bodies in the Public, Statutory and Voluntary sectors; calls on this Council to assess how it contributes to homelessness prevention through carrying out an audit of its services; and requests that Officers bring back a report detailing the homelessness prevention work currently supported as well as how the Council's community planning function can further	Councillors Creighton and Moore	Council - August 2023	Community & Wellbeing Committee-September 2023	Agreed at September 2023 C&WC. Ratified at September 2023 Council	September 2024 C&W Committee	Officers considering report to be brought back to September 2024 C&W Committee
576	01.08.2023	That this Council recognises the significant public concern created by the feud between rival organised crime groups within Ards and North Down. This feud which began in March 2023 has led to violence, criminal damage, and communities living in fear. We ask that Council contact representatives of the Talking Paramilitarism Programme including The Executive Office and Department of Justice seeking their shared engagement with Council and elected representatives focusing solutions to address this issue, and to reduce the prospect of a similar occurrence in the future. Further to this we ask the Communities in Transition Programme to broaden its remit across the Borough to help create a culture of lawfulness, and strengthen community resilience against organised crime and coercive control.	Councillors Smart & P Smith	Council - August 2023	Heard at Council August & Agreed			
577	02.08.2023	This Council condemns without reservation the threats made to District Judge Mark Hamill and the attack on Newtownards Courthouse as an attack on the rule of law which is the basis of a democratic and free society. Furthermore, this Council affirms its full support for the PSNI in investigating and bringing to justice those who have committed criminal acts within this Borough and encourages everyone to assist the legitimate authorities in this endeavour.	Aldermen McIlveen & Armstrong Cotter, Councillor Kennedy	Council - August 2023	Heard at Council August & Agreed			
		That Council task officers to bring back a report on the costing to install signage identifying the townlands of Ballyblack and Kirkistown and that officers are tasked to bring forward proposals to incorporate townland signage across our Borough.	Alderman Adair, Councillors Edmund & Kerr	Council - August 2023	Environment Committee - September 2023	Agreed - ratified by September Council	To be confirmed	

581	18.09.2023	That Council notes the increasing complaints regarding the poor condition and appearance of our cemeteries across the Borough and tasks officers to bring back a report on options to improve the maintenance of our cemeteries which are places of special significance to those who have lost loved ones.	Alderman Adair, Councillor Douglas and Alderman McIlveen	27-Sep-23	Community and Wellbeing Committee	Agreed at October C&WC. Ratified at October Council	December 2023 C&W Committee. June 2024 C&W Committee	December 2023 C&W Committee Report ratified at December 2023 Council. Officers to consider tangible options and report to June 2024 C&W Committee
580	06.09.2023	That this Council, recognising its commitment as a responsible employer, and that staff are paid the current Living Wage, tasks officers to explore becoming 'Living Wage' accredited with the UK Living Wage Foundation, as well as ensuring any regularly contracted employees and workers, including those who are employed externally to deliver Council services, are paid the living wage hourly rate. It also explores becoming Living Hours and Living Pensions accredited too.	Councillor Woods and Councillor McKee	Sep-23	Corporate Services- October 2023	Agreed to recommend	TBC	Accreditation to be sought by HR.
585		That Council recognise the value of our Beaches and coastal environment to our residents and tourists alike note the new DEARA regulations for the cleaning and maintenance of our beaches and task officers to bring forward a report on cleaning and maintaining our beaches on a proactive basis in line with the new DEARA regulations to ensure our beaches continue to be a clean, safe, attractive and well-managed coastal environments.	Alderman Adair, Councillor Edmund and Councillor Kerr	Oct-23	Environment Committee - November 2023 - Transferred to Community & Wellbeing Committee	Agreed subject to ratification at November Council	January 2024 C&W Committee	Report to January 2024 C&WC. Further report requested being considered by officers with a report to June 2024 C&WC

588		<p>That this council asks officers to include the repainting of the traditionally styled bus shelter (owned by Council), located in Main Street, Greyabbey in the 2024/25 maintenance budget.</p> <p>Furthermore Council seeks an officer's report on the feasibility of Council painting the decorative Greyabbey lamp posts (in the ownership of DFI). This is a feature of the historic village, and we understand the current shabby condition impacts not only residents of the village, but the wider tourism and regeneration potential of this scenic conservation area.</p>	Councillor Wray and Alderman Smith	Oct-23	Environment Committee - November 2023	Agreed - ratified at November Council		<p>Amendment Agreed. That Council welcomes the repainting of the traditionally styled bus shelter located on Main Street, Greyabbey and tasks officers to ensure it is maintained to a high standard going forward. Furthermore, Council writes to the Department of Infrastructure to ask for the decorative lamp posts on Main Street, Greyabbey, to be repainted to ensure they are maintained as a feature of this historic village; and writes to the</p>
586	16.10.23	<p>That this Council, further to recent positive discussions with landowners, agrees to reexamine the April 2014 decision of North Down Borough Council to accept a gift of open space at Ambleside, Bangor, which was never completed and tasks Council Officers to bring back a report looking at (i) acquiring the land and (ii) options around future uses for the land.</p>	Councillor Cathcart and Councillor Martin	Oct-23	Corporate Services November 2023	Agreed	Apr-24	<p>Decision deferred at February 2024 committee . Further report to be brought back to future meeting with additional information.</p>
592	27.10.23	<p>This Council recognises the importance of Bangor Sportsplex for athletics, football and community leisure facilities in the Borough and notes with concern the deteriorating conditions of the site rendering several pitches unusable, and therefore tasks council officers with producing a report regarding the future of Bangor Sportsplex, including addressing maintenance and structural issues and exploring options for the long term provision of track and field athletics facilities in the Borough.</p>	Councillor Creighton and Councillor Irwin	29.11.23	C&W December	Agreed at December C&WC. Ratified at December Council	TBC	<p>Officers considering report to be brought back to future C&W Committee</p>

594	16.11.23	That this Council amends its flag policy to include the flying of the Union Flag at every war memorial all year round.	Councillor S Irvine, Councillor W Irvine and Alderman Brooks	29.11.23	Corporate December	Agreed	TBC	An ammendment to the original NOM was put to Council 20.12.23 2024 but fell.
595	16.11.23	This Council recognises the importance of Bangor's early Christian heritage in the story of our city, and its role in local tourism strategies. This Council requests that officers bring back a report which evaluates how the physical link between two main sites, Bangor Abbey and the North Down Museum, could be improved, to include the renovation and potential remodelling of Bell's Walk, with consideration for improved wayfinding and lighting. The motion also requests that officers consider how Bangor Castle Gardens and The Walled Garden could be better incorporated into the walking route, and how the overall attraction could be packaged to create a more complete tourism and placemaking experience.	Councillor McCracken and Councillor Blaney	29.11.23	C&W December	Agreed at December C&WC. Ratified at December Council	TBC	Officers considering report to be brought back to future C&W Committee
596	20.11.23	Ulster Scots - tasking Officers to develop a budget to ensure and encourage participation in future Ulster Scots Language weeks; develop and action plan, with advice from the Ulster-Scots Agency, to develop all aspects of the Borough's rich Ulster Heritage	Alderman McIlveen and Councillor Kennedy	29.11.23	C&W December	Agreed at December C&WC. Ratified at December Council	TBC	Action Plan to be brought to future C&W Committee subject to budget being made available
598	20.11.23	That this Council continues discussions with the Education Authority concerning the redevelopment of the play area fronting Victoria Primary School, Ballyhalbert (which is a shared facility between the school and public) and tasks officers to source external funding streams to enhance recreation & sports facilities for the village and surrounding area. Further, Council notes the poor condition of Ballyhalbert children's play park and tasks officers to bring forward a report on enhancing and improving the play park to meet the needs of local children.	Alderman Adair and Councillor Edmund	29.11.23	C&W January	Agreed at January C&WC Ratified at January Council	TBC	Officers considering report to future C&WC
599	21.11.23	That this Council recognises the invaluable work undertaken by community/voluntary groups and organisations in this Borough in identifying and tackling the needs of communities and residents. The Council therefore, commits to undertaking a root and branch review of community development funding, arts and heritage, sports development and all other funding streams to ensure that it provides the most efficient, effective and responsive service to our community, thus maximising impact, accessibility and equitable allocation of resources. The review should examine the following 4 categories: (see further wording on agenda)	Councillor Cathcart and Councillor Gilmour	29.11.23	C&W January	Agreed at January C&WC Ratified at January Council	TBC	Grants transformation project already underway

560	23.11.23	That this Council recognises the growing concerns and impact of single use vapes on young people, schools, and our local environment. Calls on Council Officers to undertake a full review of options available to address these concerns and strengthen enforcement. This Council also calls on a ban on the importation of illicit vapes and calls on Stormont, at the earliest opportunity, to bring forward legislation to enforce regulations that will combat illicit importations.	Councillor McLaren and Councillor Hollywood	Dec-23	C&W January	Agreed at January C&WC Ratified at January Council	TBC	Officers considering report to April 2024 C&WC
561	29.11.23	That this Council notes the continuing issue of dead seals washed up on our beaches and coastlines and the negative impact that this has on the use of beaches when the carcasses are not picked up in a timely manner. It therefore tasks officers to bring forward a report to ensure seal carcasses are prioritised for removal as soon as possible after reporting to ensure that our beaches continue to be a clean, safe, and well-managed coastal environment to be enjoyed by everyone.	Alderman Adair and Councillor MacArthur	Council December 2023	Environment Committee January 2024 - to be ratified at January 2024 Council	Agreed with amendment: That this Council notes the continuing issue of dead seals and all mammals washed up on our beaches and coastline and the negative impact that this has on the use of beaches when the carcasses are not picked up in a timely manner. It therefore tasks officers to bring forward a report to ensure seal carcasses are prioritised for removal as soon as possible after reporting to ensure that our beaches continue to be a clean, safe, and well-managed coastal environment to be enjoyed by everyone.	TBC	
568	30.11.23	That this Council writes to the Department for Infrastructure (DFI) objecting to the significant proposed percentage increases to charges involving the structures along with pedestrian and various vehicle usage, availing of the Strangford Ferry Services.	Councillors Boyle and Wray	Council - December 2023	Heard at Council and agreed			NOM to be closed
564	13.12.23	That this Council writes to the Secretary of State to voice its objection to the NIO consultation on Water Charges and any attempt to introduce Water Charges to Northern Ireland.	Councillors W Irvine and McKimm	Council - January 2024	Corporate Services Committee		TBC	Letter issued by CEX

565	13.12.23	That Council Note the closure of the training area at Portavogie Football Pitch due to health and safety concerns recognises the negative impact this has on local provision and sports development and tasks officers to bring forward a report on options to provide temporary training facilities in the village in the short term and repairs to the pitch in the long term as a matter of urgency further Council task officers to bring forward a bi-monthly progress report on the development of the Portavogie 3G Pitch Project to Council.	Alderman Adair and Cllr Edmund	Council - January 2024	CW Committee	NoM amended and agreed at February C&WC ratified at February Council	TBC	Reports will be brought back to C&W Committee meetings as requested
567	13.01.24	That this Council writes to the Department of Infrastructure to once again express our deep concern at the poor state of roads across Ards and North Down. Council further requests that DFI changes their policy in relation to the depth of potholes that are required to be repaired back to 20ml from the current 50ml in order to improve the quality and safety of our roads network.	Cllr Wray and Alderman Smith	Council - January 2024	Coporate Services Committee		TBC	Letter issued by CEX
568	16.01.24	That this Council agrees to write to the Department for Infrastructure (Dfi), seeking a meeting with elected members representing the Ards Peninsula DEA, to discuss the recent and ongoing interruptions to the Strangford Ferry Service.	Cllr Boyle and Alderman McAlpine	Council - January 2024	Withdrawn at Council			
569	23.01.24	That this Council acknowledges with concern the devastating impact of the planned closure of the Action Mental Health Promote Day Opportunities Service on its users, their families and the wider community throughout this borough and agrees to write urgently to the Chair and Chief Executive of South Eastern Health and Social Care Trust to call on the Trust to address funding pressures to secure the future of the service and centre at Enterprise Road, Conlig.	Cllrs McCollum and Morgan	Council - January 2024	Heard and agreed at Council. Further agreed that Council writes to the Health Minister once appointed		April C&W committee	
570	23.01.24	That this Council notes the announcement on Monday 15th January of the closure of Promote Day Opportunities Service in Bangor; this Council notes the importance of this day opportunities service, relied upon by so many residents of this borough; acknowledges the public outcry and widespread support for retention of this vital service, demonstrated by the change.org petition; writes to SEHSCT for clarity on what support will be made available for those affected by this closure and writes to the Department of Health calling for sustainable public financing of much needed learning disability services in our Borough.	Cllrs McKee and Kendall	Council - January 2024	Withdrawn at Council			
563	28.2.24	That this Council brings back a report with reference to projected costings associated with repairs and necessary requirements to Kircubbin Harbour, as identified as a priority within the Kircubbin Village Plan, that would create a functioning facility for the Kircubbin village, surrounding areas and a tourism destination for the boating and sailing fraternity; further that an annual projected maintenance costing be included"	Cllr Boyle and Alderman McAlpine	Council - February 2024	P&P	Withdrawn at P&P 7.3.24	n/a	None

570	19.02.24	That Council note the increasing growing population in the village of Ballyhalbert and the current lack of public open spaces in the village and task officers to bring forward a report on options to provide a public green open space to promote health and wellbeing of the local community and further tasks officers to engage with developer to ensure the new play park planned for Saint Andrews is delivered in line with our Council play strategy.	Ald Adair and Cllr Edmund	Council - March 2024	C&W March	Agreed	TBC	To be ratified at March 2024 Council
571	20.02.24	This Council notes the importance of outdoor lighting on Council land and buildings for public safety, security, and tourism. Moreover, it acknowledges the benefits of energy efficient lighting in the Council's decarbonisation journey and the financial savings that are realised. However, this Council also notes the negative consequences artificial lighting has on our wildlife despite the importance and benefits outdoor lighting can bring. As a Borough committed to improving biodiversity, this Council will ensure that all future installation or retrofitting of outdoor lighting is nature friendly and take cognisance of our obligations for protection of priority species in the Local Biodiversity Action Plan. Furthermore, that the Council's current outdoor LED lighting is assessed for the potential for retrofitting.	Councillor McKee and Councillor Kendall	Council - February 2024	March 2024 Environment Committee	Agreed	TBC	

Dear Councillor,

On behalf of the Equality Coalition, I would like to encourage you to put forward a motion calling on council to acknowledge the need and urgency of an NI anti-poverty strategy. Whilst this is the remit of the Stormont Assembly, we believe it is crucial for council members to be part of this conversation.

We are asking councillors to become more familiar with the key recommendations that have been made to the Department for Communities and to back the call that an anti-poverty strategy must be an immediate priority for an incoming Executive.

Whilst Stormont has not been sitting, we know that local councils have been engaging in extensive anti-poverty work, and we believe it would benefit the local councils to hear more from anti-poverty experts on how we think poverty can be eradicated.

I would like to draw your attention to three documents that will be useful:

1. The [report](#) from the Anti-Poverty Strategy Expert Advisory Panel (commissioned by DfC, published 2021)
2. The [report](#) for the Anti-Poverty Strategy published by some members of the anti-poverty co-design group (2022)
3. The report from the "[Progressing an Anti-Poverty Strategy](#)" seminar organised by the Equality Coalition, Barnardo's NI and the Northern Ireland Anti-Poverty Network held June 2023 in Stormont.

Additionally, a member of the Equality Coalition or the Northern Ireland Anti-Poverty Network would be happy to meet with your council team or your council's Anti-Poverty/Hardship Stakeholder group to discuss issues of poverty.

Sample Council Motion Text:

Council recognises that poverty is a massive issue across Northern Ireland. The Department for Communities reported in October 2023 that 60,000 children were living in absolute poverty – and 1 in 4 children are living in relative poverty.

Council acknowledges the high cost of living – particularly fuel, housing, essential goods, childcare and transport, combined with a low wage economy have created particularly dire economic conditions for many. This combined with the austerity budget of 23/24 has had devastating consequences for the most vulnerable in society.

Council recognizes that the Assembly still does not have an Anti-Poverty Strategy "**based on objective need**" – almost 20 years after the St. Andrew's agreement placed a legal requirement on the Executive to enact a strategy.

Council commits to supporting the call by the Equality Coalition, NI Anti-Poverty Network (NIAPN), Barnardo's and others for the creation and implementation of an Anti-Poverty Strategy based on objective need to be a day one priority for any incoming Executive.

Council will:

1. Invite a representative from NIAPN or the Equality Coalition to present to the council about the key asks for an anti-poverty strategy
2. Endorse the recommended vision for the anti-poverty strategy:

“Northern Ireland is an equal society where poverty and its impacts are eradicated, and that respects, protects, promotes and fulfils the rights of those at risk of poverty to ensure they achieve their aspirations.”

3. Increase the visibility of the council’s anti-poverty action plans, including the resources available to those within the council area experiencing poverty.

Thank you for your consideration.

Best,
Becca

For more information about the [Equality Coalition](#), contact Dara Keeve: equalitycoalition@caj.org.uk
For more information about the [Northern Ireland Anti-Poverty Network \(NIAPN\)](#), contact Becca Bor: becca@niapn.org

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