

January 28th, 2025

Notice Of Meeting

You are requested to attend the meeting to be held on **Wednesday, 29th January 2025 at 7:00 pm** in **Hybrid via Zoom and Council Chamber, City Hall, Bangor.**

Agenda

Agenda

(Attached)

[C 29.01.25 Agenda.pdf](#)

Page 1

1. Prayer

2. Apologies

3. Declarations of Interest

4 Mayor's Business

5 Mayor and Deputy Mayor Engagements for the Month of January 2025 (Copy attached)

[Mayoral Engagements January 2025.pdf](#)

Page 5

6. Minutes of Council Meeting held on 18 December 2024

Copy attached

[C.18.12.2024 Minutes.pdf](#)

Not included

[C.18.12.2024 Minutes PM.pdf](#)

Page 6

7 Minutes of Committees

7.1 Audit Committee dated 16 December 2024

Copy attached.

[AC16.12.2024 Minutes.pdf](#)

Not included

[AC16.12.2024 Minutes PM.pdf](#)

Page 31

7.2 Special Corporate Services Committee dated 17 December 2024


[SpCS 17.12.2024 Minutes.pdf](#)

Not included

[SpCS 17.12.2024 MinutesPM.pdf](#)

Page 44

7.3 Environment Committee dated 8 January 2025 (Copy attached)

 *EC 08.01.25 Minutes.pdf*

Not included

 *EC 08.01.25 MinutesPM.pdf*

Page 46

7.4 Place and Prosperity Committee dated 9 January 2025


Copy attached

 *PP 09.01.2025 Minutes.pdf*

Not included

7.5 Corporate Services Committee dated 14 January 2025

Copy attached

 *CS.14.01.25 Minutes.pdf*

Not included

 *CS.14.01.25 Minutes PM.pdf*


Page 66

7.6 Community and Wellbeing Committee dated 15 January 2025 (Copy attached)

Copy attached.

 *CW 15.01.2025 Minutes.pdf*


Not included

 *CW 15.01.2025 Minutes PM.pdf*


Page 70

7.7 Special Planning Committee dated 20 January 2025

Copy attached

 *PC 20.01.2025 Minutes .pdf*

Not included

 *PC 20.01.2025 MinutesPM.pdf*

Page 119

8. The Battle of the Somme Pilgrimage 2025

 *Item 8 - The Battle of the Somme Pilgrimage 2025.pdf*






Page 133

9. WITHDRAWN

(To follow)

10. Response to Notice of Motion - New Thresholds for

Inheritance Tax and Agricultural Property Relief

 <i>Item 10 - Response to Notice of Motion - New thresholds for Inheritance Tax and Agricultural Property Relief.pdf</i>	<i>Page 135</i>
 <i>Item 10 Appendix 1 Letter from ANDBC to DAERA.pdf</i>	<i>Page 137</i>
 <i>Item 10 Appendix 2 - DAERA reply to ANDBC.pdf</i>	<i>Page 138</i>
 <i>Item 10 Appendix 3 - Letter to the Chancellor from The Executive Office.pdf</i>	<i>Page 140</i>
 <i>Item 10 Appendix 4 - Chancellor Response to The Executive Office.pdf</i>	<i>Page 142</i>



11. Changes to Standing Orders

 <i>Item 11 - Changes to the Standing Orders - December 2024.pdf</i>	<i>Page 144</i>
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12. Sealing Documents

13. Transfer of Rights of Burial

14. Notice of Motion Status Report (Report attached)

 <i>Item 14 NoM Status Report.pdf</i>	<i>Page 155</i>
 <i>Item 14 - NoM Tracker.pdf</i>	<i>Page 156</i>

15. Notices of Motion

15.1 Notice of Motion submitted by Councillor Ashe and Councillor McCollum

That this Council notes the transformative benefits that street art, such as painted utility boxes, can have on communities including the potential to become tourist attractions or foster a sense of civic pride and notes the recent success of the painted utility boxes in Ward Park.

That this Council also acknowledges the frustration and concern that graffiti, such as tagging, can cause and the the subsequent costs of removal. Council notes it is important to facilitate the creation of local art in a safe, legal, and positive way enabling artistic creation and local regeneration while also reducing the proliferation of antisocial graffiti.

That this Council returns a report which:

Identifies suitable utility boxes which could be prospective 'canvas sites' for local art;

Identifies prospective local artists who could participate in the project, with the input of the Council Arts Officer; and

Identifies any external sources funding, such as from the Department for Communities or the Arts Council of Northern Ireland.

15.2 Notice of Motion submitted by Councillor Irwin and seconded by Councillor McCracken

That this Council expresses its disappointment at the Education Minister's decision to refuse the development proposals from Bangor Academy and Sixth Form College and Rathmore Primary School to transform to integrated schools, notes the overwhelming parental support for transformation, further notes the duties in the Integrated Education Act to aim to meet demand for Integrated Education, considers that the Minister has failed to act on this duty, and in doing so has failed to listen to parents from these schools, and resolves to write to the Minister and request he reconsider his decision as a matter of urgency.

15.3 Notice of Motion submitted by Councillor Chambers and Councillor Hollywood

That this Council brings back a report detailing the associated costs, viability and public desirability to install a low level positioned lighting scheme along the promenade at Groomsport beach.

15.4 Notice of Motion submitted by Councillor Kendall and Councillor McKee

That Council recognises that the safety of people and communities is paramount, and that any dog irrespective of breed or type may display aggression.

However, this Council also recognises that the provisions, as set out within the Statutory Rule The Dangerous Dogs (Designated Types) Order (Northern Ireland) 2024, under powers conferred by Article 25(1)(c) and (8) of The Dogs (Northern Ireland) Order 1983 (the 1983 Order), as relates to XL Bully dogs that make it an offence to rehome is unnecessary cruel. Restriction of rehoming, even by establishments such as rescue centres and animal shelters has led, as is leading to, the unnecessary destruction and euthanasia of healthy animals, which have no history of violence or aggression, and goes against the 'unnecessary suffering' clause in the Welfare of Animals Act NI 2011.

Therefore this Council will write to the DAERA minister outlining our opposition to the continuation of the XL Bully legislation as currently set out, and asks that the Minister allow for managed rehoming by shelters and other specific animal rescue establishments, of dogs including those considered to be XL Bullies with no history of aggression or violence, to suitable owners, to prevent further animal suffering.

Circulated for Information







- a) Department of Finance - Census 2021 Public Microdata Teaching Sample for Northern Ireland.
- b) Department of Justice - Call for Evidence on Access to Justice in relation to the Aarhus Convention.
- c) Northern Ireland Housing Council - Minutes

 **CFI - a - Public Microdata Teaching Sample for NI.pdf**

Page 175

 **CFI - b - Call for Evidence on Access to Justice in relation to the Aarhus**

Page 176

 CFI - Aarhus Call for Evidence Questionnaire.pdf	Page 177
 CFI - b - NI Call for Evidence - Access to Justice in relation to the Aarhus Convention.PDF	Page 199
 CFI - c - NI Housing Council Minutes.pdf	Page 233
 CFI - c - Minutes - 12th September 2024 (3).pdf	Page 234
 CFI - c - Minutes - 10th October 2024 (2).pdf	Page 241
 CFI - c - Minutes - 14th November 2024 (1).pdf	Page 245

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

16a. Estimates Reports - District Rate and Service Budgets

(Report attached)

 16a. Estimates Report - District Rate and Service Budgets.pdf	Not included
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16b. Estimates Report - Robustness

(Report attached)

 16b. Estimates Report - Robustness.pdf	Not included
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ARDS AND NORTH DOWN BOROUGH COUNCIL

22 January 2025

Dear Sir/Madam

You are hereby invited to attend a hybrid Meeting (in person and via Zoom) of Ards and North Down Borough Council which will be held at the City Hall, The Castle, Bangor on **Wednesday 29 January 2024 at 7.00pm.**

Yours faithfully

Susie McCullough
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 January 2025 (Copy attached)
6. Minutes of Council meeting dated 18 December 2024 (Copy attached)
7. Minutes of Committees (Copies attached)
 - 7.1 Audit Committee dated 16 December 2024
 - 7.2 Special Corporate Services Committee dated 17 December 2024
 - 7.3 Environment Committee dated 8 January 2025
 - 7.4. Place and Prosperity Committee dated 9 January 2025
 - 7.5. Corporate Services Committee dated 14 January 2025
 - 7.6. Community and Wellbeing Committee dated 15 January 2025
 - 7.7 Special Planning Committee dated 20 January 2025
8. The Battle of the Somme Pilgrimage 2025 (Report attached)

9. WITHDRAWN
10. Response to Notice of Motion - New thresholds for Inheritance Tax and Agricultural Property Relief (Report attached)
11. Changes to the Standing Orders (Report attached)
12. Sealing Documents
13. Transfer of Rights of Burial
14. Notice of Motion Status Report (Report attached)
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- b) Department of Justice - Call for Evidence on Access to Justice in relation to the Aarhus Convention (Correspondence attached).
- c) Northern Ireland Housing Council – Minutes (Attached).

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

16a. Estimates Report – District Rate and Service Budgets (Report attached)

16b. Estimates Report – Robustness (Report attached)

MEMBERSHIP OF ARDS AND NORTH DOWN BOROUGH COUNCIL

Alderman Adair	Councillor Hennessy
Alderman Armstrong-Cotter	Councillor Hollywood
Alderman Brooks	Councillor S Irvine
Alderman Cummings	Councillor W Irvine
Alderman Graham	Councillor Irwin
Alderman McAlpine	Councillor Kennedy
Alderman McRandal	Councillor Kendall
Alderman McDowell	Councillor Kerr

Alderman McIlveen	Councillor McBurney
Alderman Smith	Councillor McClean
Councillor Ashe	Councillor McCollum
Councillor Blaney	Councillor McCracken
Councillor Boyle	Councillor McKee
Councillor Cathcart (Mayor)	Councillor McKimm
Councillor Chambers (Deputy Mayor)	Councillor McLaren
Councillor Cochrane	Councillor Moore
Councillor Douglas	Councillor Morgan
Councillor Edmund	Councillor Thompson
Councillor Gilmour	Councillor Smart
Councillor Harbinson	Councillor Wray

**LIST OF MAYOR'S/DEPUTY MAYOR'S ENGAGEMENTS
FOR JANUARY 2025**

Tuesday 14th January 2025

14:00 Big Birdwatch, The Walled Garden, Bangor

Thursday 16th January 2025

18:00 High Latitudes Exhibition Launch, North Down Museum, Bangor Castle

Tuesday 21st January 2025

11:00 Launch of Holocaust Exhibition, Carnegie Library, Bangor

Wednesday 22nd January 2025

18:00 Annual Holocaust Commemoration Event, Bangor Castle

Thursday 23rd January 2025

14:30 Handover of Sheriffs, Montalto House, Ballynahinch

Sunday 26th January 2025

14:00 Irish Guards Charity Concert, Titanic Centre, Belfast

Wednesday 29th January 2025

12:30 In Bloom Funding Photo Call

Item 6

6

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting (in person and via Zoom) of Ards and North Down Borough Council was held at the City Hall, The Castle, Bangor on Wednesday 18 December 2024 commencing at 7.00pm.

In the Chair:	The Mayor (Councillor Cathcart)	
Aldermen:	Adair	McAlpine (7.02 pm)
	Armstrong-Cotter	McIlveen
	Brooks	McDowell (zoom)
	Cummings	McRandal
	Graham (7.10 pm)	Smith
Councillors:	Ashe	Kennedy
	Blaney	Kerr (7.12 pm)
	Boyle	McBurney
	Chambers	McClellan
	Cochrane	McCollum
	Douglas	McCracken
	Edmund	McKee
	Gilmour	McLaren
	Harbinson	Moore
	Hennessy	Morgan
	Hollywood (zoom)	Thompson
	Irwin	Smart
	S Irvine	Wray
	W Irvine	
	Kendall	

Officers: Chief Executive (S McCullough), Director of Corporate Services (M Steele), Interim Director of Prosperity (A McCullough), Director of Community and Wellbeing (G Bannister), Interim Director of Place (B Dorrian), Head of Communications and Marketing (C Jackson – zoom (non-visual), Head of Regulatory Services (R McCracken), Head of Community and Culture (N Dorrian), Democratic Services Manager (J Wilson) and Democratic Services Officer (J Glasgow)

1. PRAYER

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

2. APOLOGIES

An apology for lateness was received from Alderman Graham.

(Alderman McAlpine entered the meeting – 7.02 pm)

3. DECLARATIONS OF INTEREST

No declarations of interest were notified.

4. MAYOR'S BUSINESS

The Mayor remarked that he had been busy over the last few weeks with a number of Christmas events including many Christmas light switch-ons in the various towns and villages throughout the Borough. He praised the community groups who had put on wonderful events and had to re-arrange their events due to the storm and weather conditions. Despite two attempts to hold a Christmas Switch-on event in Bangor, he expressed his disappointment that did not go ahead. The Mayor highlighted that there were events being held in Bangor in the coming weekend which he encouraged people to attend, whilst supporting local traders and shopping local.

Through his time as Mayor he had met many fantastic people who were trying to make a difference on a daily basis. The Mayor looked forward to the Civic Endeavour Awards when he would be able to recognise some of those individuals.

Alderman McIlveen took the opportunity to wish the Mayor and Mayoress well in their forthcoming nuptials and hoped that they would have a long and fruitful marriage.

Alderman McRandal described the Mayoress as a lovely young lady and wished the Mayor and Mayoress well.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor Chambers, that the Mayor's business be noted.

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

(Appendix I)

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

The Mayor referred in particular to the opening of Orchardville which he had attended. He recalled the concern that had existed when Promote had closed and he was pleased that Orchardville had taken up that contract. It had been lovely at the event to hear from the service users and parents.

The Mayor also highlighted the reception that he had held for Ards CCE which had been an enjoyable evening.

RESOLVED, on the proposal of Councillor Chambers, seconded by Councillor Gilmour, that the information be noted.

6. MINUTES OF COUNCIL MEETING DATED 27 NOVEMBER 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

RESOLVED, on the proposal of Councillor W Irvine, seconded Councillor Chambers, that the minutes be agreed as a correct record.

7. MINUTES OF COMMITTEES

7.1 Planning Committee dated 3 December 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Smith, that the minutes be approved and adopted.

7.2 Environment Committee dated 4 December 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Proposed by Alderman McAlpine, seconded by Alderman Armstrong-Cotter, that the minutes be approved and adopted.

(Alderman Graham entered the meeting – 7.10 pm)

7.2.1 Matter Arising from Item 4 – Granting of an Amusement Permit

PREVIOUSLY CIRCULATED:- Report from the Director of Environment detailing that at the Environment Committee meeting on 3 December, the Committee were minded to refuse the following application on the basis of proximity to the local primary school and housing.

Grant of an Amusement Permit at Jewel Casino Ltd, 105 Bloomfield Road South, Bangor

Applicant: Mr Francis Brady, 5 Dunamallaght Park, Ballycastle

Application for an amusement licence had been made under Article 108 (1) (ca) of the Order to provide gaming machines with a maximum cash prize pay-out of £25. Access to the premises would be restricted to over 18-year-olds only.

The application had been publicly advertised as required by the Order and there had been no objections.

The PSNI had also confirmed that they did not have any objection to the grant.

Council should be aware that it previously provisionally granted an Amusement Permit at these premises in 2022 under the name Bean BT18, but the application was later withdrawn by the applicant to facilitate Council to resolve a potential legal

matter, (which has not arisen in this current application). In addition, North Down Borough Council issued an Amusement Permit at those premises in October 1998.

The premises was part of a complex comprising 103-107 Bloomfield Road which had existing planning permission and historically operated as Primacy Wine Lodge with an amusement arcade and off-sales in the ground floor units. It was between the existing car wash and former chip shop units.

The legislation provided for representation as detailed below, with further opportunity for the applicant to appeal the decision to the County Court. The application had been advertised as required by the legislation, and no objections had been received from the public in respect of that advert or from consultation with PSNI. In addition, the proximity of the primary school and housing did not affect the 2022 approval and an Amusement Permit was issued by North Down Borough Council 1998 where the premises operated as such for a number of years. Therefore, to refuse on that basis now would leave the Council open to legal challenge.

As previously outlined, should the Council be minded to refuse this application or wish to impose further restrictions on the applicant then the Council was required to serve Notice on the applicant stating the proposed grounds for the refusal or additional restrictions. The applicant then had 14 days to inform the council in writing their desire to show cause, in person or by a representative as to why the application should not be refused or the additional conditions applied.

RECOMMENDED that Council refers this item back to the Environment Committee for reconsideration.

Proposed by Councillor Boyle, seconded by Councillor McKee, that this Council agrees to the Granting of an Amusement Permit at Jewel Casino Ltd, 105 Bloomfield Road South, Bangor.

(Councillor Kerr entered the meeting – 7.12 pm)

Councillor Boyle advised that he had proposed the report at the Environment Committee however that unfortunately had not received a seconder. He had received words of comfort from the Director on the matter that the applicant would have a right to present if the Council was minded to refuse the application. He noted that two years ago the Council had approved the same application without any questions, there were no issues from Council and no objections received from PSNI and residents. There could be repercussions for the Council not to approve the application as alluded to in the report. Councillor Boyle recognised that there were differing views in respect of gambling and alcohol. However, the business was legitimate and such businesses were monitored. Councillor Boyle believed that it would be wrong of the Council to deny the applicant the application and the best advice for the Council would be to agree to the permit.

Councillor McKee stated that he was content to support the proposal advising that at the Environment Committee he had been content to support the rejection of the licence application. However, with the supplementary information provided in the report he felt that the Council would not be in the best position should the applicant

appeal the decision considering the previous licence agreement. At the Environment Committee he had raised questions regarding the process of determining gambling applications and the location of the establishment. He appreciated the concerns of Members regarding the damage to communities caused by gambling, he shared those concerns however the Council did not appear to have much choice given the previous permission. To avoid the costs of an appeal process he felt the proposal was the best course of action.

Councillor Wray advised that he had been liaising with different representatives within the community regarding the issue. He had raised questions at the Environment Committee, one of which was regarding community support and if the community were aware of the application. He was not fully convinced by the application and stated that he would prefer to go with the recommendation and refer the important decision back to the Committee to make an informed decision.

Councillor Blaney echoed the comments of Councillor Wray and stated that he would like to see more outreach with the community taking place before a decision was made and would not like to pre-determine before the questions from the community had been answered. He was minded to approve the application however would rather wait and make a more informed decision.

Councillor W Irvine was content to support the proposal, the licence was part of the wider scheme including the bar and off licence. He asked how many gaming machines were included in the proposal. The Head of Regulatory Services was unable to specify the amount of gaming machines included.

Councillor W Irvine stated that the business was long established within the area, and he was content to support the amended proposal.

Councillor Irwin was minded to support the proposal. The licence had previously been granted in 2022 and not granting the licence could potentially lead to a case. She understood the concerns however there was a process to follow.

Councillor Gilmour was of the understanding that an advertising process had been carried out and no objections had been received. The Head of Regulatory Services confirmed that was correct.

Councillor Gilmour stated that the report provided more history and even if the Council did reject the application, it could leave the Council legally liable. Given that the report presented additional information, she was content to support the proposal.

Alderman Graham was opposed to the proposal, and he wondered why such issues were brought before the Council when they were subject to legal action. It was naive and extreme to believe that such establishments would not attract those who were underage. He believed such establishments should be in a town centre not in residential areas, close to schools and for that reason he was totally opposed to the recommendation.

The Mayor stated that the grounds for objection for such permits was not clear and he felt that such reports needed be explored as delegated decisions.

Councillor Boyle took Alderman Graham's viewpoint on board. There were laws around such establishments and if any illegal activity was to take place, the PSNI could intervene and that would affect any future licences.

The proposal was put to the meeting and declared carried with 22 voting For, 9 Against, 8 Abstentions and 1 Absent.

RESOLVED, on the proposal of Councillor Boyle, seconded by Councillor McKee, that this Council Agrees To the Granting Of An Amusement Permit at Jewel Casino Ltd, 105 Bloomfield Road South, Bangor .

FURTHER RESOLVED, on the proposal of Alderman McAlpine, seconded by Alderman Armstrong-Cotter, that the minutes of the Environment Committee be approved and adopted.

7.3. Place and Prosperity Committee dated 5 December 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

7.4. Corporate Committee dated 10 December 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Proposed by Councillor Irwin, seconded by Councillor Cochrane, that the minutes be approved and adopted.

In respect of Item 17 – Councillor Kendall advised that she wished to raise the item in the exclusion of the public/press.

(The Head of Community and Culture entered the meeting – via zoom – 7.30pm)

7.4.1 Matters Arising item 8 - NOM 623 Update: VE Day – 80th Anniversary

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services detailing that a Notice of Motion discussed at Corporate Services Committee in June 2024 was that 8th May 2024 would be 80 years since VE Day – the official end of the Second World War in Europe. Officers were asked to outline potential ways the historic anniversary could be commemorated. It was suggested that this should include any national plans for beacon lighting and with Council working with local people and local community groups to mark this occasion so that a budget could be included in the next rate setting process.

A query was raised by Councillor Gilmour and Alderman Smith around why proposed grants should only be £500 per group – it was felt that was not a sufficient sum particularly for those events which were much larger. The Director of Corporate Services said he would consult with the Community Development Team and come

back with additional information. The following information was for further consideration by Members.

The new Grants policy as approved by Council in 2024 stated the following:

4.1 Issuing of grant advances Depending on the amount of grant awarded advance payments can be issued by the Council where a specific written request is submitted demonstrating the need for the payment. The need for an advance payment may require a projected cash flow for the life of the project, along with an up-to-date bank statement. For awards: • up to £500 the full amount can be paid in advance; • up to £3000, up to 50% can be paid in advance; and • up to £10,000 up to 30% can be paid in advance; over £10,000 an agreed payment schedule should be put in place and detailed in Letter of Offer. Subsequent payments must only be made following satisfactory verification of interim claims. How surpluses are dealt with should be outlined in your grant scheme, but any funds carried forward should not exceed the lesser of £3000 or 10% of the annual award. For multi-annual awards there can be no carry over at the end of the award period.

In the paper presented to Committee, £500 was suggested as the upper limit for grants from the perspective that could be paid in full in advance in line with policy. Anything above that would require the applicant to have the ability to have sufficient cashflow to pay for 50% of their claim before claiming it back. However, if applicants were able to do this then administering grants above £500 would be possible. It was felt from past experience, that this fund would more likely be utilised by those groups, whereas larger groups could avail of the Community Festivals Grant.

If the Council approves the VE day paper, a further paper would be brought to Community & Wellbeing Committee to outline options for the scheme.

RECOMMENDED that Council reconsider Item 8 from Corporate Services Committee on 10 December 2024 and approves the programme and funding, noting that a further report will be brought to Community and Wellbeing Committee outlining options for how VE Day grants will be administered.

Proposed by Councillor Gilmour, seconded by Alderman Smith, that the Council increases the funding to £1000 per group.

Councillor Gilmour stated that community groups had found it difficult to organise an event for £500.

Alderman Smith was in agreement with Councillor Gilmour's proposal.

The Director of Corporate Services sought clarity that the proposal was seeking to double the budget. Councillor Gilmour clarified that her proposal would double the budget.

Alderman McIlveen sought clarity on the additional funding that would be required. The Director of Corporate Services advised that £60,000 would need to be made available.

Alderman McRandal agreed with the reasoning for increasing the funding available per group however was uncomfortable with doubling the budget and such matters should be referred back to Committee for further discussion.

Councillor Gilmour clarified her proposal, she had raised questions at the Corporate Services Committee meeting and the report had been brought back. She felt her proposal would benefit the residents and allow them to mark the significant anniversary.

Councillor Morgan asked what the proposal was and felt it was most unclear.

The proposal was put to the meeting and declared carried with 24 voting For, 14 Against, 1 Abstention and 1 Absent.

RESOLVED, on the proposal of Councillor Gilmour, seconded by Alderman Smith, that the Council approve the programme, increases the funding to £1000 per group and double the available budget to accommodate. Noting that a further report will be brought to the Community and Wellbeing Committee outlining options how VE Day grants will be administered.

FURTHER RESOLVED, on the proposal of Councillor Irwin, seconded by Councillor Cochrane, that the minutes of the Corporate Services Committee be approved and adopted.

7.5. Community and Wellbeing Committee dated 11 December 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Proposed by Alderman Brooks, seconded by Alderman Adair, that the minutes be approved and adopted.

In respect of Item 3 – PEACEPLUS; Alderman McAlpine referred to page 5, paragraph 5 and stated that the sentence contained within the Officer's report should read CRT2 rather than CRT1.

AGREED, that the minute be amended.

In respect of Item 2 – Declarations of Interest; Councillor Hollywood clarified that his declarations of interest were in respect of Items 20 and 24 and not Item 25 as recorded in the minutes.

AGREED, that the minute be amended.

In respect of Item 12 – Leisure Services Performance Report; Councillor Gilmour referred to the report which provided detail on the leisure service users. In that regard she wished to raise questions regarding the Leisure Services admission policy. It had been brought to her attention that a leisure admissions policy was being operated which had been not brought before the Council nor any of its committees for scrutiny, discussion or approval. It had also not gone through an

EQIA. Councillor Gilmour expressed shock that could be allowed to happen and sought some answers on how that occurred. She appreciated that the Chief Executive had emailed Members however she sought clarification that the document had been withdrawn.

The Director of Community and Wellbeing clarified that the document had been removed from the website and it was acknowledged that was not a Council policy as it had not gone through the appropriate approval process.

Councillor Gilmour stated that any such policy should have gone through the proper channels, and she sought answers about how the policy was uploaded to the council website and put into operation without any approval from Council. There was a process in place for a reason to ensure that policies were robust, scrutinised, and were determined by the members of Council. Policies and policy updates were regularly brought before Committees, however this unapproved leisure admission document, nor any of its updates had ever been brought before the members of this Council for approval.

Councillor Irwin raised a point of order under Standing Order 16.1, that it was not appropriate to raise issues from the Committee that were not up for discussion at the meeting. Councillor Irwin did not feel the matter should be allowed to be raised.

The Mayor allowed the matter to be proceed, the matter was about leisure performance and service users.

Councillor Gilmour elaborated on her concerns regarding the matter and raised the question of what other unapproved policies may be in place within the Council. This admission policy in question was a serious policy, which may have had varying views across the chamber, however Members were not given the opportunity to discuss the policy or consider its impacts. The matter had caused some concern outside of the Chamber, and as she had previously put on record, she believed that the provision of single sex spaces was important to protect the safety, dignity, privacy of women and girls. However, Councillor Gilmour wished to make it clear that the matters to be raised at the current time were not to focus on the contents of the specific policy. She questioned how the policy was put in place, why was it not brought before Council, what other policies were also in place without authorisation and what measures could be taken to ensure the same issues did not occur again.

The Director provided a sincere apology for what had occurred. He advised that the document had been an admission procedure document that the legacy Ards Borough Council had used and had been titled as policy but not gone through the policy development process. He again apologised on behalf of the Head of Service for the damage that had been caused. The Director had instructed for the policy development process to be enacted immediately, and he had been provided with assurance that was underway. It was expected that an EQIA would be required under the process.

The Mayor wished to make it clear that the discussion should only be about the policy process.

Councillor Gilmour was not comforted by the assurances provided and she was concerned how far the matter extended into other policies.

Proposed by Councillor Gilmour, seconded by Alderman Armstrong-Cotter, that this Council receives a report to the relevant committee in January outlining a clear action plan, detailing how this specific policy investigation is being progressed and also a full list of Council policies and whether that have been approved by members of this council or not and a framework is put in place to ensure that policy development is carried out in accordance with the Councils scheme of delegation to avoid any future repeat of what happened.

Councillor S Irvine advised that Councillor W Irvine had submitted a motion regarding the matter, and he was content to withdraw that motion and support the proposal.

Councillor Ashe was in agreement in respect of the procedural issues. She was mindful that there was lot of work involved in the proposal and with the Christmas period if a report back to January Community and Wellbeing Committee was possible.

The Director advised that the Officers would work towards compiling the report for January Committee however if this wasn't possible a full report could be brought to the February Committee.

Councillor Boyle questioned if the policy was the issue or not being told about the policy. The Director advised that the matter was about the policy not being approved.

Alderman Smith welcomed the Director's update and his comments. He also welcomed the removal of the document, and the outcome of the policy process would be awaited. It was unfortunate what had occurred.

In response to the question from Councillor Boyle, Alderman McIlveen clarified that that the matter and the concern was there had been a complete breakdown in the process, there had been no screening, no EQIA, the policy had not been brought to Committee and it had been published. Looking back on records, there had been mention of the document having been drafted as policy in 2018 and there had been revisions of that during the times. The concern also related to what other policies had the same occurred to, stressing of the importance of the matter and one which was not to be dismissed. Alderman McIlveen welcomed the apology from the Director, that the document had been removed and would be relooked at.

Councillor Irwin was content to support the proposal and noted that there had been flaws. She appreciated the apology from the Director and wished to condemn some of the comments on social media regarding the matter. She agreed that it was worth looking at the matter on a wider basis to ensure the same had not occurred in other circumstances.

Alderman Armstrong-Cotter expressed her concerns that the general public would lose faith in the Council when the correct procedures have not been followed and the proposal sought to restore that faith. It was a serious issue, and she would

appreciate if the Director could ask Officers to prioritise the matter. She wished to see a proper report for January Committee and if that was not achievable that it be brought to the Council meeting in January.

The Director undertook to compile a report for the January Committee.

RESOLVED, on the proposal by Councillor Gilmour, seconded by Alderman Armstrong-Cotter, that this Council receives a report to the relevant committee in January outlining a clear action plan, detailing how this specific policy investigation is being progressed and also a full list of council policies and whether that have been approved by members of this council or not and a framework is put in place to ensure that policy development is carried out in accordance with the Councils scheme of delegation to avoid any future repeat of what happened.

In respect of Item 3 – Peace Plus; Proposed by Alderman McRandal, seconded by Alderman McAlpine, that a special meeting of the Community & Wellbeing Committee is held in January in order for Members to consider more fully which capital project or projects should be included in the PEACEPLUS Action Plan. Furthermore, that officers present, at the special Committee meeting, a supplementary report which contains any additional information requested by Members.

Referring to the discussion at the Community and Wellbeing Committee, Alderman McRandal believed that to have been a hasty decision based on flimsy evidence. The Director had advised that there were risks, and that project selection should be dealt with at a special meeting of the Committee in January giving officers time to pull together the additional information. The Director had advised that holding that special meeting still allowed for time to respond to SEUPB by the end of January. Alderman McRandal expressed his disappointment with the attempts at the Committee meeting to ride off the Holywood project due to it not meeting PEACEPLUS criteria which he wished to address. It had been said that the project could not meet the participant numbers, the project team had submitted a plan and a number at the start of the process a couple of years ago and no one had exchanged with them to question those numbers. He expected with any project brought forward there would be further engagement on the detail as it was co-design process. Furthermore, the project had been said to be too costly, the project had been rigorously assessed. The Head of Capital Development had advised that he had experience costing 3G pitches but no experience costing a BMX track. It was recognised that the anticipated projects costs were more than the budget however the officers report provided useful information in that regard. After match funding, there was a shortfall of £211k, with a capital provision of £2m and he had questions around a provision made for a Sports Hub at Spafield with it having been detailed by the local clubs in the area that there was a need for more pitch space. Alderman McRandal recognised that the size of the Council's capital ambition was an issue and there was a potential to use the £2m provision for the shortfall.

Alderman McRandal rejected any decision to proceed with the other projects on the basis that they did not meet PEACEPLUS criteria. He reminded Members that the Holywood project scored significantly higher when assessed by the PEACEPLUS

Partnership that had been assessed on SEUPB criteria and he found it odd that information was missing from the Officer's report.

With regard the cycle park project, Alderman McRandal was aware of the work the individual had done within the community, over a significant period. Regardless of whether the project got PEACEPLUS funding he felt the Council should support the grassroots community and educational elements of the plan, they had had merit and would utilise unused parts of Bangor Sportsplex. Alderman McRandal voiced concern regarding the level of critical assessment that had been applied. It had seemed that there was an assumption that no planning would be required and only recently that assumption had been challenged. In terms of budgeted costs, he failed to see how a BMX track could be constructed to a high standard for £250k. North Down Athletics Clubs were a current and the largest user of the Sportsplex, yet they had not been consulted with regarding the project. He was also concerned regarding the level of engagement to date with those living in the vicinity. All of the pertinent information was not available, therefore Alderman McRandal felt that Members should wait another month and consider the information further. Alderman Adair had stated that he did not wish to see the funding lost however if the project was undeliverable on time and on budget, Alderman McRandal emphasised then that funding could be lost.

Alderman McAlpine was conscious of trying to make the projects as cross community as possible, the Hollywood project had scored highly and brought together the rugby and GAA interests in this Borough. The individuals behind the Hollywood project had put a lot of work into the project preparation. The legal advice had been that Members were not able to make the decisions regarding the process and those had been made by people outside the Borough due to the concern regarding local influence. Alderman McAlpine was concerned that a decision was being made without the entire information and not giving due regard to those working tirelessly behind the project.

Alderman Adair voiced his opposition to the proposal. He did not believe the decision made at the Committee meeting to have been hasty, reminding Members that a special meeting had been held of the Committee in the Summer. He emphasised that as detailed in the report, the project submission needed to be with SEUPB by the end of January or there was a risk of losing the funding and he wished to see that fund protected. The fundamentals remained the same. The Hollywood Shared project was a very good project, but it did not meet the PEACEPLUS criteria as it did not reach the participant numbers as set out by SEUPB. Also financially, the Council would need to be put at last £200k towards the project. No money had been budgeted with an already stretched capital budget. Alderman Adair felt that the Council should focus its efforts and find alternative funding to deliver the Hollywood project. He reiterated his concerns about putting the fund in jeopardy, there was too much risk.

Alderman Adair called for a recorded vote.

The Director of Community and Wellbeing clarified that the Hollywood project did meet the PEACEPLUS criteria and when it was scored by the Partnership Panel it scored second best.

Alderman Adair clarified that the project did not meet the participation criteria.

Councillor Kendall explained at the Committee she had abstained as she did not feel the opportunity was given to ask all of the pertinent questions, all the information was not available, and Members were advised that the deadline could be met if a Special meeting was held in January.

(Councillor Harbinson withdrew from the meeting – 8.18 pm)

Councillor Kendall called on Members to support a further opportunity to scrutinise the proposals. The outcome may be the same, it was a considerable proportion of money with considerable risks involved.

Not being a member of the Community and Wellbeing Committee, Councillor McKee had listened to the recording and was surprised that the Council normally used every opportunity it could to scrutinise detail and going against the officers recommendation had been a strange approach. He was in favour of the Bangor Cycle proposal but was troubled to discover that there was significant opposition to that project from the Athletics community and users of the Sportsplex who believed they were being forced out.

(Councillor Harbinson re-entered the meeting – 8.21 pm)

Councillor McKee felt it was dangerous and unwise to make significant decisions on the funding when it appeared that not all issues had been fully considered. Councillor McKee wanted to see a Special meeting taking place and ensure that a decision was not rushed unnecessarily early.

Alderman Smith understood that Members wished to look at the decision in immense detail. However, he felt the decision had been pushed back for too long already, it was the Council's role to make a decision, a decision was made at the Committee and that should be stuck too. The timing was a challenge. The Holywood project was a good project, and it was great to see the partnership between the Clubs however there were risk around the costs and timeline. Option 3, as agreed to at Committee included projects that could be delivered on time and did not incur additional costs.

Councillor Boyle rose in support of the proposal as he was concerned by the ignorance of issues that needed to be considered. The Director had advised that a Special meeting could take place within the timeframe and the funding would not be lost. He had been concerned about the costings of some of the projects and the planning permission element which was not clear. He had abstained at the Committee and the facts remained unclear.

Councillor McClean wished to raise a number of questions in relation to the cycle track proposal and he had received questions from NDAC:-
Under the proposal would the running track and the area surrounding the pitches be retained which was used for the junior park run?
Would casual use of the track still be possible?

In respect of the field elements, what equipment could be retained?
Would Officers be meeting with the NDAC regarding the proposal?

In response to the questions raised, the Director explained that in relation to the use of the running track that was currently accredited for the purpose of athletics, and it was the intention to seek re-accreditation in August 2025 for a further three years. If the bike park project was to be taken forward, under the strategic outline design there was a proposal to have a BMX track in the middle of the running track. The track could still be used but not at the same time, therefore there would need to be a shared arrangement. Many factors were dependent on the final design and field elements may not be able to be retained. In terms of engaging with NDAC, it was hoped to meet with the Club in January. There was a general acceptance that athletics would not remain at Sportsplex forever and funding was being sought to determine where athletics would be suited best.

Councillor McClean was comforted by the responses. In relation to the proposal, the Hollywood project was a fantastic idea. The Clubs were in desperate need of more space and a long-term solution was needed. There were too many risks with the Hollywood project and the report was clear.

Councillor Chambers stated that St Pauls GAA and Hollywood Rugby Club were both fantastically run Clubs and the proposal they had put forward was really wonderful. However, he could not support the project at the moment, due to the risks and costs needed. Councillor Chambers did not believe having any extra meetings would bring any benefit.

Councillor McLaren was supportive of the proposal and had grave concerns over the discussion that had taken place at the Committee. She believed the themes of PEACEPLUS were perfectly embodied by the Hollywood project and dismissing that was outrageous and irresponsible. She was loathed to speak of religion in the Chamber, however it was a determining factor historically in NI and influenced families, marriages, friendships, schools and subsequently sports. There was nothing more fitting than having two sports of traditionally different backgrounds coming together for sport and mutual friendship. The Clubs had engaged with quantity surveyors and advisors and those bodies had determined that the costings would be significantly less than those calculated by the PEACEPLUS Partnership Panel. The figures previously included had been astronomical and she was concerned that the Committee had been making decisions based on inaccurate figures. She therefore supported the idea of further discussion as clarity was sorely needed.

Alderman McIlveen stated that the matter had been ongoing for 2 years of which he elaborated on, with there having been ample opportunities for Members to ask questions and he could not understand why they had not been asked until now. There was massive risk, putting everything towards the Hollywood project. Historically, Peace funding had been lost and lessons should be learnt from that. Alderman McIlveen would rather give officers the opportunity to submit the application and to push forward those projects recommended.

Councillor McCollum stated that Members were in agreement that all projects were super and the enhancement they would bring. She remarked that the Council had come under recent criticism for its apparent lack of due diligence in relation to another project. She urged Members to have sense and defer for a special meeting which was what was recommended by the Director along with an assurance by the Director that the deadline could be met. A large amount of information had only been with the Committee Members for a few days in advance of the meeting, the Director had stated that there were questions over the running costs and other issues that presented risk to the Council which needed to be considered yet the Director's advice was being ignored. There were significant variables unknown in relation the cycle park which Councillor McClean had alluded too and Members had been inundated with emails from members of the NDAC. Councillor McCollum was concerned that failing to get the matter right now could potentially lead to legal proceedings against the Council. The compelling information in relation to the Hollywood project scoring significantly higher than the other projects had been omitted from the report. Councillor McCollum asked Members for the sake of one month for more scrutiny to be given and defer the matter to a Special Committee meeting.

Councillor W Irvine asked if NDAC would be consulted in respect of the decision. He also asked if there would be an opportunity for further scrutiny in relation to the BMX track. The Director confirmed that a meeting had been set up in January. If the Council agreed the BMX track be included, the next phase would be for an OBC, which would look at the project at greater detail at that stage.

Councillor Morgan was uncomfortable making decisions with insufficient information.

Referring to the BMX track, Alderman Graham noted the history of subsidence at Bangor Sportsplex and asked the Director if any risk assessment had been undertaken to that site. The Director stated that ground movement was still possible on that site however with the nature of BMX that was one development that could take place despite that due to the moving features.

Alderman Graham was concerned in relation to the cost to the Council in relation to the Hollywood project. The Clubs in Hollywood had dealt with the matter in a professional manner. He was supportive of the proposal for a special meeting to ensure those people that put time and effort into their bids could be assured.

Alderman Brooks was minded to have a special meeting. However, as Chair of the Committee he stated that he would be abstaining.

A recorded vote had been called for and resulted as follows:-

FOR (17)	AGAINST (21)	ABSTAINED (1)	ABSENT (1)
Aldermen	Aldermen	Alderman	
Graham	Adair	Brooks	
McAlpine	Armstrong-Cotter		
McDowell	Cummings		
McRandal	McIlveen		
	Smith		

Councillors

Ashe
Boyle
Harbinson
Hennessy
Irwin
Kendall
McBurney
McCollum
McCracken
McKee
McLaren
Moore
Morgan

Councillors

Blaney
Cathcart
Chambers
Cochrane
Douglas
Edmund
Gilmour
Hollywood
Irvine, S
Irvine, W
Kennedy
Kerr
McClellan
Smart
Thompson
Wray

Councillor

McKimm

In respect of Item 4 – Ending Violence against Women and Girls; Councillor Irwin wished to put on record her thanks to the Head of Community and Culture for her work on the item. She also thanked North Down and Ards Women's Aid who had put on a vigil in memory of the six women who had been murdered by men. Unfortunately, since that vigil there, one more woman had been murdered. Councillor Irwin hoped the Council could continue to play a role in tackling violence against women and girls.

RESOLVED, on the proposal of Alderman Brooks, seconded by Alderman Adair, that the minutes of the Community and Wellbeing Committee, as amended, be approved and adopted.

RECESS

The meeting went into recess at 9.02 pm and resumed at 9.18 pm.

(Councillor Boyle and Councillor Harbinson withdrew from the meeting – 9.02 pm)

(Councillor McKee re-entered the meeting via zoom – 9.18 pm)

8. CONSULTATIONS**8.1 Just Transition Commission Consultation**
(Appendix II)

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services attaching draft response to consultation. The report detailed DAERA sought to gather views on the establishment of the Just Transition Commission for NI. The Commission, once established, would give effect to the powers proposed in the Act and provide an advisory and oversight function to ensure all departments were having due regard to just transition in their emissions reduction policies produced

under the Act. The Commission would also provide advice on just transition matters to all Northern Ireland departments.

Responses to this consultation would be used to inform the work being conducted by DAERA to establish the public body, as well as informing the new Commission of the views of the public as to what duties and responsibilities were seen as being important in conducting its role.

RECOMMENDED that the consultation response (Appendix 1) on the Establishment of Just Transition Commission Consultation is issued to DAERA.

Proposed by Councillor Kendall, seconded by Councillor Wray, that the recommendation is adopted.

(Councillor Chambers and Alderman Adair re-entered the meeting – 9.19 pm)

Councillor Kendall thanked Officers for preparing the response, working to mitigate climate breakdown would require change which should not come at a devastating cost or loss to people. A successive campaign towards economic growth over many years at all costs without consideration or thought for present or future generations had led to this point. Councillor Kendall agreed that corrective action would require crucial stakeholder involvement. The knowledge and experience of stakeholders would be the only way in which a sustainable future may be possible. She also noted within the response reference to financial expertise and planning and advised that at the all-party group for Climate Change she had raised a similar issue. She felt there needed to be an economic underpinning, an argument for an alternative economy that would take away from the trajectory, would be critical to protect people and planet without serious consequences. Things could not continue as they were, the transition to mitigate climate breakdown must be cleverly forged and future inclusive for all.

Councillor McClean wished to vote against the recommendation. He did not believe the responses to the questions were within the Council's knowledge/domain. He would rather that responses were given to things that Council knew about and could add value to a consultation. He appreciated that responses were not always received from other statutory bodies as quickly as would be liked. He did not feel the development of non-governmental bodies should be encouraged and power should sit with elected officials.

The proposal was put to the meeting and declared carried with 21 voting For, 15 Against, 1 Abstention and Absent.

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

9. CONFERENCES AND COURSES

9.1 NAC Conference - Youth Services, Safeguarding, Radicalisation & Knife Crime, 24th – 26th January, South Shields

(Appendix III)

PREVIOUSLY CIRCULATED:- Report from the Chief Executive attaching corresponding email. The report detailed that correspondence had been received from the National Association of Councillors to advise of their NAC Conference which would be held on 24th – 26th January 2025. The conference focus was on Youth Services, Safeguarding, Radicalisation & Knife Crime and would be held in the Little Haven Hotel, South Shields, Tyne & Wear.

Youth services existed to provide a sense of belonging, a safe space and the opportunity for some of the most vulnerable young people to enjoy being young. The conference would be looking at what services were provided for young people in different parts of Great Britain. Along with the dangers to young people, Safeguarding, Radicalisation and Knife Crime. The weekend would have a range of speakers who were heavily involved in working with young people and at-risk groups.

RECOMMENDED that Council consider the invitation.

RESOLVED, on the proposal of Councillor Kendall, seconded by Alderman Smith, that the report be noted.

10. CHANGES TO STANDING ORDERS

PREVIOUSLY CIRCULATED:- Report from Chief Executive detailing that further to a number of recent changes to the Standing Orders, the Chief Executive decided to undertake a full review of all Standing Orders.

The full list of proposed changes were outlined in the appendix attached to the report.

RECOMMENDED that Council considers 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 January 2025.

RESOLVED, on the proposal of Alderman McRandal, seconded by Alderman Smith, that the recommendation be adopted.

11. NILGA LEADERSHIP DEVELOPMENT PROGRAMME FOR ELECTED MEMBERS 2025

(Appendix IV)

PREVIOUSLY CIRCULATED:- Report from Director of Corporate Services attaching NILGA letter and enclosure. The report asked Members to consider nominations to

the following programme, commencing on 31 January 2025, for half a day, once a month until August 2025, with 6 of the 8 sessions being delivered online.

NILGA Leadership Development Programme	Places Available	Cost
8 half-days, Jan to Aug 25 (CPD Standards)	Demand driven	£730 per delegate (indicative based on cohort of 20)

Members being nominated were asked to pre-book the dates in their calendar to ensure they could commit to all 8 sessions.

The programme aimed to develop the practical skills necessary for a strategic understanding of the context within which Members work (people, place and systems) and the capabilities they need, using relevant models and concepts to help them improve their strategic leadership approach in a local political environment.

Venues for the face-to-face modules were yet to be determined. Further details were set out in the NILGA correspondence of 11 December 2024.

RECOMMENDED that Council consider and approve nominations to the NILGA Leadership programme with costs to be met from the approved Member Development budget.

RESOLVED, on the proposal of Alderman Graham, seconded by Alderman McRandal, that the report be noted.

12. SEALING DOCUMENTS

RESOLVED, on the proposal of Councillor Kendall, seconded by Alderman Armstrong-Cotter, that the Seal of the Council be affixed to the following document:-

- (a) Lease of land at Bowtown Road - Ards and North Down Borough Council to Arqiva Limited.

13. TRANSFER OF RIGHTS OF BURIAL

The Chief Executive advised that no transfers had been received.

NOTED.

14. NOTICE OF MOTION STATUS REPORT

(Appendix V)

PREVIOUSLY CIRCULATED:- Report from the Chief Executive attaching Notice of Motion Status Report.

RECOMMENDED that Council notes the report.

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

15. NOTICES OF MOTION

15.1 Notice of Motion submitted by Alderman Smith and Councillor Blaney

That Council notes the recent changes to National Insurance made by the Chancellor of the Exchequer Rachel Reeves that increased employers contributions from 13.8% to 15% and also reduced the threshold at which NI is paid from £9,100 to £5,000. This increased tax on jobs will have a detrimental impact on all areas of the economy. The implications for this Council is an unbudgeted £1 million increase in our cost base which works out at a potential 1.6% increase for ratepayers. The Chancellor has stated that she will compensate the public sector to cover the increase so it is expected that the Northern Ireland Executive will receive a Barnett Consequential payment accordingly. We therefore call on the Executive to guarantee that local government in Northern Ireland will receive compensation and confirm that the burden will not fall on ratepayers and writes to the Finance Minister to obtain this reassurance.

The Mayor had previously advised Members via email that he was content to hear the motion due to the impact the matter would have on the Council's budget.

Proposed by Alderman Smith, seconded by Councillor Blaney, that the Notice of Motion be adopted.

Alderman Smith felt it was the important that the Council's view be made known on the issue.

(Alderman Adair re-entered the meeting – 9.28 pm)

The first budget of the new Labour government was an opportunity for new meaningful change however it had been more damaging than helpful, and he alluded to some of those changes and the effects of such. Inflation had increased, economic growth had stagnated, hiring rates, seasonal recruitment, and retail sales were all down and business confidence had plummeted. One of the key goals for the Council was to attract business to the Borough and encourage jobs and growth. The impact of the budget would make that target much more difficult.

In terms of the employers' national insurance increases, which would hike the Council's cost by at least £1m per year. The changes that the Chancellor would introduce in April 2025 would increase the employers' contributions from 13.8% to 15% and reduce the threshold on which national insurance was paid from £9,100 to £5,000. Many employers would have no choice and have to pass on the cost through increased prices or stop planned employment and investment.

An additional cost of £1m for Council, translated to a rate increase of 1.6%. The Chancellor did say there would be additional compensation for the NI increase

otherwise further cuts would be required across public services. The Chancellor had announced an extra £1.3bn for local government in England and a Barnett Consequential payment which would go to devolved governments in Scotland, Wales and Northern Ireland. There had been another announcement from the Treasury that a further £700m would be given to local government in England, £515m of that would be compensation for national insurance increases. Therefore, the Barnett consequential threshold of that would mean that Northern Ireland should receive between £12m - £14m which would roughly be enough to compensate all the Councils for the increased cost. It was only fair that local government NI received compensation for the national insurance and the Executive had the flexibility to allocate money where they see fit. The motion sought for the Council to write to the Finance Minister to seek reassurance than any payment that the Executive received from Treasury was passed to Council's and it was recurrent to allow effective budgeting in the future. Alderman Smith hoped the Council could unite on the motion and send the message that ratepayers should not subsidise other government services by the back door. He hoped the Finance Minister would be fair, transparent, pay Council's what they were owed and not hit ratepayers with a stealth tax.

Councillor Blaney stated that businesses were the life blood of the economy, and it was important that be realised. The Chancellor had done the exact wrong thing at the exact wrong time. Businesses were facing a storm of issues and were fearful which could result in businesses closing. It was incumbent on the Council to defend the local businesses. The motion provided the opportunity to ensure that when the Barnett consequential money came through to NI that the Council gets its fair share, otherwise the rise would need passed on through the rates and that was not acceptable.

Alderman McIlveen was supportive of the motion; the NI Ministers were well aware of the situation. He was not confident that assurances would be forthcoming. He understood the argument that Alderman Smith was making but noted that local government in Northern Ireland was very different to local government in England and Wales. He agreed that it was important that the Council got its fair share of compensation. The increase was an attack on working people, it had been a disgraceful budget, disproportionately hitting the working people.

Alderman Brooks was alarmed by the rise in national insurance noting that the threshold change would particularly affect smaller businesses. Working people would be indirectly taxed and he also appealed to Stormont to consider the introduction of business rates relief.

Councillor Ashe rose in support of the motion and agreed that urgent clarity was needed. Her party colleague in Westminster sought an amendment to ensure that the increase would not be applied to the healthcare, hospice and voluntary sectors.

Councillor Kendall rose in support of the motion and remarked on the people that were being hit. She felt all the wrong fiscal monetary policies were being applied in all the wrong ways.

Alderman Graham added his support the motion stating that it was essential the government in Northern Ireland be lobbied to ensure support for businesses.

The Mayor remarked on the matter and stated that losing £1m for the Borough would be awful and he agreed that the Council needed to ensure that they were not impacted.

Alderman Smith stated that the increase was ultimately a tax on jobs and the Council was just after its fair share.

RESOLVED, on the proposal of Alderman Smith, seconded by Councillor Blaney, that the Notice of Motion be adopted.

15.2 Notice of Motion submitted by Alderman McIlveen and Alderman Armstrong-Cotter

That Council notes the poor condition of the Bowtown children's play park and its poor provision of accessible play equipment and tasks officers to bring forward a report on enhancing and improving the play park to meet the needs of local children.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Armstrong-Cotter, that the Notice of Motion be referred to the Community and Wellbeing Committee.

15.3 Notice of Motion submitted by Councillor McLaren and Councillor Wray

This Council expresses its concern at the crumbling state of our water and wastewater infrastructure and the resultant profound impact it is having on households throughout our council area; the disastrous and dangerous impact the resulting sewage pollution is having on our coastlines; further notes the impact the lack of wastewater connection capacity is having on the delivery of new homes and the establishment of new businesses; further highlights that through rates, water is already accounted for, and that the separation of this payment as a sustainable funding stream for Northern Ireland Water could unlock the ability to attract additional funding to invest in water and wastewater infrastructure and; resolves to write to the Minister for Infrastructure to highlight this council's deep concern and press for urgent action on the funding model for Northern Ireland Water to enable it to secure the required funding to invest in our water and wastewater infrastructure.

RESOLVED, on the proposal of Councillor McLaren, seconded by Councillor Chambers, that the Notice of Motion be referred to the Planning Committee.

15.4 Notice of Motion submitted by Alderman Cummings and Councillor Douglas

That this Council brings back a report identifying potential sites around Comber to accommodate industrial units suitable for use by SME's, and outline their compatibility with the Department of Economy Sub Regional Economic Plan, and Sectoral Action Plans together with Invest NI.

RESOLVED, on the proposal of Alderman Cummings, seconded by Councillor Douglas, that the Notice of Motion be referred to the Planning Committee.

15.5 Notice of Motion submitted by Councillor Cochrane and Councillor Thompson

That this Council recognises the considerable delays and frustration experienced by Donaghadee FC, Donaghadee Rugby Club, Ards and Donaghadee Cricket Club and Donaghadee Ladies Hockey Club in relation to the long-awaited upgrade to their playing surface and facilities.

Further to this Council Officers will bring a report back exploring external funding opportunities, or in the absence of external funding, options for direct funding for upgrades to Donaghadee Sports facilities.

Alongside this officers shall engage meaningfully with all Sports Clubs in Donaghadee around facilities to ensure the development and investment to improve sports provision and facilities.

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

15.6 Notice of Motion submitted by Alderman Brooks and Councillor Kendall

This Council acknowledges the success of the United Kingdom Pipe and Drum Major Championships, hosted by this Council in Bangor and Newtownards.

This Council notes that other areas of the Borough have the space, potential locations, and infrastructure are required to host major events, for example 14,000 people attended the Donaghadee light up events, and that a spread of large events across the Borough brings cultural, social and economic benefits, fostering a sense of whole-Borough inclusivity.

Therefore, working with the Royal Scottish Pipe Band Association, this Council will bring back a report considering the potential for these Championships to be held across the Borough on a rotational basis in Bangor, Holywood, Newtownards, Comber and Donaghadee.

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

15.7 Notice of Motion submitted by Alderman McDowell and Councillor McCracken

That this Council, recognising the opportunities of the Green Economy to bring substantial funding to this Council, make significant savings and create new local jobs, sets up a working group comprised of Councillors and Officers to bring forward

detailed proposal to achieve these benefits and in the process, help reduce carbon emissions in the Ards and North Down area.

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

EXCLUSION OF PUBLIC/PRESS

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

7.4 MINUTES OF THE CORPORATE SERVICES COMMITTEE CONTINUED...

In respect of Item 17 – Request from QMAC Construction Limited to Use Part of Hibernia Street South Carpark;

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

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

Council was asked to consider renewing the licence in relation to land at Hibernia Street carpark. It was recommended that the Council acceded to the request.

16. REQUEST TO EXTEND LEASE - ORIGIN GYMNASTICS AT ABMWLC (Appendices VI,VII)

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

NOT FOR PUBLICATION

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

The Council was asked to extend the Lease of part of the Ards Blair Mayne WLC to Origin Gymnastics for a further 2 years. It was recommended that the Council acceded to the request.

17. QUEENS PARADE UPDATE (RDP63)

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

NOT FOR PUBLICATION

SCHEDULE 6:3– INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

The report requested delegated Powers to the January meeting of the P&P Committee in relation to the Quality Specification and the Deed of Variation in relation to the Queen's Parade development.

RE-ADMITTANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 10.04 pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid (in person and via Zoom) Special meeting of the Audit Committee was held at the Council Chamber, Church Street, Newtownards, on Monday 16th December 2024 at 7.00pm.

PRESENT: -

In the Chair: Councillor Hollywood

Councillors: Ashe (Zoom) McKee (Zoom)
Harbinson Thompson (Zoom)
Cochrane (Zoom) Wray (Zoom)

Independent Member: Mr P Cummings

In Attendance: Camile McDermott (Deloitte), Sarah Heanen (NIAO, Zoom)

Officers: Chief Executive (S McCullough), Director of Corporate Services (M Steele), Head of Finance (S Grieve), and Democratic Services Officer (S McCrea)

1. APOLOGIES

Apologies were received from Councillor McCollum for inability to attend.

NOTED.

2. CHAIRMAN'S REMARKS

The Chairman (Councillor Hollywood) welcomed Deloitte and Northern Ireland Audit Office representatives Camile McDermott and Susan Haanan respectively as well as Independent Member Paul Cummings.

3. DECLARATIONS OF INTEREST

Camile McDermott declared an interest in Item 9: Review of Internal Audit Contract. Members were reminded that they could declare an interest at any time throughout the meeting.

NOTED.

4. MATTERS ARISING FROM PREVIOUS MINUTES

4 (a) COMMITTEE MINUTES FROM 23 SEPTEMBER 2024

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

4 (b) FOLLOW-UP ACTIONS

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services detailing, in line with good practice, a register of actions was maintained to ensure that requests from previous meetings of the Committee had been followed up on.

Item	Title	Action	Officer	Status
Dec 23 6b	Audit and Assessment Report	<ul style="list-style-type: none"> Drafting of formal consultation strategy 	Head of Comms & Marketing	Due March 2025
Jun 24 11	Draft Financial Statements	<ul style="list-style-type: none"> Review of Scheme of Allowances to remove the need for Members to claim SRA 	Head of Finance	Due March 2025
12	Private Meeting with Auditors	<ul style="list-style-type: none"> Need for progress with regard to Governance and Internal Audit issues 	Director of Corporate Services	In progress see item 7a
		<ul style="list-style-type: none"> Members requested earlier draft financial statements 	Head of Finance	Due June 2025
		<ul style="list-style-type: none"> Need for additional meeting to be considered during Annual Meeting 	Director of Corporate Services	June 2025
Sep 24 5a	Draft Report to those charged with Governance	<ul style="list-style-type: none"> Special Committee meeting to be held 	Director of Corporate Services	October 2024

RECOMMENDED that Council notes this update.

AGREED TO RECOMMEND, on the proposal of Councillor Harbinson, seconded by Councillor Wray, that Council notes the update.

4 (b) FOLLOW UP ACTIONS

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services detailing that, In line with good practice, a register of actions WAS maintained to ensure that requests from previous meetings of the Committee WERE followed up on.

Item	Title	Action	Officer	Status
Dec 23 6b	Audit and Assessment Report	<ul style="list-style-type: none"> Drafting of formal consultation strategy 	Head of Comms & Marketing	Due March 2025
Jun 24 11	Draft Financial Statements	<ul style="list-style-type: none"> Review of Scheme of Allowances to remove the need for Members to claim SRA 	Head of Finance	Due March 2025
12	Private Meeting with Auditors	<ul style="list-style-type: none"> Need for progress with regard to Governance and Internal Audit issues 	Director of Corporate Services	In progress see item 7a
		<ul style="list-style-type: none"> Members requested earlier draft financial statements 	Head of Finance	Due June 2025
		<ul style="list-style-type: none"> Need for additional meeting to be considered during Annual Meeting 	Director of Corporate Services	June 2025
Sep 24 5a	Draft Report to those charged with Governance	<ul style="list-style-type: none"> Special Committee meeting to be held 	Director of Corporate Services	October 2024

RECOMMENDED that Council notes this update.

AGREED TO RECOMMEND, on the proposal of Councillor Wray, seconded by Councillor Harbinson, that Council notes the update.

5. CORPORATE GOVERNANCE

5 (a) STATEMENTS OF ASSURANCE REPORT

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services detailing that, in accordance with the Council's Risk Management Strategy, Heads of Service were required to provide Statements of Assurance. Assurance Statements comprised of four main sections to be completed by each Head of Service following consultation with each of their Service Units. Period of this report, 1 April 2024 - 30 September 2024.

Findings

General – Identification of Risk, Monitoring and Control measures

No key issues had been declared as not having appropriate internal controls in place. All Services have confirmed that any risks identified had appropriate internal controls and any further actions taken, or to be taken, to adequately mitigate or resolve the risk have been identified.

The Corporate Risk Register was reviewed by the Heads of Service Team and Corporate Leadership Team, assigning owners for each of the Risks.

Section 1 – Strategic and Operational Risk Management

Services reported appropriate controls were in place and had identified satisfactory actions to review, monitor, control, mitigate and resolve issues, where appropriate.

The Administration service had reported that the new Corporate Risk Register was now live* with assigned Risk Leads and action plans for each item. (*the new live Corporate Risk Register and associated Action plan was reported to Audit Committee in June 2024). Also reported, fortnightly data protection advice was being provided to staff via the News and Info, to address perceived trends in this area. The process of obtaining reinstatement valuations for insurance purposes had been formalised and a suitable surveyor would be appointed following a tender exercise in 2025.

The Parks & Cemetery Service had reported that the staff restructuring ad hahs taken longer than expected but new momentum had been achieved by weekly meetings with HR. They anticipated that this process would be complete by March 2025. In addition, the Service had continued to report that grave space across the borough was running low, this was being progressed by the Cemetery Provision Project Board.

Waste and Cleansing Service had continued to report on the significant financial liability for the Council should the bidding process for the Residual Waste Treatment project be collapsed by the client. The current landfill being used by the Council was due to close in January 2025, so award of the interim residual waste contract was critical for the Council.

Environmental Health, Protection and Development Service had continued to report that they were working with funding organisations and other Councils to understand the impact of changes in regulation in relation to the Safeguarding the Union document.

Tourism Service had reported that in relation to the leak at the Ards Visitor Information Centre, the Council was in protracted discussions with the landlord to seek clarity on whose responsibility it was to fix. The leak was a potential Health and Safety hazard and had also caused damage to the space. Lands Officers ere seeking legal advice on the matter.

Section 2 – Internal Control

Generally, there were no key issues arising to cause significant concern or requiring immediate action.

Parks and Cemeteries had reported that they have two new systems, PSS Live and Plotbox, which were being introduced on a phased basis with a further stage of Plotbox being considered.

Human Resources and Organisational Development had reported that possible improvements were identified for the Core system to be able to notify managers of absence triggers being met and to notify them when suitable action had been taken.

Both Regulatory Services and Communications and Marketing had reported regarding a Facebook page which was outside the Council's control. Facebook had been contacted regarding removal of this page.

Finance Service had noted that the lack of an electronic purchase ordering system meant that the service did not have a full understanding of financial commitments on a live basis. A project to introduce a system was underway.

Administration Service had reported successes with completing a title deed scanning exercise and the establishment of a Policy register to ensure a consistent development process for Council policies.

Leisure Service had reported that there were concerns within the section that lower than acceptable staffing levels in Leisure and an unsuccessful recruitment exercise had resulting in service delivery being negatively impacted and staff welfare compromised. A transformation process was underway to address this but there were concerns regarding the speed at which it was being implemented.

Section 3 – Governance

The Finance Service had previously reported on challenges involving the interaction of overtime and holiday pay which were still being examined.

On the subject of complaints, the Parks and Cemeteries Service had responded to recent complaints regarding cemetery and sports turf maintenance by implementing solutions based around increased monitoring and record keeping of maintenance together with the inclusion of the Service in the Council-wide Te-Care system; a report on this was being prepared for the Community and Wellbeing Committee.

The Administration Service had reported that Council had approved the extinction of a Public Right of Way which may result in a public enquiry; legal advice was being sought.

Some services reported deviations from the Procurement Policy for single tender actions or Direct Awards, however for each of these a deviation from Procurement policy form was completed and submitted.

The Planning Service had reported that an objection to Planning Approval had progressed to the lodging of Pre-Action papers, followed by full papers seeking a Judicial Review. If this action was successful, Council may be held responsible for reimbursing the legal fees of the objector.

Regulatory Services had reported two main pressures, the first was the recent introduction of XL Bully legislation which would require additional training for staff and additional housing for the dogs which would add a financial burden. The second pressure as due to an overall drop in car parking income and a greater demand for maintenance of car parks.

Assets and Property Service had reported that legal action continued regarding Aurora construction defects. The Service had reported that the tender for the sale of electricity from the wind turbine in Balloo Wood Bangor had been extended due to changes in the electricity market.

Section 4 – Miscellaneous

Parks and Cemeteries Service had reported that the impacts of changing weather patterns and the lessening 'seasonal' variation was affecting service delivery. This had resulted in criticism of the service regarding grass cutting and sports pitch availability across the Service. Mitigations were planned with increased investment in drainage projects and realignment of staffing structures and maintenance schedules.

RECOMMENDED that Council note this report.

Councillor Wray proposed, seconded by Councillor Harbinson, that the recommendation be adopted.

Councillor Wray noted the leak at Ards Arts Centre, the bid for residual waste and lack of grave space in cemeteries. He asked what implications may occur in working with other organisations and councils around regulation changes in the Safeguarding the Union document and what work might be entailed.

The Director of Corporate Services explained that the document was produced every six months. Risk Management received assurances from eighteen departments in Council. Within those, notes would range from ongoing tasks, mitigations, and provided opportunities for Heads of Service to outline key issues in their service areas. This report extracted and summarised information as opposed to supplying the Audit Committee with eighteen different reports. The Director advised that he would seek and provide further information. Councillor Wray queried whether further information could be provided on the facebook page and extinction of right of way mentioned within the report. The Director of Corporate Services advised that he would also procure further information on both items.

Councillor McKee asked who the client referred to on page 2 regarding Waste and Cleansing Services and for clarification on the bidding process. The Director of Corporate Services confirmed that Arc21 was the client and explained that as the Audit Committee only met quarterly, the information in the report was based on April-September, but since then, the situation had progressed to allow for more certainty in costs that would be incurred with financial liability not being as great as first perceived. Councillor McKee asked for further clarity on wording as one part spoke of an interim contract whilst the other appeared to reference the collapse of Arc21 in its entirety. The Head of Finance advised that Arc21 were undertaking the tender process for the residual waste treatment plant that had been amidst the planning

process for a number of years. There had been various court cases on the matter but there was an agreement with the preferred bidder should the tendering process collapse due to the client withdrawing. There was a contingency agreement with Arc21 and other Councils and there was no intention of the client collapsing the tender process with difficulties instead lying with getting planning permission.

AGREED TO RECOMMEND, on the proposal of Councillor Wray, seconded by Councillor Harbinson, that the report be noted.

5.B. CORPORATE RISK REGISTER

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which explained that the Corporate Risk Register had last been reported to Committee in June 2024, providing the first detailed Action Plan. This report focused on the period 1 June 2024 – 30 September 2024. As this report covered a 4-month period, a significant number of updates were not expected, particularly for those actions with long completion target dates. The next report to Audit Committee was to cover the period October 2024 to April 2025.

The Corporate Leadership Team together with the Heads of Service reviewed the Corporate Risk Register in October. There were no changes to the Corporate Risk Register. Within the Action Plan, there were a number of updates recorded for the period, as summarised below. This summary did not include Corporate Risks or associated Actions without specific updates (reflecting no change), or where the update reflected that the action was ongoing or under development.

CR1 – Inability to meet targets set out within *The Integrated Strategy for Tourism, Regeneration and Economic Development*, Under the Action Plan, sub-risk of *Failure to Increase the share of overnight NI Trips* and *Failure to increase visitor spend*, the NISRA statistics for 2023 had been received, however NISRA had advised that they could not be compared to the 2019 data as the methodology used had been changed.

CR3 – relating to **Member engagement in development plan and more targeted Corporate Plan**. The first action in relation to the design and development of the Corporate Plan had been complete. There was one status update in relation to the second action to use the Corporate Plan to shape the future direction of the council, *the Review of Organisational Redesign has restarted with a target date for completion of the first phase of March / April 2025*.

CR4 – the risk of **Failure to adequately plan for the impact of climate change**. There were no officers in post to take these actions forward at the time of writing. The current target date for completion of the five identified risks was March 2025.

CR5 – the risk of **Not achieving the Council's Net Zero targets**. Under the first (control) detail risk, it was noted that there was no officer in place. Under the control risk *Poor monitoring of progress*, the action for the *Roadmap to Sustainability* had been updated reporting that work was underway with SNI to review the roadmap to incorporate current obligations. The deadline for completion had been adjusted to March 25 due to the lack of internal resource to support this work. The *Routine*

Carbon budget progress reporting action had been updated, reporting that that work on Co-Design with DAERA was being undertaken in relation to climate change reporting.

CR6 – the risk of Failure to work in effective partnerships to meet Council Objectives had three detail risks. The following updates related to the Community Planning Partnership detail risk. The November Strategic Partnership meeting would see the chair of the Strategic Community Partnership Group change and a vice chair to be elected for two years. The Annual progress update report would be presented and proposals to amend the wording of outcomes, reducing priorities, better structures and alignment of workstreams would be discussed. In relation to the action on *Benchmarking with other models*, the Operational Risk Lead also reported that there was council participation in the Community Planning Officers Network meetings and the DfC Working Group.

CR8 – Risk of Death as a result of Council actions or omissions had ten detail risks. Under *Event Safety*, it was noted that the Lands Policy was currently under review and the Events Toolkit was under revision. Commencing the 2025/26 season, the inclusion of a requirement for early engagement, requirement for specified documentation and / or attendance at Safety Advisory Group meetings would be set out in the Terms and Conditions for those receiving grants to deliver events and for external operators supported to deliver tourism experiences.

CR11 – Decline in the Council's non-domestic tax base was now highlighted in the 2024 – 2028 Corporate Plan. The action to develop a number of key projects to address need to start to grow the non-domestic rate base had been updated. The status relating to the Regeneration budget had been updated to confirm the 2024/25 budget was being managed and the 2025/26 budget requirements were being considered before the budget scrutiny panel.

CR15 – A report of the risk of Failure to fulfil the Council's statutory obligations under the Burial Grounds Regulations was brought to the Community and Wellbeing Committee in June 2024. The recommendation in this report was adopted with a further review scheduled for December 2024.

RECOMMENDED that Council notes this report.

Councillor Harbinson proposed, seconded by Councillor Ashe, that the recommendation be adopted.

Councillor McKee referenced the report's mention of no officer being in post to ensure compliance with required steps in planning for climate change and asked if there was any update. The Director of Corporate Services explained that further developments had occurred since the report. The role had been recruited in the intervening period. Unfortunately, this particular area was under-resourced but management were amidst a review of Senior structures in the organisation and, once completed, more comprehensive resourcing requirements would be investigated that could help further actions regarding climate change.

AGREED TO RECOMMEND, on the proposal of Councillor Harbinson, seconded by Councillor Ashe, that the report be noted.

6. EXTERNAL AUDIT

6.A. FINAL REPORT TO THOSE CHARGED WITH GOVERNANCE

PREVIOUSLY CIRCULATED:- Copy of the above report.

Sarah Heanen, representative of the NIAO advised that the report contained three recommendations with this final version including management responses that had been accepted.

AGREED TO RECOMMEND, on the proposal of Councillor McKee, seconded by Councillor Ashe, that the report be noted.

6.B. S95 AUDIT AND ASSESSMENT REPORT

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services which explained that the Local Government Auditor’s (LGA) audit and assessment work on the Council’s performance improvement arrangements had concluded. The Audit and Assessment 2024-25 Report to the Council and the Department for Communities under Section 95 of the Local Government (NI) Act 2014 had been attached at **Appendix 1** for Members’ information.

SUMMARY OF THE AUDIT

The LGA had certified the performance arrangements with an unqualified audit opinion, without modification. They certified that an improvement audit and improvement assessment had been conducted. The LGA also stated that, as a result, they believed the Council has discharged its performance improvement and reporting duties under Section 95 of the Local Government Act 2014, including its assessment of performance for 2023-24 and its 2024-25 improvement plan, and had acted in accordance with the Guidance

In their opinion, the Council had demonstrated a track record of ongoing improvement, and they believed that the Council was likely to comply with Part 12 of the Act during 2024-25.

During the audit and assessment, the LGA identified no issues requiring a formal statutory recommendation under the Act.

The LGA made one proposal for improvement as follows (to be considered when developing 2025/26 Performance Improvement Plan):

Thematic area	Issue	Proposal for improvement
Governance arrangements	Most objectives have more than one Senior Responsible Officer, in addition there are	The Council should consider that each objective should have one Senior Responsible Officer,

	<p>numerous Heads of Service feeding into the progress of the measures within the objective. Whilst progress is reported, it could be to several different Standing Committees.</p>	<p>therefore ensuring clear ownership of the objective and ensuring that the overall progress of the objective is reported to one committee.</p>
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RECOMMENDED that Members note the above summary and attached Report at Appendix 1.

Camile McDermott of Deloitte summarised the report to Members, advising that the audit opinion on the report was unqualified which was good news and that guidance had been applied appropriately. There were no issues regarding formal statutory recommendations. The report contained one recommendation, though small in nature; a proposal for improvement which should provide a responsible officer to each objective and reported to one Committee in order to give ownership.

AGREED TO RECOMMEND, on the proposal of Councillor McKee, seconded by Councillor Wray, that the report be noted.

6.C. FINAL AUDIT LETTER

PREVIOUSLY CIRCULATED:- Copy of the above report.

AGREED TO RECOMMEND, on the proposal of Councillor Thompson, seconded by Councillor Harbinson, that the report be noted.

7. INTERNAL AUDIT

PROGRESS REPORT 2024/25

Camile McDermott summarised the report to Members, advising that PCSP and budgetary control drafts expected this week. Deloitte were content that all audits would be completed within the audit year with remaining reports being presented at the next committee meeting. It was noted that there was a request from management to defer the business technology governance review and in its place, Deloitte brought forward the transformation program and project management review that had been on the plan for 2025-26. Outstanding recommendations had a new format as could be seen on page 14 of the report. Whereas before, Members would have viewed the total open issues as of the last Audit Committee meeting, instead they will now see the total number of open issues present at the beginning of a reporting year, items added to the tracker and items closed. It was hoped this would provide a better overview of movement. Four Priority #1 recommendations had been closed in the current internal audit year and only one remaining that related to procurement of vehicles. A test still had to be carried out that the new process would be followed but as there had been no procurement of vehicles, the item could not be

progressed within the current period. There were twenty two items not started and overdue but none were categorised as Priority #1. A smaller number existed of items that were not yet due. Six Priority #2 had also been closed.

Items 7.A-1 and 7.A-2 were explained by Camile McDermott and noted as a group item.

7.A-1 PROCUREMENT (BELOW THE TENDER THRESHOLD)

PREVIOUSLY CIRCULATED:- Copy of the above report.

The report looked toward processes for procurement below £30,000. Procurement Service Units would not usually be involved in smaller sums, being at management level. There as one Priority #1 finding and overall limited assurance. The finding related to compliance with purchase ordering requirements. Whilst individual amounts were perhaps not at a material level for the Council, Internal Audit did not operate on materiality. There was a significant volume of instances within the sample which led to the recommendation that staff are reminded of the need to comply with the policy whilst ensuring the Procurement Handbook was also updated.

Councillor Ashe asked if a process was in place to ensure Council did not become vulnerable to a debtor. The Head of Finance advised that the Council were in the process of implementing systems with the new financial management system including Purchase to Pay systems which would address the issues. However it could take up to and beyond a year to implement the system. The electronic order system would have a workflow which would address any issues. Whilst implementation was ongoing, the Finance Department would continue to work closely with all Services to ensure compliance for Purchase Orders.

7.A-2 INFORMATION AND DATA PROTECTION

PREVIOUSLY CIRCULATED:- Copy of the above report.

This report looked specifically at controls and processes around data breaches and subject access requests with one Priority #1, two Priority #2 and one Priority #3 finding and overall limited assurance. The Priority #1 related to requirements of having a complete of processing activities which was a requirement under GDPR (ROPA for short).Part of that included the completion of a data mapping exercise which was part of the Information Commissioner's Office guidance. Though there was a draft ROPA, GDPR had come into effect in May, 2018, it was important for the ROPA to be finalised and kept up to date including documentation outlining responsibility of maintaining it within each Service Area. The document should remain live with periodic updates. The first of the Priority #2 recommendations related to Data Protection training wherein the policy did not outline its mandatory nature. Compliance levels at the time of writing showed that approximately 47% of staff had not completed refresher training within the last three years. The second Priority #2 recommendation related to updates within the data protection, information access and retention and disposal policies to ensure they are in line with GDPR. The Priority #3 related to retaining evidence of the usage of the self-assessment tool

when the Data Protection officer is considering whether a data breach is reportable to the Information Commissioner's Office. The ICO offer this tool on their website and it would be good practice to keep that evidence trail in the event that an issue has to be revisited.

AGREED TO RECOMMEND, on the proposal of Councillor Ashe, seconded by Councillor Harbinson, that the reports be noted.

8. 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 Harbinson, seconded by Councillor Ashe, that the public/press be excluded during the discussion of the undernoted items of confidential business at 19:32.

Camille McDermott left the Chamber at 19:32 due to her previously declared interest in the following item.

9. REVIEW OF INTERNAL AUDIT CONTRACT

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

The Council was obliged to have an adequate and effective internal audit servicer as per regulations Members were asked to consider a report that had been brought to the Committee.

Camile McDermott returned to the Chamber at 19:33.

10. SINGLE TENDER ACTIONS UPDATE

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

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

The Committee were asked to consider a report detailing an update on single tender actions since the last update was provided in September 2024.

The recommendation was adopted.

11. FRAUD, WHISTLEBLOWING AND DATA PROTECTION MATTERS

*****IN COMMITTEE*****

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

12. MEETING WITH NI AUDIT OFFICE & INTERNAL AUDIT SERVICE IN ABSENCE OF MANAGEMENT

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

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

RE-ADMITTANCE OF PUBLIC AND PRESS

AGREED TO RECOMMEND that the public/press be re-admitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 19:41.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting (in person and via zoom) of the Special Corporate Services Committee was held in the Council Chamber, Church Street, Newtownards on Tuesday 17 December 2024 at 7.00 pm.

PRESENT:

In the Chair: Councillor Irwin

Aldermen: Brooks Mcllveen
Graham McRandal
McAlpine Smith

Councillors: Chambers W Irvine
Cochrane Kennedy
Gilmour Thompson
S Irvine

Officers: Chief Executive (S McCullough), Director of Corporate Services (M Steele), Head of Finance (S Grieve) and Democratic Services Officer (H Loebnau)

1. APOLOGIES

The Chairman (Councillor Irwin) sought apologies at this stage and those were received from Councillor McCracken and Councillor Moore.

NOTED.

2. DECLARATIONS OF INTEREST

The Chairman sought Declarations of Interest at this stage and there were none noted.

NOTED.

EXCLUSION OF PUBLIC AND PRESS

AGREED, on the proposal of Alderman Graham, seconded by Councillor W Irvine, that the public and press be excluded from the undernoted item of confidential business.

REPORT FOR NOTING

3. ESTIMATES UPDATE 3

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

Exemption 4 – Consultations or Negotiations

Council agreed the strategy that would be used to set the budget for the 2025/26 financial year in September 2024 and this report was an update from the Finance team on the various workstreams they had worked through to this point.

The recommendation was agreed.

READMITTANCE OF PUBLIC AND PRESS

AGREED, on the proposal of Alderman McIlveen, seconded by Councillor Gilmour, that the public and press be readmitted to the meeting.

TERMINATION OF MEETING

The meeting terminated at 8.05 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, 8 January 2025 at 7.00 pm.

PRESENT:

In the Chair: Alderman McAlpine

Aldermen: Armstrong-Cotter (Zoom)
Cummings

Councillors: Blaney (Zoom) Kerr
Boyle McKee (Zoom)
Douglas McLaren
Edmund Morgan
Harbinson Wray

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

1. APOLOGIES

Apologies were received from the Mayor (Councillor Cathcart) and Councillor Irwin.

NOTED.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

NOTED.

3. HRC SUMMER OPENING HOURS

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that Members would be aware that for the past few years, the Council's HRC opening hours had been standardised to provide a balance between demand and service cost efficiency. Current opening hours all year round were as follows:

- **Bangor** - Monday to Friday from 8am to 4.40pm, Saturday and Sunday from 9am to 4.40pm
- **Comber** - Monday to Friday from 8am to 4.40pm, Saturday from 8am to 4.10pm, Sunday: Closed

- **Holywood** - Monday to Wednesday from 8am to 4.40pm, Thursday: Closed, Friday and Saturday from 8am to 4.40pm, Sunday from 10am to 3.40pm
- **Kircubbin** - Monday to Friday from 8am to 4.40pm, Saturday from 8am to 4.10pm, Sunday: Closed
- **Ballygowan** - Monday to Friday from 8am to 4.40pm, Saturday from 8am to 4.10pm, Sunday: Closed
- **Donaghadee** - Monday to Friday from 8am to 4.40pm, Saturday from 8am to 4.10pm, Sunday: Closed
- **Millisle** - Monday to Friday from 8am to 4.40pm, Saturday from 8am to 4.10pm, Sunday: Closed
- **Newtownards** - Monday to Friday from 8am to 4.40pm, Saturday from 8am to 4.10pm, Sunday: Closed
- **Portaferry** - Monday to Friday from 8am to 4.40pm, Saturday from 8am to 4.10pm, Sunday: Closed

All sites were therefore open 8am to 4.40pm Monday to Friday (except Holywood which was closed on Thursdays), plus Saturdays 8am to 4.10/4.40pm. Two sites, Bangor and Holywood were also open on Sundays. The existing schedule of opening provided overall booking capacity well in excess of demand, with booking figures for all waste data reporting periods during which the access booking system had been in place running at around 30% averaged across all sites. Very few queries or complaints had been received about availability of booking slots, or that site access was not available when residents needed to use them.

Notwithstanding the above, some Members had enquired about the potential to provide a level of extended/evening opening hours during the summer period when the grass cutting/garden maintenance season was most active, to provide a level of additional flexibility for residents during that period particularly for recycling of compostable garden waste.

As part of the rates setting process for 2025 – 2026, officers had considered the re-introduction of limited opening of the HRCs during the months of July and August, from 5.00pm to 8.00pm, to accommodate residents who were unable to visit sites during the existing schedule of opening hours across the week. In order to balance demand with cost efficiency, officers had suggested the option of alternating the additional evening opening hours across the 9 HRCs from Monday – Friday as followed (the precise evening opening schedule may be subject to day changes depending upon availability of staff to facilitate service delivery):

Day	HRCs available
Monday	Donaghadee and Holywood
Tuesday	Comber and Millisle
Wednesday	Portaferry and Ballygowan
Thursday	Newtownards and Kircubbin
Friday	Balloo HRC, Bangor

Access would be via the HRC booking system and subject to the protocols associated with that.

To provide the additional opening hours, the cost was estimated to be in the region of £15,000 to £22,500 for the 2-month period (depending upon whether staff cover had to be arranged at overtime rate). There was currently no financial provision in budgets for this service enhancement, therefore any proposal to proceed would be subject to inclusion of the additional revenue budget required, in the final estimates for the next (2025/26) financial year.

The matter was submitted to the internal Budget Panel for inclusion with the 24/25 budget and rates setting process. The request was evaluated against hundreds of other cost pressures from other Units across the organisation. At the time of writing the report, the proposal had been rejected by the Budget Panel in the list of potential cost pressures put forward to Special Corporate Services Committee for consideration in December.

If the Council was minded to approve the budget, officers would suggest that any agreed additional service provision should be on a one-year trial basis, with any decision to continue contingent upon the outcome of a review of demand/uptake of the additional summer evening capacity.

RECOMMENDED that the Council considers whether to proceed with a trial of additional HRC summer evening opening hours as outlined in this report, subject to final agreement of necessary additional budget requirements as part of the estimates process for 2025-26.

Proposed by Councillor Boyle, seconded by Councillor Wray, that the trial as set out in the report proceeds subject to final agreement of necessary additional budget requirements as part of the estimates process for 2025-26.

Alderman Armstrong-Cotter asked to make an alternative proposal which was seconded by Alderman Cummings.

That the Council proceeds with a trial of extended summer opening hours as outlined in the report over the summer period of June, July, August and September subject to final agreement within the Rates setting process.

Alderman Armstrong-Cotter thought the alternative proposal was self-explanatory and she had a desire to see the opening hours of household recycling centres return to the pre Covid position. She expressed her gratitude to the Director for his consideration of the matter and thought that the extended opening should not be limited to the months of July and August since the summer months generally also included the lighter months of September and June. That would help residents who were unable to visit during the daytime slots and summer was traditionally a time for extra gardening work and house clearances. She hoped Members would give her proposal their support.

Seconding the alternative proposal, Alderman Cummings pointed out that the capacity for green waste particularly increased over that time and encouraged officers to at least consider extending the summer months while appreciating the additional expenditure that would bring to the Council.

Councillor McLaren had some questions in relation to the proposal and while accepting the convenience argument of longer opening hours she wondered about the impact that would have on the budget and human resources available. The additional cost to facilitate an additional two-month trial and that had not been accounted for in the budget. She asked if the proposal could pose a problem for staff by asking them to work additional evenings and the Head of Waste and Cleansing explained that the Council would rely on using overtime which was voluntary, but he assumed that staff would be up for that if the decision was made.

Considering the proposal Councillor Morgan thought that Members should be mindful that the proposal for a two-month trial had already gone to the Special Corporate Committee and been rejected when put up against other competing priorities. She also thought that there had been no indication of demand or desire and much had changed since the Covid pandemic and the implementation of the HRC booking system. She was aware that the booking system was showing just 30% of existing available capacity was being used, so there was a lot of extra capacity already in the system which Members needed to be conscious of. She suggested other ways of improving access such as Sunday opening but in her opinion the priority was to achieve greater access within the Council’s current budget.

Councillor Edmund thought that the point had been missed and the alternative proposal was simply asking for a trial over a sufficiently long summer months period, and he reminded them that the budget was not yet set in stone. He considered that the proposed extended period would give a better picture of demand and was worth the effort to consider that.

Councillor Boyle considered that finance was an important consideration and discussed the detail with the Director. The Director stated that this proposal had not been budgeted for in the current edition of the Estimates which had been brought to the Special Corporate Committee in December. If Alderman Armstrong-Cotter’s proposal were to be agreed by the Environment Committee, the Committee’s recommendation could be considered as part of the final draft estimate for 2025-26.

A recorded vote was called for by Alderman Armstrong-Cotter.

On the proposal being put to the meeting with 10 voting For, 3 voting Against, 0 abstained and 3 Absent it was declared CARRIED.

FOR (10)	AGAINST (3)	ABSTAINED (0)	ABSENT (3)
Aldermen	Alderman		
Armstrong-Cotter	McAlpine		
Cummings			
Councillors	Councillors		Councillors
Blaney	Harbinson		Cathcart
Boyle	Morgan		Irwin
Douglas			McKimm
Edmund			
Kerr			
McLaren			

McKee
Wray

AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Alderman Cummings, that the Council proceeds with a trial of extended summer opening hours as outlined in the report over the summer period of June July August and September subject to final agreement within the Rates setting process.

4. STREET NAMING – MILFORD MEWS

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that a small development comprising of eight dwellings, was currently under construction on lands at 118 Movilla Road, Newtownards.

Both the developer and its architect were invited via email to suggest a street name when Building Control received the works application in April 2024, again in June 2024 and finally in November 2024. The Building Control department had not received a suggestion to date, even after the developer acknowledged receiving the emails.

The development had continued to progress on site and most of the eight dwellings were nearing completion. Therefore, as per the street naming policy, the Building Control department had now suggested a name to ensure that house purchases could be completed and to allow rates to be collected.

The Building Control department suggested the name Milford Mews due to the close proximity to an existing development known as Milford Manor and was in keeping with the general neighbourhood.

RECOMMENDED that the Council approve the street name of Milford Mews for this development.

Alderman Armstrong-Cotter asked to make an alternative proposal which was seconded by Alderman Cummings.

In light of the objection by the developer of the neighbouring Milford Manor, that building control returns to the developer of the new properties to find another name or provides another name for this development which has no link with the current Milford Manor development.

Alderman Armstrong-Cotter reported that she had been in contact with the developer of Milford Manor who was unhappy that the new development would be sharing a similar name to the existing development. The existing developer pointed to the fact that the new houses would be of a very different style to what had already been built and had he been given notice he would have objected himself through the proper channels. He asked that the new developer be given an opportunity to provide an alternative name.

Councillor Boyle asked how the situation had come about, and the Head of Regulatory Services replied that while he did not have the history of the area or how the original name had come about the new developer had been asked to name the development and had not provided one. After repeated attempts the Building Control Department itself had come up with the name suggested in the report due to the proximity of the existing development and added that an alternative could be brought forward.

Councillor McLaren thought that assuming a developer was not under an obligation to give a name, Building Control could come up with a suitable suggestion. The Head of Regulatory Services indicated that it was unusual for developers not to name their developments, and it was often a matter of pride for them to do so. However, in the absence of a suggestion the Council had a legal responsibility to allocate a street name.

Members were in agreement with Alderman Armstrong-Cotter's alternative recommendation.

AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Alderman Cummings, that in light of the objection by the developer of the neighbouring Milford Manor, that building control returns to the developer of the new properties to find another name or provides another name for this development which has no link with the current Milford Manor development.

5. GRANT OF ENTERTAINMENTS LICENCE

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

1. Monroe, 62a High Street, Holywood

Applicant: Gerald Clancy, 30A Cultra Avenue, Holywood, Co Down

Days and Hours:

Monday to Sunday during the permitted hours when alcohol may be served 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 have been no objections received from PSNI or Environmental Health. NIFRS had requested a joint inspection with a Licensing Officer.

RECOMMENDED that the Council grants an Entertainments Licence to Monroe, Holywood subject to satisfactory final inspection by Licensing and Regulatory Services and NIFRS.

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

Councillor McLaren welcomed the proposal and considered it to be important that Hollywood be viewed as a destination into the evenings and so was happy to second the proposal.

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

6. Q1 AND Q2 SERVICE PLAN PERFORMANE REPORT

6.1 Assets and Property Services

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

- Community Plan – published every 10-15 years
- Corporate Plan – published every 4 years (Corporate Plan 2024-2028)
- Performance Improvement Plan (PIP) – published annually in September
- Service Plan – developed annually (approved annually in March)

The Council's 18 Service Plans outlined how each respective Service would contribute to the achievement of the Corporate objectives including, but not limited to, any relevant actions identified in the PIP.

Reporting Approach

The Service Plans would be reported to relevant Committees on a half-yearly basis as undernoted:

Reference	Period	Reporting Month
Half 1 (H1)	April – September	December
Half 2 (H2)	October – March	June

The report for Half 1 was outlined below.

Corporate Plan 2024-2028

In line with the Corporate Plan 2024-2028, the Council's service had contributed to 6 outcomes as followed.

Outcome 1

An engaged Borough with citizens and businesses who have opportunities to influence the delivery of services, plans and investment

Key achievements:

- Consultation held on Navigation within Strangford Lough
- Harbours stakeholders meeting held

Outcome 2

An environmentally sustainable and resilient Council and Borough meeting our net zero carbon targets

Key achievements:

- Numerous energy saving initiatives implemented, as reported in quarterly energy updates.
- Sustainable Energy Management Strategy and Action Plan agreed by Council.

Outcome 4

A vibrant, attractive, sustainable Borough for citizens, visitors, businesses and investors

Key achievements:

Refurbishments completed at

- Islandview Greyabbey
- Ward Arras, Bangor

Outcome 5

Safe, welcoming and inclusive communities that are flourishing

Key achievements:

- Over 2800 maintenance jobs completed
- Stoma friendly toilet adaptations completed across the estate

Outcome 6

Opportunities for people to be active and healthy

Key achievements:

Replacement Playgrounds completed at:

- Portavogie Community Centre
- The Green, Kircubbin
- Glen Estate, Newtownards

Outcome 7

Ards and North Down Borough Council is a high performing organisation

Key achievements:

- Further education opportunities provided for 2 staff members

Emerging issues:

As part of the commitment to continuous improvement the annual Service Plan was reviewed on a monthly basis. The Service Risk register had also been reviewed to identify emerging issues and agree any actions required detailed below:

Action to be taken:

Identified KPI at Risk	Reasons as to why KPI has not been met	Action to be taken	Designated Officer	Date for Review
Response times for maintenance jobs	Staff vacancies and long-term absences	Contractors used to supplement workload	Head of Assets and Property Services	Ongoing

RECOMMENDED that the Council notes this report.

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

Councillor Wray thought that the report read well and was full of positive news apart from the response times for maintenance jobs where there were some staff vacancies. He asked if there was a recruitment process in place for those vacancies and the Head of Assets confirmed that there was, and work was being prioritised depending on its urgency.

Councillor Morgan thanked officers for their dedication and thought the report was very pleasing.

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

6.2 Regulatory Services

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

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- Performance Improvement Plan (PIP) – published annually in September
- Service Plan – developed annually (approved annually in March)

The Council’s 18 Service Plans outlined how each respective Service would contribute to the achievement of the Corporate objectives including, but not limited to, any relevant actions identified in the PIP.

Reporting Approach

The Service Plans would be reported to relevant Committees on a half-yearly basis as undernoted:

Reference	Period	Reporting Month
Half 1 (H1)	April – September	December
Half 2 (H2)	October – March	June

The report Half year 1 was enclosed.

Corporate Plan 2024-2028

In line with the Corporate Plan 2024-2028, the service had contributed to 4 outcomes as followed:

Outcome 2

An environmentally sustainable and resilient Council and Borough meeting our net zero carbon targets

Key achievements:

- Increased energy performance of buildings, constructed to up-to-date Building Standards.

Outcome 3

A thriving and sustainable economy

Key achievements:

- Effective and timely licencing of entertainment, and wedding venues, street trading and pavement cafes.

Outcome 4

A vibrant, attractive, sustainable Borough for citizens, visitors, businesses and investors

Key achievements:

- Effective car park management with planned steps to improve the car park environment.
- Effective dog and litter control making the Borough a more attractive location.

Outcome 5*Safe, welcoming and inclusive communities that are flourishing***Key achievements:**

- Effective enforcement of legislation to improve the safety of people in and around buildings and places of entertainment.

Emerging issues:

As part of the commitment to continuous improvement the annual Service Plan was reviewed on a monthly basis. The Service Risk register had also been reviewed to identify emerging issues and agree any actions required detailed below:

- Failure to deliver on our role as a regulator of outside activities.
- Failure to have appropriate health and safety arrangements for staff leading to loss of life, serious injury etc. resulting in failure to meet moral and legal obligations, loss of reputation and investigation.

Action to be taken:

- Legal responsibilities would come to Council but as yet they were unknown. Would depend on outworking of Building Safety program reviews and legal requirements arising. Ongoing but review on 6 monthly basis.
- Continue to review and update risk assessments. Develop action plans to further address health and safety. Annually review assessment and update were required. Review and update training needs. Physical handing of Dangerous Dogs training required.

Identified KPI at Risk	Reasons as to why KPI has not been met	Action to be taken	Designated Officer	Date for Review
Bring market Facebook/Website in house	Work carried out but the actual removal can only be carried out by Facebook. We await this action	Await and review.	Head of Regulatory Services	31 Jan 2025
Develop EV strategy for council carparks	Works are ongoing with the council's consultant to bring this	To further progress work	Licensing and Regulatory Services Manager	March 2025

	action to a conclusion.			
% Spend against budget	Due to temporary staff placements and back filling some posts on a temporary basis, this underspend will continue.	Agency staff to be recruited where practical and ongoing works to fill vacant posts. This underspend will continue for this financial year	All Service Unit Managers	March 2025
NET Improve(increase) total number of Fixed Penalty Notices (FPNs).	Interim figures are approaching target. It is hoped continued work will reach end of year target.	Continued concentration on FPN's	Neighbourhood Environment Services Manager	March 25
% of completed Employee Appraisals in the period September 2024 to March 2025	Staff prioritisation and buy in to appraisals.	Continued effort by line managers to engage staff in appraisal process.	All line managers	31 Jan 2025
NET Commence response to complaints/service requests, within 4 working days.	Software provider cannot currently accommodate this KPI	Alternative KPI to be determined	Neighbourhood Environment Services Manager	31 Jan 2025

Points to Note in relation to KPI Half yearly Performance Report (Attached)

- BC Average CO2 generated by each dwelling (average) across the Borough (tonnes based on standardised dwelling figures). The target rose yearly. Success was where the actual figure was lower than the target, as that indicated a reduction in CO2 emission on average. The software system flagged a lower figure as failing to reach target, and hence the indicator symbol had been changed to reflect the actual situation.

RECOMMENDED that the Council notes this report.

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

Councillor Morgan was pleased to see the importance being placed on the Borough's car parks and also queried how the Council determined whether or not litter and dog controls were effective.

In response the Head of Regulatory Services Manager (Acting) stated there had been wear and tear to the car parks since the Council had taken over control of them. In the car parks white lines were now often difficult to see, surfaces had been damaged over time, the signage would be improved and weeds removed. In respect of the effectiveness of litter control, the LAEMS scores that had been used previously were no longer available and the Council was taking action with Fixed Penalty Notices and measured effectiveness by a cleaner environment.

Councillor McKee was aware that Keep Northern Ireland Beautiful (KNIB) was no longer providing the service that it had in previous years in relation to litter surveys across the region. The Head of Service explained that the Council had had a service level agreement with KNIB requiring it to undertake quarterly surveys. KNIB had subcontracted that, and problems had arisen in relation to that. Unfortunately, the Council had not been able to resolve the situation and as things stood would not be renewing the service level agreement with KNIB as of April 2025.

Councillor McKee sought clarity on the Fixed Penalty Notice target, and he welcomed the focus on that but was disappointed that the Council's success in issuing Fixed Penalties was not as great as it had been in the past. When he looked back at data prior to Covid he was surprised at the stark difference between the figures then and now and asked why the disparity was so great.

The Director replied that the longer serving Members would be aware of the effort that had been put into setting up a service model that delivered very impressive enforcement outcomes pre-Covid. During the pandemic the effectiveness and structure of the service had declined due to a high turnover of staff. The current team was acutely aware of how important this matter was to Councillors and ratepayers and over the more recent past there had been a renewed focus on that area. Indeed, the last couple of reports had begun to show the figures climb again. He could not guarantee that the Council would go back to the peaks of Fixed Penalty Notices of the past, but it was hoped that robust enforcement would result in a visible difference to Borough cleanliness. He also thought that the Borough Cleanliness surveys managed through KNIB had been useful in that regard as it gave a comparator across Northern Ireland Councils, and he indicated that officers would be exploring a viable alternative where possible.

Councillor Wray said that many of his questions had been answered and he understood the balance needed between the issuing of penalties and the change needed to hearts and minds in respect of littering. He asked about staff appraisals completed and had been concerned that some staff may be reluctant to buy in to the Council's appraisal scheme. The Head of Regulatory Services Manager (Acting) replied that the time period was still running and the target was to have a full complement of appraisals completed by year end, but in some cases it was difficult to have completely full engagement with the process. The Director stressed that it

was a focus for the section to have all appraisals carried out as it was important for both staff development and achievement of Council objectives.

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

6.3 Waste and Cleansing Services

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

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The Council's 18 Service Plans outlined how each respective Service would contribute to the achievement of the Corporate objectives including, but not limited to, any relevant actions identified in the PIP.

Reporting Approach

The Service Plans would be reported to relevant Committees on a half-yearly basis as undernoted:

Reference	Period	Reporting Month
Half Year 1 (H1)	April – September	December
Half Year 2 (H2)	October – March	June

The report for April – September 2024 was outlined below.

Corporate Plan 2024-2028

In line with the Corporate Plan 2024-2028, the service had contributed to 3 key corporate outcomes as followed;

Outcome 2

An environmentally sustainable and resilient Council and Borough meeting our net zero carbon targets

Key achievements:

- Increased overall recycling rate to 59.4%
- Increased HRC recycling rate to 75%
- Reduced the quantity of residual waste sent to landfill

Outcome 4

A vibrant, attractive, sustainable Borough for citizens, visitors, businesses and investors

Key achievements:

- Achieved 100% success in Loo of the Year Awards (2024) with 5 Platinum awards.
- Success for Comber (winner medium town) Bangor (runner-up city) and Donaghadee (Runner-up small town) in Best Kept Awards 2024.

Outcome 7

Ards and North Down Borough Council is a high performing organisation

Key achievements:

- Services delivered within agreed budgets

Emerging issues:

As part of the commitment to continuous improvement the annual Service Plan was reviewed monthly. The Service Risk register had also been reviewed to identify emerging issues and agree any actions required detailed below:

- Achieve or exceed NI average Cleanliness Index Score (75%)
- Commencement of kerbside textiles recycling service.

Action to be taken:

- Despite our expectation that KNIB would provide litter surveys on a quarterly basis, that had unfortunately not transpired, and officers were not confident that that would happen during the current reporting year. This KPI had therefore had to be removed.
- The kerbside textile collection service had not commenced on account of the downturn in the textile recycling market. The situation was kept under review with monthly updates through arc21.

Identified KPI at Risk	Reasons as to why KPI has not been met	Action to be taken	Designated Officer	Date for Review
Cleanliness Index	Surveys not completed	Cancel SLA with KNIB	Head of Service	April 2025
Textile Recycling	Service has not commenced	Monitor state of the market	Head of Service	January 2025

RECOMMENDED that the Council notes this report.

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

Proposing the recommendation Councillor Morgan thanked officers for the work that had been undertaken but was disappointed not to have the litter survey since it was difficult to judge progress. She accepted that Fixed Penalty Notices issued was not the best way to measure progress and would welcome the cleanliness index returning.

Councillor Douglas was happy to second the recommendation and was also pleased to read that Comber had recently been awarded winner of the medium town category in the Best Kept Awards 2024.

Councillor Boyle highlighted the increase in the overall levels of recycling which were reported to be up by almost 5% in both recycling at home and also in the Household Recycling Centres. He gave his congratulations to the team for the significant progress that had been made.

Councillor Boyle was also delighted to note the 100% success rate for the Borough in the Loo of the Year competition with five platinum awards. He agreed that the public toilets within the Borough were very well maintained, and it was important that that continue. The Head of Waste and Cleansing Services informed Members that the scheme was run by the British Toilet Association and the Council had entered its five manned toilets into the competition.

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

7. BUILDING CONTROL ACTIVITY REPORT Q2 (JUL – SEP 2024)

PREVIOUSLY CIRCULATED: Report from the Director of Environment detailing that the information provided in the report covered, unless otherwise stated, the period; 1 April 2024 to 30 June 2024. The aim of the report was to provide Members with details of some of the key activities of Building Control, the range of services it provided along with details of level of performance. The report format had been introduced across Regulatory Services.

Applications

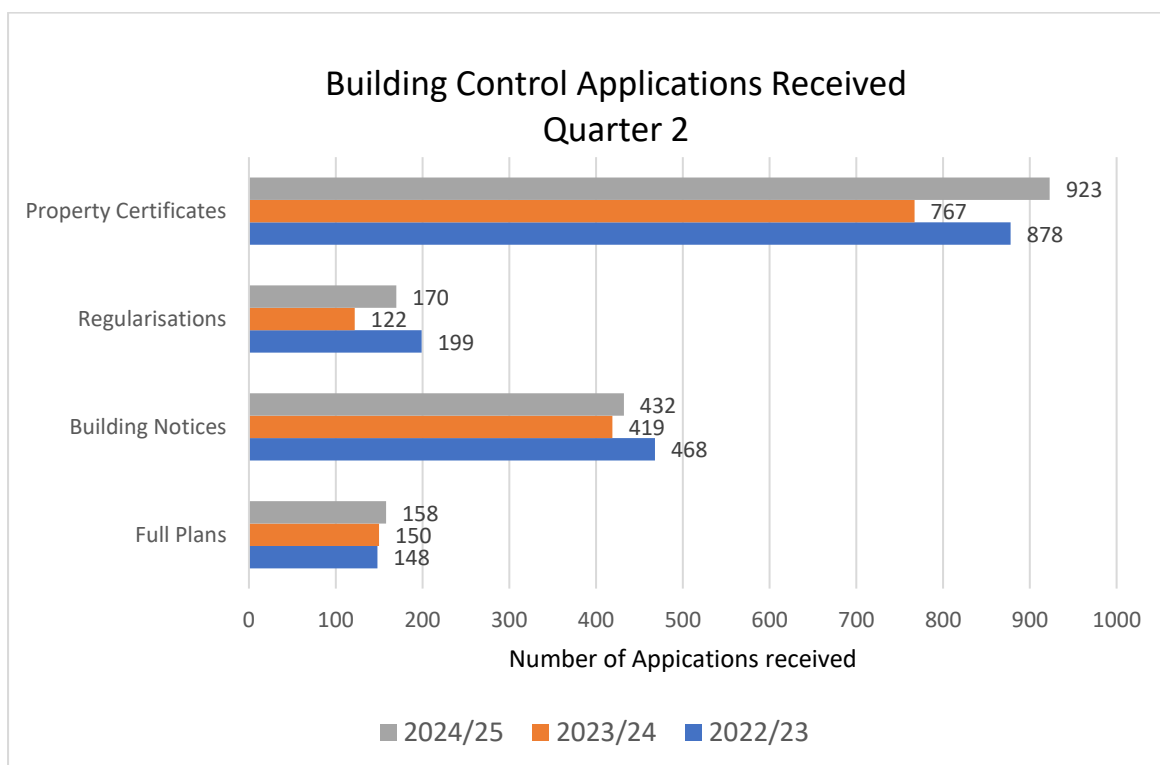
Full Plan applications were made to Building Control for building works to any commercial building, or for larger schemes in relation to residential dwellings.

Building Notice applications were submitted for minor alterations such as internal wall removal, installation of heating boilers or systems, installation of all types of insulation and must be made before work commenced. Those applications were for residential properties only.

Regularisation applications considered all works carried out illegally without a previous Building Control application in both commercial and residential properties. A regularisation application considered all types of work retrospectively and under the Building Regulations in force at the time the works were carried out.

Property Certificate applications were essential to the conveyancing process in the sale of any property, residential or commercial, and provided information on Building Control history and Council held data.

Quarter 2				
	Full Plans	Building Notices	Regularisations	Property Certificates
2022/23	148	468	199	878
2023/24	150	419	122	767
2024/25	158	432	170	923



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

Regulatory Full Plan Turnaround Times

Turnaround times for full plan applications were measured in calendar days from the day of receipt within the Council, to day of posting (inclusive).

Inspections must be carried out on the day requested due to commercial pressures on the developer/builder/householder, and as such any pressures on that end of the business reflected on the turnaround of plans timescale.

QUARTER	Period of Report 01/07/2024 – 30/09/2024	Same quarter last year	Comparison	Average number of days
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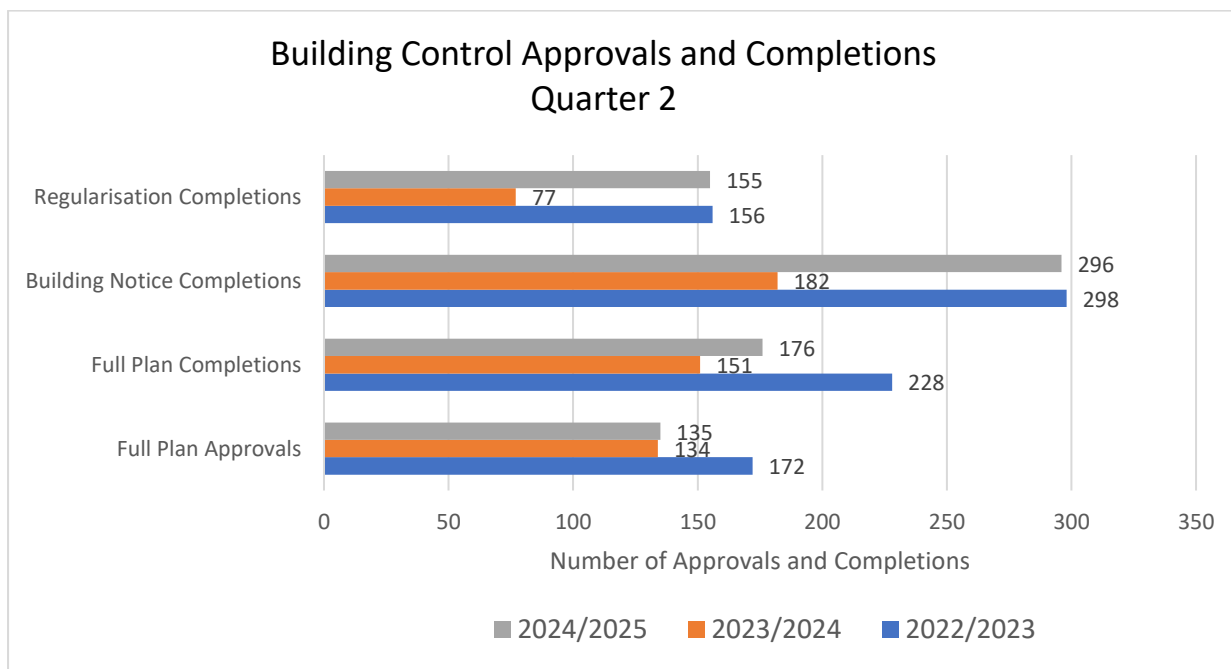
				to turnaround plan
Domestic Full Plan Turnarounds within target (21 calendar days)	74%	57%	↑	20
Non-Domestic Full Plan Turnarounds within target (35 calendar days)	77%	67%	↑	26

Regulatory Approvals and Completions

The issuing of Building Control Completion Certificates indicated that works were carried out to a satisfactory level and met the current Building Regulations.

Building Control Full Plan Approval indicated that the information and drawings submitted as part of an application met current Building Regulations and works could commence on site.

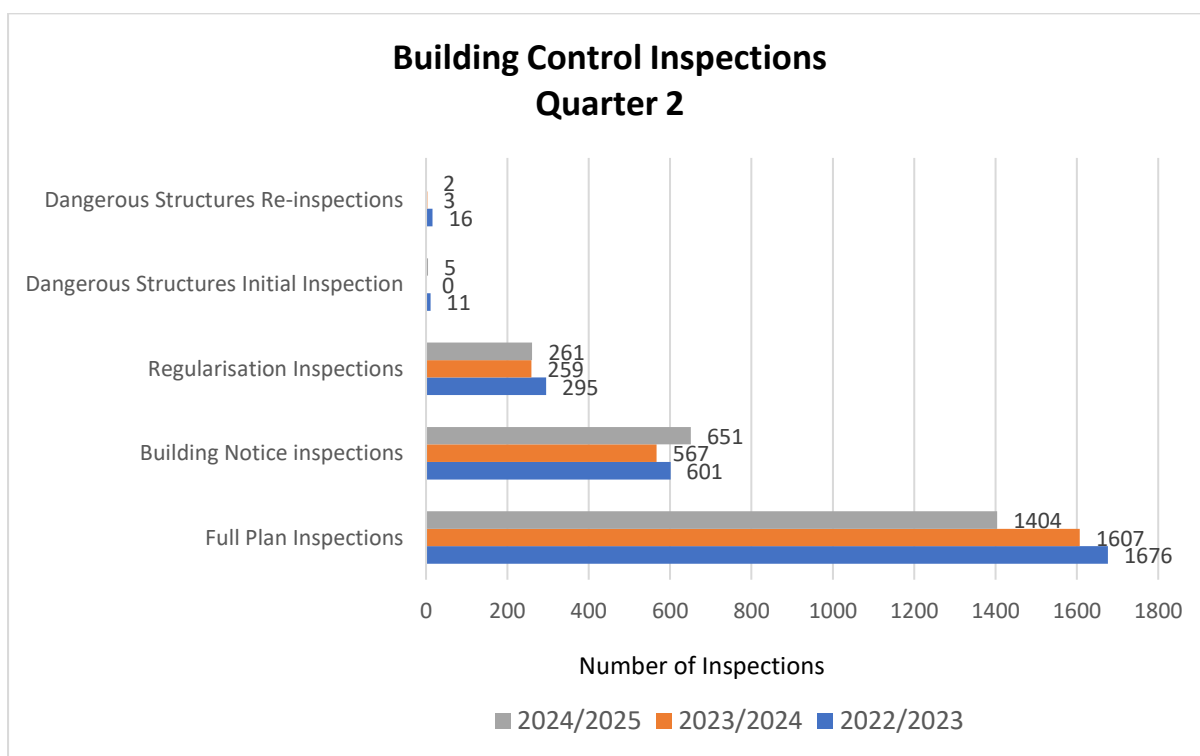
Quarter 2	Full Plan Approvals	Full Plan Completions	Building Notice Completions	Regularisation Completions
2022/2023	172	228	298	156
2023/2024	134	151	182	77
2024/2025	135	176	296	155



Inspections

Under the Building Regulations applicants were required to give notice at specific points in the building process to allow inspections. The inspections were used to determine compliance and to all for improvement or enforcement.

QUARTER 2	Period of Report 01/07/2024 - 30/09/2024	01/07/2023 – 30/09/2023	01/07/2022 – 30/09/2022
Full Plan Inspections	1404	1607	1676
Building Notice Inspections	651	567	601
Regularisation Inspections	261	259	295
Dangerous structures initial inspection	5	0	11
Dangerous structure re-inspections	2	3	16
Total inspections	2323	2536	2599

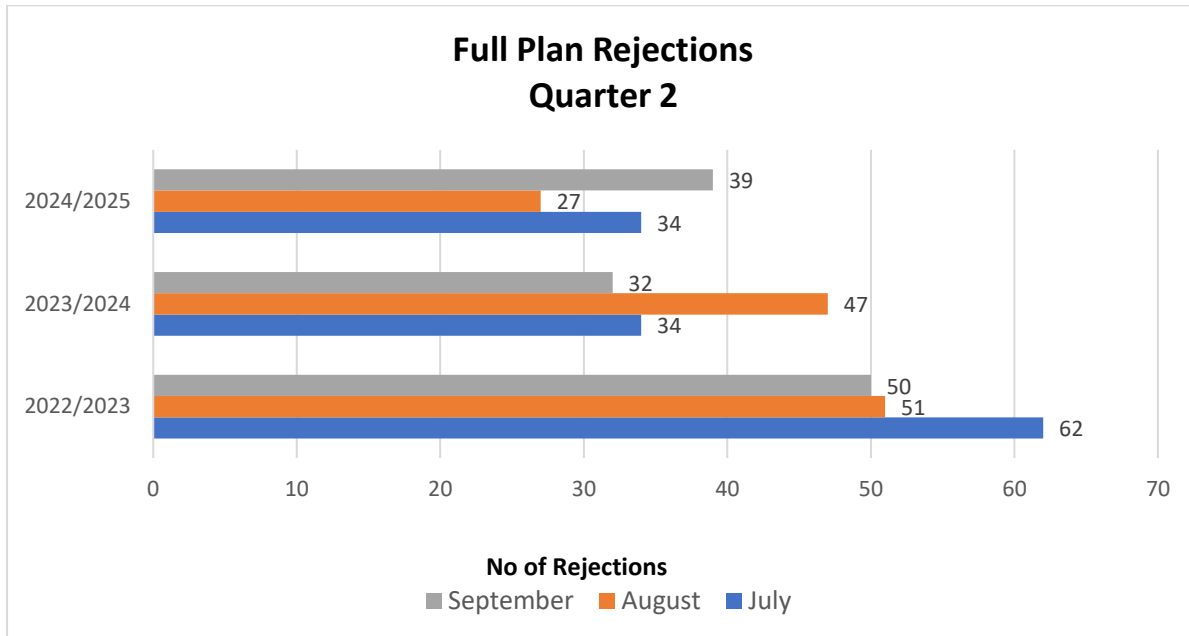


Non-Compliance

Where it was not possible to Approve full plan applications they were required to be rejected. Building Control Full Plan Rejection Notices indicated that after assessment there were aspects of the drawings provided that did not meet current Building Regulations. A Building Control Rejection Notice set out the changes or aspects of the drawings provided that needed to be amended. After those amendments were completed, the amended drawings should be submitted to Building Control for further assessment and approval.

Quarter 2			
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Rejections	July	August	September
2022/2023	62	51	50
2023/2024	34	47	32
2024/2025	34	27	39



RECOMMENDED that the Council notes the report.

Proposed by Councillor McLaren, seconded by Councillor Morgan, that the recommendation be adopted.

Councillor Morgan congratulated officers having noted the timely turnaround of applications and knew that would be welcomed by developers and builders locally.

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

8. ANY OTHER NOTIFIED BUSINESS

The were no items of Any Other Notified Business.

TERMINATION OF MEETING

The meeting terminated at 8.21 pm.

ITEM 7.5

66

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid meeting (in person and via zoom) of the Corporate Services Committee was held in the Council Chamber, Church Street, Newtownards on Tuesday 14 January 2025 at 7.00 pm.

PRESENT:

In the Chair: Councillor Irwin

Aldermen: Brooks (zoom) Mcllveen
Graham (7.05 pm) McRandal
McAlpine (zoom) Smith

Councillors: Chambers (zoom) Irvine, S
Cochrane Irvine, W
Kennedy McCracken
Gilmour Moore
S Irvine Thompson

Officers: Chief Executive (S McCullough), Director of Corporate Services (M Steele), Director of Prosperity (A McCullough), Director of Place (B Dorrian), Director of Community and Wellbeing (G Bannister – via zoom), Director of Environment (D Lindsay – via zoom), Head of Finance (S Grieve) and Democratic Services Officer (J Glasgow)

1. APOLOGIES

Due to technical difficulties, the Chair announced that there would be no live feed. The recording would be made available on the website as per normal practice.

No apologies were received.

2. DECLARATIONS OF INTEREST

Alderman McAlpine declared an interest in Item 9 – Request for a lease – Northfield Cricket Pitch and Pavilion.

3. DATA STRATEGY

The Chair advised the item had been withdrawn.

4. ITEM WITHDRAWN**5. RESPONSES TO NOTICE OF MOTION**

(a) **Deep concern at the poor state of the roads across ANDBC**
(Appendix I)

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services attaching letter from Dfl. The report detailed that a notice of motion was discussed at the Corporate Services Committee in November 2024. It was unanimously agreed to write for the fourth time to the Minister at the Department of Infrastructure thanking him for his response to a previous letter of 25 October 2024 and to ask him again for non-commercially sensitive information to allow Council to benchmark against the comparator Councils previously indicated.

The information requested would include the spend on road repairs by Council area by year over the past 5 years and the road length within the area. A letter was sent from the Chief Executive on 6 December and a reply was received on 18 December 2024 and was attached to the report.

RECOMMENDED that Council notes this reply.

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

Alderman Smith noted that the letter was the fourth piece of correspondence, and he did not feel anything could be achieved by having a fifth. Despite the information received, it was clear that the divide of the funding was unfair.

(Alderman Graham entered the meeting – 7.05 pm)

He remarked that there had been data released recently on the number of potholes reported over this year and last year. Ards and North Down had seen an increase in 22% of potholes reported from 5,700 to over 7,000. Looking at the other Council's the majority of reports had fallen. It was acknowledged by the Minister that some areas had more kilometre of roads but that did not account of the higher grade of roads in the Borough, the network was busier and the wear and tear of the roads. Alderman Smith was unsure what more could be done, the Council had made the point, the Minister was not listening however the facts backed up the Council's case.

Alderman McIlveen was not surprised by the correspondence, the information was not new and the Council had been collectively pushing the matter for a number of years. Alderman McIlveen paid tribute to the work of the Section Engineer who was pushing hard for the area and although the investment was limited, the Section Engineer was targeting that in the best way possible. The figure was not available for this financial year as yet though he believed that the level of investment in the Borough was significantly higher. Although the Council would not be replying to this correspondence, the Council would continue to raise the matter.

Alderman Brooks advised that after a long time campaigning, Dfl Roads had announced that William Street, Donaghadee would be resurfaced.

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

6. ANY OTHER NOTIFIED BUSINESS

There were no items of any other notified business.

EXCLUSION OF PUBLIC/PRESS

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

7. CORPORATE BANKING TENDER (FIN35)

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

NOT FOR PUBLICATION

SCHEDULE 6:3 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

Council was asked to Council was asked to approve the selection of Corporate Banker as detailed for the period from 1 April 2025 for an initial period of 3 years subject to performance.

8. PERFECTION OF TITLE - LAND AT VICTORIA ROAD, NEWTOWNARDS

(Appendices II, III)

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

NOT FOR PUBLICATION

SCHEDULE 6:3 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

The Council was asked to agree to the rectification of title in relation to land at Victoria Road, Newtownards. It was recommended that the Council accedes to the request.

9. REQUEST FOR A LEASE - NORTHFIELD CRICKET PITCH AND PAVILION

(Appendices IV, V)

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

NOT FOR PUBLICATION

SCHEDULE 6:3 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)

The Council was asked to approve a request for a lease of Northfield Cricket Pitch. It was recommended that the Council accedes to the request.

10. ESTIMATES UPDATE 4 2025/26

(Appendices VI - VII)

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

NOT FOR PUBLICATION

SCHEDULE 6:4 CONSULTATIONS OR NEGOTIATIONS.

Council was asked to consider an update from officers on the major areas of expenditure for the estimates process. Along with the preparation of supporting reports Prudential Capital Financing and Review the Reserves Policy in consideration of the budget for the 2025/26 financial year.

RE-ADMITTANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 8.18 pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid (in person and via Zoom) meeting of the Community and Wellbeing Committee was held at the Council Chamber, Church Street, Newtownards, and via Zoom, on Wednesday 15 January 2025 at 7.00 pm.

PRESENT:

In the Chair: Alderman Brooks

Alderman: Adair
 Cummings
 McRandal

Councillors: Ashe (Zoom) S Irvine
 Boyle W Irvine
 Chambers Kendall
 Cochrane McBurney
 Douglas McClean
 Hollywood Moore

Officers in Attendance: Director of Community and Wellbeing (G Bannister), Head of Community and Culture (N Dorrian - Zoom), Head of Leisure Services (I O'Neill), Head of Parks and Cemeteries (S Daye), Head of Administration (A Curtis – Zoom) and Democratic Services Officer (R King)

1. APOLOGIES AND CHAIRMAN'S REMARKS

The Chairman (Alderman Brooks) sought apologies at this stage and noted none had been received.

NOTED.

2. DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

NOTED.

3. CELEBRATION DISPLAY BED POLICY UPDATE (FILE PCA136)

(Appendix I)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that that in February 2019 Council agreed a policy for the use of Display Beds in the Borough, this policy required Officers to report to Council any applications received by external organisations.

Officers had reviewed the policy and had made some suggested changes to improve the sustainability of beds and increase the number of beds available to those wishing to celebrate and promote their celebration. In line with the Policy Development Process as agreed by Council these updates were now being brought to Council for approval. The main changes were summarised below.

Policy Title

The title and some content had been changed to remove the reference of 'floral display'. This was re-iterating the change and would now be referred to as 'Celebration Display'.

Locations

To date there had been five display bed locations:

- 1. Adjacent to Bangor Post and Sorting Office
- 2. At the Bangor Road entrance to Ballymenoch Park, Holywood
- 3. Court Square, Newtownards
- 4. East Street, Donaghadee
- 5. Comber Square, Comber.

This updated Policy proposed an additional 6 locations. These had been selected in areas of good traffic flow/footfall, on Council owned and/or maintained land and to achieve a wider geographical spread across the Borough.

New Locations proposed are:

- 6. Exploris Aquarium, Portaferry



- 7. Castlebawn Road/Portaferry Road adjacent to Londonderry Park, Newtownards



8. Ballygowan Community Centre



9. Kiltonga Nature Reserve, Newtownards



10. Brice Park, Donaghadee Road, Bangor



11. Corner of Comber Road/Beechvale Road @Balloo



In addition to the above, Officers had considered the council’s commitment to sustainability, legal requirements and good practice guidance and reviewed our approach to floral display beds. This frequent turnover of floral beds was not efficient in terms of resources nor was it an environmentally sustainable method of managing our planting and displays.

The change proposed was to move to an annual sign per application and Council Parks staff would continue to plant and maintain the planting in the bed around any signage in line with normal sustainable planting scheduling.

The policy changes would now align with the DfI’s guidance document RSPPG E004 on signage sizes to ensure adherence to road safety and good practice.

Applications would be accepted in October and approved by Council in the November of each year. This would allow an applicant a full calendar year for display. The exception would be Bangor Post and Sorting Office as per the Policy – this would be January to November to allow the Nativity Scene to be displayed.

The policy also stated that applicants must meet the Council Policy on Single Use Plastics and were asked to ensure that their signage was developed with waste management in mind.

RECOMMENDED that Council adopts the attached updated Celebration Display Bed Policy and associated new locations.

Proposed by Councillor Douglas, seconded by Alderman Cummings, that Council adopts the attached updated Celebration Display Bed Policy and associated new locations with an amendment that more than one organisation can avail of the celebration display if their application is successful.

Councillor Douglas welcomed that there would be six additional locations and queried the location of the display bed at Ballygowan Village Hall and the Head of Parks and Cemeteries confirmed that it would be at the front entrance and not the nearby roundabout. He further advised in response to a follow up query, that there was a separate sponsorship policy that covered roundabouts with plans to increase the number available. A report on that would be brought to a future meeting.

Councillor Douglas was concerned that a year-long arrangement for a display bed was quite a long time and would prevent other applicants coming forward. The officer advised that the timeframe reflected previous and existing demand and had been determined on the basis of community feedback. He added that the number of beds available was increasing considerably and it was felt there would be no impact in terms of meeting demand.

The proposer asked for clarity on how display beds would be allocated in the event that more than one organisation applied and the officer explained this would be done on a first come, first served basis. He added that display beds could be increased at any time and a report could come to the Committee for guidance on that.

The seconder, Alderman Cummings, felt that the alternative proposal allowed for flexibility for those groups which might, for example, want to profile an event or significant anniversary.

Alderman McRandal added his support for the alternative proposal but could understand how the officer's recommendation made sense from an administration point of view, but he agreed that a one-year arrangement was a long time. He felt that from his own experience of groups in Holywood, the timeframe may not suit many organisations who would usually consider this type of opportunity at short notice. He referred to local sports clubs celebrating anniversaries or promoting events and having a one-year display was not always appropriate. He also felt that display beds could lose their impact and could just become background if they were installed for that length of time.

Whilst not against the alternative proposal, Councillor Kendall asked how practical it was to change a display bed and planting to tie in with another theme and adapt to changing seasons. She asked if there was scope to encourage half-bed applications and the officer advised that the practicalities of moving the bed to different themes was not usually an issue as much of the feature was usually a sign or a logo. It was

more environmentally friendly than removing planting after one or two months. The feedback had shown that having the display longer was more beneficial and possible to tell the story over a longer period of time.

AGREED TO RECOMMEND, on the proposal of Councillor Douglas, seconded by Alderman Cummings, that Council adopts the attached updated Celebration Display Bed Policy and associated new locations with an amendment that more than one organisation can avail of the celebration display if their application is successful.

4. ARDS AND NORTH DOWN IN BLOOM GRANTS POLICY UPDATE (FILE PCA85)

(Appendix II)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that the purpose of this report was to align the current In Bloom Funding Policy with the Council's new Grants Policy approved by Council in 2024. Also included was a proposed increase in the grant from £1,000 to £1,250 per annum per group. This was following consideration given to the increase in inflation and feedback from community groups.

Background

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. These were in line with the objectives of national award schemes such as Britain in Bloom and regional awards such as Translink Ulster in Bloom.

Key Changes

- General alignment with the Grants Policy approved in 2024
- Expand the remit of the grants to include wider environmental improvements
- Alignment with the Council's Ards & North Down in Bloom Community Competitions and associated objectives.
- Increase from £1000 to £1250 per annum per group – this reflected inflation, feedback and could be covered within existing budgets.

RECOMMENDED that Council adopts the attached updated Ards and North Down in Bloom Grants Policy.

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

Councillor Boyle recognised the popularity, in terms of applications over the years for the In Bloom programme, and he was sure those groups would welcome the additional funding which represented a significant increase of 25%.

He asked for clarity on the changes of the policy and if this new policy was the same as the previous one but with add-ons. The Head of Parks and Cemeteries advised that as stated in the report it was to align the policy with the grants policy that was

approved in 2024 and it was expanding the grant for environmental improvements. There was further alignment with the Council's own 'In Bloom' campaign and the increase was in line with inflation given that there had been no increase in the scheme for a number of years.

Recognising the cost pressures on many of the groups that applied to the scheme, Councillor Boyle asked for some clarification around the proportion of upfront costs required to be paid by applicants and the officer explained that for grants up to £500 the full amount could be claimed in advance whereas for grant up to £1,000, up to 50% could be paid in advance. That had been the previous process and it had worked for all projects that had been delivered to date and would apply to the increased grant offering.

In response to further queries around future policy and funding reviews, the officer explained that the Council would be reviewing the policy every three years in line with the Council's wider review of policies process but the amount of funding would be reviewed more regularly given that the £1,000 limit had been in place for a number of years without any increase to match inflation.

Councillor Hollywood asked how much in total was available for In Bloom and it was confirmed that £22,000 had been available last year but the officer confirmed that he had asked for an increase from the Council's budget scrutiny panel as part of the 2024/25 rate setting process.

Alderman Adair spoke of the value that In Bloom brought to the Borough and how it would cost much more for the Council to carry out the work and make the enhancements itself. He paid tribute to the community groups for their beautiful floral displays and how their work enhanced the appearance of the Borough. He noted that In Bloom had originated in the Ards Peninsula in Portaferry by a lady called Ellie Dempster, and had grown from there. He also paid tribute to a volunteer Mrs Anne Cully who had sadly passed away. She had been the driving force behind the In Bloom initiative and his thoughts and prayers were with her family.

Returning the advance payments process, Councillor Kendall asked for further clarity on the policy and the officer advised that 50% of the total costs were paid in advance for grants up to £1,000 and that approach would continue under the new policy for the proposed increased maximum annual amount of £1,250 if included in the rates for 25/26.

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

5. TENNIS COURT PROVISION - RESPONSE TO NOM 619 (FILE LS/LA9)

(Appendix III – IV)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that in May 2024 the following decision was agreed by Council as a result of a Notice of Motion:

“That this Council notes with concern the temporary closure of Groomsport tennis courts due to issues around the safety of the playing surface. Further to this Council tasks Officers to bring back a report on Tennis Court maintenance throughout the Borough and will commit to ensuring all our tennis facilities are properly maintained and are fully accessible to all. Council will also promote the use of tennis facilities in the Borough as we approach the spring/summer season.”

ANDBC had a large number of tennis courts across its estate which were operated by the Council’s Leisure Services section to cater for a wide range of users including individual casual users, families and clubs, across a wide range of abilities from beginners to elite competitors.

The tennis courts, which were situated widely across the Borough, were provided in a number of different formats, with either a tarmac or an astroturf surface and may have been either a free to use or bookable/paid for facility. This provision was a key aspect of Leisure’s delivery towards meeting core tenets of the Council’s Corporate Plan in helping to improve health and wellbeing and aid in the promotion of active lifestyles. This was particularly seen in the smaller towns of the borough where larger leisure venues were not feasible, and the tennis courts provided a measure of equality of opportunity for all residents. The leisure strategy which was currently being compiled would highlight the aspirations of Council to continue to provide leisure facilities and to further develop opportunities in collaboration with key stakeholders including sport clubs where appropriate.

A recent review of public tennis courts in NI carried out by Ulster Tennis demonstrated that Ards and North Down Borough Council was home to significantly more public use tennis courts than any other NI Council areas, accounting for 41 of the 158 public courts in Northern Ireland.

The following table detailed the locations of the current ANDBC tennis facility portfolio.

Location	Facilities provided
Helens Bay	3 no. painted tarmac courts
Commons, Donaghadee	3 no. floodlit artificial turf courts
Cloughey	3 no. floodlit artificial turf courts
Ward Park	8 no. artificial turf courts (2 floodlit) (Excludes two assigned for playground relocation)
Comber Leisure Centre	4 no. artificial turf courts (2 floodlit, within airdrome)
Portaferry Sports Centre	1 acrylic multi use court
Kingsland, Ballyholme	4 no. painted tarmac courts

Seapark, Hollywood	4 no. painted tarmac courts
Ballywalter	2 no. tarmac courts
Groomsport	2 no. tarmac courts
Greyabbey	2 no. tarmac courts
ABMWLC, Newtownards	3 no. artificial turf indoor courts

The Ulster Tennis report also demonstrated that, many of the ANDBC courts were in poor condition. Condition surveys had been undertaken across the Council’s tennis portfolio and these had identified that a large portion of the tennis estate in the Borough was approaching the end of useable life. Officers and Elected Members had received numerous complaints about the poor condition of the courts in recent times.

Proposed Programme of Works

As with all aspects of the Council’s estates portfolio, it was necessary to consider the lifecycle of our tennis courts, continuing to plan and invest in order to ensure that Council could continue to provide these valuable assets for the Community. By investing in the refurbishment of the tennis estate more people may use the facilities, and contribute to the objectives as detailed in the leisure strategy.

As part of the 2024/25 rate setting process, Leisure Officers submitted an Artificial Sports Pitch (and artificial tennis courts) Replacement Strategy proposing the implementation of a rolling replacement programme covering the next ten-year period. Those courts within the tennis estate which had artificial turf surfaces were considered as part of that strategy, with 4 no. courts at Ward Park and 2no. courts at Comber LC prioritised for replacement in this financial year. These 6 courts had been included in recent tender exercise with a view to completing the works in the coming months. The remaining artificial turf courts would be prioritised in line with this strategy over the next number of financial year(s).

Consequently, there remained 18 hard surface courts across 7 facilities which needed to be considered for future renovations/replacement, taking into account several factors including current condition, current usage levels, operating model, future need and cost for renovation/replacement. The attached provided an overview of the key factors affecting each facility and these were further developed in the section below. Appendix. 2 provided an overview of costs associated with the proposed renovation for each facility.

An outline of provision at each of these sites and the proposed action to be taken was presented below.

Groomsport

Groomsport tennis facility was comprised of 2 no. tarmacadam, free to use public courts. These courts were closed for renovation (June 2024) due to health and safety concerns raised over the stability of the court surface. During this closure, the tarmacadam surface was re-laid, fencing was repaired and tennis nets/posts were replaced. This refurbishment had been well received by the local population with the

facility being well used since it reopened. Given that this work had been completed, it was proposed that Groomsport tennis courts did not need to be considered for further renovation at this time. It was proposed that cleaning and repainting of these courts was considered as part of Leisure's revenue budgets at a cost of circa £7,000 every 3-5 years to ensure that the courts realised their potential 20-year lifespan.

Seapark, Holywood

Currently, there were 2 operational painted tarmac tennis courts at Seapark, Holywood, with a further 2 courts which were decommissioned in 2018 due to the poor condition of the surface. The courts were operated by NCLT, were bookable/chargeable on a seasonal basis during the months of April to September (inc.) and free of charge during the months of October to March (inc.) There was no Tennis Club currently associated with this facility and usage was quite low even during the traditionally busy summer periods. In April 2024, Council released an Expression of Interest for Padel Tennis at Seapark, inviting proposals from interested external organisations with appropriate commercial expertise and experience to develop and operate a Padel Tennis (which was one of the fastest growing sports in the UK) facility at the location. Officers were currently progressing this project, with a view to progressing a procurement exercise in spring 2025. Given that this work was currently underway, it was proposed that Seapark courts were not considered for major renovation at this time. However the two currently usable courts would be maintained to provide the current level of provision until such times as the Padel Tennis project was developed.

Portaferry Sport Centre

The multiuse court at Portaferry Sport Centre was deemed to be in good condition and did not require significant refurbishment at this time. It was also worth considering that the proposed location of the Peninsula multi sport 3G pitch was adjacent to this site and therefore, similar to Seapark Holywood it would not be appropriate to invest in this facility until the 3G pitch development was sufficiently progressed to determine future needs.

Helen's Bay

Helens Bay tennis facility was comprised of 3 no. painted tarmac courts which were in relatively poor condition with damage to courts surface and surrounding fencing. The facility was operated by AND Leisure and was extensively utilised by Helens Bay Tennis Club for club training and matches. The courts were also available for hire by the general public through a current agreement with the Club who facilitated this usage.

It was notable that Helens Bay was the only Council operated tennis facility that had a registered tennis club based at it that did not have an artificial turf court surface or flood lights, with Donaghadee Lawn Tennis Club registered at Commons, Donaghadee and Cloughey Tennis Club registered at Cloughey Tennis Courts. In recent years there had been numerous requests made by Helens Bay Tennis Club to Council Officers, requesting that the facilities at Helens Bay were updated and brought in line with those available to the other tennis clubs mentioned above. It was expected that by upgrading of the court surface and adding flood lighting to the facility, Helens Bay Tennis Club could increase the amount of training/coaching available, allow members to play at a higher level, grow, attract new

players/members and hence positively benefit the local community. It was proposed to add Helens Bay tennis courts to the facility list on the Artificial Sports Pitch replacement strategy which had already received approval and progress with the upgrade at this location in line with the prioritisation process within that strategy and develop the site in collaboration with the Club with the aim of having a facility similar to the Clubs at Cloughey and Donaghadee. This would then be maintained as part of the artificial pitch/court maintenance strategy already approved. This type of initiative was very much in line with the themes developed as part of the forthcoming leisure strategy.

Kingsland, Ballyholme

Currently, there were 2 operational painted tarmacadam tennis courts at Kingsland, Bangor, with a further 2 courts which had been decommissioned due to poor condition. The courts that remained in use at this location were deemed to be in poor condition, with damage evidenced to the court surfaces and surrounding fencing. The courts were operated by NCLT, on a free to use basis. There was no club currently associated with this facility.

It should be noted that there were several alternative tennis facilities located in Bangor, with 10 Council owned artificial turf tennis courts located at Ward Park (8 of which are currently operational) and 6 artificial turf courts at the privately operated Bangor Lawn Tennis Club at Farnham Road. It followed that the provision of two free to use tarmacadam courts at Kingsland were sufficient to meet the demand for tennis in the area.

It was therefore proposed that two courts that were currently in operation at this location were renovated, bringing them up to a safe and acceptable standard, complementing the other free to use sports facilities in the area (footgolf, frisbee golf and childrens' playpark). This would bring this facility into line with free to use recreational facilities at Greyabbey, Groomsport and Ballywalter. The remaining two closed courts could then be considered for potential realisation of other leisure opportunities, linking with the upcoming Bangor waterfront development project.

A business case for the refurbishment of the two courts was to be developed and a cost of circa. £58,750 would be expected. It was proposed that, after replacement, cleaning and repainting of these courts was considered as part of Leisure's revenue budgets at a cost of circa £7,000 every 3-5 years to ensure that the courts realise their potential 20 year lifespan.

Ballywalter

Ballywalter tennis facility was comprised of 2 no. tarmacadam, free to use public courts, operated by AND Leisure. These courts were deemed to be in poor condition currently with evidence of damage to both the courts surface and surrounding fencing. Whilst there was no current usage information for these courts, they were seen to be a valuable asset for the local community, complementing the beach and playpark in a rural town with few alternatives for active leisure activity.

It was therefore proposed that two courts that were currently in operation at this location were renovated, bringing them up to a safe and acceptable standard for continued use. A business case for this work was to be developed and a cost of

circa. £48,670 would be expected. It was proposed that, after replacement, cleaning and repainting of these courts was considered as part of Leisure's revenue budgets at a cost of circa £7,000 every 3-5 years to ensure that the courts realise their potential 20 year lifespan.

Greyabbey

Greyabbey tennis facility was comprised of 2 no. tarmacadam, free to use public courts, located beside Greyabbey Community Centre operated by AND Leisure. These courts were deemed to be in poor condition currently with evidence of damage to both the courts surface and surrounding fencing. Whilst there was no current usage figures available for these courts, they were seen to be a valuable asset for the local community in a rural town with few alternatives for active leisure activity.

It was therefore proposed that two courts that were currently in operation at this location were renovated, bringing them up to a safe and acceptable standard for continued use. A business case for this work was to be developed and a cost of circa. £46,540 would be expected. It was proposed that, after replacement, cleaning and repainting of these courts was considered as part of Leisure's revenue budgets at a cost of circa £7,000 every 3-5 years to ensure that the courts realise their potential 20-year lifespan.

In summary ANDBC had the most extensive portfolio of tennis court provision spread throughout the Borough when compared with other Council areas in Northern Ireland. The recently approved artificial surfaces maintenance plan would ensure those courts that currently had this type of surface will continue to be maintained to the highest standard to facilitate Club and recreational use in-line with the aims of both the current Corporate Plan and the forthcoming leisure strategy. This report detailed the remaining courts across the Borough and proposed a similar refurbishment process with an initial capital expenditure of approximately £280,000 and a further approx. £28,000 every three to five years for repainting/maintenance.

The report also proposed that the Courts at Ballywalter, Greyabbey, Groomsport and Kingsland remained free to use to encourage leisure pursuits whilst the higher standard and more costly courts were located where there was Club and casual demand for a higher standard which would then incur charges comparable with other chargeable leisure facilities.

In regards to the Notice of Motion request to market the tennis facilities, the Council's Leisure team and NCLT/SERCO undertook a campaign of promotion of tennis facilities on social media and through direct contact with Members throughout the Summer and this would be continued in the future.

RECOMMENDED that Council notes the update report to the Notice of Motion and approves the proposals for the way forward, subject to the annual rates setting process and approval of the Outline Business Cases as highlighted in the report.

Proposed by Alderman Adair, seconded by Councillor Cochrane, that Council agree the recommendation and further task officers to bring forward a report with a view to

extending the provision of lighting to Free to Use Tennis Courts and MUGAS to promote greater use of these facilities in the evening.

Welcoming the investment, Alderman Adair thanked his colleagues Councillor Thompson and Councillor Cochrane for bringing the above Notice of Notice of Motion.

He was delighted to see proposed investment for Greyabbey and Ballywalter and welcomed the opportunities this would create for children and young people. He felt there needed to be free to use tennis courts with sensory lighting in order to accommodate use in the evenings.

He referred to a MUGA in Kircubbin which could be utilised in the evenings and constituents had wondered why it was not available. He was now looking for a report to come forward with regard to installing the lighting which would only be used when activity was taking place. This would enhance facilities and allow for better usage and it would be an important step for health and wellbeing throughout the dark winter nights.

The seconder, Councillor Cochrane supported the alternative proposal and appreciated the value of enabling people to be active throughout the winter months. He thanked officers for a comprehensive report and the work undertaken in Groomsport and this was also a good report for other areas of the Borough. Referring to Donaghadee, he asked for clarity on why lawn tennis clubs were not mentioned in the report and the Head of Leisure Services advised that the report had dealt specifically with tarmac surfaces and there was another already approved process that looked specifically at synthetic surfaces which would include Donaghadee.

In relation to Helen's Bay Tennis Club, Alderman McRandal was delighted that the works would be progressed and he noted that Councillor McCollum had met with the Head of Leisure Services and club representatives recently so he was thankful for the update. He asked for clarity on the proposed surface replacement and it was advised that this would be replaced with an artificial grass type surface and would be included in the synthetic pitch policy going forward. The officer explained that the Council would be liaising with the club on that matter. In response to a further query around timelines, the officer explained that the proposed budget for the surface replacement if agreed in the rates would be available in the new financial year.

Reflecting on the alternative proposal, Alderman McRandal said he would be happy to support the request of a report coming back to the Committee but wanted to see a cost benefit analysis along with existing usage figures versus projected usage figures.

Councillor Kendall noted that Seapark had been an ongoing issue and referred to frustrations over the tennis courts there, so she hoped to share some information on the progress. She also requested an update on the plans for a padel tennis court at the site in the hope of being able to provide a positive update on the proposed timeline of that procurement exercise.

The Head of Leisure Services explained the challenges faced by the Council's Procurement team and the requirement for a procurement exercise given the significant response to an expression of interest exercise for a potential delivery partner. He referred to further complications given that this would be taking on the responsibility for existing clubs and sports that were accommodated at Seapark. He explained that a procurement exercise would therefore take some time.

In relation to the two tennis courts already in use, he explained that those would be maintained and kept available for use.

Given the complexities around the procurement exercise and uncertain timeline involved, Councillor Kendall appreciated the assurances that the standard of the existing courts would be maintained for now.

The Deputy Mayor, Councillor Chambers, had no issue with the proposal but wanted to see the potential impact that lighting could have on neighbouring properties.

He welcomed the improvements in Groomsport which were indeed welcomed by the community. He recalled previous discussions of a MUGA at the site and wondered if there had been any mention of that possibility since. The Head of Parks and Cemeteries advised that this would be looked at in an upcoming review of the relevant strategy due by Winter 2025.

In a separate matter in relation to Ward Park, Bangor, the Deputy Mayor queried ongoing work at one of the unused tennis courts and the officer explained that the Council had agreed for the relocation / installation of Tier 1 play park at that location and the existing play park site near the library would become a dementia friendly garden.

Councillor W Irvine referred to Kingsland tennis courts and noted two courts were not being used currently and asked if any other usage could be undertaken there and the Head of Leisure Services explained that no alternative use had been identified at this stage and this was still a blank canvas and Council could look at any suggestions. He explained that Ward Park was providing more than the required number of tennis courts for the area but two at Kingland would be resurfaced, and the longer-term future of the site was part of a stakeholder engagement process in relation to the bigger waterfront project.

In a further query, Councillor W Irvine asked if there had been any interest in establishing a tennis club at Ward Park but the officer explained that while Council had a very proactive Sports Development team available to assist any new club there, the formation of sports clubs had to be community led and was unaware of any club approaching that unit to date.

In summing up, Alderman Adair thanked Members for their contributions and accepted the Deputy Mayor's comments around potential impacts of lighting on neighbouring properties. In response to Alderman McRandal's comments he argued that it would not be possible to provide current usage figures if the courts were not in use in the evenings currently and a cost analysis was impossible when it was free of

charge to use the facility. He thanked Members for their support and reiterated the benefits of enabling people to become more active in the evenings.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Councillor Cochrane, that Council agree the recommendation and further task officers to bring forward a report with a view to extending the provision of lighting to Free to Use Tennis Courts and MUGAS to promote greater use of these facilities in the evening.

6. CLANDEBOYE PARK MAINTENANCE AND ENHANCEMENT - RESPONSE TO NOM 629 (FILE PCA134)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that in September 2024 the following Notice of Motion was agreed by Council.

“That this council notes that significant investment was previously made to deliver a play park, MUGA and amateur league sized football pitch on the Clandeboye road. Notes with regret there have been ongoing issues with the pitch. Instructs officers to reinstate the goalposts and mark out the pitch so that it can be played on by the local community. Furthermore, following consultation with the local community, that a report is brought back regarding the longer-term maintenance and enhancement of the site, to ensure any necessary provisions can be considered during the rate setting process to ensure that the football pitch is fit for purpose and can be used as previously agreed.”

Background

In 2015 a project was completed with the installation of a children’s play park, MUGA, and a recreational grass pitch that met intermediate “adult standard dimensions]” i.e. 90 metres in length and 55 metres wide. The project was delivered on a former grass open space that included engagement with the local community into the specification of the components of the project.

At the time of its inception, there was no requirement for Leisure Services (or its 3rd party service deliverer) to manage any aspect of the facility rental as other intermediate sized pitches within the Borough. Once completed in 2015, the facility was then maintained by the Parks and Cemeteries Service as a free to use pitch with no formal play.

In September 2024, a decision was agreed requesting that the Clandeboye recreation space line marking, and goal posts be reinstated and a report on enhancing site be produced. The purpose of this report was to focus on the recreational grass pitch and would look at options for the future provision of the facility along with projected costings.

From its inception, the pitch had been subjected to significant anti-social activity including dog walkers not picking up after their animals, unattended dogs digging up the surface, commercial dog training operators, golf users and in some cases motorcycle usage. In addition, the pitch was constructed as a sand-based playing

surface, this had compounded the anti-social issues and associated damage. This sand-based playing surface was not appropriate for the location or for the intended community use. Sand-based pitches would normally be used with built in watering systems and played within more professional football circles.

These issues had significantly impacted on the quality of the playing surface to the point whereby it was unsafe for play and was currently used as a grass recreational space. Throughout the history of this site the space had seen many periods of no play due to anti-social activity and the vulnerability of the sand-based structure of the pitch. Goal posts were last in place in Spring 2021, but due to the condition of the pitch and for Health and Safety reasons they were removed.

The posts themselves were decommissioned as they did not meet the appropriate British Standards i.e. the Goal Posts did not conform or were tested to BSEN748:2004 and BSEN16579:2018. Although the football pitch was designed for adults, in reality the pitch had mostly been played on by younger children using only one end of the pitch as a kick-about-area.

Upon recent inspection, while there had been a significant improvement in grass cover on some areas of the pitch and drainage no longer appeared to be an issue. There were many areas of weakness, and damaging activity including dogs digging holes continued to be a significant issue. At present it was not possible to erect posts as requested at pitch without further investment in the pitch and appropriate agreement from the local community as to their requirements, given the investment required.

To address the issues raised in the Notice of Motion, Officers had developed several options for consideration and would now engage with the local community in this regard in order to deliver a fit for purpose facility that best met the local needs.

Proposed Options

- **Option One** - Retain as a recreational grass area with no provision for formal sport through the erecting of football posts. This option would provide opportunity for further engagement with residents and other key stakeholders as to the use of the area. Some possible examples include provision of community event space, a seating area or community garden and orchard.
 - Informal play and sport could continue
 - Opportunity to maximise community use.
 - No additional costs.
 - This did not meet the requirements of the Notice of Motion
- **Option Two** - Reinstate as a recreation grass pitch to intermediate dimensions with full size goal posts. It should be noted that this would be for informal play and would not meet league requirements due to lack of changing facilities. The pitch would also be subject to closure periods to allow for seasonal renovation works. The pitch must be a minimum of 90m in length with a minimum width of 55m to meet this standard. Significant investment would be required to get the pitch into a safe and playable condition with ongoing annual costs. Work required was summarised below.

- Year 1 costs of approximately £42,000 (subject to procurement exercise) to get the pitch into a playable condition in order to meet full size safety standards. Costs would also include purchase and erection of full-sized goalposts and any necessary ball-stop fences. Due to the nature of the improvements required it was envisaged that work would not be completed until late autumn of 2025.
 - Significant annual maintenance (£27,000 per annum) would be required due to the nature of a sand-based playing surface and a specialist contractor would need to be used. Sand-based pitches were not suitable for community use as they 'dig-up' too quickly in winter and in Summer were too hard to play on without aeration.
 - As existing grass heights would need to be lowered, this would weaken the sand-based pitch if misuse and/or community play was undertaken.
 - Due to the nature of the pitch setup, daily inspections would be required, as staff would be unaware of user play times. Pitches on this type (intermediate dimension) within the Borough would normally have shared inspections with league club referees, but this was not possible due to the non-bookable status of the pitch.
 - If the present anti-social behavior was to continue it may not be possible to continue sustained usage without significant further investment i.e. security fencing around the pitch may be required and period of no play would be inevitable.
 - Due to end of season maintenance requirements a decision on either summer or winter play would need to be made i.e. no continuous play was possible.
 - This pitch size would not be suitable for younger children or informal play.
 - Although this option met the requirements of the Notice of Motion, it could not be recommended by Officers as previous attempts to provide an intermediate dimension pitch had failed for reasons identified above. In addition, this option was a significant Health & Safety risk for the present users i.e. children under 16 years of age and did not meet their recreation or play and sporting needs.
- **Option Three** - Reinstate the recreational grass pitch to create one small-sided games pitch across the site. The site dimensions would allow for a standard 7-a-side pitch, using approximately half of the green space. This type of facility was more conducive to community-based facilities like that of Clandeboye Road.

Providing one small-sided games pitch means the post could be moved to the other side of the site during renovation works, allowing for year-round provision.

- Approx. Year One Costs: £7,500. Costs would also include purchase and erection of small-sided games goalposts.

- Due to the limited nature of the improvements required it was envisaged that work could be completed by spring of 2025.
- Limited additional maintenance would be required and could be met within existing revenue budgets.
- As existing grass heights would be maintenance, this would protect the sand-based pitch from misuse and community play.
- Due to the nature of 7-aside pitches no or limited lines could be used compared to a full-sized pitch.
- It was envisaged that a ball stop fence was not required.
- The existing surface requires limited additional annual improvements and could be carried out in house and within existing budgets.
- Due to informal nature of the pitch setup and associated risks, weekly inspections would be required.
- All year-round play could be accommodated as posts could be moved to accommodate end of season maintenance.
- This met most elements of the Notice of Motion

The above options were summarised below.

	Option 1	Option 2	Option 3
Additional Costs in Year 1	£0	£42,000	£7,500
Additional Costs per annum	£0	£27,000	£0
Additional Maintenance Work in Year 1	n/a	External	Internal
Additional Maintenance Work per annum	n/a	External	Internal
Maintenance – Low or High?	Low	High	Low
Suitable for Informal / Formal Play?	Informal	Formal	Either
Safety Risk	Low	High	Low
Number of Users per game	n/a	22	Up to 14
All year-round play	Yes	No	Yes
Implementation Date	Immediate	Autumn	Spring

Finally, Officers had met with Elected Members for the area on a number of occasions and discussed these ideas, and it was widely accepted that a formal grass pitch to intermediate dimensions with changing facilities to enable competitive league play was not what was originally envisaged.

RECOMMENDED that Council notes the above and agrees to progress option three which reinstates a suitable and realistically manageable community pitch at Clandeboye Park and that community consultation will then be carried out in relation to all of the options and that officers will bring back a further report on the longer-term way forward.

Proposed by Councillor McClean, seconded by Councillor Kendall, that Council adopts option 2 - reinstate the football pitch to intermediate dimensions with full size goal posts; and that the necessary work is undertaken immediately to bring the pitch to a safe and playable condition as soon as possible.

Councillor McClean explained that the promise of an intermediate sized pitch had been made 10 years ago to this community and that it was agreed in October following adoption of the Notice of Motion, that officers would reinstate the goal posts and pitch markings in line with that original commitment. He argued that the suggested Option 3, in the officer's recommendation within this report fell short of that promise.

The proposer wanted Council to start work as soon as possible and while he appreciated that the pitch had not been constructed properly initially, with too much sand, the burden of that should not fall on the community, it was the responsibility of the Council.

He added that his proposed action had already been agreed and that funding was already available for the work which should have been undertaken before the Committee saw any further report such as this one.

Referring to the higher maintenance costs estimated for Option 2, he argued that the use of the facility, for informal play, would not require maintenance to that level and he hoped that wear and tear on the pitch would not be as grievous as officers had forecasted in the report due to the noncompetitive nature of the intended use.

While he could understand the officer's suggestions for a smaller sized pitch, that did not take into account the strong community feedback that called for an 11 a side pitch and the previous commitment from the Council to provide one. He emphasised that by the term community, he was not referring to one community group, it was all of the community including the church and school. The feelings had been reflected in the large volume of emails that Members had received on the matter.

It was felt that the pitch would help to address antisocial behaviour and keep children and young people out of trouble – he added that some were in very vulnerable positions. While he appreciated that everyone may say the same about communities in their own DEAs, Clandeboye was an extraordinary community and there was genuine need.

In closing, Councillor McClean felt there was a lot of work for Council to do in terms of repairing the trust with this community and it was now very important for the Council to keep its word and deliver on its commitment.

The seconder, Councillor Kendall, was content to second the proposal explaining that this was not the first time the Council had let down a community which had worked hard for something.

Her party colleague Councillor McKee had been working along with other members to address this need and while there was significant outlay involved, it was not the fault of the community that the pitch was installed incorrectly in the first place. She noted that the community had been consulted back in 2014 and she did not want the Council to fail on delivering on commitments made during that interaction. The Council had to act on its responsibility and treat people fairly. Councillor Kendall had seen other communities benefit much faster and it was time to show that Council

delivered on its promises and rebuild the trust with this community. She felt that the alternative proposal by Councillor McClean would help to achieve that.

Rising to support the alternative proposal, Councillor Hollywood hoped that it would be the last time this would be discussed in the Chamber and the work would be progressed as soon as possible. He recalled the history of the issue, going back 10 years which had seen many errors made and it was now important to address those.

The community was suffering, and it was an encumbrance of the Council to rectify that situation. He explained there were multiple levels of need in the area and incredible volunteers were providing many initiatives for food, clothing and youth provision.

He spoke about the barriers presented to the community who had been denied a space for young people to emulate their heroes, chase a ball with the same freedom and fervour, to mimic the skills of professional footballers and to dream of one day gracing the pitches of grand stadiums which was a right of childhood. He added that the seed of ambition should be nurtured and not neglected and this Council's inaction was more than delay, but a denial of opportunity. He spoke about this being a barrier to the aspirations of young people who deserved to feel properly maintained grass under their feet, to learn teamwork and to learn resilience and joy in a space that truly reflected their dreams and aspirations.

It was now time for Clandeboye's promise to be fulfilled and the children of the community to have their rightful place to grow learn and dream big in their favourite sport.

He hoped that Members could support Councillor McClean's proposal and ensure that this was delivered promptly and that lines were drawn and goalposts put in place without delay.

Councillor McBurney added her support to the proposal and said it was the Council's role to represent the needs of constituents and on this occasion the needs of Clandeboye had been neglected. She pointed to the Notice of Motion which had been agreed by Council in October and should have been actioned as a priority to address the antisocial behaviour concerns. Councillor McBurney spoke of the need for urgency in providing an operational football pitch for the community and questioned why the timeline for Option 3 was much shorter than Option 2. She also asked why the changing rooms had been included in the report given they were never included in the community engagement. This was a matter of frustration for the community, and she understood that members of the community were adamant that they had never discussed changing rooms in any of the previous engagement and felt that its inclusion was unnecessary and misleading.

The Head of Parks and Cemeteries explained that the complexities of each option were reflected in the timelines. Procurement process for example would differ with a quotation only necessary for a junior pitch and a possible tender process required for a larger one. Maintenance requirements also differed. In terms of the changing facilities, those were included because they would usually be required for an Intermediate standard pitch but that was only added in to clarify that point had been considered but removed.

Councillor Boyle queried the history of the Council's commitment to install the pitch and was able to establish that it was a legacy North Down decision which he found to be bordering on embarrassing given the timescale. He admitted to not having heard much of the issue in the Council Chamber given the length of time it had gone on and suggested that Bangor West DEA members should have taken more action on the issue.

He felt it was an issue of equality and respect, and he believed that nobody wanted to promote equality more than himself and he felt this situation was not promoting equality but depriving and ignoring and failing a community and nobody should be proud about that. As an Ards and North Down Sports Forum member, he was disappointed to hear that a community was being told that it could not have a football pitch and that was also telling people of that community that they may never be able to attend one of this Council's sports awards ceremonies because the Council never gave them a chance.

Continuing, Councillor Boyle felt that this was a case of knowing the cost of everything and the value of nothing. He was happy to support the proposal by Councillor McClean and hoped overall the Council would support this and stop a large community being ignored, deprived and denied.

Adding his support, Councillor W Irvine commented that the situation had gone on too long and clarified that the community had no desire for changing facilities. It was a pitch for children and adults to play on and was supported throughout the community including by the church and school and he hoped the work would progress as soon as possible.

He queried the £27,000 maintenance costs and asked if those would have been included originally when the pitch was installed and the officer explained that while this was a free to use pitch with no revenue generation it would still have to be maintained the same way as all other pitches of that standard that were normally leased to or primarily used by football clubs.

Councillor W Irvine noted the requirement for daily inspections of the site and wondered if that was overkill and asked if the officer felt it was necessary.

The officer explained that this was the maximum requirement but a risk assessment would be undertaken to determine the frequency of those inspections. He explained that pitches in most of the Borough were rentable and managed by clubs and inspected by club officials and referees with regard to the condition and safety of the playing surface. The Clandeboye pitch would not have that oversight so the pitch would need to be checked more regularly to protect the Council. He explained that it was not a format that the Council normally worked with.

Alderman Adair commended members in Bangor West for coming together on this. It reminded him of the Portavogie 3G pitch situation and the little progress had been made resulting in deadlock and delay. He defended his Bangor West colleagues from Councillor Boyle's claims of neglecting the matter, arguing that this was unfair given that some Members had only served on the Council for a short time. He added

that Councillor Gilmour had continuously campaigned on the matter since taking up her seat in Bangor West in 2019, along with former Council Member, Marion Smith.

He hoped that this meeting would bring an end to the matter and he urged Members not to let this go. He complained about the pace of decisions and Members should be fed-up of moving at tortoise pace.

Adding his support, Councillor S Irvine felt it was now time for the Council to right its wrongs on the issue. This was an investment in Clandeboye community and the work that people did there was vital. He called for it to be progressed as soon as possible

In summing up, Councillor McClean thanked Members for their supportive comments. He hoped that the Committee's support of this would bring comfort to the long-suffering community members, some of whom were in attendance in the public gallery.

He went on to explain the level of deprivation within the community and provided an example of a recent initiative by senior youth club members who held a free fashion event, collating donations of high quality second hand clothing. There were 90 items donated on the night and only 20 items now remained. He praised the calibre of those people involved, an example of the good work undertaken by a community that was operating on a shoestring.

He praised the remarkable work of the community and believed they were delivering services that, without their help, the Council would have to undertake itself.

It was now important for the Council to keep its word on the commitments it had made and he would now look for regular updates on the progress of that to ensure the commitment in the Notice of Motion was delivered.

AGREED TO RECOMMEND, on the proposal of Councillor McClean, seconded by Councillor Kendall, that Council adopts option 2- reinstate the football pitch to intermediate dimensions with full size goal posts; and that the necessary work is undertaken immediately to bring the pitch to a safe and playable condition as soon as possible.

7. **ARDS AND NORTH DOWN SPORTS FORUM GRANTS (WG DECEMBER 2024) (FILE SD151)**

(Appendix V – VIII)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that on the 26 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 up to £1,000. £45,000 had been allocated within the 2024/2025 revenue budget for this purpose. In October 2024, Officers advised Members that an additional sum of circa £11,000 could be required above the £45,000 budget agreed for 2024/25 to meet the expected level of applications based on current trends of the grants scheme year to date and subsequently, Council

approved the allocation of funding to facilitate all eligible requests for the remainder of the year with the surplus being sourced from the ABMWLC surplus income targets.

During November 2024, the Forum received a total of 7 applications: 1 Coach Education, 3 Goldcards, 2 Individual Travel Accommodation Grants and 1 Schools Sports Club Pathway Grant. A summary of the 7 successful applications are detailed in the attached Successful Coach Education, Successful Goldcard, Successful Individual Travel/Accommodation and Successful Schools Sports Club Pathway Appendices.

2024/25 Budget £45,000	Annual Budget	Proposed Funding Awarded November 2024	Remaining Budget
Anniversary	£1,000	£0	-£1,999.90
Coach Education	£3,000	*£200	£1,195.00
Equipment	£14,000	£0	*-£5,289.41
Events	£6,000	£0	£869.46
Seeding	£500	£0	£500
Travel and Accommodation	£14,500	*£350	-£5,465.07
Discretionary	£1,000	£0	£1,000
Schools/Sports Club Pathway	£5,000	*£430	£4,570
3 Goldcards Awarded in October (46 Goldcards in total during 2024/25)			

*The proposed remaining budget for Coach Education of **£1,195.00** was based on a proposed award this month of **£200** and withdrawn costs of **£500**.

*The proposed remaining budget for Equipment of **-£5,289.41** was based on reclaimed costs of **£328.91**.

*The proposed remaining budget for Travel and Accommodation of **-£5,465.07** was based on a proposed award this month of **£350** and withdrawn/reclaimed costs of **£881.57**.

The proposed remaining budget for Schools Sports Club Pathway of **£4,570** was based on a proposed award this month of **£430**.

The proposed remaining budget for 2024/25 was **-£4,619.92** (110% of the 2024/25 budget spent).

RECOMMENDED that Council notes the November 24 grants that have been administrated and approved by the Ards and North Down Sports Forum, in line with the Councils Grant Policy effective from 5 December 2024.

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

8. **PLAY PROVISION IN BALLYHALBERT – RESPONSE TO NOM 598 (FILE CW4)**

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that in November 2023 the following Notice of Motion was agreed by Council.

“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”

Council Officers had met with the Principal of the Victoria Primary School and a representative from the Education Authority regarding the piece of land at the front of the school, which was currently a grassed area. The Principal and Education Authority Officer confirmed that the school currently used this piece of land for school sports and curriculum activities that could be carried out outdoors, as they had limited useable land around the rest of the school for such activities. They also facilitated community events on this piece of land, such as a family fun day over the summer. They were currently considering their requirements for Special Educational Needs (SEN) provision, which may have required additional accommodation space and a potential reconfiguration of the site. Given the current and potential future requirements of the school they would not be able to consider any alternative use of this piece of land at present.

In relation to the current play park in front of the school and its potential refurbishment, the timing for this was determined by the annual Independent Inspectors Report, which outlined the worst scoring play parks across the Borough, with those with the lowest scores being prioritised for refurbishment, this approach was outlined in the current Play Strategy. This play park had not yet featured as one of the lowest scoring play parks, therefore it would not be refurbished until it was identified as one of the lowest scoring play parks.

As outlined in the Play Strategy this play park had been identified for a Tier upgrade from its current Tier 2 to a Tier 1 to better serve the population in Ballyhalbert and increase the tourism potential of the area. A separate report would be brought to Council in due course outlining the refurbishment list for 2025/2026 within available budgets.

In relation to the enhancement of recreation and sports facilities for the village and surrounding area, Officers would, subject to the rates setting process regarding the required budget, progress a feasibility study in financial year 2025/2026. If a budget was approved, the study will assess availability of land in the area that could be used for sport and recreation. It would furthermore consider the practicality of any proposals, analysing their viability and potential cost implications. Once the feasibility report was complete, a further report would be brought to Council on the findings.

RECOMMENDED that Council note the above report and that officers will consider the delivery of a Tier 1 play park at the current location in front of the Victoria Primary School when it is identified for refurbishment in the Independent Inspectors Annual Report, subject to the rates setting process in line with available budgets and external funding opportunities as they arise.

Proposed by Alderman Adair, seconded Councillor Cochrane, that Council agrees the recommendation and further tasks officers to consider the provision of MUGA for Ballyhalbert as part of the planned feasibility study for a green open space/park in the village.

Alderman Adair welcomed the report, adding that Ballyhalbert was unique and that its population had quadrupled due to housing development over recent years. However, the development had not included facilities and amenities and while the playpark installed in 2004 had served the community well, it was no longer viable for the growing population and access needs of the village.

He hoped that the review would be published soon and Ballyhalbert would be on that list. The NOM was for a MUGA to ensure children had a safe place to play, but that could no longer go ahead at Victoria Primary School, and he took on board that the site would not be large enough.

Alderman Adair hoped that the Council could keep that situation alive however as this was the only village with no open green space and he welcomed a feasibility study was planned to address that. A MUGA would be a good option and he did not want to kill that element of the project. Ballyhalbert was seeing investment now and he hoped Members could support it and the Council could deliver for the village and allow it to catch up on overdue investment.

While the recommendation offered a level of commitment Councillor Boyle was happy to support the alternative proposal. Representing the Ards Peninsula for 20 years, he believed it was a different place now but not a lot had changed in terms of facilities and in that respect, it was lagging behind other areas. It was important to keep focus on the recommendation but options needed to be kept open and he welcomed Alderman Adair's proposal.

(Councillor Hollywood withdrew from the meeting - 8.09pm)

In summing up, Alderman Adair thanked the Committee for its support and the Head of Parks and Cemeteries for his work and enthusiasm which was greatly appreciated.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Councillor Boyle, that Council agrees the recommendation and further tasks officers to consider the provision of MUGA for Ballyhalbert as part of the planned feasibility study for a green open space/park in the village.

9. **NORTH DOWN COSTAL PATH WORKING GROUP (FILE CW30)**

(Appendix IX)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that the meeting of the North Down Coastal Path Working Group was held on 30 September 2024. The minutes of this meeting were attached for members information.

RECOMMENDED that Council note the attached minutes.

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

10. **MAINTAINING BEACHES AND OUR COASTAL ENVIRONMENT - RESPONSE TO NOM 585**

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that in November 2023 the following Notice of Motion was agreed by Council:

“That Council recognise the value of our beaches and coastal environment to our residents and tourists alike note the new DAERA 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 DAERA regulations to ensure our beaches continue to be a clean, safe, attractive and well-managed coastal environments.”

In January 2024 a further decision was taken in relation to this issue as follows.

“that Council notes the ongoing work to deliver appropriate sustainable management of our beaches and coastal environment including proactive and reactive cleaning in line with all existing regulations and furthermore that this Council tasks officers to bring forward a report on the possible installation of Beach Bio Security Sanitation Units including any potential funding opportunities for them and possible locations. The report should also explore how the equipment in these stations could be used to clean our beaches mechanically to comply with DAERA regulations, ensuring that beaches continue to be clean, safe, attractive and well-managed coastal environments.”

Many of the Borough's beaches were incredibly popular places for leisure time. Whether it be for play, walking the dog, water sports, or just to relax, each year thousands flocked to beaches bringing economic benefits to coastal communities. As well as having huge benefits for our economy and wellbeing, sandy shores were also ecologically very important habitats, supporting a large amount of life. Sandy shores also sapped energy from waves as they broke on the shore, providing a natural sea defence for our coastal towns and villages.

Rough seas, higher tides and strong winds can cause large amounts of marine material such as seaweed to get temporarily washed up on beaches regularly around the Borough. Warmer seas could also be a contributory factor, the Marine Conservation Society says UK sea temperatures had risen 2°C in the past 40 years. Research suggested that cold water seaweeds were moving further north where it was cooler, while the range of warm water species was expanding.

Council managed several coastal locations including many beaches throughout the Borough. All maintenance activities on these foreshore's were restricted under legislation and governed by Northern Ireland Environment Agency (NIEA). The NIEA was an Executive Agency within the Department of Agriculture, Environment and Rural Affairs (DAERA). In addition, The Wildlife and Natural Environment Act (NI) placed a statutory duty on all public bodies (including Council) to "further the conservation of biodiversity in exercising any function."

Coastal and marine habitats were increasingly understood to have great benefits to humans in a multitude of ways. These 'ecosystem services' included improved water quality, sequestration of carbon, provision of seafood and other products, recreation, flood and erosion risk reduction, health and wellbeing benefits, and cultural services. These complex ecosystems, when allowed to function naturally without excessive pollution or physical modification, they would process and remove nutrients and other pollutants from the water.

Biosecurity referred to measures aimed at preventing the introduction or spread of harmful organisms (e.g. viruses, bacteria, plants, animals etc.) intentionally or unintentionally outside their native range or within new environments. Strong biosecurity measures were an essential element of a ecosystems management plan where the seaweed along a coastline was being disturbed through mechanical cleaning. For example, a 'bio-security sanitation unit,' was a method for cleaning down large vehicles as they entered and left coastal environments, to ensure they did not transfer material that would be damaging to the abundance of habitats and species that existed there. No specific 'Beach Biosecurity Sanitation Unit' existed in the retail market, moreover, the process of sanitation measures was developed when a management plan was required. No external funding streams had been found to support such management plans outside of existing resources. A 'Beach Biosecurity Sanitation Unit' would need to be built at each beach site and Officers had surveyed our beaches and found that this was not practical or sustainable financially or environmentally.

Council was responsible for cleaning amenity and recreational beaches under their ownership. Managed beaches required to be cleaned of litter and other materials harmful to the environment. Litter was picked regularly by Parks and Cemeteries staff, as well as groups of willing volunteers across the borough. The definition of litter did not apply to seaweed, and the presence of seaweed was beneficial to beach ecology. Mechanical cleaning of beaches carried out near sand dunes or other sensitive beach areas could have significant impacts on the habitats and species supported here. While the implementation of a sanitation unit did allow for the cleaning of large mechanical equipment as outlined above, this process was not required for Council to keep beaches clean.

Seaweed did form an integral part of a beach ecosystem, providing food and stability to the sand structure. As mentioned in criteria for the Blue Flag Award Scheme (section 10): 'Seaweed was a natural component of the littoral (intertidal high-water mark to foreshore) ecosystem. The coastal zone must also be considered as a living and natural environment and not only as a recreational asset to be kept tidy. Thus the management of seaweed on the beach should be sensitive to both visitor needs and littoral biodiversity' (2). In some instances, the strandline was therefore handpicked to remove litter while the seaweed remains.

The Ards and North Down Local Biodiversity Action Plan 2022-2032 (LBAP) recognised that the biggest threat to biodiversity at a global, regional and local scale is the loss of natural habitats and fragmentation of existing habitat into smaller pockets. Much habitat loss and fragmentation had occurred because of our increasing human population which had required us to replace natural habitats with land that is used for agriculture, housing, leisure activities, commercial units and industrial complexes.

Many species require habitats of a certain size to thrive and when this habitat was lost or becomes too small to sustain such species, local extinction of that species can result.

The presence of Seaweed could also play an important role in the development of Sand Dunes, an important feature to slow coastal erosion. The size of the sand particles, direction of winds in the coastal zone, as well as the size and extent of vegetation on the coastline, were fundamental properties that governed the size and shapes of dunes in coastal settings. The development and growth of dunes derive from the beach when the wind was blowing in an onshore direction.

Sand accumulated to create a dune system when the wind carrying the sand encountered an obstacle. Piles of seaweed could provide such an obstacle, causing the velocity of the wind to locally decrease, at which point the transport of the sand ceased, and it was deposited. Most often, the obstacle that created large continuous sand dunes was salt-water tolerant vegetation, either beach grasses or shrubs and trees depending upon the climate of the region. Vegetation, therefore, promoted the deposition of sand and acted to stabilize the dune system because of rooting.

Coastal flooding and erosion were an environmental process that had an impact on people, property and the environment. Management of flood and erosion risk to people and property had, in turn, had a significant impact on the inland and coastal environment. Coastal floods were among the biggest risks Northern Ireland faces. The need to manage these risks often led to extensive construction of hard defences such as sea walls around the coast. These structures could cause disruptions to natural coastal processes that, in combination with sea level rise and storm surges, threatened coastal habitats such as sand dunes. The formation of natural sand dunes could reduce the need for such hard defences.

Again, the LBAP recognised that Increased storm surges were predicted to be one of the impacts of climate change. Fully functioning coastal and wetland ecosystems would help to absorb some of the impact, such as flooding. Nature-based solutions

to climate change were urgently required. Nature based solutions to climate change, involve conserving, restoring, or better managing land.

Officers were aware that some beaches may look like they were receiving mechanical cleaning when compared to others, however this was often not the case. Seaweed was found on some beaches but not on others due to factors such as currents, wave action, wind direction, and topography of the beach. Beaches with strong currents and waves were more likely to have seaweed washed up on shore, while sheltered beaches may have had less seaweed accumulation. Additionally, the presence of marine life that fed on seaweed could also impact its abundance on certain beaches.

Almost all coastal beaches within the Borough were within an Area of Special Scientific Interest (ASSI) and Special Protection Area (SPA). Over the past number of years significant conditions had been placed on Council when carrying out mechanical cleaning and clearing of marine material such as seaweed. As a result, except in extreme situations, we had a proactive cleaning programme of manual litter collection by our Beach Ranger Service and permitting the tidal flows to disperse deposited seaweed etc. This was in line with current regulations and Blue Flag Award Scheme recommendations. This approach had had significant environmental benefits in reducing the loss of sediment from the foreshore and allowing coastal grasses to colonise to reduce the impact of coastal erosion. Furthermore, by not extensively removing seaweed material, we were encouraging a greater variety of wildlife species to these feeding areas.

The Outer Ards ASSI/SPA was important for a range of bird species, and those would feed on invertebrates amongst the seaweed so removal of significant volumes of seaweed may have had an adverse impact on the birds and other wildlife.

RECOMMENDED that Council notes the above report in relation to the installation of Beach Biosecurity Sanitation Units and the steps being taken to ensure our beaches are well-managed sustainable coastal environments in line with current regulations.

(Councillor Hollywood returned to the meeting – 8.12 pm)

Proposed by Alderman Adair, seconded by Alderman Cummings, that the Council commits to improving the management of its amenity beaches in line with our Bio Diversity and Tourism Strategies by tasking officers to organise a fact finding study to beaches in both Causeway Coast and Glens Council & Newry Mourne and Down Council to explore options for best practice in maintaining our beaches in line with DEARA regulations presenting a report to Council with options for tangible improvements including consideration of providing bio cleaning stations on a cluster phased approach in our Borough to ensure our beaches are clean safe attractive and well managed coastal environments.

The proposer, Alderman Adair, believed that in previous years dating back to 2011, the Council had maintained its beaches well. That was no longer the case though, he believed, and he referred to a Kite Festival, held last year at Millisle beach which had attracted thousands of visitors. Unfortunately though the state of the beach and

large number of weeds had undermined a lot of the good work that had gone in to organising the festival.

Comparing this to a similar event at a beach in the north coast, he had recalled observing photographs of that event on social media and there had not been a weed in sight on that beach. The responsible local authority for that particular event had demonstrated that it was able to adapt to the DAERA regulations and he wondered why that could not be said for Ards and North Down.

He recalled fond childhood memories growing up close to the beach but unfortunately now, he was disappointed to report that the beach at Portavogie, despite significant investment in its promenade, was dubbed locally as the 'stinking beach'. He referred to a large number of flies and raised concerns about health and safety and environmental pollution.

While he respected and appreciated the Council had commitments to biodiversity, he pointed to its Tourism strategy and felt there needed to be a balance in terms of protecting beaches but also making them attractive and welcoming for tourists.

Continuing, Alderman Adair explained that he had visited other beaches across Northern Ireland last summer and he had found most of them to be spotlessly clean. He had noted that the beaches in Ards and North Down were dirtiest he had seen throughout his observations of Northern Ireland's beaches.

Explaining the purpose of his proposal, he added that this was a fact-finding mission to see how other Council areas were doing things in terms of beach maintenance and he hoped to get answers why this Council was not taking the same approach. He felt that currently the Council was providing a dis-service to constituents and potential visitors.

He recalled that in the past the Borough's beaches had been cleaned daily and while he accepted that could no longer be the case, he felt that a balance could be struck. Simply doing nothing was not an option and it was important to provide safe, clean and vibrant beaches for everyone to enjoy.

Alderman Cummings supported the proposal and referred to the 150 miles of coastline that this Borough was able to boast. He spoke of the importance of Council maintaining and making it attractive as possible given number of tourists.

(Councillor Kendall withdrew from the meeting – 8.17pm)

Alderman McRandal felt it would be useful to have seen the proposal by Alderman Adair in advance in order to seek clarification on some of the information contained within it. For example, he asked what amenity beaches were and it was clarified that those were Council maintained though a definition could be brought to a future meeting.

Referring to the requested study, Alderman McRandal wondered what the proposer meant by dirty beaches and noted that he had made references to not only litter but naturally occurring elements which he regarded as very different.

Alderman McRandal along with Councillor Boyle sought further information on the Beach Ranger service and the officer advised that there were four full time positions deployed under the service, and those employees were required to clean beaches on a rotational basis every day in summer and as appropriate in winter. There was further assistance provided by volunteers. He also clarified that there was generally not a lot of litter left by visitors at the beach and most was washed up on the beach and he explained that the seaweed was not viewed as litter.

Councillor Boyle asked how many amenity beaches there were in the Borough and the Head of Parks and Cemeteries did not have that information to hand but would respond directly to the Member with the requested information.

Supportive of the alternative proposal, Councillor W Irvine recognised that beaches were vital assets for tourism in the Borough. He queried a recent slurry spill incident at Ballyholme beach and the Director advised that NIEA was still investigating the incident but water had tested clear and the area was open to the public again.

In summing up, Alderman Adair was aware of five amenity beaches in the Ards Peninsula which he hoped would provide some clarity to Councillor Boyle. He appreciated the biodiversity aspects and he felt there was a balance to be struck and wanted to see beaches protected, well managed and vibrant. He hoped that the fact-finding trip would help Council achieve best practice and he added that it was not acceptable to sit in status quo. Council needed to continue to do better and attract tourism.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Alderman Cummings, that Council commits to improving the management of our amenity beaches in line with our Bio Diversity and Tourism Strategies by tasking officers to organise a fact finding study to beaches in both Causeway Coast and Glens Council & Newry Mourne and Down Council to explore options for best practice in maintaining our beaches in line with DEARA regulations presenting a report to Council with options for tangible improvements including consideration of providing bio cleaning stations on a cluster phased approach in our Borough to ensure our beaches are clean safe attractive and well managed coastal environments.

11. **NOTICE OF MOTION ON CEMETERY MAINTENANCE - SIX MONTH REVIEW (FILE PCA123)**

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailed as follows:

Background

In September 2023 the following Notice of Motion was agreed by Council:

“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.”

A response to the Notice of Motion was tabled at the Community and Wellbeing meeting in December 2023 and Members requested a further detailed report to be presented on tangible options to improve the maintenance within Cemeteries. A further report was submitted in June 2024 and it was agreed by council that the recommendation be adopted and that the Council review in six months.

Service Overview

The Parks and Cemeteries Service had responsibility for the maintenance and development of approximately 292 hectares of Parks and other open spaces including responsibility for burials in 12 active cemeteries and the maintenance of a total of 19 cemeteries, spread across the Borough. In the management of the 19 cemeteries the operational Parks and Cemeteries team carried out service activities regarding the burial process and overall cemetery grounds maintenance. This was currently delivered by a multidisciplinary skilled team who worked to a suite of Standard Operating Procedures.

The burial service was dictated by the Burial Grounds Regulations 1992 (NI) and all service elements were carried out in line with this legislation. All gravedigging was carried out by skilled in-house teams. Working to the Standard Operating procedures, this element of the service includes the opening and subsequent closing of graves along with the interment service.

Following several issues raised at some cemetery locations, the management of the cemeteries had been reviewed and several interventions put in place to avoid further issues.

The basis of this report was to detail current operational practices and highlight how these had been adapted to ensure continuous improvement and respond to the issues which had been raised and the impacts of changing climate patterns over recent seasons.

Cemetery Maintenance

The grass maintenance element of the service comprised of several methods of cutting depending on the cemetery layout and configuration. These methods ranged from the use of ride on equipment to pedestrian and handheld equipment. The schedules for grass cutting generally align to a weekly day cycle during the growing period and were dependent upon weather conditions, burial demand, and availability of staff. The changing weather patterns had impacted on grass growth over the last number of years with milder winters extending the growing period significantly.

To address these impacts, investments had been made in additional equipment and configuration of staffing. Having staff centralised to fewer locations would allow Council to deploy parks maintenance staff to assist with cemetery maintenance if there were a high number of burials.

The grounds maintenance tender was awarded to provide external support for Parks and Cemeteries ground maintenance using contracted partners. While the use of

Council staff was the preferred option, the implementation of this contract would allow for an uplift in workload capacity through challenges periods, ensuring negative impacts on service provision were mitigated.

The arboriculture work tender was also awarded and allowing Council to respond quickly to emergency tree works. For example, during Storm Darragh December 2024, Greyabbey, Whitechurch, Bangor New and Clandeboye had fallen trees on the Saturday. We were able to deploy our awarded contractor the next day to remove these trees and make safe these sites for visitors.

Infrastructure Developments

Recently we had just seen the completion of the drainage and re-surfacing works to the Greyabbey Cemetery. We were also due to see some resurfacing take place in Comber Cemetery as part of the electronic gates being installed in 2025.

Council would be introducing the new section in Whitechurch in 2025. With the following criteria in mind to create efficiencies in the maintenance requirements while also improving the appearance of the site.

These include:

- The installation of drainage solutions to avoid flooding.
- The increase in spacing within new sections and installing ground reinforcing pathways to reduce the impact of machinery on the grounds.

Cemetery Monitoring

In response to the community's feedback and Council's internal evaluations, we had increased our monitoring across all cemeteries. This included a systematic review process which had been established across all twelve cemeteries. This process had been instrumental in identifying, recording, and addressing various site-related issues. Moving forward, the following areas would be prioritized to further enhance the cemetery monitoring and maintenance efforts:

- Coordination with Assets and Property: Continued partnership to expedite the resolution of outstanding issues.
- Enhanced Rotational Maintenance: Review and refine rotational work schedules, particularly for recurring maintenance areas such as paths, landscaping, and public amenities.

Since August, the monitoring had facilitated a structured approach to site maintenance across all twelve cemeteries, achieving significant progress with issues resolved as quickly as possible. Continued focus on interdepartmental coordination and routine maintenance would aim to bring outstanding issues to resolution as quickly as possible.

Implementation of the PSS Ultimate System

Council was making significant progress toward the implementation of our new online maintenance task system, PSS Ultimate. This system would:

- Centralize and streamline the scheduling, tracking, and management of maintenance tasks across all cemeteries.
- Improve accountability by providing real-time updates on task completion and staff assignments.
- Enable data-driven decision-making by integrating historical and current maintenance records into a single platform.
- The phased rollout of PSS Ultimate has already begun, with pilot testing in select locations. Initial results should indicate improved coordination among maintenance teams and a reduction in response times for urgent tasks.

Ongoing Initiatives for Improvement

In addition to monitoring efforts and the PSS Ultimate implementation, we were pursuing other initiatives to enhance maintenance operations:

- Continuous skill development for staff to ensure familiarity with new technologies and adherence to best practices in cemetery care.
- Exploring environmentally friendly waste management practices to align with broader sustainability goals.
- Better engagement with cemetery visitors – providing a new way to feedback on their experience.
- Investing in modern equipment to increase efficiency and ensure consistent maintenance quality.

In conclusion, Council's commitment to continuous improvement in cemetery maintenance was ongoing. Through enhanced monitoring, the adoption of advanced technologies like PSS Ultimate, and ongoing operational enhancements, we aimed to provide cemeteries that honoured the community and those interred within them. Council appreciated the support and collaboration of all stakeholders as we moved forward with these initiatives.

RECOMMENDED that Council note this report.

Proposed by Alderman Adair, seconded by Councillor Douglas, that the Council agree (to note) the report but continue to keep the maintenance of cemeteries under 6-month review.

Alderman Adair thanked the Head of Parks and Cemeteries and his team for all their work as this had been an issue of long standing. He welcomed the work undertaken at Greyabbey Cemetery and the resurfacing of the access road and the mapping for graves and plots.

While good progress had been made, he felt that this needed to be kept under review given it had been an issue for so long. He was satisfied that the Council was on the right path however and he wanted to see the good work continue in that vein.

The seconder, Councillor Douglas, supported the proposal and thanked officers for the report. She had visited Comber and Loughview cemeteries earlier in the day and welcomed the replacement of the bins at Loughview noting that the previous bins

had been made of wire and it was possible to see everything that had been disposed of.

She queried the gate locking policy at Comber, understanding that the gates were to be closed at 4pm every day however she had noted them still open at 8pm on occasions. She asked when the new gates would be installed at the site and the Head of Parks and Cemeteries understood they would be in place by the end of March. He recalled a meeting earlier in the week with the relevant team who were finalising the electrical work required. That also applied to Redburn Cemetery.

Councillor Douglas referred to large potholes in Comber Cemetery and would provide photographs of those to officers. She also understood the entrance area would be resurfaced and the officer advised that work would be done when the gates were being installed as there was a requirement to dig up the surface to install the electrics.

In a final query, Councillor Douglas recalled that Ards Borough Council used to meet with local funeral directors who had found that to be a useful arrangement. She was aware of plans to put that arrangement back in place and the officer advised that those plans were being progressed and referred to a recent meeting of the cemeteries team earlier in the week.

Councillor Boyle thanked the officer and his staff for the excellent report and looked forward to the planned improvements progressing. He wanted to praise officers including the current Head of Leisure Services who had previously overseen the Parks and Cemeteries services as part of a much wider remit. He also mentioned Parks and Cemeteries Operations Manager and his team for doing an excellent job going back over a long number of years. He had always found them to be very responsive.

He asked the officer to pass on thanks to the cemeteries team for a recent issue that he had raised at Kirkistown. The response had been excellent and provided comfort to those constituents who had raised the query with him. Councillor Boyle referred to the last paragraph relating to cemeteries honouring the community and those interned within them. It was such a special line within the report because cemeteries were such special places and required the best service Council could give.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Councillor Douglas, that the Council agree (to note) the report but continue to keep the maintenance of cemeteries under 6-month review.

12. BI-MONTHLY UPDATE ON PORTAVOGIE 3G, PENNINSULA 3G AND PORTAFERRY SPORTS CENTRE FLOOR (FILE CW74)

(Appendix X – XII)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that in February 2024, Council agreed to the following:

“that Council notes 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 Council tasks Officers to bring forward a bimonthly progress report on the development of the Portavogie 3G Pitch, Portaferry Sports Centre and Portaferry 3G Pitch to this committee.”

This report provided the three updates requested on a bi-monthly basis, and for the two capital projects, in a ‘RAG’ format as requested by the proposer in May 2024.

1. The update report for the Portavogie 3G project was attached at appendix 1.
2. The update report for the Peninsula 3G project was attached at appendix 2.
3. The status update for the defective floor at Portaferry Sports Centre was attached at appendix 3.

RECOMMENDED that Council notes the update reports.

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

Alderman Adair said it gave him no pleasure to propose the report and expressed disappointment in particular that the Portavogie 3G pitch project was now dependent on planning permission and that was sad given that previously planning permission had been in place and Council, he believed, had dropped the ball in progressing it.

Since failing to take that forward, further hurdles had been put in the way courtesy of Northern Ireland Water and now the Department for Infrastructure. It was unnecessary given the previous planning consent but had been caused because the Council had chosen to move at tortoise pace. He pointed to the issues discussed around the pitch at Clandeboyne which he felt was another example of Council moving at a slow pace.

It was not good enough to deprive constituents of this facility and he urged Council to progress urgently. He asked if there were any further updates since the report and the Director advised that all of the information contained within it was the most up to date.

Alderman Adair asked if there was hope for a positive update from DfI and the Director explained that the issue could not be discussed in public.

(Councillor Kendall returned to the meeting – 8.35pm)

The seconder, Councillor Boyle was aware of the lengthy process and asked if officers felt that the Council had been responsible in any way for it not moving as quickly as possible. He noticed that Alderman Adair had used the phrase ‘dropping the ball’ and he referred to the DfI, which had previously not raised any issues, and

he wondered if there had been any conversations in terms of finding out the reason why it had raised this particular issue at this stage.

Councillor Boyle thanked officers, noting that the Minister of Education was now involved in terms of the sports hall issues at Portaferry Sports Centre. He understood the budgetary concerns but felt this was a positive development and asked if there was any update.

The Director advised that the headmaster at the school, where the sports centre was located, had invited the Minister to the school to make him aware of the issue.

In terms of the DfI's role in changing its mind, officers were unclear why the objection had only been brought at this stage but it related to a requirement for enhanced access.

While he could not comment on issues dating back to Ards Borough Council 11 years ago, the Director did not believe this Council had dropped the ball and he indicated that since this Council had become involved in that project in 2016 it had followed all due process in line with the Council's relevant strategies and undertaken its community consultation obligations in terms of drawing up plans and submitting a planning application in 2020. He explained that challenges preventing further progress had arisen externally from statutory consultees.

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

13. LEISURE ACCESS POLICY DEVELOPMENT REPORT

(Appendix XIII – XIV)

PREVIOUSLY CIRCULATED:- Report from the Director of Community and Wellbeing detailing that at Council in December 2024, the following decision was taken:

Council receives a report to the relevant committee in January outlining a clear action plan, detailing how this specific policy investigation is being progressed and also a full list of council policies and whether that have been approved by members of this council or not and a framework is put in place to ensure that policy development is carried out in accordance with the Councils scheme of delegation to avoid any future repeat of what happened.

1. Background to the Leisure Access policy

Council Leisure facility admissions rules and guidance had been in place from when Ards Leisure Centre at William Street was in operation. At that time, the document was not described as a policy, but a collection of operational procedures. Originally each leisure centre had individual admission procedures; i.e. for Ards, Portaferry and Comber. Londonderry Park Pavilion was added when this new facility opened in 2016.

The admissions procedures largely focused on Health and Safety guidelines and rules, as well as terms and conditions of leisure centre membership and use, in order that users would have a positive experience while using the Council leisure facilities.

These procedures were amalgamated into one admissions procedure in 2018 for the opening of Ards Blair Mayne Wellbeing and Leisure Complex (ABMWLC) in early 2019. Around the same time as a result of a query, HR, Leisure and Equality together considered how access should be managed in relation to transgender persons, and the document was amended as a result.

The document title was also changed from 'procedures' to 'policy' and so should have been subject to the policy approval process at that point. Initial investigation as to why this happened had suggested that this may have been simply overlooked by the officers involved. It was not clear why this was the case but given that the document had already been in place for a number of years, with changes carried out from time to time already over that period, it may have been a genuine oversight.

What was clear was that the omission in relation to the approval of leisure access 'policy' was not deliberate. It was certain that approval should have been sought, but was not, for which all officers involved apologised. As a result of further investigation into why this didn't happen, it appeared that there may have been a breakdown in internal communications between Leisure and Equality, with Leisure believing the Policy was being taken through corporately. This breakdown in communications may have been further exasperated due to the challenges brought by Covid-19 and the other competing priorities. Unfortunately, as a number of staff involved at the time have since moved on, further details for the reasons for this not being done were difficult to ascertain for certain.

The current Leisure Admissions Policy document had been withdrawn from the Council's website and would be subjected to the Council's normal policy approval process. The instruction to do so was issued to leisure services management team on Tuesday 17th December by the Director of Community and Wellbeing. For clarity, the whole Leisure Admissions Policy was to be taken through the policy approval process. This would allow for full consultation and discussion on all aspects, including equality screening, with any agreed amendments to wording being incorporated before approval is granted.

2. Corporate Policy Approval Process

The Council decision in December 2024 requested that a framework for policy development be put in place. The Council already has such a framework by way of a process for approving its policies, which was adopted in practice by Council in 2016, and to which the Leisure Access Policy should have been and now would be subject to.

The policy approval process itself would also be reviewed to ascertain what improvements could be carried out to ensure that policy owners do not implement any policy that required Council approval before that approval was sought and obtained.

The full Policy Approval Process was included in Appendix 1. For Members information, a summary of the current approval process was outlined below.

2.1 Definition

A policy was defined as “Any practice, written document or decision of the Council which determines the principles and processes by which the Council carries out its business and functions.”

Therefore, this process did not only apply to documented ‘policies’ but also to the development of key practices and/or decisions of the Council. However, it did not apply to operational procedures. Operational procedures were the methods or steps to be taken to implement a policy.

2.2 Key Stages of Policy Development Process

The process was set up around four key stages:

1. Identifying the need for a new policy, for example by officers, changes in legislation or a Council decision to create policy
2. Developing and drafting a policy
3. Signing off and obtaining approval for a policy
4. Implementing, monitoring and reviewing the effectiveness of the policy

Stage 3 of the process included a significant amount of consultation, both internally and with external groups such as the equality screening panel, before the proposed policy came before Council for approval. Should equality screening determine the need for an equality impact assessment, this would be reported to Council.

2.3 Aims of the Policy Development Process

The policy development process aimed to:

1. Ensure greater consistency in the development and drafting of Council policies.
2. Ensure policies are evidence based and developed systematically.
3. Ensure that policies are aligned to stakeholder needs, and that relevant stakeholders are included in the policy development process.
4. Ensure compliance with legislative requirements placed upon the Council including Section 75 of the Northern Ireland Act 1998, the Disability Discrimination (NI) Order 2006 and the provisions of the Northern Ireland Miscellaneous Provisions Act 2006 relating to sustainable development.
5. Ensure that members of staff involved in the policy development process are clear as to their roles and responsibilities.
6. Improve communication and awareness of policies.
7. Ensure greater commitment to monitoring and reviewing policies.

The process should also be used as a point of reference in the development of corporate plans, strategies, processes and procedures as the principles of engagement, consultation, approval, communication and review were applicable. The guidance was designed to assist Council employees tasked with policy development but would be of use to anyone who wished to understand the Council’s policy development process, including for example for training or induction purposes.

The process required the investment of time and resources, which needed to be planned for, though would result in better informed policies and decisions along with easier implementation of same.

3. Council's Policies

The Council decision in December 2024 further requested a full list of Council Policies and whether these had been approved by Council or not. The Council's Policy Register was included in Appendix 2. This gave details of the policy, including the date of Council approval. Following an exercise carried out in 2024 which collated all policies and looked at review periods, there were 79 policies, 48 of which were currently under review.

4. Measures to help ensure an avoidance of future omissions of policy approvals

Early in 2024, the Head of Administration began to review all policies that were in place across the organisation, in order to develop a complete catalogue of existing policies and the development of the Council's Policy Register (as outlined in Appendix 2). All Heads of Service had been asked to review their individual areas and flag any policies that needed to be added to the register.

This exercise provided Council with a detailed list of policies, as well as reviewing if any required formal Council approval and/or review.

To ensure this process was as robust as possible the following additional actions would also be undertaken;

- Policy register regularly reviewed by the Council's Senior Leadership Team - Review of the Policy Register to be included as a standing item on the CLT/HOST Agenda (reviewed twice a year).
- Additional compulsory training to be given on the Policy Approval Process to all managers.
- Review of the Policy Approval Process with any additional learnings taken on board, with update brought to Council.

RECOMMENDED that Council notes this report.

Proposed by Alderman Adair, seconded by Councillor Cochrane, that Council establish a central register to show the progress of policies in development or under review to inform staff of the standing of a policy at any given time.

Alderman Adair found it regrettable that the issue had arisen and the report had not filled him with confidence, so he was therefore not content in just noting it and not taking any action.

He dismissed the Covid-19 pandemic as a reason for the policy changes failing to follow the democratic process and noted that Covid had not started until March 2020 but the policy had changed a number of times since 2019 and had not once come before the Council for approval.

The policy was implemented on the basis of assumption and had not come through the democratic process, it was not equality screened, scrutinised by the Committee or approved by the Council.

The Council needed to ensure that the matter did not arise again and that the Council did not operate on an assumption policy.

He recalled that Members had been faced with a lot of online abuse from the public when this issue came to light on social media last month. He explained that during his time as a Councillor he had never received abuse as derogatory and inflammatory and he recalled attacks on his character which was unacceptable. He explained the added difficulty brought by the fact that this came to light over a weekend so it was not possible to reach officers until the Monday morning.

He was glad now that Members had been vindicated tonight and this report confirmed that the policy had never been brought before the Committee or Council for approval.

He believed that a central register would help staff to ensure the correct development of policy and that democracy was at the heart of that, ensuring that decisions were not made by assumption but by those elected to do so.

This was not a situation anyone wanted to find themselves in but Council had to put measures in place to ensure it did not happen again. The alternative proposal he felt was therefore necessary and he hoped Members could support it.

The Director clarified that there was already a central policy register in place which had been attached to the report. The responsible officer, the Head of Administration, was in attendance to take any queries.

Alderman Adair believed that the central register had not appeared to be in operation when this policy was amended and his proposal was to send a clear message that it needed to be in operation to ensure such a situation never arose again. Public confidence in this Council had been undermined and that needed to be reinstated. The Council needed to be clear on how policy was defined and developed.

The Director repeated that the register was already in place and while it may not have been in place at the time the policy in question was amended, it was now there which in his view made the proposal to create one negatory.

The Head of Administration advised the central register was created at the start of last year and finalised last November. All Heads of Service and Service Unit Managers were trained on using the register and reminded of the policy development process in September. She took the point that the additional update columns could be added to facilitate what was a live document, but the Director was correct that a central register which was proposed, already existed.

Alderman Adair argued that while the register existed it was clearly not effective and believed that it should include the three stages of development which required

equality screening, Committee scrutiny and Council approval. Those three fundamentals had been missing on this occasion and he stood by his proposal.

The seconder, Councillor Cochrane, referred to what had been a dark weekend for the Council, describing the situation as a disgrace which had undermined the purpose of having elected members and a democratic process. He had felt very badly let down. He said that the information put out was false and stressed that Councillors had not had any role in this policy being amended. He agreed that the initial change had pre-dated Covid in 2019 and there had been further changes which had never followed the democratic process.

Given the breakdown in communication, he questioned how the policy change was not picked up in the central register and how Members could be assured that all Council policies were on the register given the crucial breakdown in communication. He agreed that the three fundamental stages of the process referred to by Alderman Adair were essential for inclusion and the Council needed to rectify the matter and restore public confidence in the democratic process.

Alderman McRandal recognised what was a serious breach of process because there needed to be a register, whether it was in place already or not, that was kept up to date and transparent with access for Members.

He queried the appendix and referred to a lone working policy that did not appear to have been approved by the Council and the Head of Administration explained that the document had previously been an operational document but it had been flagged for urgent review and was now undergoing the process.

In a further query Alderman McRandal asked when the Leisure Access Policy would come to the Committee for approval.

Before responding, the Head of Leisure Services took the opportunity to apologise to Members for the embarrassment that that had caused. He explained that Leisure held its hands up and officers were now working very hard to fix the matter. It had been part of a combination of admissions procedures and officers had naively turned the word procedure into policy. He explained that his service had undertaken a significant piece of work with colleagues in Equality in 2018/19 around inclusion of transgender procedures and the change had been legally tested in terms of equality but officers had failed to take it through the Council's policy development process. He wanted to assure Members that when the report came to Committee Members for approval they would be confident that it was soundly tested legally.

In response to the question, he advised that further legal advice was being sought on other elements of the procedures which would be formalised as part of the policy and once the full process was completed a report would follow for Committee scrutiny. He expected that to come before the summer and was cautious that staff were currently operating the procedures without a formal policy in place and that was a situation that needed to be resolved as a priority.

Councillor W Irvine concurred with earlier comments and found this systematic breakdown to be deeply disturbing, pointing to the breakdown in communications

between Leisure, Human Resources and Equality. He highlighted the importance of having robust procedures in place to ensure this did not reoccur. He was concerned that there would be a period with Council operating without the leisure access policy in place but believed the Leisure Manager would be able to manage that situation in the interim period. He raised a query around staff disciplinary over the matter but the Director advised that staffing issues would not be discussed in public nor with members. That was a matter for officers.

Councillor McClean raised a series of questions. He appreciated there were many points at this stage that the Director could not have possibly been able to find the answers to given the short timeframe. He was also glad that the debate could take place calmly and respectfully.

In terms of the policy itself, he appreciated that there was some debate to be had because Councils did have some discretion on their policies for trans access and he recalled debates in the past.

He wanted to make a clear point that this issue and debate had not stemmed from the procedure breach, or that the word procedure was turned to policy etc, it was because it dealt with one of the most contested and sensitive issues during the last four or five years in the west. He believed it was the introduction of such contentious and contested guidelines which he argued possibly came from another source, was what had created the issue for the Council. He also explained that the angry correspondence had occurred because the public believed that the Council had given this policy its blessing.

He referred to page 2 of the report which mentioned that this 'may have been overlooked' and may have been a genuine oversight but then it went on to state that 'it was clear that' the omission was not deliberate. He queried how officers could be certain that it was not deliberate, suggesting that there was some contradiction to the earlier statement that the officer felt this may have been a genuine oversight.

He felt that the report failed to provide a full answer as to why Leisure believed that Equality would be taking the policy through corporately. He also noted a number of staff had moved on but he wondered if all of the staff involved had moved on and if there was a possibility of getting a clearer answer as to why they had taken that action given the contentious nature of the issue involved.

He raised a final query, asking if it was possible that there were other policy amendments that could have gone unnoticed and that would need to be addressed and looked at. He was also concerned that some actions could avoid any interrogation or scrutiny just by calling it a procedure.

The Director explained that the wording 'May have been overlooked' was used because that appeared to be what had happened. The document had been amended over a number of years and put in to practice each time, but if that process was simply repeated it could be assumed that those responsible for making the amendments had overlooked the Council's due process. The fact that there was certainty that it was not deliberate action had meant that it was clear that nobody had adamantly refused to follow due process.

Councillor McClean found it difficult to understand how that conclusion could be reached given the lack of knowledge of who was involved and what exactly happened. The Director was convinced that there was not a conscious decision taken by any member of staff to deliberately refuse to follow this due process.

In terms of staff that had moved on, the Director advised that there were some staff remaining who had been talked to and had provided information but it had not been possible to talk to everyone who had been in place at that time. In terms of this investigation, senior officers had done the best they could with the best available information that could have been gleaned.

In terms of other policies, he pointed to the ongoing review which had commenced before this incident had occurred, and an update report on improvements to the policy approval process was due to follow in March.

The Head of Administration added that there were numerous calls to senior management and service unit level in terms of calls for information on policies. She was only aware of the information that had been provided, but a reinforcement of that message was also going to an upcoming meeting of the CLT and HOST. It was regardless of whether it was called a policy, process or strategy etc. She explained there was no loophole around that as it was defined within the Council's current policy process.

In terms of the ongoing policy process review, the officer explained the screening reference was included along with Committee and Council decision dates, but she agreed that a monitoring element to include the ability to obtain a live snapshot at any moment in time, should be included as part of the process. She welcomed any further suggestions.

Councillor Kendall noted that the register did include a column for the relevant department but wondered if the lead officer could be included as a point of contact. She wondered if Alderman Adair would be happy to include that in his alternative proposal.

She was concerned that while there was need for a robust policy process, and that concerns of the electorate needed to be taken into consideration, she highlighted that Members represented *all* people in the Borough including those who were marginalised and in minority groups and Council had responsibility for upholding their rights and safeguarding the wellbeing of *all* people, and she asked Councillors to be aware of that. She felt that in addition to the stages, the policy owner could be added to the register to add some extra accountability.

In summing up, Alderman Adair said he was content for that additional element to be added within his proposal. He felt that would provide clarity.

He explained that the register being mentioned in the report was one that was reviewed by CLT twice a year and he believed that process had failed, so it underlined the need for a central register to include what were now four steps with the addition of the responsible officer.

He welcomed the comments from the Head of Administration for taking this on board. It was important to restore public confidence and the democratic principles of the Council and ensure that such a situation never occurred again. Elected Members were accountable to the public and when things did not go as they should, it was often Elected Members who were criticised and not the Council.

He hoped that the Council could learn lessons from this and he felt his proposal would show that lessons had been and Members would do what they had been elected to do and implement policies in the correct way.

For clarification, the Head of Administration wanted to make Members aware that the database presented had a further five or six columns with further details in the background. It had been made as succinct as possible for circulating to Members with the agenda but the officer advised that she would upload the full version of the document to MANDI.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Councillor Cochrane, that Council establish a central register to show the progress of policies in development or under review to inform staff of the standing of a policy at any given time. Further that the register names the lead officer as a point of contact for each policy.

RECESS: The meeting went into recess at 9.16pm and resumed at 9.27pm.

(The Chair Alderman Brooks, Councillor Ashe and Councillor Hollywood left the meeting – 9.16pm)

In the Chair's absence, the Vice Chair, Councillor Boyle, assumed the role of Chair for the remainder of the meeting.

14. **NOTICES OF MOTION**

14.1 **Notice of Motion submitted by Alderman McIlveen and Alderman Armstrong-Cotter**

That Council notes the poor condition of the Bowtown children's play park and its poor provision of accessible play equipment and tasks officers to bring forward a report on enhancing and improving the play park to meet the needs of local children.

AGREED TO RECOMMEND, on the proposal of Alderman Adair, seconded by Alderman Cummings, that the Notice of Motion be deferred to the February meeting of the Community and Wellbeing Committee.

14.2 **Notice of Motion submitted by Councillor Cochrane and Councillor Thompson**

That this Council recognises the considerable delays and frustration experienced by Donaghadee FC, Donaghadee Rugby Club, Ards and Donaghadee Cricket Club and Donaghadee Ladies Hockey Club in relation to the long-awaited upgrade to their playing surface and facilities.

Further to this Council Officers will commit to implementing the upgrade and creation of a 3G pitch at Crommelin Park in a timely manner, with a report being brought back exploring external funding opportunities, or in the absence of external funding, options for direct funding.

Further to this Council officers shall engage meaningfully with all Sports Clubs in Donaghadee around facilities to ensure the development and investment to improve sports provision and facilities.

The Vice Chair invited Councillor Thompsom forward from the public gallery who had speaking rights as seconder of the motion.

Proposed by Councillor Cochrane, seconded by Councillor Thompson, that the recommendation be adopted.

Proposing the Motion, Councillor Cochrane explained that sports clubs in Donaghadee had been waiting for considerable time for work to be carried out to improve facilities and pitches. He felt this Motion being heard at this meeting was fitting given earlier agenda items on delays that had been discussed around other venues at Clandeboye and Portavogie.

He explained the frustration of members of the affected clubs in Donaghadee. The Hockey Club was currently unable to play in the town and was using Bangor Grammer School's facilities. There were concerns by the rugby club with regard to drainage, its car park and building, the football club had concerns around the playing surface at Crommelin Park along with car parking and changing facilities. There was also a need for floodlighting at the pitch. The Cricket Club required refurbishment to the pavilion, drainage to its playing surface and added car parking.

For a town the size of Donaghadee whose fast-growing population was reported as 7,000 in the most recent census, he felt there was significant amount of work required for sports development in the town. It was also important to neighbouring catchment areas where residents also used the facilities in Donaghadee.

In terms of funding, this motion would task officers to look at external funding opportunities. He acknowledged the lengthy capital works programme and the rising costs of delivering that, but he believed Council should exhaust all avenues to deliver those upgrades. He referred to examples including National Lottery funding but if funding was not available externally then the motion asked officers to look at direct funding.

Finally, the last part of the motion looked at meaningful engagement with not only the four sports clubs mentioned but all sports clubs in Donaghadee to ensure the future development of sports facilities in Donaghadee. He appreciated that engagement already took place but he hoped that would continue more frequently. He felt that

communication was key and would help address the sense of frustration he was aware of from many areas of the Donaghadee sporting community. It was his aim to make those clubs feel a valued part of the process and for them to see the positive difference the Council aimed to make to further sport within the town.

The seconder, Councillor Thompson, shared the frustration to the delays to those clubs within Donaghadee which dated back 10 years. He recalled the original proposal and then proposal after proposal in that time and there had been very little improvement to the clubs' facilities. He felt it was a disgrace that the hockey club had to play in Bangor. He pointed to improvements to sports facilities in other towns across the Borough and a perception that Donaghadee had been left behind. He outlined the motion and the importance of engagement and exploring funding options. The delays were not acceptable.

Alderman McRandal was happy to support the motion and felt it was consistent with work that Councillor McCollum and Alderman Brooks had been doing with clubs and officers in Donaghadee. That work was about finding the way forward for those clubs and their individual needs. He was aware that an economist would be appointed to look at the clubs' preferred operating plans with a view to costing. He wondered if there was an update on that and the Director explained that the three sites were all at different stages with the cricket club arrangement due to be signed, sealed and delivered at the end of the month. The rugby club had an alignment with the hockey club and engagement had taken place regularly over its preferred option. The Council was awaiting detailed proposals from the club following the last meeting.

The economist would be deployed as needed when the Council was required to make an informed decision around those. Parks had been engaged with soccer to address the drainage issues and there had been improvements to the pavilion there over the years.

Alderman McRandal thanked officers for their engagement and the update.

Alderman W Irvine rose to support the motion and recognised the complexity of the long-awaited upgrades. Those had not been delivered and it was vital for them to grow. He hoped that funding could be found and looked forward to an update report.

The Deputy Mayor, Councillor Chambers recalled being at a TAG meeting in Donaghadee in early December and the Director had provided an update at that meeting. The Committee had appreciated that after a number of delays to that engagement. He was surprised to see the motion delivered by these members as they had not spoken at the meeting so he perhaps wrongly had assumed that they did not have a particular interest. He recalled that at the Corporate Services Committee the night before, the Director of that Committee had informed Members that a report would be coming back to Community and Wellbeing Committee with all the information requested in this notice of motion by way of an update on the project anyhow. Whilst he did support the motion he therefore believed it was not entirely necessary and he asked the proposer in summing up to explain why they felt this motion was necessary when it was replicating the work that was already ongoing. He agreed that the delays were unacceptable however and it was essential that upgrades were delivered without delay.

In summing up, Councillor Cochrane, felt that while he had not spoken at that engagement meeting in Donaghadee, referred to by the Deputy Mayor, he felt that his points had been adequately raised and he had been engaging throughout the process before and after that meeting. While it was an important meeting, it was not reflective of the engagement throughout the entire process but he appreciated the Deputy Mayor's support. He reflected on the power and impact of sport across the Borough and felt Council owed it to the people of Donaghadee to develop sporting opportunities and he hoped for a positive report coming back.

AGREED TO RECOMMEND, on the proposal of Councillor Cochrane, seconded by Councillor Thompson, that the notice of motion be adopted.

15. 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 Kendall, that the public/press be excluded during the discussion of the undernoted items of confidential business.

16. NEWTOWNARDS CITIZENS HUB, QUEENS HALL REDEVELOPMENT – APPOINTMENT OF INTEGRATED CONSULTANCY TEAM (FILE PCU21)

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 3 – EXEMPTION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS IF ANY PARTICULAR PERSON.

A report was presented to the Community and Wellbeing providing details of a tendering opportunity for the procurement exercise to appoint an Integrated Consultancy team to progress the Queens Hall redevelopment element of the Newtownards Citizens Hub project to the design and planning stage.

An evaluation panel consisting of the Head of Strategic Capital Development; Library NIs Project Manager and the Corporate Project Officer, assisted by the Procurement Manager, convened on 11 December 2024 to evaluate the proposals.

One Economic Operator failed to meet the minimum requirements and was eliminated from the competition.

Following the evaluation the combined Quality, Social Value and Price scores were collated, and the top scoring company was selected.

It was recommended that Council awards the tender for the provision of Integrated Consultancy Team Services for the Queens Hall Redevelopment as outlined in the report.

In accordance with the Council's scheme of delegation, the Community and Wellbeing Committee agreed to adopt the recommendation.

It was therefore resolved that the recommendation be adopted.

17. **TENDER FOR SPIN BIKE REPLACEMENT AT COMBER LEISURE CENTRE (FILE LEI22)**

****IN CONFIDENCE****

NOT FOR PUBLICATION SCHEDULE 3 – EXEMPTION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS IF ANY PARTICULAR PERSON.

A report was presented to Community and Wellbeing providing details of a tendering opportunity for the supply, delivery, installation and commissioning of spin bikes at Comber Leisure Centre, was advertised.

To ensure a best value approach to the tender, the award is based solely on price criteria for all those tenderers that met the minimum requirements, and therefore the most economically advantageous tender was selected.

It was recommended that the Council award the contract for the supply, delivery, installation and commissioning of spin bikes as outlined in the report

In accordance with the Council's scheme of delegation, the Community and Wellbeing Committee agreed to adopt the recommendation.

It was therefore resolved that the recommendation be adopted.

RE-ADMITANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 9.57pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A hybrid Special meeting (in person and via Zoom) of the Planning Committee was held in the Council Chamber, Church Street, Newtownards on Monday 20 January 2025 at 7.00 pm.

PRESENT:

In the Chair: Alderman McIlveen

Aldermen: Graham
McDowell
Smith

Councillors: Hennessy McKee (Zoom)
Kerr Morgan
McBurney (Zoom) Smart
McClellan (Zoom) Wray
McCollum (Zoom)

Officers: Interim Director of Prosperity (A McCullough), Acting Head of Planning (G Kerr), Senior Professional and Technical Officer (C Rodgers), Principal Planner (L Maginn) and Democratic Services Officer (P Foster)

1. APOLOGIES

The Chairman (Alderman McIlveen) sought apologies at this stage.

Apologies for inability to attend were received from Councillors Cathcart and Harbinson.

Apologies for lateness were received from Councillor Kendall.

NOTED.

2. DECLARATIONS OF INTEREST

The Chairman sought Declarations of Interest at this stage.

No Declarations of Interest were made, but members were reminded that they could declare at any time throughout the meeting.

NOTED.

3. PLANNING APPLICATIONS

- 3.1. LA06/2019/1046/0 - RESIDENTIAL DEVELOPMENT (OF A MAXIMUM OF 675 DWELLINGS) TO INCLUDE A MIX OF DETACHED, SEMI-DETACHED, TERRACE AND APARTMENT DWELLING TYPES. THE REPLACEMENT OF BALLYREAGH ROAD WITH THE BOWTOWN ROAD TO MOVILLA ROAD DISTRIBUTOR ROAD AND ASSOCIATED ROUNDABOUT JUNCTIONS ON BOWTOWN ROAD AND MOVILLA ROAD. A MIXED-USE CENTRE TO INCLUDE GROUND FLOOR UNITS IN RETAIL AND RETAIL SERVICES USES IN CLASS A AND HEALTH, CHILDCARE AND RELATED COMMUNITY USES IN CLASS D WITH APARTMENTS ABOVE AND ACTIVE ELDERLY APARTMENTS IN CLASS C1 (MAXIMUM 3 STOREY) OPEN SPACE INCLUDING PARK, PLAY AREA, MUGA AND GREENWAY PEDESTRIAN AND CYCLE ROUTE PEDESTRIAN AND VEHICULAR ACCESS LANDSCAPING INCORPORATING HARD AND SOFT WORKS, DRAINAGE AND ANY OTHER NECESSARY WORKS - LANDS ON BALLYREAGH ROAD TO THE NORTH OF BOWTOWN ROAD, SOUTH OF THE MOVILLA ROAD AND MOVILLA MEWS AND EAST OF BURNREAGH DRIVE, GREENLEA CRESCENT, FAIRFIELD WAY, FAIRFIELD PLACE, BALLYREAGH WAY, ABBOT CLOSE AND ABBOT COURT IN EASTERN NEWTOWNARDS

(Appendix I)

PREVIOUSLY CIRCULATED:- Case Officer's report.

DEA: Ards Peninsula

Committee Interest: Major Application

Proposal: Site for residential development (of a maximum of 675 dwellings) to include a mix of detached, semi-detached, terrace and apartment dwelling types. The replacement of Ballyreagh Road with the Bowtown Road to Movilla Road distributor road and associated roundabout junctions on Bowtown Road and Movilla Road. A mixed-use centre to include ground floor units in retail and retail services uses in Class A and health, childcare and related community uses in Class D with apartments above and active elderly apartments in Class C1 (maximum 3 storey) open space including park, play area, MUGA and greenway pedestrian and cycle route pedestrian and vehicular access landscaping incorporating hard and soft works, drainage and any other necessary works.

Site Location: Lands on Ballyreagh Road to the North of Bowtown Road, South of the Movilla Road and Movilla Mews and East of Burnreagh Drive, Greenlea Crescent, Fairfield Way, Fairfield Place, Ballyreagh Way, Abbot Close and Abbot Court in eastern Newtownards

Recommendation: Grant Planning Permission

The Senior Professional and Technical Officer advised that this application was before Committee as it fell within the major category of development. It was an Outline application to establish the principle of development on a site zoned for Housing and Open Space. The site was situated at the eastern edge of the settlement of Newtownards and comprises land between the Movilla Road and the Bowtown Road, including the existing Ballyreagh Road. The recommendation was to Grant Planning Permission.

Environmental Statement

The officer indicated that she wished to flag up from the outset that this application was accompanied by an Environmental Statement which assessed the likely significant impacts of the proposed development on the environment. The relevant components of the Environmental Statement were assessed by the statutory and non-statutory consultees, who had each considered the mitigation measures identified within the Environmental Statement and recommended conditions to be attached to any approval accordingly.

The assessment of this proposal, in the context of prevailing planning policy and guidance, had been comprehensively detailed within the Case Officer Report.

Slide 2 - Moving onto the Development Plan context, she advised that members would be aware that the 2011 Planning Act provided for a plan led system. It may be helpful to consider the basis of the preparation of the ADAD which involved extensive consultation with the statutory consultees (including the Education Authority and the Health Trust). The proposals included within the draft Plan were based on that input. A public inquiry into objections was subsequently held by the PAC who then made recommendations to the Department who either accepted or rejected those recommendations in its adoption of the plan.

As shown on the Plan Map for Newtownards, a considerable amount of land to the east of Newtownards was zoned for housing under Zonings NS19, 20 and 21, with this application comprising Zoning NS19 between Bowtown Road and Movilla Road.

- Zoning NS20 was situated to the immediate North of NS19 between Movilla Road and Donaghadee Road (Phases 1, 2 and 3a & 3b had been approved by the Council and the development was known as Rivenwood);
- Zoning NS21, was to the north of NS20, between Donaghadee Road and Bangor Road (and was known as Beverley Garden Village).

The Plan contained a strategic policy to link the delivery of major road schemes with the delivery of housing. The major housing zonings in eastern Newtownards would together provide a link road between Bowtown Road and Bangor Road. Therefore, the proposal before Committee would enable a further key component of Newtownards Eastern Distributor Road to be delivered.

A very slight incursion into the countryside beyond the Settlement Development Limit was required to facilitate the road access to the site from the Bowtown Road. The reasoning for this was detailed within the COR and, on balance, it was considered appropriate in order to deliver a well-designed access into the site in the context of the surrounding landscape and topography.

Slide 3 - the Plan stated that development of the NS19 zoning would only be permitted in accordance with an agreed comprehensive scheme that would incorporate the neighbouring zoned NS43 open space and provide the necessary public infrastructure required to serve those lands.

In summary, Key Design Considerations for the NS19 zoning included:

- A minimum of 20 and a maximum of 25 dwellings per hectare;
- Phasing of housing in relation to infrastructure works.
- Phasing to begin at the southern end of the site;
- Ballyreagh Road to be upgraded to Distributor Road standards or realigned to provide a link between the Bowtown Road and a roundabout on the Movilla Road;
- Pedestrian and cycleway links to the Movilla Road and Bowtown Road;
- An 8-10m wide landscaped buffer along the edges of the settlement limit; and
- The identification of trees for retention

Slide 4 - Moving on to the Concept Master plan for the proposed development, it was noted the scheme included:

- A Maximum of 675 residential units
- The NS19 portion of the Eastern Distributor Road
- Roundabout junctions on the Movilla Road and Bowtown Road
- A central mixed-use area providing locally accessible convenience goods and services
- Active elderly living apartments
- Ample public open space - including four play parks and a MUGA providing safe opportunities for children's play.
- A Greenway pedestrian and cycle route which would extend partly along the line of the existing Ballyreagh Road which was to be replaced.

Slide 5 - provided a more detailed view of the northern section of the Concept Masterplan including the Movilla Road Roundabout, the line of the proposed greenway (indicated in pink) and a playpark to the North-East.

Slide 6 – showed the central portion of the concept masterplan including the location of the mixed-use centre at the core of the development as well as a further two playparks .

Slide 7 - showed the southern portion of the concept masterplan including the Bowtown Road junction, the greenway connection, and further shared amenity areas.

Slide 8 –Concept Landscape Masterplan: Trees had been identified for retention and extensive landscaping was proposed throughout the site, and along both sides of the distributor road to assist integration and create an attractive street scene. Landscaping within areas of open space would create pleasant and attractive shared amenity areas for local residents.

Slides 9 & 10 - concept images for the Greenway, Open space and Playparks. The detailed design would be reserved for approval at RM stage. Planning conditions would ensure that all amenity areas are managed and maintained by a Management Company acting on behalf of the residents.

Objections were received from nine separate addresses. Matters raised related primarily to the principle of development, impact on local character, residential amenity,

natural heritage interests, access, traffic and infrastructure capacity. All material considerations raised had been considered in detail in the Case Officer Report.

Slides 11 to 13 - showed photomontages of the proposed development from a number of critical viewpoints. Including:

- from the Movilla Road,
- the Bowtown Road junction; and,
- on approach travelling west along the Bowtown Road

In terms of residential amenity, separation distances on the concept layout were in accordance with Creating Places standards. This matter would be assessed in further detail at RM stage when detailed building designs were submitted for approval.

In terms of Biodiversity and Impact on Designated sites, the Senior Professional and Technical Officer confirmed that the site had been subject to extensive ecological surveys. NIEA Natural Environment Division had provided no objection to the proposal subject to mitigation to safeguard protected species and other natural heritage interests. SES had advised that provided suitable mitigation was conditioned in any planning approval, the proposal would not have an adverse effect on the integrity of any European site. A condition was recommended to prevent the use of granular plastics for the MUGA.

In terms of Access and Traffic -The Transport Assessment (TA) had demonstrated that all junctions within the local area had the capacity to accommodate the increased flow of traffic with the exception of the Movilla and Donaghadee Road junction. By way of mitigation it was proposed to signalise this junction to facilitate the flow of traffic. DFI Roads had reviewed the TA and had provided no objection to the application.

In terms of sewage infrastructure, members would be aware that development on this side of Newtownards was hindered by infrastructure capacity issues. A new developer-funded sewer was proposed through the site and would also serve zoned housing lands to the north of NS19. This would allow 275 of the homes in NS19 to connect to existing NI Water infrastructure. For the remaining development, NI Water would create additional network capacity through infrastructure improvements. Those works would be funded by the developers of the zoned housing lands.

Members were advised that Mr Roy Mooney from Northern Ireland Water (NIW) was in attendance to assist in Members' understanding of the situation.

On the issue of Flood Risk and Drainage a portion of the site was affected by a floodplain associated with a manhole to an existing culverted watercourse. The Applicant proposed to remedy this issue through an upgrade of the existing culvert. DFI Rivers had accepted the findings of the Flood Risk Assessment and had recommended a condition requiring the submission of a Final Drainage Assessment at RM stage.

Slide 14 - Section 76 Planning Agreement

In conjunction with the Council's legal representatives, a planning agreement had been drafted for execution between the relevant parties. It would require all landowners to covenant with the Council to:

- agree with the layout on the Concept Masterplan to the extent it delineated a concept of development including, but not limited to, the location and route of the distributor road, and the location of open space.
- develop the zoned lands in accordance with the agreed Concept Masterplan;
- and sequentially in the phasing order agreed, with the occupation of dwellings being used to trigger delivery of infrastructure (including the Distributor Road, roundabout junctions, road improvements, sewer infrastructure, open space, greenway, play parks and MUGA);
- it would also require landowners to obtain an Abandonment and Stopping Up Order pursuant to Articles 68 and 69 of the 1993 Roads Order for the Ballyreagh Road to facilitate the construction of the new Distributor Road.

Slide 15 - Furthermore, the Planning Agreement would:

- Secure delivery of infrastructure required to address NI Water network capacity issues (by delivery of a main sewer below the distributor road);
- Restrict the number of units to be occupied until the Council received requisite agreements with NI Water permitting discharge of foul sewage into the adopted sewer network;
- Secure delivery of the proposed Elderly Living Apartments; and
- Signalisation of the Donaghadee Road/Movilla Road junction

The need for the planning agreement had been laid out in detail in the COR. In short, it would:

- prevent a future ransom situation occurring.
- ensure that the development of the NS19 zoning was both Policy and Development Plan compliant.
- avoid piecemeal development; and
- deliver the key features of the Ards and Down Development Plan.

In terms of the timeframe for processing this application, it was important to highlight that this was a complex major application accompanied by an Environmental Statement. It required numerous consultations, amendments to the Concept Masterplan and the drafting of a legal agreement. Formal consultation with statutory consultees and other environmental bodies could only commence following receipt of the ES in July 2021. The processing of the application had been further impacted by NI Water capacity issues and the negotiations to secure a strategic solution for eastern Newtownards. An Addendum to the ES was received in July 2024.

Conclusion

To summarise, the Senior Professional and Technical Officer advised that this was a large-scale strategic application for eastern Newtownards. All parties had worked together to agree a concept layout which would deliver the key requirements of the development plan and assist the creation of a quality residential environment. The application had been subject to extensive consultation with statutory consultees and other environmental bodies and there were no objections from any of the consultees.

A number of conditions were recommended to secure the required mitigation detailed within the report, and to require submission of the various details to be assessed at reserved matters stage. In addition, the Planning Agreement would ensure the zoning was comprehensively developed in a phased and orderly manner.

Having taken into account all material considerations it was recommended that this application was approved, subject to the execution of the Planning Agreement. The terms of the Planning Agreement would be finalised in conjunction with the Council's legal representatives prior to its execution by the parties.

Furthermore, delegated Authority was sought to finalise the wording of the planning conditions, in conjunction with the Council's legal representatives, to enable the phasing of subsequent reserved matters applications and to permit drop in planning permissions.

The Senior Professional and Technical Officer stated that concluded her presentation.

The Chairman invited Mr Mooney from Northern Ireland Water (NIW) to make his presentation.

Mr Mooney thanked the Committee for the invitation to attend the meeting stating that this was a significant development for NIW which had been working with the developer over the last few years. The developer he stated would be delivering significant onsite and offsite infrastructure. Continuing he referred to the ongoing capacity issues on the eastern side of Newtownards and advised that this development would see a large sewer laid again both on and off site which would support the development at NS19 as well as those developments at NS20 and NS21. Mr Mooney stressed that it was early days in respect of design with the developer working on a phased approach which would see around 275 houses connected to the existing infrastructure. It was noted that as further phases were developed additional infrastructure would be put in place to facilitate that. Continuing Mr Mooney confirmed that NIW considered this as a long term plan which would provide for future development on the eastern boundary of Newtownards. He reported that the developer had been very proactive and was working with NIW on a very proactive scheme which would include the laying of a new water mains which would strengthen the existing mains and enable the transfer of water through both NS20 and NS21. He reiterated that it was significant and something which NIW was keen to support. It was noted that the developer would be providing significant infrastructure at a cost to himself and indeed contributions from the other developers who would benefit from it. He added that it would undoubtedly resolve a lot of the capacity issues on that side of Newtownards. Mr Mooney indicated that he was happy to take any questions which members may have.

The Chairman sought questions from members at this stage.

Alderman Smith thanked Mr Mooney for his comments and continuing he sought clarity around the DfI Rivers request for an updated Drainage Assessment at Reserved Matters (RM) stage and asked if that was a normal part of the process.

In response the Senior Professional and Technical Officer advised that an Outline Drainage Assessment had already been provided for this Outline Planning stage adding that it was normal practice for a final Drainage Assessment to be provided at RM Stage.

Noting the reference to amenity land within the proposed development, Alderman Smith sought some reassurance around the management of those sites and if that was something which would be considered at RM Stage.

The Senior Professional and Technical Officer advised that any Open Spaces/Amenity land within the proposed development would be managed by external contractors on behalf of the residents. She added that the detailed design of the Play Parks and MUGAs would be approved at RM Stage.

Continuing Alderman Smith acknowledged that the relief road was a key element of this being mostly funded by developer contribution however there was the final portion which ran from the Portaferry Road to be funded by DfI. As such he sought clarity around where that sat as part of the overall process.

The Senior Professional and Technical Officer confirmed that she had recently requested an update from DfI which had suggested that proposals were unlikely to be brought forward in advance of the developer funded roads. They had added that the pace of delivery would also be dependent upon future budget allocations.

Lastly Alderman Smith noted in respect of the water and sewage element of the development that the developer would be funding a significant amount into the sewage system. Within the Section 76 Agreement there was to be phased approach to this were once a certain point had been reached, further investment would be required before further development would be permitted and he sought clarity around that.

Mr Mooney confirmed there was capacity in the waste water treatment works adding that it was the network between the waste water treatment works and the site which ran through Teal Rocks, Newtownards. He added however that the proposal before them would see the laying of new networks to avoid Teal Rocks. Continuing he reported that some works were required at the Portaferry Road Pumping Station. Under the phasing being proposed, the first 275 homes could be connected and once the development reach 1,000 houses additional work would be required to be undertaken at that stage to the Portaferry Road Pumping Station. Following that work there would be capacity within the system for an additional 2,500 houses over the three development areas, NS19, NS20 and NS21.

Councillor Smart noted the land being considered had been zoned as part of the 2015 Ards and North Down Area Plan but was aware that it had also previously been zoned and he asked the officer if she was aware when that was. The Senior Professional and Technical Officer confirmed that had taken place in 2002. Continuing Councillor Smart acknowledged that most people would be keen to see the access road in place prior to the houses being built in a bid to ease the congestion around the town. However he noted that was not how this development had been zoned and instead the infrastructure would be put into place as the

properties were developed. As such he sought clarification from officers on how that phased approach would protect those neighbouring residents and particularly those who lived on the Ballyreagh Road if the development was to be delayed or stopped.

In terms of the draft proposal the Senior Professional and Technical Officer advised that the initial phase would be Phase 0 which would see the construction of the Bowtown Road roundabout and the first arm into the site. Members were also advised that the Movilla Road roundabout was also required to be in place before any work commenced. The phasing of the houses would then take place and the phasing of the delivery of the infrastructure would be controlled by the number of houses which were occupied.

Councillor Smart asked if the developer had given any indication at this stage how it proposed to manage any traffic which may divert along the historic Ballyreagh Road.

The Senior Professional and Technical Officer advised that she had received a Transport Assessment for the application which had been reviewed by DfI Roads which had subsequently received no objections. She added that importantly DfI had clarified that it was satisfied the phased approach to be adopted as detailed in the Planning Agreement could be safely handled by the road network.

Alderman McDowell expressed the view that he believed the distributor road should have been built before the houses were built in order to alleviate traffic congestion in and around the town centre. He noted the developer was installing the infrastructure for the sewage and he imagined the other developers of the other sites would be required to come to some sort of agreement in order to ensure that did not become a ransom strip.

In response the Senior Professional and Technical Officer advised that it was her understanding that all of the developers were working in collaboration with NIW. She reminded the member of the restriction within the application around the occupation of houses beyond 275 units, adding that was essentially a safeguard to avoid against any such issues.

At this stage Mr Mooney confirmed that NIW had been in discussions with the three developers, with the developer at NS19 taking the lead being very proactive. From NIW's point of view it still exercised a considerable amount of control over who could connect and where. Continuing he referred to the large scheme to be undertaken from the Bowtown Road to the Portaferry Road Pumping Station stating that conversations would remain ongoing with each of the three developers as the bulk of those costs would fall to them. All developers he added were aware that this was not an opportunity to avail of a free connection and similarly would not be considered as a ransom strip. Mr Mooney reiterated that NIW would retain full control over any connections and the adoption of all of the infrastructure on the sites as well.

At this stage the Chairman invited Mr David Worthington (Agent - Pragma Planning) to speak in support of the application.

Mr Worthington and Mr Andrew Coulter (Architect) entered the Council Chamber at this stage.

Mr Worthington stated that he was accompanied by representatives of the applicant, Fraser Homes and the professional team and who were in support of the application to answer any queries which may arise. He thanked the Committee for agreeing to the Special meeting and to the Planning Officers for their diligent work in bringing the application forward. He acknowledged that the process had taken some time to come together but was everyone was confident that it had been worthwhile.

The Planning Officer's report was welcomed and Mr Worthington agreed with its contents and findings, adding that the merits of the planning application were clear. It complied with the Ards and Down Area Plan, met the key site requirements and the environmental statement showed how the lands could be developed without compromising the area's environmental assets. So rather than repeat what could only really be a summary of the planning officer's comprehensive report Mr Worthington advised that he was going to address investment, delivery, phasing and the benefits of the development.

Mr Worthington stated that Fraser Homes was deeply committed to the development and its delivery noting that the company had expended over £1 million already in professional fees and was enthusiastic about the next stages of constructing the overall development. The scheme was heavily front-loaded in terms of investment in infrastructure with the link road and new sewer proceeding in advance of the housing at a current cost in the region of £15 million. The sewage solution which had been pioneered in Newtownards was one of only two pilot projects NI Water was running in the whole of Northern Ireland. Its beneficial effects were very wide reaching and significant to the whole of Newtownards well beyond NS19 as Fraser Homes' investment would create capacity in the sewage network in the town, enabling the development of NS20 (Rivenwood) and NS21 (Beverly Garden Village) zonings as well as NS19 and with them the delivery of the eastern distributor road that was set out in the Ards and Down Area Plan. To accomplish this, they had agreed and adopted a phasing in conjunction with the planning officers, managed through the Section 76 Agreement under which the benefits of the development would be felt early in the construction process as the first stages involved the completion of the sewer and the two roundabouts together with significant lengths of the link road. Other infrastructure to be delivered at an early stage included the upgrading of the Bowtown Stream culvert which would reduce potential flooding in the Abbot's Drive area.

Once the development had started, Mr Worthington advised it was envisaged that it would take place from both Bowtown and Movilla Road sides of the zoning and would involve an investment of over £11 million per annum in construction of the dwellings. This was in addition to the wider infrastructure investment, and would employ approximately 100 people. Fraser Homes was a member of the Considerate Constructors scheme and accordingly would be seeking to recruit from the area. Once commenced construction of the development would take around ten years to complete. The development was a long-term, employment generating investment in Newtownards the net effect of which would be to improve connectivity and productivity in the town.

Continuing Mr Worthington advised that the development had been designed to the highest architectural and environmental standards, incorporating class leading open space provision while providing car-free travel on a dedicated Greenway designed to national standards. Great care had also been taken to ensure it did not create harm to the wider environment through pollution both during construction and in use and efforts had been made to safeguard as much as possible the amenity and interests of its neighbours. The developer had engaged publicly with stakeholders and the communities around the site including the Castle Gardens Primary School and the Bowtown estate.

As the application met the policy tests and carried with it significant benefits to the town in terms of transportation, sewage, flooding and investment, Mr Worthington commended it to the Committee for approval. He indicated that the team were happy to take any questions at this stage.

The Chairman thanked Mr Worthington and Mr Coulter for their presentation and sought questions from members at this stage.

Alderman Smith thanked Mr Worthington for his presentation and referring to the management of any amenity land going forward he asked if the developer had any examples of similar processes undertaken with residents undertaking the management of this.

In response Mr Worthington indicated that Fraser Homes was well used to undertaking this type of management scheme and referred to a 400 house development currently under construction in Carryduff where the management had initially been setup and now they were looking after it.

Alderman Smith queried how that was funded and if it was done so by resident contribution going forward.

Mr Worthington confirmed that at the moment the land was owned and funded by Fraser Homes and once occupation passed a certain level that would be transferred into the ownership of the occupiers.

Councillor Hennessy noted consultation carried out with Castle Gardens Primary School, Newtownards and asked what their views had been on the proposals.

In response Mr Worthington confirmed that they had been very supportive particularly as they did have a number of access issues themselves. He added that they could also see the potential in respect of pupil numbers.

Alderman Graham noted the front loaded infrastructure costs and sought clarification on that total.

Mr Worthington confirmed that overall the infrastructure costs were around £15 million. He added that it was front loaded in that the sewer and roundabouts would be required to be completed first followed by the lengths of road which had to be completed before any houses could be occupied. Mr Worthington advised that the completion of the infrastructure was always in front of the completion of the houses.

In response to a further query from Alderman Graham it was noted that Fraser Homes were leading the way with infrastructure requirements for NS19 and was likely to build it all with agreement from other landowners. It was noted the developers in Rivenwood and Beverley Gardens each had their own infrastructure to deliver.

At this stage the Chairman took the opportunity to ask a question around the Section 76 Planning Agreement noting there were many different interests to take into consideration including the various landowners and developers and asked how close they were to getting that over the line so to speak at this stage.

In response Mr Worthington indicated that it was obviously helpful to get the application through the Planning Committee adding that there were still some negotiations to concluded. He confirmed that they had the support of all of the landowners within the zone and as such they were confident that it would be achieved.

There were no further questions and Mr Worthington and Mr Coulter returned to the public gallery at this stage – 7.47pm.

The Chairman asked if there were any questions of clarification for the officers at this stage.

Alderman Graham referred to a request for delegated powers to amend the wording on the conditions and asked for a recap on that.

The Senior Professional and Technical Officer advised that delegated authority was being sought to finalise the wording of the planning conditions and legal agreement in conjunction with Council's legal representatives to enable the phasing of subsequent Reserved Matters applications and to permit drop in planning permissions, as outlined in the circulated Addendum.

Alderman Smith proposed, seconded by Alderman Graham, that it was agreed to grant Planning Permission and provide delegated authority to officers to finalise the wording of the planning conditions and legal agreement in conjunction with Council's legal representatives to enable the phasing of subsequent Reserved Matters applications and to permit drop in planning permissions.

Commenting as the proposer Alderman Smith acknowledged the comprehensive report which had been circulated and paid tribute to the officers for the work which had been carried out to date. He added that the infrastructure which was going along with the development was to be welcomed noting that it was very much welcomed from a NIW perspective. Alderman Smith added that it would be nice to secure the final part of the road but he appreciated that was outside of this process and what was being proposed here was comprehensive. He particularly welcomed the commentary around the management of those amenity areas.

Alderman McDowell sought further detail around the delegated authority which was being sought and if the Committee would be kept up to date with any changes which were being made.

The Senior Professional and Technical Officer advised that it would not be to change the mitigation that was being proposed and instead would be looking solely at the phasing of subsequent applications. Applications such as RM or change of house type applications and would be a change of wording to facilitate that with the mitigation remaining the same as what had been proposed.

Alderman McDowell expressed some concern that previously any major changes had not been brought back to the Planning Committee for consideration.

The Chairman reassured the member that major changes were always brought before the Planning Committee.

Continuing Alderman McDowell referred to a previous development in the town where traffic lights were to form part of the overall scheme but they had subsequently been removed.

The Senior Professional and Technical Officer advised that as part of the development plan being considered, provision of a roundabout was included at the Movilla Road, Newtownards to connect NS19 and NS20. It was noted that currently at that location there was a signalised junction which would eventually be replaced by the roundabout.

The Interim Director of Prosperity commented that the development in question referred to by Alderman McDowell had been at Manse Road, Newtownards. She recalled that Roads Service had been consulted on this and their view had been that it was not required. The matter was then brought before the Planning Committee at which a decision had been taken.

At this stage the Chairman expressed his thanks to officers for the report presented, commenting that it was very thorough. He also thanked Mr Mooney from NIW for attending the meeting adding that it had been useful to have him there. The Chairman also thanked the applicant for his attendance also.

RESOLVED, on the proposal of Alderman Smith, seconded by Alderman Graham, that it was agreed to grant Planning Permission and provide delegated authority to officers to finalise the wording of the planning conditions and legal agreement in conjunction with Council's legal representatives to enable the phasing of subsequent Reserved Matters applications and to permit drop in planning permissions.

4. ITEM WITHDRAWN

The Interim Director of Prosperity advised members that this item had been withdrawn.

NOTED.

EXCLUSION OF PUBLIC AND PRESS

RESOLVED on the proposal of Alderman Graham, seconded by Councillor Kerr, that the public and press be excluded from the undernoted item of confidential business.

5. LOCAL DEVELOPMENT PLAN – DRAFT PLAN STRATEGY (Appendix II)

*****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)

SUMMARY

A report from the Director of Prosperity setting out 'policy in development' pertaining to options for Members' consideration and agreement in respect of the draft relating to the Local Development Plan (LDP) draft Plan Strategy (dPS) for progression to publication version.

RE-ADMITTANCE OF PUBLIC/PRESS

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

TERMINATION OF MEETING

The meeting terminated at 8.22 pm

Unclassified

133

ITEM 8**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 January 2025
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	02 January 2025
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	The Battle of the Somme Pilgrimage 2025
Attachments	

Background

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. Last year, the Centre was attended 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 2025 of the incoming Mayor (or if unable to travel, the incoming Deputy Mayor), another Member and an Officer. Nominations for the Member are now sought.

Not Applicable

134

RECOMMENDATION

It is recommended that the Council approves the attendance at the annual Battle of the Somme Commemorations in 2025, as set out in this report, of the incoming Mayor (or Deputy Mayor) plus one additional Member to be nominated by Council, and an Officer.

Unclassified

135

ITEM 10**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 January 2025
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	14 January 2025
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	Response to Notice of Motion - New thresholds for Inheritance Tax and Agricultural Property Relief
Attachments	Appendix 1 - Letter from ANDBC to DAERA Appendix 2 - DAEAR reply to ANDBC Appendix 3 - Letter to the Chancellor from The Executive Office Appendix 4 - Chancellor Response to The Executive Office

Background

The following Notice of Motion was agreed by Council at its meeting in November 2024:

“That this Council condemns the failure by the UK Government to prioritise farming families and the rural economy as part of the Autumn Budget; notes with deep concern the decisions to introduce new thresholds for Inheritance Tax and Agricultural Property Relief, which will jeopardise succession planning on farms and discourage investment in many farm businesses.

Not Applicable

136

Further to this Council calls on the Minister for Agriculture, Environment and Rural Affairs to bring forward proposals to mitigate the impact of these damaging policies on local farms, as well as avoid significant increases in food prices; and further calls on the Minister to work with the Minister of Finance to deliver an early and firm commitment to farming families that current levels of financial support will not only be maintained but increased in the next financial year”.

On 6 December 2024 a letter was sent to the Department of Agriculture, Environment and Rural Affairs from the Chief Executive. The Minister responded on 13 January 2025. In his response, the Minister enclosed a copy of a letter sent by the Executive Office and signed by him, to the Chancellor of the Exchequer dated 18 November, as well as a copy of their response dated 22 November. All Letters are attached.

RECOMMENDATION

It is recommended that Council note the attached responses.



Ards and North Down Borough Council

6 December 2024

Andrew Muir MLA
Minister of Agriculture, Environment and Rural Affairs
Northern Ireland Assembly
Parliament Buildings
Stormont
Belfast
BT4 3XX

Sent by email only to: andrew.muir@mla.niassembly.gov.uk

Dear Minister,

At a recent meeting of the Council, the following was discussed and debated – “that this Council condemns the failure by the UK Government to prioritise farming families and the rural economy as part of the Autumn Budget; notes with deep concern the decisions to introduce new thresholds for Inheritance Tax and Agricultural Property Relief, which will jeopardise succession planning on farms and discourage investment in many farm businesses.”

The Council also asked that on their behalf, I write to you to ask that you bring forward proposals to mitigate the impact of these damaging policies on local farms, as well as avoid significant increases in food prices and ask that you engage with the Chancellor at the earliest opportunity and demonstrate absolute support for farmers affected by this budget. The Council ask that you work with the Minister of Finance to deliver an early and firm commitment to farming families that current levels of financial support will not only be maintained but increased in the next financial year.

I look forward to your response.

Yours sincerely

Susie McCullough
Chief Executive

**From the Office of the
Minister of Agriculture,
Environment and Rural Affairs**



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Susie McCullough
Chief Executive Ards and North Down
Borough Council
City Hall
The Castle
Bangor
BT20 4BT
Susie.McCullough@ardsandnorthdown.gov.uk

DAERA Private Office
First Floor, Clare House
303 Airport Road West
Sydenham Intake
Belfast, BT3 9ED
Telephone: 028 9052 4140
Email: private.office@daera-ni.gov.uk

Our Ref: COR-1804-2024
Date: 13 January 2025

Dear Susie,

NEW THRESHOLDS FOR INHERITANCE TAX AND AGRICULTURAL PROPERTY RELIEF

Thank you for your letter which was emailed on 9th December 2024, notifying me that, Ards and North Down Borough Council recently met to discuss and debate the failure by the UK Government to prioritise farming families and the rural economy as part of the Autumn Budget and noted with deep concern the decision to introduce new thresholds for Inheritance Tax and Agricultural Property Relief, which will jeopardise succession planning on farms and discourage investment in many farm businesses. This UK Government policy decision has the potential to have very adverse implications on our local farming families.

I completely agree with the points made in your letter in regard to the repercussions of the inheritance tax changes and the threat these changes pose to the continuation of family farming, succession planning and the potential impacts for food prices and security. I have been working tirelessly with sector stakeholders to highlight the significant impact these changes will have on our local family farms.

I have met with the NI Secretary of State and the Defra Minister of State to express my concerns and I continue to raise the issue when meeting with other UK Government Ministers. I can also confirm that a letter signed by the First Minister, deputy First Minister, the Finance Minister and myself was sent to the Chancellor of the Exchequer, Rt. Hon Rachel Reeves MP on 18th November 2024 urging the UK Government to reconsider their approach and highlighting our support for farming families who will be affected by this policy change but the response has been very disappointing. I have enclosed a copy of both letters for your information.

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I have outlined to the UK Government the significant impact the changes will have particularly here in Northern Ireland given the structure of our farming community and the high market value of agricultural land and my Department has undertaken analysis of the potential impact which has been shared with them for consideration and is available on the DAERA website for your information (<https://www.daera-ni.gov.uk/news/new-analysis-shows-half-ni-farms-potentially-impacted-by-inheritance-tax-changes>).

Another potential adverse impact from the Autumn Budget was the announcements in regard to ring-fenced budgets. While it was positive that funding levels were maintained at £332.5 million, it was disappointing that they were not increased in line with inflation. Of further concern was the Chancellor's decision not to provide HM Treasury earmarked funding for agriculture, agri-environment, fisheries and rural development post 31st March 2025.

In light of this change in treatment I formally asked the Minister of Finance that the £332.5 million Resource DEL that has been baselined in the block grant is treated as 'Executive Earmarked' funding for agriculture, agri-environment, fisheries and rural development purposes. I am pleased to confirm that on 19 December 2024 the Executive agreed to my request to earmark this funding to my Department for 2025-26 and future years as part of the wider agreement on the Draft Budget 2025-26.

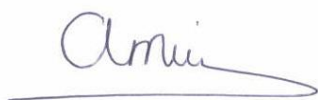
In your letter you ask that I "bring forward proposals to mitigate the impact of these damaging policies on local farms, as well as avoid significant increases in food prices". Whilst the actions that I can take directly in respect of inheritance tax changes are limited given taxation is not a devolved policy area, I am committed to supporting the Agricultural community on those issues that are within my remit to ensure the best possible outcomes for our farming sector.

My Department's new Farm Support and Development Programme contains a Farming for the Generations Scheme which aims to raise awareness of the need for succession planning on farms supporting farm families through a three phased approach: planning for succession, developing the successor, and supporting the lead generation within the farm family. The scheme will also link farmers without a family successor to new entrants to provide access to land and other resources.

Similarly to taxation policy, the issue of food pricing would be considered a reserved matter and as such fall outside my remit.

As already stated, I have expressed to the UK Government my strong opposition to the inheritance tax changes and emphasised that it is crucial for the future of the agricultural sector that family farms can pass from generation to generation without incurring large inheritance tax liability resulting in their break-up. I will continue to do all I can within my remit to support farming families in Northern Ireland on this issue.

Yours sincerely



ANDREW MUIR MLA
Minister of Agriculture, Environment and Rural Affairs



Stormont Castle
BELFAST
BT4 3TT
Tel: 028 9037 8806
Email: ps.ministers@executiveoffice-ni.gov.uk

Rt Hon Rachel Reeves MP

By email: Action.Chancellors@hmtreasury.gov.uk

18 November 2024

Dear Chancellor

You will be aware of the concerns from the farming community in relation to the changes on Inheritance Tax Agricultural Property Relief (APR) and Business Property Relief (BPR) announced as part of the budget statement on 30th October 2024.

Farming and agri-food are key sectors to our local economy ensuring vital food security with family farms the backbone of our agriculture sector and local rural communities.

The changes will have a disproportionate impact on family farms in Northern Ireland compared to other jurisdictions, given that Northern Ireland has some of the highest agricultural land prices in the UK and Ireland.

The limitation of £1million to APR and BPR combined at 100% brings a considerable number of Northern Ireland farmers into scope of inheritance tax.

Whilst it is impossible to precisely determine the number of farmers affected, analysis laid in the NI Assembly library by the Department of Agriculture Environment and Rural Affairs is that by 2026, when the inheritance tax changes are due to take effect, just over a third of farms will have a land value of more than £1million, rising to around 75% for dairy farms. When other assets such as value of livestock and machinery are included the proportion potentially affected increases yet further. These farms account for 60% of owned land and provide the majority of food production.

It is important to point out that agricultural land prices bear no relation to its agricultural income earning potential due to very limited supply of land for sale. Furthermore, this value is never realised where farms are passed from generation to generation and continue to be farmed by the same family. Yet this value can generate a massive inheritance tax liability, potentially resulting in working farms having to be broken up to enable it to be paid.


We are writing to urge you to reconsider this decision and ensure Agricultural and Business Property Reliefs are retained as they currently apply and the ability to pass down a family farm from one generation to the next is protected.

Taxation must be fair and proportionate. Placing a large tax burden on farm families to the extent that a significant number of farm businesses cannot continue on the death of the owner could not be described as fair and proportionate.


Yours sincerely



Michelle O'Neill MLA
First Minister



Emma Little-Pengelly MLA
deputy First Minister



Andrew Muir MLA
Minister of Agriculture, Environment
and Rural Affairs



Caoimhe Archibald MLA
Minister of Finance



HM Treasury, 1 Horse Guards Road, London, SW1A 2HQ

Stormont Castle
Belfast
BT4 3TT

22nd November 2024

Dear First Minister, Deputy First Minister, Minister of Agriculture, Environment and Rural Affairs and Minister of Finance,

AGRICULTURAL PROPERTY RELIEF AND BUSINESS PROPERTY RELIEF

Thank you for your letter of 18 November regarding agricultural property relief (APR) and business property relief (BPR).

At Autumn Budget 2024, the Government took a number of difficult but necessary decisions on tax, welfare, and spending to restore economic stability, fix the public finances, and support public services. These were tough decisions given the situation inherited by the Government, but the Government has done so in a way that makes the tax system fairer and more sustainable.

I understand your concerns regarding the changes, but it is important to understand the facts behind this decision because it was not taken lightly. Despite calls to do so, the Government chose not to abolish agricultural property relief. Instead, despite a tough fiscal context, the Government will maintain very significant levels of relief from inheritance tax beyond what is available to others.

Agricultural property relief and business property relief are in addition to existing inheritance tax nil-rate bands and existing exemptions (such as the spouse exemption). The reforms announced at Autumn Budget 2024, which apply from 6 April 2026, mean the first £1 million of combined agricultural and business assets will not pay any inheritance tax. Above the £1 million allowance, inheritance tax will be charged at 20 per cent, rather than the standard 40 per cent. These tax reliefs can be combined with the general allowances mentioned above. This means any couple could pass on up to £3 million tax-free between them. The inheritance tax liability can also be paid in 10 interest-free annual instalments.

You cite figures in your letter regarding the land values of farms in Northern Ireland above £1 million. These figures cannot be used to accurately infer a future inheritance tax liability. The data that we have published sets out that around 500 estates will be affected each year. This data relates to estates making claims for agricultural property relief. Claims data is the correct way to understand an inheritance tax liability. The number of affected estates, meaning how many estates making relief claims that would be impacted by this change, and their value, is

affected by who owns the business, the nature of that ownership, how many owners there are, any borrowing the business has, and how they plan their affairs.

In 2021-22, the most recent year for which data is available, the median value of assets qualifying for agricultural property relief was £486,000 and three-quarters of estates claimed for agricultural property below £1 million. The data also shows that a very small number of claimants each year claim a very significant amount of relief. For example, just 117 estates claimed £219 million in tax relief – that means 40 per cent of the total cost of the relief went to the top seven per cent of assets. The Government believes this approach strikes the right balance between protecting family farms and fixing the public finances in a fair way.

I have also written recently to the Treasury Select Committee to provide more detail on these numbers and you may be interested in the letter, which is available at committees.parliament.uk/publications/45691/documents/226235/default/.

More broadly, the government decided at Autumn Budget 2024 to baseline the full £330 million of agricultural funding provided for farmers and land managers in previous years into the Northern Ireland Executive's settlement. This is an above population share which the Northern Ireland Executive are free to allocate as they choose in devolved areas. Overall, the Northern Ireland Executive settlement for 2025-26 is the largest in real terms of any settlement since devolution and, including the uplifts from the 2024 restoration financial package, the Northern Ireland Executive are funded above their independently assessed level of relative need in 2025-26.

The Government's commitment to farmers and the vital role they play in feeding our nation remains steadfast. There is also an urgent need to repair the public finances, while making the tax system fairer and more sustainable.

I am copying this letter to the Secretary of State for Northern Ireland.

Yours,

Rachel Reeves

RT HON RACHEL REEVES MP
Chancellor of the Exchequer

Unclassified

144

ITEM 11**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 January 2025
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	02 December 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 the Standing Orders
Attachments	

Background

Further to a number of recent changes to the Standing Orders, the Chief Executive decided to undertake a full review of all Standing Orders.

The full list of proposed changes are outlined in Appendix 1 within this report.

RECOMMENDATION

It is recommended that Council agrees to amend the Standing Orders as set out in this report.

Not Applicable

145

Appendix 1

Proposed changes to Standing Orders with proposed changes in red.

Glossary of Terms

“2014 Act” means the Local Government Act (Northern Ireland) 2014

“2014 Executive Arrangements Regulations” means the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014

“2020 Regulations” means the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020

“Call-in” means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act

“Elected Member” / “Member” means a Councillor, including those appointed as Aldermen

“Presiding Chairperson” means the Elected Member chairing the Council or Committee Meeting

“Quorum” requires 1/4 of the Council/Committee membership to be in attendance (six for Planning Committee). If the figure arrived at is not a whole number, the figure must be rounded up to the next whole number

“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

“The Department” means the Department for Communities

“Working days” excludes Public or Bank holidays, a Saturday or a Sunday **or the additional two Council holidays which are fixed on an annual basis.**

For the purposes of submitting an item of business (a Notice of Motion, an amendment or a call-in requisition), the day of submission is excluded from the definition of a Working Day. Days in which Meetings of the Council are held are not included in the definition of a Working Day.

The deadline in respect of call-in is 5.00 pm.

The deadline for Notice of Motions is **5.00pm** ~~4.59 pm~~.

In Standing Order 24 “2000 Act” means the Political Parties, Elections and Referendums Act 2000

“Member” means Councillor;

Not Applicable

146

“nominating officer” in relation to a Party, means (a) the person registered under the 2000 Act as the Party’s nominating officers; or (b) a Member of the Council nominated under the 2000 Act for the purposes of Schedule 1 to the 2014 Act;

“party” means a party registered under the 2000 Act in the Northern Ireland register (within the meaning of that Act).

“Chief Executive” – refers to the Chief Executive leave for occasions where the Chief Executive is not contactable then the Chief Executive will deputise to a designated Director.

11. Attendance of Members at Committees

Any Elected Member may attend a Committee meeting of which he/she is not a member but may not take a Council seat within the main meeting area and instead should sit in the public gallery save where he/she wishes to speak on an item or items.

To register an interest to speak, a Member should submit a request in writing to the relevant Director at least one working day in advance of the date of the Committee meeting at which they wish to be heard.

Where such a written request has been submitted that Member shall be given special dispensation, subject to permission of the Chair, to speak on the item or items requested but shall not (unless he/she is a Member of the Committee) vote in any division or propose or second any resolution or amendment.

Elected Members attending a Committee that they are not a member of, pursuant to 17.1(10), may propose or second the motion and shall have speaking but no voting rights.

Once the item for which the Member has been granted dispensation has been dealt with the Member shall return to the public gallery. If the public and press are excluded from the meeting the Member is not required to leave the room but rather be bound by the restrictions imposed at that part of the meeting.

This section does not apply to planning applications before the Planning Committee which are instead subject to the Protocol for the Operation of the Planning Committee.

12. Deputations

(1) Deputations, from any source, shall only be admitted to address the Council provided the Chief Executive has received seven working days notice **prior to the date of the meeting** of the intended deputation-and a statement of its objective, **and subject to the agreement of Council. The Deputation will be** subject to the agreement of the Council **under the same relevancy test as listed in 17.1.**

(2) In the case of an emergency, deputations, from any source, shall only be admitted to address the Council provided the Chief Executive has received one working day’s notice of the intended deputation and a statement of its objective, and subject to the agreement of the Mayor.

Not Applicable

147

(3) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed 10 minutes followed by a maximum 15 minutes question and answer session.

(4) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council will decline to accept another deputation on the same issue from the same individual or group for a period of six months.

(5) No further discussion or proposals beyond questions shall take place at a Council or Committee meeting until after the deputation has withdrawn (**members of the deputation will remain subject to Standing Order 8**). Any subsequent proposal made should be limited to a request for officers to bring back a report on the matters raised by the deputation.

17. Motions

17.1 On notice

(1) Notice of every motion, other than a motion which under Standing Order 17.2 may be moved without notice, shall be given in writing, signed by at least two Members of the Council giving the notice, to the Chief Executive not later than at least five working days before the next meeting of the Council. **Each motion must have a proposer and seconder. To be valid, a Motion must state the name of the proposer and the seconder.** The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language. Prior to lodging a notice of motion, Members should take the opportunity to engage with the relevant Director on current action being taken and options available to have the subject matter addressed including any budgetary **and legislative implications, and in line with Council policies and service plans. Should the Notice of Motion have a budgetary, legislative or policy implication, it will be subject to a report being brought back for Council's consideration.** This may assist Members in formulating the terms of notice of motion. **The motion must be submitted no later than five working days before the meeting.**

(2) A motion shall be rejected if, in the opinion of the Chief Executive (having taken advice), the wording or nature of the motion is considered unlawful, improper or irrelevant.

(3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council.

(4) Notices of motion, **including the names**, shall be entered by the Chief Executive in their proper place upon the Summons Paper in the order in which they are received.

18. Amendments

(1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:

Not Applicable

148

- a) to amend the proposal, unless Standing Order 17.1(12) applies in which case the amendment must be submitted in advance; or
- b) that the Council do now adjourn **the meeting**; or
- c) that the debate be adjourned; or
- d) that the question be now put; or
- e) that the Council do proceed to the next business.

20. Rules of Debate

20.1 Motions and amendments to be reduced to writing and seconded

(1) A motion or amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 17.1 or the Standing Orders otherwise state that the motion need not be reduced to writing, it shall be put into writing to **the Chief Executive and relevant Director**, before it is further discussed or put to the meeting.

(2) A Member when seconding a motion or amendment may, if they then declare their intention to do so, reserve their speech until a later period of the debate.

20.15 Duration of speeches

Except with the permission of the Council, a Member, in **introducing proposing** a Motion (**including amendments**), shall not speak for more than ten minutes and in replying, for more than five minutes. Other speakers shall be allowed one interaction which will last no longer than five minutes.

21. Voting

21.3 Qualified majority [Mandatory]

A qualified majority **vote (80 percent of the votes of the Members present and voting on the decision)** shall be required in relation to a Council's decision on—

- (a) the adoption of executive arrangements or prescribed arrangements as the Council's form of governance (Section 19 of the 2014 Act);
- (b) the method, other than d'Hondt, to be adopted for filling positions of responsibility (Schedule 1 of the 2014 Act);
- (c) the method, other than Quota Greatest Remainder, to be adopted for appointing Members to Committees (Schedule 2 of the 2014 Act);
- (d) the exercise of the general power of competence in accordance with Section 79 of the 2014 Act;
- (e) a call-in made in accordance with Section 41(1) (b) of the 2014 Act; and
- (f) the suspension of Standing Orders.

26. Rescission of a Preceding Resolution

(1) No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a Member unless the notice thereof given in pursuance of Standing Order 17.1 bears the names of at least 15% (**6 Members**) of the Members of the Council. **Such Motions, including the names, shall be entered by the Chief Executive in their proper place upon the Summons Paper in the order in which they are received.**

Not Applicable

(2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any Member to propose a similar motion within a further period of six months.

(3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee or a Call-in.

27. Members’ conduct

27.3 Member not to be heard further

If at a meeting any Member of the Council, misconducts himself/herself by persistently disregarding the ruling of the Presiding Chairperson, or by behaving irregularly, improperly or offensively or by wilfully obstructing the business of the Council, the Presiding Chairperson or any other Member may move “that the Member named be not further heard”. The motion need not be reduced to writing and, if seconded, ~~the motion will be voted on shall be put and determined~~ without discussion.

27.4 Member to leave the meeting

If the Member named continues to behave improperly after such a motion is carried, the Presiding Chairperson or any other Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. The motion need not be reduced to writing and if seconded, the motion will be voted on without discussion.

29. Suspension and amendment of Standing Orders

29.1 Suspension

A Member may move a motion which need not be reduced in writing, for the suspension of one or more of these Council Standing Orders. A motion under this Standing Order shall require the support of a qualified majority vote within the meaning of Section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The minutes of the meeting must record the reason for the suspension. Mandatory Standing Orders may not be suspended by ~~the a Council. Non-mandatory Standing Orders may not be suspended by a Committee unless there is delegated powers in place to do so.~~

Substantial changes to the order and wording of the Standing Order on the Call-in of Decisions:

Original Wording / order	New Proposed Wording / order
<p>23.Call-in of decisions [Mandatory] 23.1 Decisions subject to call-in (1) The following decisions may be subject to call-in in accordance with this Standing Order: (a) a decision of the Council; (b) a decision taken by a Committee under delegated authority in accordance with section 7 of the 2014 Act; and (c) a decision taken by a Committee to make a recommendation for ratification by the Council.</p>	<p>23.Call-in of decisions [Mandatory] 23.1 Decisions subject to call-in (1) The following decisions may be subject to call-in in accordance with this Standing Order: (a) a decision of the Council; (b) a decision taken by a Committee under delegated authority in accordance with section 7 of the 2014 Act; and (c) a decision taken by a Committee to make a recommendation for ratification by the Council.</p>

(2) No decision may be subject to call-in more than once for each of the grounds specified in section 41(1) of the 2014 Act.

23.2 Initiating the call-in process

(1) A decision to which Standing Order 23.1(1) applies must be reconsidered if a requisition is presented to the Chief Executive of the Council signed by at least 15 % of the Members of the Council. This process is known as a ‘call-in’ of the decision.

(2) A requisition for a call-in may only be presented on either or both of the following grounds:

(a) That the decision was not arrived at after a proper consideration of the relevant facts and issues (as per section 41(1)(a) of the 2014 Act); and/or

(b) That the decision would disproportionately affect adversely any section of the inhabitants of the district (as per section 41(1)(b) of the 2014 Act).

(3) A requisition for a call-in must be submitted in writing to the Chief Executive by 5pm on the fifth working day following the issuing of the Council or Committee decision log that records the decision to which the call-in relates. If the requisition is received after this date, it shall be deemed inadmissible.

(4) A requisition for a call-in shall:

(a) specify the reasons why a decision should be reconsidered; and

(b) subject to Standing Order 23.2(7), be deemed to be inadmissible if the reasons are not specified.

(5) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, Members must in the reasons specified under Standing Order 23.2(4)(a) specify—

(a) the section of the inhabitants of the district that would be affected by the decision; and

(b) the nature and extent of the disproportionate adverse impact.

(2) No decision may be subject to call-in more than once for each of the grounds specified in section 41(1) of the 2014 Act.

23.2 Call-in Procedure

(1) A decision to which Standing Order 23.1(1) applies must be reconsidered if a requisition is presented to the Chief Executive ~~of the Council~~ signed by at least 15% **(6 Members)** of the Members of the Council. This process is known as a ‘call-in’ of the decision.

(2) A requisition for a call-in must be submitted in writing to the Chief Executive by 5pm on the fifth working day following the issuing of the Council or Committee decision log that records the decision to which the call-in relates. If the requisition is received after this date, it shall be deemed inadmissible, **and the Chief Executive must notify the Members making the requisition of the decision.**

Where the reasons have not been specified on the requisition, the Chief Executive must notify the Members making the requisition that it shall be considered inadmissible if reasons are not specified in writing within the timeframe.

(3) A requisition for a call-in may only be presented on either or both of the following grounds:

(a) That the decision was not arrived at after a proper consideration of the relevant facts and issues (as per section 41(1)(a) of the 2014 Act); and/or

(b) That the decision would disproportionately affect adversely any section of the inhabitants of the district (as per section 41(1)(b) of the 2014 Act).

(4) A requisition for a call-in shall:

(a) specify the reasons why a decision should be reconsidered; and

(b) ~~subject to Standing Order 23.2(7)~~, be deemed to be inadmissible if the reasons are not specified.

23.3 Call-in of Council decisions on procedural grounds

Not Applicable

151

(6) Within one working day of receipt of a valid requisition for a call-in, the Chief Executive must confirm that:

(a) the call-in has the support of 15 per cent of the Members of Council; and

(b) the reasons for the call-in have been specified on the requisition.

(7) Where the reasons have not been specified on the requisition, the Chief Executive must notify the Members making the requisition that it shall be considered inadmissible if reasons are not specified in writing within the timeframe provided for by Standing Order 23.2(3).

(8) Where the Chief Executive is of the view that a call-in is not valid, the Chief Executive must notify the Members making the requisition why he/she considers it inadmissible and must report this decision to the next meeting of the Council. In reaching any such view, the Chief Executive may seek legal advice from a practising solicitor or barrister. If legal advice is received, a copy of the advice must be furnished to the Members making the requisition and tabled at the next meeting of the Council.

23.3 Call-in of Council and Committee decisions on community impact grounds

(1) Within two working days of receipt of an admissible call-in of a Council or Committee decision made under section 41(1)(b) of the 2014 Act, the Chief Executive must seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act.

(2) When a legal opinion obtained in accordance with Standing Order 23.3(1) is received, the Chief Executive must— (a) furnish the opinion to the Members; and (b) include the decision that has been called-in on the agenda for the next available meeting of the Council for reconsideration, at which the called-in decision must be voted upon and may only be passed by a qualified majority.

23.4 Call-in of Committee decisions on procedural grounds

(1) If an admissible call-in of a Committee decision is made under section 41(1)(a) of the

(1) If an admissible call-in of a Council decision is made under section 41(1)(a) of the 2014 Act, the Chief Executive will place the call-in, **including a copy of the signed requisition form** on the agenda of the next meeting of the Council.

(2) The decision will be subject to reconsideration by the Council and normal voting rules will apply.

(3) If the Chief Executive believes that legal advice will assist the Council in reconsidering the decision, the Chief Executive may seek the opinion of a practising solicitor or barrister. If legal advice is received, it must be tabled at the meeting of the Council at which the decision is being reconsidered.

23.4 Call-in of Council and Committee decisions on community impact grounds

(1) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, Members must in the reasons specified under Standing Order **23.2(4)(a)** specify—

(a) the section of the inhabitants of the district that would be affected by the decision; and

(b) the nature and extent of the disproportionate adverse impact.

(2) Within one working day of receipt of a **valid admissible** requisition for a call-in, the Chief Executive must confirm that:

(a) the call-in has the support of 15 per cent (**6 Members**) of the Members of Council **and provide the names of the Members in support of the request**; and

(b) the reasons for the call-in have been specified on the requisition **based the grounds outlined in 41(1)(a) and/or 41(1)(b)**

(3) Where the Chief Executive is of the view that a call-in is not **valid admissible**, the Chief Executive must notify the Members making the requisition why he/she considers it inadmissible and must report this decision to the next meeting of the Council.

In reaching any such view **on admissibility**, the Chief Executive may seek legal advice from a practising solicitor or barrister. If legal advice is received, a copy of the advice must be furnished

Not Applicable

152

2014 Act, an Ad Hoc Committee of the Council must be appointed to reconsider the decision.

(2) The membership of the Ad Hoc Committee will be: (a) the chairpersons of all Committees of the Council; and (b) the deputy chairpersons of all Committees of the Council.

(3) The chairperson and deputy chairperson of the Committee which was responsible for the decision which is the subject of the call-in will not have voting rights at a meeting of the Ad Hoc Committee.

(4) The Members of the Ad Hoc Committee who are present at the meeting to consider the call-in shall choose a Member to preside as chairperson of the meeting.

(5) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the Ad Hoc Committee meeting at which the decision subject to the call-in is considered and may, upon the request of the chairperson, address the meeting, but must not have voting rights, unless they are voting Members of the Ad Hoc Committee.

(6) The Ad Hoc Committee, having reconsidered the decision subject to the call-in, will then do one of the following:

(a) agree that the decision was not arrived at after a proper consideration of the relevant facts and issues, and refer the decision back to the Committee which took the decision for reconsideration;

(b) disagree that the decision was not arrived at after a proper consideration of the relevant facts and issues and either: i. in the case of a decision taken under delegated authority, support the decision; or ii. in the case of a decision requiring ratification by the Council, refer the decision to the Council.

(7) Where a decision has been supported in accordance with Standing Order 23.4(6)(b), that decision is deemed to be approved and will be operative from the date of the meeting at which the Ad Hoc Committee confirmed support for the decision.

(8) If the Chief Executive believes that legal advice will assist the Ad Hoc Committee with its deliberations under Standing Order 23.4(6), the Chief Executive may seek the opinion of a practising solicitor or barrister. If legal advice is

to the Members, making the requisition and tabled at the next meeting of the Council.

(4) Within two working days of receipt of an admissible call-in of a Council or Committee decision made under Section 41(1)(b) of the 2014 Act, the Chief Executive must seek the legal opinion from a practicing solicitor or barrister in accordance with section 41(2) of the 2014 Act, **before reconsideration of a decision on a requisition is made wholly or partly.**

Once legal opinion is received, a copy of the opinion and the signed requisition form must be furnished to the Members and include the decision that has been called-in on the agenda for the next available meeting of the Council for reconsideration, at which the called-in decision must be voted upon and may only be passed by a qualified majority.

23.5 Call in of Committee decisions on procedural grounds

(1) If an admissible call-in of a Committee decision is made under section 41(1)(a) of the 2014 Act, an Ad Hoc Committee of the Council must be appointed to reconsider the decision.

(2) The membership of the Ad Hoc Committee will be:

(a) the chairpersons of all Committees of the Council; and

(b) the ~~deputy-vice~~ chairpersons of all Committees of the Council.

(3) The chairperson and ~~deputy-vice~~ chairperson of the Committee which was responsible for the decision which is the subject of the call-in will not have voting rights at a meeting of the Ad Hoc Committee.

(4) The Members of the Ad Hoc Committee who are present at the meeting to consider the call-in shall choose a Member to preside as chairperson of the meeting.

(5) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the Ad Hoc Committee meeting at which the decision subject to the call-in is considered and may, upon the request of the chairperson, address the meeting, but must not have voting rights, unless they are voting Members of the Ad Hoc Committee.

Not Applicable

153

received, it must be tabled at the meeting of the Ad Hoc Committee.

(9) Where possible, when a call-in of a Committee decision is made, the Ad Hoc Committee will hold its meeting and make its determination as per paragraph (6) of this Standing Order prior to the next Council meeting. If timing does not permit this or if the Chairperson of the Ad Hoc Committee determines that a further meeting is needed in order to consider legal advice, the meeting or further meeting should be held as soon as is reasonably practicable. The decision that has been called-in will remain deferred until such time as that first or further meeting takes place and a decision has been made in accordance with paragraph (8).

23.5 Call-in of Council decisions on procedural grounds

(1) If an admissible call-in of a Council decision is made under section 41(1)(a) of the 2014 Act, the Chief Executive will place the call-in on the agenda of the next meeting of the Council.

(2) The decision will be subject to reconsideration by the Council and normal voting rules will apply. (3) If the Chief Executive believes that legal advice will assist the Council in reconsidering the decision, the Chief Executive may seek the opinion of a practising solicitor or barrister. If legal advice is received, it must be tabled at the meeting of the Council at which the decision is being reconsidered. 23

23.6 Call-in of Council and Committee decisions on procedural grounds and community impact grounds (1) If an admissible call-in of a Committee or Council decision is cited as being made under section 41(1)(a) and 41(1)(b) of the 2014 Act, the procedure that shall apply when dealing with the whole of the call-in is that set out in Standing Order 23.3 (Call-in of Council and Committee decisions on community impact grounds)

(6) The Ad Hoc Committee, having reconsidered the decision subject to the call-in, will then do one of the following:

(a) agree that the decision was not arrived at after a proper consideration of the relevant facts and issues, and refer the decision back to the Committee which took the decision for reconsideration;

(b) disagree that the decision was not arrived at after a proper consideration of the relevant facts and issues and either: i. in the case of a decision taken under delegated authority, support the decision; or ii. in the case of a decision requiring ratification by the Council, refer the decision to the Council.

(7) Where a decision has been supported in accordance with Standing Order **23.5(6)(b)**, that decision is deemed to be approved and will be operative from the date of the meeting at which the Ad Hoc Committee confirmed support for the decision.

(8) If the Chief Executive believes that legal advice will assist the Ad Hoc Committee with its deliberations under Standing Order **23.5(6)**, the Chief Executive may seek the opinion of a practising solicitor or barrister. If legal advice is received, it must be tabled at the meeting of the Ad Hoc Committee.

(9) Where possible, when a call-in of a Committee decision is made, the Ad Hoc Committee will hold its meeting and make its determination as per paragraph (6) of this Standing Order prior to the next Council meeting. If timing does not permit this or if the Chairperson of the Ad Hoc Committee determines that a further meeting is needed in order to consider legal advice, the meeting or further meeting should be held as soon as is reasonably practicable. The decision that has been called-in will remain deferred until such time as that first or further meeting takes place and a decision has been made in accordance with paragraph (8).

23.46 Call-in of Council and Committee decisions on procedural grounds and community impact grounds

(1) If an admissible call-in of a Committee or Council decision is cited as being made under section 41(1)(a) and 41(1)(b) of the 2014 Act,

Not Applicable

154

	the procedure that shall apply when dealing with the whole of the call-in is that set out in Standing Order 23.4. 23 (Call-in of Council and Committee decisions on community impact grounds).
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Unclassified

155

ITEM 14**Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	29 January 2025
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	17 January 2025
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 tracker

Please find attached a Status Report in respect of Notices of Motion.

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

RECOMMENDATION

It is recommended that the Council notes the report.

NoM Ref:	Responsible Committee	Date Received	Submitted by	Notice (Original and any amendment)	Council & Committee Meetings (Date & Item)	Status (Most recent status update at the top followed by detail of what has been accomplished to date)	Responsible Officer	Final Outcome
11	Community & Wellbeing	31.05.15	Councillor Muir & Alderman Keery	Rory McIlroy Recognition	Council June 2015 Corporate Services Committee October 2015	Officers discussing options with McIlroy Organisation. Meeting to be arranged for end of February 2025	Graeme Bannister (Director of Community & Wellbeing)	
330	Environment	21.01.19	Councillor Brooks & Councillor Smith	This Council brings back a report on providing a shelter or sheltered area near the slipway in Donaghadee which would provide cover for the growing numbers of open water swimmers that use the area on a daily basis.	Council January 2019 Environment Committee 06.02.19 Item 16.3	Report to be brought back to Committee	Peter Caldwell (Head of Assets & Property Services)	
370	Environment	13/09/2019	Councillor Cathcart & Alderman Gibson	That this Council acknowledges that Council byelaws are in need of review. Many of our Council byelaws are now outdated and do not cover new housing developments and playparks in the Borough. The Council therefore will carry out a comprehensive review of Council byelaws to create a modern system to assist the Council in meeting the outcomes identified within the Community Plan	Council - September 2019 Referred to Environment Committee - October 2019 Environment Committee 02.09.20 Item 12	Review of the byelaws to commence and be undertaken in three stages. Phase 1 - Scope, Phase 2 - Council Review and Phase 3 - Recommendation and Decision	Richard McCracken (Interim Head of Regulatory Services)	
514	Community & Wellbeing	19.05.22	Councillor Cummings & Councillor Johnson	Business case for redesign of the parallel sports pitches and facilities at Park Way, Comber	Council June 2022 Community & Wellbeing Committee September 2022 and deferred to October 2022	Council agreed Comber 3G pitch is ranked 21st in project prioritisation. Stakeholder engagement to commence at the appropriate time	Ian O'Neill (Head of Leisure)	
519	Community & Wellbeing	20.06.22	Councillor Kendal, Councillor McRandal & Councillor McClean	Engagement with relevant community stakeholders to ascertain community need and desires in respect of the Queen's Leisure Complex	Council June 2022 Community & Wellbeing Committee September 2022 and deferred to October 2022	Report to November C&W Committee. Community Engagement took place on 24th September 2024	Nikki Dorrian & Ian O'Neill	

522	Corporate Services	05.07.22	Alderman Irvine and Alderman Keery Amendment received from Councillor Cathcart	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 - 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.	Council July 2022 Environment Committee September 2022 Corporate Services January 2024	April 2023 - Letter requesting permission to use the Royal Name sent to the Cabinet Office and awaiting response January 2024 - Report brought to Corporate Committee Amendment Agreed and advice sought from Cabinet Office December 2024 - Advice still outstanding		
525	Community & Wellbeing	24.08.22	Councillor Cooper, Councillor T Smith & Councillor Irvine	Amended 11.10.2022 Corporate Committee: That Council officers bring back a report on relevant Council policies with a view to withdrawing funding to any sporting organisations with any political objectives or named references to terrorism in their constitution, club names, stadiums, or competitions and such a report will be appropriately guided by legal advice in relation to this course of action	Council August 2022 Corporate Committee October 2022	Legal advice has been sought by the Council's Equality Officer and a report to be brought back to Community & Wellbeing Committee on receipt of this advice	Nikki Dorrian (Interim Head of Community and Culture)	

<p>529</p>	<p>Environment</p>	<p>22.08.22</p>	<p>Councillor Dunlop & Councillor Douglas</p>	<p>That this Council agrees:</p> <ul style="list-style-type: none"> • All pedestrians should feel safe on our pavements, yet street clutter can make walking and wheeling unsafe, forcing people onto the road which is dangerous; • Street furniture should be clean, have a purpose and be consistent; and • Street clutter should be removed. <p>Therefore, Council tasks officers to:</p> <ul style="list-style-type: none"> • Carry out an audit of street infrastructure including street signage, project information; posts, etc; • Remove historic street clutter which has no current purpose or future benefit; • Ensure relevant signage is cleaned and fit for purpose; • Ensure signs have the appropriately-named Council on it, where this applies; • Identify a nominated officer within the Council to lead on the audit to ensure items are listed and removed; and • Write to the Department for Infrastructure to request they complete a similar de-clutter across the Borough. 	<p>Council September 2022 Environment Committee October 2022</p>	<p>Letter sent to Dfl (Mark McPeak) 11/01/23 Response received from Dfl 12/01/23 advising the improbability of any Dfl Roads owned street furniture being superfluous. Furthermore, diverting limited resources to undertake a separate and distinct audit was not a priority for Dfl at this time. However, the maintenance team during cyclic road inspections would consider our request (that being; 'no longer relevant/out-of-date/unnecessary street signage, posts, project information etc') who will bring to the attention of the local engineer to consider.</p>	<p>Peter Caldwell (Head of Assets & Property Services)</p>	
<p>545</p>	<p>Community & Wellbeing</p>	<p>16.11.22</p>	<p>Alderman McIlveen & Councillor Cummings</p>	<p>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.</p>	<p>Council November 2022 Community & Wellbeing December 2022 and March 2023 and June 2023</p>	<p>Officers have asked HED to confirm return arrangements and will report to future C&WC when final arrangements for return of the stones is confirmed</p>	<p>Nikki Dorrian (Interim Head of Community and Culture)</p>	

549	Community & Wellbeing	09.12.22	Councillor Douglas & Councillor Walker	<p>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.</p>	<p>Council December 2022 Corporate Services Committee January 2023 Community & Wellbeing Committee January 2024</p>	<p>Report to December C&W Committee after Officer meets with TEO. Action plan being developed by PCSP and brought back to C&W Committee. Womens Night Charter reported to January C&W Committee ratified at Council.</p>	<p>Nikki Dorrian (Interim Head of Community and Culture)</p>	
550	Environment	13.12.22	Councillor Cathcart & Councillor MacArthur	<p>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.</p>	<p>Council 21.12.22 Item 16.4 Environment Committee January 2023 May 2024</p>	<p>12.12.23 Letter sent to DAERA by CEx 08.11.23 Response received from DFI 13.10.23 - Acknowledgement received from PSNI 12.10.23 - letters sent to DFI & PSNI by CEx</p>	<p>Nigel Martin (Head of Waste and Cleansing Services)</p>	

555	Community & Wellbeing	08.12.22	Alderman Wilson & Councillor Douglas	<p>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</p>	<p>Council January 2023 Community & Wellbeing Committee February 2023 and June 2023</p>	<p>Officers working on business case and elements for cycle to work and infrastructure planning. Budget not secured for 2024/25. Further report to future C&WC if budget made available in 2025/2026 including the report to recommend declaration</p>	<p>Stephen Daye (Head of Parks and Cemeteries)</p>	
562	Environment	18.01.23	Councillor Morgan & Councillor McRandal	<p>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.</p>	<p>Council January 2023 Environment Committee February 2023 October 2023 November 2024</p>	<p>AGREED with Amendment: that the Council: (a) given the unpalatable liability and the additional operational resource implications associated with gritting DfI footpaths, continues to operate within the context of the already established Memorandum of Understanding agreed with the Department for Infrastructure whereby the Department can request Council assistance for such action in the event of extreme weather conditions. (b) does not commence a programme of routine snow and ice treatment at Council owned public car parks, but rather maintains its existing programme of treatment in the context of designated points of access and egress to Council buildings.</p>	<p>Nigel Martin (Head of Waste and Cleansing Services)</p>	<p>To be removed - Officers are working to the agreed amendment</p>

564	Community & Wellbeing	08.02.23	Alderman Irvine and Alderman Keery	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.	Council February 2023 Community & Wellbeing Committee March 2023	Officers awaiting response from EA in order for report to be brought back to future C&W Committee. EA has responded to say they '...would be in contact when they are ready to progress...' several chasers have been sent.	Ian O'Neill (Head of Leisure)	
567	Corporate Services	14.02.23	Councillor Adair & Councillor Edmund	This Council rename the square at Portavogie War Memorial Queen Elizabeth Square in memory of our late Sovereign Queen Elizabeth II.	Council February 2023 Corporate Services Committee March 2023	A response has been received from the Cabinet Office and a report went back to Committee 30/5/24 - follow up letter sent to Cabinet Office for update. Letters sent to the Cabinet Office requesting use of the Royal Name July 2024 - Advice now received - Report presented at September CSC. Agreed that combined EQIA more appropriate. A further report to be brought to CSC when EQIA ready to go.	Alison Curtis (Head of Administration)	
568	Place & Prosperity	06.02.23	Councillor Smart & Councillor Irvine	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.	P&P 13 June 2024 (Item 15) P&P 15 June 2023 (Item 28.1) Council 29 March 2023 (Item 22.1)	Report to be presented to 06.02.25 P&P Cttee Further report to be brought back to Committee	Brian Dorrian (Interim Director of Place) to lead	

585	Community & Wellbeing	16.10.23	Alderman Adair, Councillor Edmund & Councillor Kerr	<p>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.</p>	<p>Council October 2023 Environment Committee November 2023 Community & Wellbeing Committee January 2024</p>	<p>Report to C&W Committee in 2025. Further report requested being considered by officers with a report to future C&W Committee.</p>	Stephen Daye (Head of Parks and Cemeteries)	
588	Environment	17.10.23	Councillor Wray & Alderman Smith	<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> <p>Amendment: 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.</p> <p>Furthermore, Council writes to the Department of Infrastructure to ask for the decorative lamp posts on Main Street, Greyabbey, to be repainted to ensure they are maintained as a feature of this historic village; and writes to the Department of Agriculture, Environment and Rural Affairs to seek funding to deliver a mini</p>	<p>Council October 2023 Environment Committee November 2023 April 2024 Council August 2024 Item 20</p>	<p>Officers to liaise with Greyabbey Community Association. Amendment Agreed at Environment Committee. That Council welcomes the repainting of the traditionally styled bus shelter located on Main Street, Greyabbey and tasks officers to ensure it is maintained to a high standard going forward. Furthermore, Council writes to the Department of Infrastructure to ask for the decorative lamp posts on Main Street, Greyabbey, to be repainted to ensure they are maintained as a feature of this historic village; and writes to the Department of Agriculture, Environment and Rural Affairs to seek funding to deliver a mini public realm or streetscape project in Greyabbey.</p>	Peter Caldwell (Head of Assets & Property Services)	
586	Corporate Services	16.10.23	Councillor Cathcart & Councillor Martin	<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>	<p>Council October 2023 Corporate Services Committee November 2023 Corporate Services Committee September 2024</p>	<p>Report to CSC. Agreed to proceed to acquisition subject to terms & discussions with vendor. July 2024 - Letter now sent to vendor. Report to Corporate Committee in September 2024. November: Proceeding through compliance team.</p>		

595	Community & Wellbeing	16.11.23	Councillor McCracken & Councillor Blaney	<p>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.</p>	Council 29.11.2023	<p>Initial report to December 2024 C&W Committee. Second report to March 2025 C&W Committee</p>	Nikki Dorrian (Interim Head of Community and Culture)	
598	Community & Wellbeing	20.11.23	Alderman Adair & Councillor Edmund	<p>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.</p>	Council 29.11.23 Community & Wellbeing January 2024	<p>Report to January 2025 C&W Committee. Officers continue to work with DfC application for external funding.</p>	Stephen Daye (Head of Parks and Cemeteries)	

599	Community & Wellbeing	21.11.23	Councillor Cathcart & Councillor Gilmour	<p>“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)</p>	<p>Council 20.12.23 Community & Wellbeing Committee January 2024 and April 2024 and June 2024 and September 2024. Corporate Committee September 2024</p>	<p>Project ongoing for 24 months with reports brought to C&W Committee as necessary. First working group was on 10th May 2024. Grants transformation project already underway. Regular Updates will be brought. Next report will be to February 2025 Committee.</p>	Nikki Dorrian (Interim Head of Community and Culture)	
607	Corporate Services	13.01.24	Councillor Wray & Alderman Smith	<p>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.</p>	<p>Council 31.01.24 Corporate Services Committee June 2024. Corporate Services Committee September 2024. Corporate Services Committee November 2024. Corporate Services Committee January 2025</p>	<p>Update report to Corporate Services Committee in June 2024. Letter to DfI re 'weighted indicators' used to allocate funds. Report to Corporate Committee September 2024. 9.10.2024 further letter sent following Corporate September, reply received and Response to NOM to November 2024 Corporate Services Committee. 9.12.24 4th letter issued by CEX to DfI. Response received 18.12.24. Response to NOM to CS January 2025.</p>		Remove after ratification by January Council.

616	Environment	19.03.24	Councillor McCollum & Councillor Irwin	<p>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.</p> <p>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.</p>	<p>Council 26.03.24 Environment Committee 10.04.24 Item 14 Environment Committee 04.09.24 Item 14 Environment Committee 06.11.24 Item 3</p>	<p>Agreed that the Council proceeds with the 'Phase 1' further investigation work regarding potential Donaghadee sea defence enhancements. Agreed that Council proceeds as proposed in section 4 of the report, with the outcome of engagement outlined being reported back to Environment Committee in 2025. April 2024 - Agreed, officers to bring back a report to Committee.</p>	Peter Caldwell (Head of Assets & Property Services)	
619	Community & Wellbeing	30.04.24	Councillor Cochrane and Councillor Thompson	<p>That this Council notes with concern the temporary closure of Groomsport Tennis Courts due to issues around the safety of the playing surface. Further to this Council tasks officers to bring back a report on Tennis Court maintenance throughout the Borough and will commit to ensuring all our Tennis Court facilities are properly maintained and are fully accessible to all. Council will also promote the use of Tennis facilities in the Borough as we approach the spring/summer season.</p>	<p>Council 29.05.24 Community & Wellbeing Committee June 2024</p>	Report to January C&W Committee.	Ian O'Neill (Head of Leisure)	
623	Corporate Services	14.5.24	Councillor Gilmour & Councillor Martin	<p>8th May 2025 will be 80 years since VE Day- the official end of the Second World War in Europe. This council recognises the significance of this occasion and tasks officers to bring forward a report outlining potential ways this historic anniversary can be commemorated. Including any national plans for beacon lighting and with the council working with local people and local community groups to look at holding fitting events to mark this occasion so that a budget can be included in the next rate setting process.</p>	<p>Council 29.05.24 Corporate Services Committee 18.06.24 Item 17.2</p>	<p>June 2024 - Agreed, officers to bring back a report to Committee. Report to Dec CS Committee. Agreed to defer to C18/12/24 to discuss funding.</p>	Alison Curtis (Head of Administration)	Report agreed at December 2024 Council meeting. Remove from tracker after January Council.

625	Environment	21.05.24	Alderman Adair and Councillor Edmund	That Council tasks Officers to bring forward urgent proposals for ground maintenance to address the poor and unkept condition of Millisle Beach Park in order to ensure the area is clean today and well kept to welcome visitors to the Kite Festival to be hosted in Millisle by the Ards Peninsula village partnership on August 26th. Further Council bring forward in report on actioning repairs to disability access to Millisle and Portavogie Beaches following recent storm damage.	Council 26.06.24 Item 15.1 Council 31.07.24 Item 15	Amended and agreed at July Council that Council proceed with the above-mentioned works at a cost of approximately £13,000 and further Council write to NIEA to request a site meeting to discuss the need to repair access to beaches at Cloughey, Millisle and Portavogie. Heard and Agreed to adopt Notice of Motion at Council meeting 26.06.24	Peter Caldwell (Head of Assets & Property Services)	To be removed - Officers spoke with NIEA representatives, work is complete and no site visit is required.
626	Corporate Services	13.06.24	Alderman Brooks and Councillor Chambers	That the Council, following the 80th anniversary of D-Day, recognises the service of US regiment(s) stationed in Donaghadee and our Borough prior to D-Day and tasks officers to bring a report back looking at ways in which our Borough could provide a lasting memory to them.	Council 26.06.24 Item 15.2	Referred to Corporate Services Committee for hearing at September 2024 committee. Agreed that report brought back to relevant committee.		
628	Place & Prosperity	18.08.24	Alderman Brooks and Councillor Chambers	That Council Officers be instructed to consider options for appropriate signage to direct the public to the Camera Obscura in Donaghadee. That Council Officers should explore and consider opportunities for securing sponsorship for the signage from local businesses and organisations	Prosperity Ctte - 5 September 2024 (Item 14.1) Council 28 August 2024 (Item 25.2) referred to Place &	Donaghadee Signage Working Group established. Audit completed of existing signage to provide rationale for additional signage. Update report to future P&P Committee Agreed at 5 Sept P&P and ratified by 25 Sept Council	Brian Dorrian - (Interim Director of Place) to lead	
629	Community & Wellbeing	19.08.24	Councillors Gilmour, Hollywood, McClean and McKee	That this council notes that significant investment was previously made to deliver a play park, MUGA and amateur league sized football pitch on the Clandeboye road. Notes with regret there have been ongoing issues with the pitch. Instructs officers to reinstate the goalposts and mark out the pitch so that it can be played on by the local community. Furthermore, following consultation with the local community, that a report is brought back regarding the longer term maintenance and enhancement of the site, to ensure any necessary provisions can be considered during the rate setting process to ensure that the football pitch is fit for purpose and can be used as previously agreed."	Council 28 August 2024 (Item 25.3) September C&W Committee	Report to January 2025 C&W Committee	Stephen Daye (Head of Parks and Cemeteries)	

631	Corporate Services	7.8.24	Alderman McIlveen, Councillor Boyle, Alderman McDowell, Alderman Armstrong-Cotter, Councillor Smart, Councillor Kennedy, Councillor S Irvine	That this Council bestows the Freedom of the Borough upon Rhys McClenaghan - European, Commonwealth, World and Olympic Gold Medallist - in recognition of his outstanding achievements in sport.	Council September 2024 (Item 13.1)	Meeting with Rhys McClenaghan scheduled for January 2025. Further report to follow.	Alison Curtis (Head of Administration)	
632	Environment	21.08.24	Councillor Irwin and Alderman McRandal	That this Council tasks officers with producing a report outlining how pedestrian access to Household Recycling Centres in the Borough could be facilitated. This report should include consideration of health and safety requirements, the HRC booking system and the ability to provide pedestrian access in other council areas in Northern Ireland.	Council September 2024 (Item 13.2) Environment October 2 October 2024 (Item 11.1)	Agreed at Environment Committee 2 October 2024	Nigel Martin (Head of Waste and Cleansing)	
634	Place & Prosperity	1.10.24	Councillors Blaney & Hollywood	This Council notes with deep concern the fraudulent activity impacting local businesses through the manipulation of bank account information on Just Eat partner centre accounts, resulting in substantial financial losses; recognises the critical role these businesses play in supporting the local economy and acknowledges the severe impact these losses have on their ability to operate and resolves to write to Just Eat, expressing our deep concern over the financial harm caused to local businesses and calling on the company to urgently engage with affected businesses to resolve this devastating issue and prevent further incidents.	Place & Prosperity Committee November 2024 (Item 14.1) Council October 2024 (Item 23.1)	Letter issued to Just Eat 13.01.25 Agreed at 7 Nov P&P and ratified by 27 Nov Council	Ann McCullough (Interim Director of Prosperity) to lead	

635	Environment	11.10.24	Alderman McIlveen & Councillor Douglas	<p>That this Council notes the 70% recycling target set out in the Climate Change Act 2022 and that the current household recycling average is 50.7%.</p> <p>Further notes the aims and intentions around the consultation on "Rethinking our resources: measures for climate action and a circular economy in NI" includes the reduction in grey bin capacity by either volume of bin or three weekly collections;</p> <p>Further notes that nappy collection scheme was not referred to in Rethinking our resources: measures for climate action and a circular economy in NI" despite around 4% of residual waste being made up of disposable nappies and other absorbent hygiene products;</p> <p>Further notes with concern the impact reduced grey bin capacity will have on those households disposing of nappies and/or other absorbent hygiene products as well as the amount of recyclable materials such products contain;</p> <p>This Council writes to the Minister of Agriculture, Environment and Rural Affairs expressing its view that there is a need for a nappy collection scheme in Northern Ireland in order to meet recycling targets and to support households if grey bin capacity is reduced as a</p>	Council October 2024 - Item 23.2 Environment Committee November 2024	<p>Letters sent to DAERA and other NI Councils 11.12.24 Response received from DAERA 10.01.25 advising that there were no current plans to introduce a specific nappy recycling scheme here, but officials would be keen to explore opportunities and requirements further with local Councils via the existing Government Waste Working Group (GWWG) on this matter. To date no responses have been recieved from any Council. DAERA response to be Circulated for Information at February 2025 Environment Committee</p>	Nigel Martin (Head of Waste and Cleansing)	
636	Community & Wellbeing	16.10.24	Councillors Boyle & Wray	<p>That officers bring back a detailed report surrounding options to celebrate the huge success of the Ards Blair Mayne Wellbeing and Leisure Complex. Options would include a Civic Reception to celebrate 6 years of the huge success of the facility in 2025</p>	Council October 2024 Item 23.3 - Community & Wellbeing Committee November 2024	Agreed at Community & Wellbeing Committee November 2024	Ian O'Neill (Head of Leisure)	

<p>637</p>	<p>Community & Wellbeing</p>	<p>21.10.24</p>	<p>Councillor S Irvine & Councillor W Irvine</p>	<p>This Council agrees to consider as part of the upcoming rates setting process sufficient support to the cultural expression programme. Subject to this process, consideration should be given to committing funds from Council which are sufficient to meet the costs of planning activities without the uncertainty of funding coming from other sources, as has been the case for the last two years. Should in year funding become available from other sources, Council's contribution would be adjusted accordingly. This commitment reflects the Council's support for local cultural initiatives in an attempt to ensure that groups can prepare for their events.</p> <p>This will guarantee that each group agreeing to abide by the cultural expression agreement will receive a letter of offer in advance of 31st May, regardless of whether external funding is available via the Good Relations Action Plan, or any other third-party source.</p> <p>This commitment reflects the Council's support for local cultural initiatives, ensuring that all the participating community groups can prepare for their activities without uncertainty regarding funding.</p>	<p>Council October 2024 Item 23.4 - Community & Wellbeing Committee November 2024</p>	<p>Agreed at Community & Wellbeing Committee November 2024</p>	<p>Nikki Dorrian (Interim Head of Community and Culture)</p>	
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638	Place & Prosperity	22.10.2024	Councillors Harbinson & McCracken	<p>That this Council should:</p> <ol style="list-style-type: none"> 1. Prepare a visual map for all public sector land in Bangor City Centre and Ards Town Centre and colour code holdings that are potentially connected with future developments (even if not yet fully agreed), including Bangor Waterfront, Queen's Parade, Newtownards Citizen's Hub and the Council's Car Park Strategy. This includes public land belonging to the Council and NI Executive Departments. 2. To further identify public sector land that is currently unproductive and outside the scope of wider strategies, which could be made available for future private sector development. This includes land that is either vacant, contains empty or derelict buildings, or contains buildings that are under-utilised or dated to the point that redevelopment is required. The map should also include land that is facilitating meanwhile use. 3. Prepare a summary report to highlight how unproductive public sector land could be re-purposed and how such a process could be progressed within the bounds of current planning considerations and Council/Executive disposal policies. 	Place & Prosperity Committee November 2024 (Item 14.2) Council October 2024 (Item 23.5)	Agreed at 7 Nov P&P and ratified by 27 Nov Council - initial report to be brought back to future P&P Committee	Brian Dorrian (Interim Director of Place) to lead	
639	Place & Prosperity	30.10.2024	Cllr Patricia Morgan and Alderman Trevor Cummings, Cllr Libby Douglas, Alderman Philip Smith, Cllr Rachel Ashe	<p>The Comber representatives are delighted that Comber has won the Best Kept Medium Town Award this year and want to thank all the volunteers who have worked tirelessly to make this happen.</p> <p>There is, however, a long-standing dilapidated hoarding in Castle Street which badly detracts from this important area of Town.</p> <p>The Comber representatives recognise that Council officers and the Comber Regeneration Community Partnership have tried to address this issue, but this has not been successful.</p> <p>Considering this, Officers should do a report exploring all further options available to resolve this issue with some urgency.</p>	P&P 09.01.25 (Item 9.1) Council meeting 27.11.24 (Item 16.1) Referred to December 2024 P&P Committee	Agreed at Cttee 09.01.25 - report to be presented Deferred to January 2025 P&P Committee	Brian Dorrian (Interim Director of Place) to lead	

640		05.11.2024	Councillor Cochrane and Alderman Adair	<p>That this Council condemns the failure by the UK Government to prioritise farming families and the rural economy as part of the Autumn Budget; notes with deep concern the decisions to introduce new thresholds for Inheritance Tax and Agricultural Property Relief, which will jeopardise succession planning on farms and discourage investment in many farm businesses.</p> <p>Further to this, Council calls on the Minister for Agriculture, Environment and Rural Affairs to bring forward proposals to mitigate the impact of these damaging policies on local farms, as well as avoid significant increases in food prices; further commits to engage with the Chancellor at the earliest opportunity and demonstrate his absolute support for farmers affected by this budget and further calls on the Minister to work with the Minister of Finance to deliver an early and firm commitment to farming families that current levels of financial support will not only be maintained but increased in the next financial year.</p>	Council meeting 27.11.2024 - Heard and agreed.	Letter sent to Minister on 9 December and response received 13 January. Report to go to January Council.		
642	Corporate Services	15.11.24	Councillor W Irvine and Councillor S Irvine	<p>That this Council expresses its concern at the decision of the post office to propose to close it's branches in Main Street, Bangor, and Frances Street, Newtownards, as part of a widened UK overhaul. We would call on the Post office to reverse this decision and meet with Council at the earliest opportunity to discuss the proposal and the impact it will have on staff and customers. This Council notes how important post office services are to our communities and the huge role it plays in serving constituents.</p>	Council meeting 27.11.2024 - Item 16.4 - referred to CS Committee December 2024.	Letter sent to Chief Executive of Post Office on 06.01.25 and response received 13.01.25. Meeting between Council and Post Office arranged for 27.01.25	CEX Office	

643		10.12.24	Alderman Smith and Councillor Blaney	<p>That Council notes the recent changes to National Insurance made by the Chancellor of the Exchequer Rachel Reeves that increased employers contributions from 13.8% to 15% and also reduced the threshold at which NI is paid from £9,100 to £5,000. This increased tax on jobs will have a detrimental impact on all areas of the economy. The implications for this Council is an unbudgeted £1.2 million increase in our cost base which works out at a potential 2% increase for ratepayers.</p> <p>The Chancellor has stated that she will compensate the public sector to cover the increase so it is expected that the Northern Ireland Executive will receive a Barnett Consequential payment accordingly. We therefore call on the Executive to guarantee that local government in Northern Ireland will receive compensation and confirm that the burden will not fall on ratepayers and writes to the Finance Minister to obtain this reassurance.</p>	Council 18.12.24. Heard at Council and Agreed.	Letter sent to Finance Minister on 02.01.25	
644	Community & Wellbeing	10.12.24	Alderman McIlveen and Alderman Armstrong-Cotter	<p>That Council notes the poor condition of the Bowtown children's play park and its poor provision of accessible play equipment and tasks officers to bring forward a report on enhancing and improving the play park to meet the needs of local children.</p>	Council 18.12.24 and Community and Wellbeing Committee 15.01.2025	Deferred to the February 2025 meeting of Community and Wellbeing Committee	Stephen Daye (Head of Parks and Cemeteries)

645	Planning	10.12.24	Councillor McLaren and Councillor Wray	This Council expresses its concern at the crumbling state of our water and wastewater infrastructure and the resultant profound impact it is having on households throughout our council area; the disastrous and dangerous impact the resulting sewage pollution is having on our coastlines; further notes the impact the lack of wastewater connection capacity is having on the delivery of new homes and the establishment of new businesses; further highlights that through rates, water is already accounted for, and that the separation of this payment as a sustainable funding stream for Northern Ireland Water could unlock the ability to attract additional funding to invest in water and wastewater infrastructure and; resolves to write to the Minister for Infrastructure to highlight this council's deep concern and press for urgent action on the funding model for Northern Ireland Water to enable it to secure the required funding to invest in our water and wastewater infrastructure.	PC 04.02.25 Council 18.12.24 (Item 15.3)	To be heard at Planning Committee 04.02.25		
646	Planning	10.12.24	Alderman Cummings and Councillor Douglas	That this Council brings back a report identifying potential sites around Comber to accommodate industrial units suitable for use by SME's, and outline their compatibility with the Department of Economy Sub Regional Economic Plan, and Sectoral Action Plans together with Invest NI.	PC 04.02.25 Council 18.12.24 (Item 15.4)	To be heard at Planning Committee 04.02.25		
647	Community & Wellbeing	10.12.24	Councillor Cochrane and Councillor Thompson	That this Council recognises the considerable delays and frustration experienced by Donaghadee FC, Donaghadee Rugby Club, Ards and Donaghadee Cricket Club and Donaghadee Ladies Hockey Club in relation to the long-awaited upgrade to their playing surface and facilities. Alongside this officers shall engage meaningfully with all Sports Clubs in Donaghadee around facilities to ensure the development and investment to improve sports provision and facilities. Further to this, Council Officers will bring a report back exploring external funding opportunities, or in the absence of external funding, options for direct funding for upgrades to Donaghadee Sports facilities.	Council 18.12.24 & Community and Wellbeing Committee 15.01.2025	Agreed toadopt Notice of Motion - Community and Wellbeing Committee 15.01.2025		

648	Place & Prosperity	10.12.24	Alderman Brooks and Councillor Kendall	This Council acknowledges the success of the United Kingdom Pipe and Drum Major Championships, hosted by this Council in Bangor and Newtownards. This Council notes that other areas of the Borough have the space, potential locations, and infrastructure are required to host major events, for example 14,000 people attended the Donaghadee light up events, and that a spread of large events across the Borough brings cultural, social and economic benefits, fostering a sense of whole-Borough inclusivity. Therefore, working with the Royal Scottish Pipe Band Association, this Council will bring back a report considering the potential for these Championships to be held across the Borough on a rotational basis in Bangor, Holywood, Newtownards, Comber and Donaghadee.	P&P 09.01.25 - Item 9.2 Council 18.12.24 (Item 15.6)	P&P Committee 09.01.25 - NOM Withdrawn		Withdrawn
649	Place & Prosperity	5.12.24	Alderman McDowell and Councillor McCracken	That this Council, recognising the opportunities of the Green Economy to bring substantial funding to this Council, make significant savings and create new local jobs, sets up a working group comprised of Councillors and Officers to bring forward detailed proposal to achieve these benefits and in the process, help reduce carbon emissions in the Ards and North Down area.	P&P 09.01.25 Council 18.12.24 (Item 15.7)	Debated and agreed at P&P 09.01.25 that report be presented to include number of Members to participate in Working Group	Ann McCullough (Interim Director of Prosperity) to lead	

Circulated for Information

From: DoF Census NISRA <census@nisra.gov.uk>
Sent: 16 January 2025 10:25
Subject: Census 2021 - Public microdata teaching sample

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

census 2021

Latest Census 2021 publication

Today (16 January 2025) NISRA published the [Census 2021 public microdata teaching sample for Northern Ireland](#).

The file is a random sample of anonymised records covering 1% of people in Census 2021. It contains a limited set of variables, of particular use in teaching, and is freely available for anyone to download on the NISRA website.

In case you missed it...

The [General Report](#) on Census 2021 was published on 19 December 2024.

The 2021 Census was held in Northern Ireland on 21 March 2021 – achieving the highest recorded response rate here in recent censuses (97.1% of households). The report provides a full and comprehensive account of how the census was conducted, including documenting key successes and lessons learned.

If you have any queries, please contact us at census@nisra.gov.uk.

Yours sincerely,
Richard Elliott



Head of Census
Northern Ireland Statistics and Research Agency



Circulated for Information

From: DoJ Civil Justice and Judicial Policy Division <DoJCivilJusticeandJudicialPolicyDivision@justice-ni.gov.uk>

Sent: 20 December 2024 09:10

Subject: Call for Evidence on Access to Justice in relation to the Aarhus Convention

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Stakeholder,

Please see attached Call for Evidence, which seeks views from those with an interest in the provisions of the Aarhus Convention regarding legal challenges in relation to environmental matters.

All responses should be submitted by 5pm on Friday 28 February 2025. If you wish, you can respond using the questionnaire provided. All responses should be submitted by email to: DoJCivilJusticeandJudicialPolicyDivision@justice-ni.gov.uk

Regards,

Civil & Family Courts Branch



Department of
Justice

An Roinn Dlí agus Cirt
Máinnystrie O tha Laa

Access to Justice in relation to the Aarhus Convention

A Call for Evidence

The Call for Evidence seeks views from those with an interest in the provisions of the Aarhus Convention regarding legal challenges in relation to environmental matters.

Responding to the Call for Evidence

Please use this questionnaire to tell us your views.

The closing date for receipt of responses is **5pm on Friday 28 February 2025.**

Please note that it is unlikely that responses to the Call for Evidence will be accepted after this date.

Please send your response by email to:

DoJCivilJusticeandJudicialPolicyDivision@justice-ni.gov.uk

Privacy Notice

All responses to this Call for Evidence may be published on the Department's website except for those where the respondent indicates that they are an individual acting in a private capacity, e.g. a member of the public. All responses from organisations and individuals responding in a professional capacity may be published. Where relevant, email addresses and telephone numbers will be removed from responses. However, apart from this, they will be published in full. For more information about how personal data is handled, please see the Department's consultation privacy notice at Annex B of the Call for Evidence paper.

Your response, and all other responses to this Call for Evidence, may also be disclosed on request in accordance with the Freedom of Information Act 2000 ("FOIA") and the Environmental Information Regulations 2004 ("EIR"). However, all disclosures will be in line with the requirements of the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679.

If you want the information that you provide to be treated as confidential, you should explain in your response which particular section(s) of your response is confidential and why it should potentially be withheld (please refer to the Information Commissioner's Office's guidance on the application of the section 41 exemption (Information provided in confidence)). This will form part of the consideration should the Department receive a request for the information under FOIA or EIR.

Consultee Details	
Please enter your details below:	
Full Name:	
Title:	<input type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Dr <i>(please tick as appropriate)</i>
Organisation:	
Job Title: <i>(if applicable)</i>	
Address, including Postcode:	
Email Address:	

Question 1:

How effective are the Costs Protection Regulations in ensuring that Aarhus Convention cases are not prohibitively expensive to bring?

Question 2:

Please provide data on the number of Aarhus claims in which you have been involved since February 2017 and their outcomes.

Question 3:

Please provide data on the impact, if any, of the Covid-19 pandemic on the number of Aarhus claims in which you have been involved.

Question 4:

Can you provide examples of occasions when appeal costs have proved to be prohibitively expensive to continuing with an appeal in an Aarhus case?

Question 5:

Do the Costs Protection Regulations require to be clarified to ensure Aarhus cases that go to appeal are not prohibitively expensive? What are the likely benefits and risks of doing so?

Question 6:

Please provide any data or information you hold on the costs involved in pursuing a private nuisance claim with an environmental component.

Question 7:

Please provide any experience you have in a case in which costs protection measures were sought for private nuisance claims.

Question 8:

Please provide your views on the courts using judicial discretion to determine whether a private nuisance claim should benefit from the Costs Protection Regulations. What are the likely benefits and potential risks of doing so?

Question 9:

What particular private nuisance claims should benefit from costs protection under the Aarhus Convention?

Question 10:

Please provide your views on mediation or other forms of dispute resolution as a means to resolve private nuisance disputes.

Question 11:

Please provide any data on the number of Aarhus claims in which you have been involved where an interim injunction was sought and whether the issue of a cross-undertaking in damages arose, in particular:

- a) the number of Aarhus claims in which an interim injunction was sought;**
- (b) whether a cross-undertaking was required; and**
- (c) if so, the amount required.**

Question 12:

Would you support a default shared claimant costs cap, and, if so, what form should that take and should any conditions apply (for example, only where a second claimant is raising the same legal arguments)?

Question 13:

What are the likely potential benefits and risks of a default shared claimant costs cap?

Question 14:

Please provide any data on the number of Aarhus claims in which you have been involved where it has been appropriate for interveners to intervene to support claimants and whether there has been uncertainty as to costs liability. Did this uncertainty dissuade an intervener from taking part in the claim?

Question 15:

The ACCC’s position is that costs protection should be afforded to interveners during proceedings. Should interveners in support of an Aarhus claim have any additional protection from costs beyond the current position? What are the likely benefits and risks of doing so?

Question 16:

What are the likely benefits of changing when the time limit for bringing an Aarhus Convention claim starts to run as suggested by the ACCC?

Question 17:

What are the potential risks of changing when the time limit for bringing an Aarhus Convention claim starts to run as suggested by the ACCC?

Question 18:

If legislative provision was to be made so that the time limit starts when a decision is made public, should 'when a decision is made public' be defined as the date when that decision is published or should this be left open for the courts to determine?

Question 19:

Are there other approaches which could better address the non-compliance finding regarding judicial review time limits in Northern Ireland?



Department of
Justice

An Roinn Dlí agus Cirt
Máinnystrie O tha Laa

Access to Justice in relation to the Aarhus Convention

A Call for Evidence

**This Call for Evidence begins on Friday 20 December 2024 and closes on
Friday 28 February 2025**

Contents

	Page
Section 1 Purpose of this Call for Evidence	2
Section 2 Introduction	5
Section 3 The Costs Protection (Aarhus Convention) Regulations (Northern Ireland) 2013	7
Section 4 Judicial Review Time Limit	18
Section 5 Next Steps	22
Section 6 Summary of Questions	23
Annex A List of Recipients	26
Annex B Privacy Notice	28
Annex C Article 9 (Access to Justice) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters	31

1. Purpose of this Call for Evidence

Why are we issuing this Call for Evidence?

- 1.1 The purpose of this Call for Evidence is to seek views from those with an interest in the provisions of the Aarhus Convention regarding legal challenges in relation to environmental matters. This may include, but is not limited to, the judiciary, the legal profession, developers and environmental groups.
- 1.2 One of the Convention's core aims is to ensure access to justice in environmental matters. The Convention's monitoring body, the Aarhus Convention Compliance Committee, has found the UK to be non-compliant with the Convention and has made several recommendations, which have been adopted as decisions by the Meeting of the Parties, about matters on which the UK must take action to bring its policies into compliance with the Convention. This call for evidence seeks views on these recommendations and the issues arising to determine the best way to reach compliance.

Responding to the Call for Evidence

- 1.3 The Call for Evidence will run for a period of ten weeks, from **Friday 20 December 2025 to 5pm on Friday 28 February 2025**. Please note that it is unlikely that responses will be accepted after this date.
- 1.4 The list of those notified of this Call for Evidence is contained at **Annex A**. The list is not meant to be exhaustive or exclusive, and responses are welcomed from anyone with an interest in, or views on, the matters covered by this Call for Evidence.
- 1.5 If you wish, you can respond to the Call for Evidence using the questionnaire which is provided separately on the Department's website (see <https://www.justice-ni.gov.uk/consultations/call-evidence-aarhus>). Responses to the Call for Evidence should be submitted by email to: DoJCivilJusticeandJudicialPolicyDivision@justice-ni.gov.uk

- 1.6 An electronic copy of this document is available to view and download from the Department of Justice's website. However, hard copies of the document and copies in other formats, such as Braille, large print etc., may be made available on request. If it would help you to have to this document in a different format or in a language other than English, please let us know and we will do our best to assist you.
- 1.7 If you require any further information on this Call for Evidence, please contact us by email: DoJCivilJusticeandJudicialPolicyDivision@justice-ni.gov.uk

Privacy, confidentiality and access to Call for Evidence responses

- 1.8 All responses to this Call for Evidence may be published on the Department's website except for those where the respondent indicates that they are an individual acting in a private capacity, e.g. a member of the public. All responses from organisations and individuals responding in a professional capacity may be published. Where relevant, email addresses and telephone numbers will be removed from responses. However, apart from this, they will be published in full. For more information about how personal data is handled, please see the Department's consultation privacy notice at **Annex B**.
- 1.9 Your response, and all other responses to this Call for Evidence, may also be disclosed on request in accordance with the Freedom of Information Act 2000 ("FOIA") and the Environmental Information Regulations 2004 ("EIR"). However, all disclosures will be in line with the requirements of the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679.
- 1.10 If you want the information that you provide to be treated as confidential, you should explain in your response which particular section(s) of your response is confidential and why it should potentially be withheld (please refer to the Information Commissioner's Office's guidance on the application of the section 41 exemption (Information provided in confidence)).¹ This will form part of the

¹ [information-provided-in-confidence-section-41.pdf](#)

consideration should the Department receive a request for the information under FOIA or EIR.

Complaints

1.11 If you have any concerns about the way in which the Call for Evidence process has been handled, please email us at: Governance.Unit@justice-ni.gov.uk.

2. Introduction

- 2.1 The UK is one of 47 Parties to the Aarhus Convention, officially known as “the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters”, an international treaty adopted under the auspices of the United Nations Economic Commission for Europe in 1998. The UK ratified the Aarhus Convention in 2005. The Convention sets out obligations on Parties to make provision for the public to access environmental information, to participate in environmental decision-making, and to access justice when challenging environmental matters.
- 2.2 The Aarhus Convention Compliance Committee (“the ACCC”) was set up by the Convention’s decision-making body, the Meeting of the Parties (“the MoP”), to monitor compliance with the Convention. The ACCC reviews alleged instances of a Party’s non-compliance, which are normally raised by members of the public or environmental NGOs and determines whether there has been non-compliance. In cases of non-compliance, the ACCC makes recommendations to the MoP about how the Party concerned can remedy the issue.
- 2.3 **Decision VII/8s**², adopted by the MoP in October 2021, includes a number of recommendations on ways in which the UK can bring itself into compliance with the Convention with regard to the access to justice provision under Article 9 (see **Annex C** for the text of Article 9 of the Aarhus Convention in full). Some of these recommendations relate to costs protection in environmental legal challenges and there is also a recommendation relating to the time limit for bringing a judicial review within the scope of the Convention.
- 2.4 Specifically, Decision VII/8s endorsed and reaffirmed the earlier **Decision VI/8k**, noting progress towards compliance made since that decision but requested further steps to:

² ECE/MP.PP/2021/42 (unece.org)

- ensure that the allocation of costs in all court procedures subject to Article 9, including private nuisance claims, is fair and equitable, and not prohibitively expensive;
- further consider the establishment of appropriate assistance mechanisms to remove or reduce financial barriers to access to justice;
- further review its rules regarding the time-frame for the bringing of applications for judicial review in Northern Ireland to ensure that the legislative measures involved are fair and equitable, and amount to a clear and transparent framework; and
- establish a clear, transparent and consistent framework to implement Article 9(4) of the Convention.

2.5 The following parts of this Call for Evidence set out in turn the ACCC recommendations underpinning the MoP decision, alongside the background to each of these.

2.6 Respondents are asked to consider the ACCC's recommendations and having regard to the likely benefits and potential risks, to indicate whether each recommendation should be implemented or whether there are suitable alternatives which could deliver the desired outcome of bringing these areas into compliance.

2.7 This Call for Evidence focuses on the compliance issues for Northern Ireland. The UK Government and the Scottish Government are responsible for how the relevant compliance issues are addressed in England and Wales and Scotland. However, we are working closely with them to ensure the UK meets its international law obligations under the Aarhus Convention.

3. The Costs Protection (Aarhus Convention) Regulations (Northern Ireland) 2013

History of the Costs Protection Regulations

- 3.1 As a Party to the Aarhus Convention, the UK is required, amongst other things, to make sure that there is a clear, transparent and consistent framework for members of the public to access environmental justice, and that the costs of bringing environmental challenges are not 'prohibitively expensive'. When the UK ratified the Aarhus Convention, it was still a member of the European Union. Elements of the Aarhus Convention have been implemented via EU Directives, which means that some non-compliance issues were subject to the EU's legal and infraction procedures when the UK was a Member State.
- 3.2 In 2013, the Department of Justice ("the Department") made *The Costs Protection (Aarhus Convention) Regulations (Northern Ireland) 2013* ("the Costs Protection Regulations") for Northern Ireland. The Regulations, as introduced, fixed the maximum costs that a court can order an unsuccessful claimant to pay to other parties for judicial reviews and statutory reviews, which fall within the scope of the Aarhus Convention.³ The costs caps were set, at the outset, at £5,000 (for individual claimants), £10,000 (where the applicant is a legal person or applying in the name of a legal entity or unincorporated association) and £35,000 (for respondents).
- 3.3 The European Court of Justice ("the CJEU") gave a judgment in 2014 in which it found that the costs regime for environmental judicial review cases which had been in place in the UK in 2010 (before the Costs Protection Regulations were in operation) had not properly implemented the 'not prohibitively expensive' requirement of the Aarhus Convention, as required by the Public Participation Directive (2003/35/EC).⁴

³ "An Aarhus Convention case" is defined at regulation 2 of the Costs Protection (Aarhus Convention) Regulations (Northern Ireland) 2013

⁴ C-530/11 European Commission V. UK [2014] 3 WLR 853

3.4 In light of this judgment and other judgments of the CJEU⁵ and the UK Supreme Court⁶, the Department consulted on proposed amendments to the Costs Protection Regulations in 2015 and subsequently made *The Costs Protection (Aarhus Convention) (Amendment) Regulations (Northern Ireland) 2017*⁷, which introduced several new provisions, including the following:

- giving the courts the power to vary the default costs cap downwards for an applicant to avoid prohibitive expense and to increase the cap for a respondent to, again, avoid prohibitive expense to the applicant;
- in deciding whether the cap is prohibitively expensive, the court must take into account the applicant's financial means;
- a separate costs cap to apply to an appeal within the scope of the Convention in the Court of Appeal;
- clarification that only applicants who are members of the public (and not public bodies) are entitled to costs protection; and
- a direction to the court to apply certain principles when considering whether or not to require an undertaking in an application for an interim injunction in a case within the scope of the Convention.

3.5 As it has been some time since the costs caps came into operation and the Costs Protection Regulations were subsequently amended, the Department believes now is the right time to review these in detail, including how they operate in practice.

⁵ C-260/11 *Edwards V. Environment Agency* [2013] 1 W.L.R. 2914

⁶ *R (Edwards) V. Environment Agency (No.2)* [2014] 1 W.L.R. 55

⁷ [The Costs Protection \(Aarhus Convention\) \(Amendment\) Regulations \(Northern Ireland\) 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Question 1: How effective are the Costs Protection Regulations in ensuring that Aarhus Convention cases are not prohibitively expensive to bring?

Question 2: Please provide data on the number of Aarhus claims in which you have been involved since February 2017 and their outcomes.

Question 3: Please provide data on the impact, if any, of the Covid-19 pandemic on the number of Aarhus claims in which you have been involved.

Costs Protection Regulations Compliance Issues

Overview

- 3.6 This section sets out the compliance issues for Northern Ireland identified by the ACCC. In each instance we have summarised the ACCC's concerns and set out some issues for further consideration. The Department would be grateful for respondents' views on the issues raised and any supporting evidence.
- 3.7 Decision VII/8s, adopted at the MoP to the Aarhus Convention in October 2021, concerns several different UK Aarhus compliance issues.⁸ This part of the Call for Evidence considers the compliance issues raised in that decision insofar as they relate to the Costs Protection Regulations or other costs provisions, and associated procedural issues.
- 3.8 Decision VII/8s followed on from Decision VI/8k, which was made on 14 September 2017, and following which the UK reported on progress towards compliance in annual reports submitted to the ACCC in 2018, 2019 and 2020.⁹ The ACCC issued a final report in 2021 providing detailed consideration of the issues regarding costs protection and indicating where some concerns remain.

⁸ See Decision VII/8s: [Decisions adopted by the Meeting of the Parties, advance edited copy \(ECE/MP.PP/2021/2/Add.1\) | UNECE](#).

⁹ The UK's first progress report (in October 2018) on the implementation of Decision VI/8k is available here: [frPartyVI8.k_01.10.2018_first_progress_report.pdf \(unece.org\)](#). The UK's second progress report (in September 2019) on the implementation of Decision VI/8k is available here: [frPartyVI.8k_30.09.2019_2nd_progress_report.pdf \(unece.org\)](#). The UK's third and final progress report (in September 2020) on the implementation of Decision VI/8k is available here: [frPartyVI8.k_30.09.2020_final_progress_report.pdf \(unece.org\)](#).

This report was submitted to the MoP in October 2021 and underpins the new Decision VII/8s.¹⁰ Accordingly, for the purpose of this Call for Evidence and consideration of the Costs Protection Regulations, we refer to the specific issues addressed by the ACCC in Part I of the report on Decision VI/8k, as listed below (while some recommendations discussed were directed towards other UK jurisdictions, they have read across to Northern Ireland):

- (a) costs protection on appeal;
- (b) types of claims covered;
- (c) cross-undertakings for damages;
- (d) costs for procedures with multiple claimants; and
- (e) costs orders against or in favour of interveners.

(a) *Costs protection on appeal*

3.9 The issue: The ACCC considers that the Costs Protection Regulations fail to ensure sufficient costs protection for claimants in environmental legal challenges where there is an appeal.

3.10 ACCC comments: Although the ACCC final compliance report on Decision VI/8k noted comments made by some environmental groups that the 2017 amendments to the Costs Protection Regulations in Northern Ireland have, to date, operated reasonably well in practice, they recommended that the costs to be ordered on appeal, including any possible costs caps, “must recognise that the requirement not to be prohibitively expensive applies to the procedure as a whole, encompassing all stages of the procedure” (see paragraph 115 in Part I of the report on Decision VI/8k).

3.11 Commentary: The Costs Protection Regulations, as amended, already provide for separate costs caps in appeals in Aarhus cases and for the appeal court to

¹⁰ See the ACCC’s final report to the Meeting of the Parties on Decision VI/8k (Part I): [ECE/MP.PP/2021/59 \(unece.org\)](#); and Part 2: [ECE_MP.PP_2021_60_E.pdf \(unece.org\)](#). Part I reviews the progress made by the UK in implementing paragraphs 2, 4 and 6 of Decision VI/8k; Part II review the UK’s progress in implementing paragraph 8 of Decision VI/8k.

have the same power as the original court to decrease this amount. They also provide that the appeal court retains its power to make an order as to the costs of the proceedings in the original court, subject to the prescribed costs caps and any order of that court varying these. Taken together, this may give the appeal court sufficient powers to ensure the proceedings, as a whole, are not prohibitively expensive. However, the Department notes the concern raised by the ACCC and welcomes any evidence in relation to this issue.

Question 4: Can you provide examples of occasions when appeal costs have proved to be prohibitively expensive to continuing with an appeal in an Aarhus case?

Question 5: Do the Costs Protection Regulations require to be clarified to ensure Aarhus cases that go to appeal are not prohibitively expensive? What are the likely benefits and risks of doing so?

(b) *Types of claims covered*

3.12 The issue: In its final report on Decision VI/8k, the ACCC suggested that the scope of the Costs Protection Regulations should be extended to cover private nuisance claims.

3.13 ACCC comments: In particular, the ACCC in its final report on Decision VI/8k found that, by excluding private law claims such as private nuisance from the scope of costs protection, the requirements of paragraph 2 (a), (b) and (d) of Decision VI/8k have not been met yet. The MoP endorsed this recommendation (in Decision VII/8s) and requested that, as a matter of urgency, the necessary legislative, regulatory, administrative and practical measures should be taken to ensure that the allocation of costs in all court procedures subject to Article 9, including private nuisance claims, is fair and equitable, and not prohibitively expensive.

- 3.14 **Commentary:** The Department notes the ACCC position that a lack of costs protection for private nuisance claims is presenting a barrier to justice in environmental matters in practice and would welcome any evidence on this issue.
- 3.15 There have been two cases in the Court of Appeal in England and Wales in which costs protection orders for private nuisance claims were sought and refused since the UK acceded to the Aarhus Convention: *Austin v Miller Argent*¹¹ and *Morgan v Hinton Organics (Wessex) Ltd*¹². In the Austin case the Court stated that such a claim for private nuisance could come within the scope of Article 9(3) provided the nature of the complaint has a close link with the environmental matters regulated by the Convention and the claim if successful would confer significant public environmental benefits. Both parties in each case then raised a communication with the ACCC. [in the form of ACCC/C/2013/85¹³ and ACCC/C/2013/86¹⁴].
- 3.16 The Department is not aware of any judgments considering the application of the Aarhus Convention in private nuisance claims in this jurisdiction but would welcome any examples of a Northern Ireland court considering this issue.
- 3.17 As it currently stands, the Costs Protection Regulations only apply to applications brought by a member of the public for judicial review or for review under the provision of any statutory provision as defined by regulation 2 of the Costs Protection Regulations. There may be a concern that extending the Regulations to include private nuisance claims runs the risk of increasing legal challenges

¹¹ Original private nuisance case *Austin v Miller Argent* [2011] EWCA Civ 928, the costs of those proceedings were later appealed in *Austin v Miller Argent* [2014] EWCA Civ 1012. In the Austin case, the applicant brought a claim in private nuisance alleging that she was affected by noise and dust pollution from the respondent's mining operations. The Court noted that that the obligation to impose a Protected Costs Order (PCO) under court rules was limited to Aarhus Convention claims that were judicial review cases, but that there was also a discretionary power to order a PCO under general case management powers. Whilst a PCO was refused on the facts of the case, the Court of Appeal considered whether the Aarhus Convention has any application to private nuisance claims.

¹² Original private nuisance case from Queen's Bench Division in E&W A2/2008/0038, and then later appealed in *Morgan v Hinton Organics (Wessex) Ltd* [2009] EWCA Civ 107

¹³ [ACCC/C/2013/85 United Kingdom | UNECE](#)

¹⁴ [ACCC/C/2013/86 United Kingdom | UNECE](#)

between private persons which have only a tenuous link to the environment or to wider public environmental benefit.

3.18 The Department also notes that parties can choose to resolve private nuisance claims outside of the courts in Northern Ireland. This can be achieved through other dispute resolution mechanisms, such as mediation, which helps parties avoid the time, cost and stress of adversarial court proceedings.

3.19 If the Costs Protection Regulations were to be extended to private nuisance claims, one option could be to make such protection available only at the court's discretion, where the court considers a particular dispute to be sufficiently closely connected to an environmental matter. Additionally, provision could be made for the court to consider any wider public interest raised by the case. This would be similar to the approach of the English Court of Appeal in the *Austin v Millar Argent* case.

Question 6: Please provide any data or information you hold on the costs involved in pursuing a private nuisance claim with an environmental component.

Question 7: Please provide any experience you have in a case in which costs protection measures were sought for private nuisance claims.

Question 8: Please provide your views on the courts using judicial discretion to determine whether a private nuisance claim should benefit from the Costs Protection Regulations. What are the likely benefits and potential risks of doing so?

Question 9: What particular private nuisance claims should benefit from costs protection under the Aarhus Convention?

Question 10: Please provide your views on mediation or other forms of dispute resolution as a means to resolve private nuisance disputes.

(c) Cross-undertakings for damages

3.20 **The issue:** In its final report on Decision VI/8k, the ACCC stated that, based on a lack of data before the Committee, it was not clear whether the courts in Northern Ireland still in practice require cross-undertakings for damages when an injunction is sought in an Aarhus claim. They considered that this uncertainty fails to meet the requirement in Article 3(1) for a clear, transparent and consistent framework to implement the Convention's provisions.

3.21 **ACCC comments:** Further to the above, the ACCC sought up-to-date data regarding '(a) the number of Aarhus claims in which an interim injunction was sought; (b) whether a cross-undertaking was required; and (c) if so, the amount required'.

3.22 **Commentary:** Cross-undertakings may typically be required to compensate the respondent to an application for an injunction for any loss or damage they might suffer if an interim injunction is granted but the application is later refused. There is no rule in Northern Ireland which stipulates that such an undertaking will be required, rather it is at the court's discretion. Under the Costs Protection Regulations (see regulation 5), the court is required, when making a cross undertaking, to consider the terms of the order overall, so as not to make the case prohibitively expensive for the applicant. As of 9 June 2023, Northern Ireland Courts and Tribunal Service record the number of Aarhus cases. Following a manual examination of a random sample of such cases, no record of an order for a cross-undertaking for damages was found.

3.23 The Department would welcome further evidence as part of this review.

Question 11: Please provide any data on the number of Aarhus claims in which you have been involved where an interim injunction was sought and whether the issue of a cross-undertaking in damages arose, in particular:

- (a) the number of Aarhus claims in which an interim injunction was sought**
- (b) whether a cross-undertaking was required; and**
- (c) if so, the amount required.**

(d) *Costs for procedures with multiple claimants*

3.24 **The issue:** The ACCC sees no basis for a rule requiring separate costs caps for each claimant, in particular, where the claimants make the same legal arguments on the same factual basis. Although the ACCC recommendation refers specifically to England and Wales, the recommendation applies equally to Northern Ireland where a similar rule is in place.

3.25 **ACCC comments:** In its final compliance report on Decision VI/8k, the ACCC commented: ‘the ACCC does not agree that it is undesirable for claimants to be able to share the costs burden for challenges within the scope of the Convention’.

3.26 **Commentary:** The Civil Procedure Rules in England and Wales stipulate that the costs caps in the Environmental Costs Protection Regime apply only to individual claimants and/or defendants, and ‘may not be exceeded, irrespective of the number of receiving parties.’ (CPR 46.26(4)). The Costs Protection Regulations in Northern Ireland (in regulation 3) set costs caps for applicants and respondents respectively but do not make any specific provision in regard to costs in cases of multiple claimants raising the same issues on a similar factual basis and legal argument. It is acknowledged that additional claimants may lead to increased costs of proceedings. The viability of a separate ‘shared claimant’ default costs cap could be considered (including, for example, if a second claimant is only raising the same legal argument). As an example, caps could be set at one and a half times the default individual claimant cap (e.g., £7,500, if there are two claimants who are individuals and £15,000 for two claimants otherwise), but crucially still retain the potential for variability. This would allow claimants to share the costs burden, if they wished to do so, but also reflect the fact that multiple claimants can increase the administration and complexity of legal arguments. This could be considered a positive development without undermining the principles of the current Costs Protection Regulations. The Department would welcome views on this issue including any risks associated with a shared claimants costs cap.

Question 12: Would you support a default shared claimant costs cap, and, if so, what form should that take and should any conditions apply (for example, only where a second claimant is raising the same legal arguments)?

Question 13: What are the likely potential benefits and risks of a default shared claimant costs cap?

(e) *Costs orders against or in favour of interveners*

3.27 **The issue:** The ACCC considers that members of the public who join proceedings as interveners *in support of* the claimant should also be entitled to benefit from the Convention's requirement that proceedings must not be prohibitively expensive. Although this ACCC recommendation refers specifically to England and Wales, it applies equally to Northern Ireland where similar rules are in place.

3.28 **ACCC comments:** The ACCC's position is that costs protection should be afforded to interveners during proceedings. The ACCC considers that 'members of the public who join proceedings as interveners in support of the claimant are also entitled to benefit from the Convention's requirement that proceedings must not be prohibitively expensive'. They find that the UK has not yet achieved compliance on this point.

3.29 **Commentary:** The Department is not aware of any Aarhus case in which costs were sought or imposed against an intervener. Further views on this issue are welcomed.

Question 14: Please provide any data on the number of Aarhus claims in which you have been involved where it has been appropriate for interveners to intervene to support claimants and whether there has been uncertainty as to costs liability. Did this uncertainty dissuade an intervener from taking part in the claim?

Question 15: The ACCC's position is that costs protection should be afforded to interveners during proceedings. Should interveners in support of an Aarhus claim have any additional protection from costs beyond the current position? What are the likely benefits and risks of doing so?

4. Judicial Review Time Limit

Current position in Northern Ireland

- 4.1 Court rules in Northern Ireland currently provide that an application for leave to bring a judicial review must be brought within three months from the date when the grounds for the application first arose unless the court considers that there is good reason for extending that period.¹⁵ Previously a leave application had to be brought “promptly” and in any event within three months but the promptitude requirement was removed in 2017 following a public consultation.
- 4.2 Regarding when “the grounds for the application first arose”, case law has established that this is generally the date on which the decision under challenge was taken.

Compliance issue

- 4.3 Paragraph 2(c) of Decision VII/8s “requests the UK to, as a matter of urgency, take the necessary legislative, regulatory, administrative and practical measures to:

(c) Further review its rules regarding the time frame for the bringing of applications for judicial review in Northern Ireland to ensure that the legislative measures involved are fair and equitable and amount to a clear and transparent framework”.

- 4.4 Whilst welcoming the removal of a promptitude requirement, in its final report on Decision VI/8k the ACCC found that, by failing to establish clear time limits within which claims may be brought and to set a clear and consistent point at which time starts to run, i.e. the date on which a claimant knew, or ought to have known, of the act, or omission, at stake, Northern Ireland has still not complied with the requirement in Article 9, paragraph 4, that procedures subject to Article 9 are fair and equitable.

¹⁵ The Rules of the Court of Judicature (NI) 1980 Order 53 rule 4 [RsCJ formerly RSC](#)

Commentary

4.5 Judicial review is a constitutionally important mechanism which allows an individual or organisation affected by a decision taken by a public body to challenge that decision in court. The time limits for bringing a claim are intended to strike a balance between the need for legal certainty and the right of access to justice. This was recently summarised by Mr Justice Scofield *In The Matter Of An Application By William Bannon For Leave To Apply For Judicial Review*¹⁶ in which he stated:

“The courts have frequently emphasised the importance of legal certainty in the context of judicial review time limits since [O’Reilly v Mackman [1983] 2 AC 237], including for example in this jurisdiction in Re Turkington’s Application [2014] NIQB 58 (at para [33], Treacy J referring to good administration requiring “decisiveness and finality” in the absence of compelling reasons); and Re Musgrave Retail’s Application [2012] 109 (at para [13], Maguire J referring to the “need for speed” in the initiation of judicial review decisions and it being “important that a point in time is arrived at which it can confidently be said that a public law decision is beyond question”). Where time is to be extended, it is well established that there should be a good reason for doing so; and an onus lies upon an applicant seeking such an extension to account for all relevant periods of delay.”

4.6 As noted above, provision already exists in the rules to allow the court to use its discretion to extend the three-month time limit where there is good reason to do so. The question of when the claimant knew (or ought to have known) enough information to make an application for judicial review will be a relevant factor, which is material to the question of whether an extension of time should be granted.

4.7 Changing the position so that the time limit is calculated from the date the decision became known to the public and not from the date that the contested

¹⁶ Paragraph 17 [2024] NIKB 25

decision was taken, was not considered in the 2017 consultation which resulted in the removal of the promptitude requirement. Therefore, the Department would welcome views on the likely benefits and potential risks associated with the implementation of this recommendation as a means of ensuring that the judicial review regime in Northern Ireland meets the UK's obligations under the Aarhus Convention.

- 4.8 The Department understands that the aim of the ACCC's recommendation is to ensure that an individual or organisation seeking to make an Aarhus Convention claim can take full advantage of the time limit. Respondents are asked to indicate whether they consider that this change should be made in Northern Ireland in order to ensure compliance or whether there is an alternative that might be more effective in enabling us to meet our obligations under the Convention.
- 4.9 The Department has identified two possible options to implement the ACCC's recommendation. Both would involve changing the rules so that the time limit starts from when a decision is made public rather than when it was taken. The first option would be to define in legislation 'when a decision is made public' as the date when that decision was published. The second would be to leave it to the court to establish the test as to when a decision is considered to have been made public, or when a claimant knew or ought to have known about that decision. While the first would provide for greater certainty as to when an eligible judicial review claim may be made, the latter could provide judges greater flexibility to consider the specific circumstances of each case when determining whether a claim was made in time.
- 4.10 The Department would welcome views from the judiciary, legal practitioners and other stakeholders on how the ACCC's recommendation ought to be implemented, with particular regard to how it might impact the operation of the courts.

Question 16: What are the likely benefits of changing when the time limit for bringing an Aarhus Convention claim starts to run as suggested by the ACCC?

Question 17: What are the potential risks of changing when the time limit for bringing an Aarhus Convention claim starts to run as suggested by the ACCC?

Question 18: If legislative provision was to be made so that the time limit starts when a decision is made public, should 'when a decision is made public' be defined as the date when that decision is published or should this be left open for the courts to determine?

Question 19: Are there other approaches which could better address the non-compliance finding regarding judicial review time limits in Northern Ireland?

5. Next Steps

- 5.1 The Department intends to publish a response as soon as practicable following the closing date of this Call for Evidence. Any screening and impact assessments will be completed as part of the Department's response to this Call for Evidence and ongoing policy development in this area.

6. Summary of Questions

We welcome responses to the following questions, which refer to the specific issues raised in the sections above. You do not need to answer every question. Please give reasons for your responses, including examples and data from cases.

Costs Protection Regulations

Question 1: How effective are the Costs Protection Regulations in ensuring that Aarhus Convention cases are not prohibitively expensive to bring?

Question 2: Please provide data on the number of Aarhus claims in which you have been involved since February 2017 and their outcomes.

Question 3: Please provide data on the impact, if any, of the Covid-19 pandemic on the number of Aarhus claims in which you have been involved.

(a) Costs protection on appeal

Question 4: Can you provide examples of occasions when appeal costs have proved to be prohibitively expensive to continuing with an appeal in an Aarhus case?

Question 5: Do the Costs Protection Regulations require to be clarified to ensure Aarhus cases that go to appeal are not prohibitively expensive? What are the likely benefits and risks of doing so?

(b) Types of claims covered

Question 6: Please provide any data or information you hold on the costs involved in pursuing a private nuisance claim with an environmental component.

Question 7: Please provide any experience you have in a case in which costs protection measures were sought for private nuisance claims.

Question 8: Please provide your views on the courts using judicial discretion to determine whether a private nuisance claim should benefit from the Costs Protection Regulations. What are the likely benefits and potential risks of doing so?

Question 9: What particular private nuisance claims should benefit from costs protection under the Aarhus Convention?

Question 10: Please provide your views on mediation or other forms of dispute resolution as a means to resolve private nuisance.

(c) Cross-undertakings for damages

Question 11: Please provide any data on the number of Aarhus claims in which you have been involved where an interim injunction was sought and whether the issue of a cross-undertaking in damages arose, in particular:

- (a) the number of Aarhus claims in which an interim injunction was sought;
- (b) whether a cross-undertaking was required; and
- (c) if so, the amount required.

(d) Costs for procedures with multiple claimants

Question 12: Would you support a default shared claimant costs cap, and, if so, what form should that take and should any conditions apply (for example, only where a second claimant is raising the same legal arguments)?

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Judicial Review Time Limit

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Question 19: Are there other approaches which could better address the non-compliance finding regarding judicial review time limits in Northern Ireland?

List of Recipients

Antrim and Newtownabbey Borough Council

Ards and North Down Borough Council

Armagh, Banbridge & Craigavon Borough Council

Bar Library of NI

Belfast City Council

Belfast Solicitors' Association

Causeway Coast and Glens Borough Council

Committee on the Administration of Justice

Departmental Solicitors Office

Derry City and Strabane District Council

Environment and Planning Law Association of Northern Ireland

Fermanagh and Omagh District Council

Infrastructure NI

Lady Chief Justice Northern Ireland

Law Centre (NI)

Law Society of Northern Ireland

Lisburn and Castlereagh City Council

Mid and East Antrim Borough Council

Mid Ulster District Council

Newry, Mourne & Down District Council

NI political party leaders

Northern Ireland Environment Link

Northern Ireland Executive Ministers and NI Executive Secretariat

Northern Ireland Human Rights Commission

Northern Ireland Local Government Association

Office of First Minister and deputy First Minister

Office of the Attorney General for Northern Ireland

PILS Project

Planning Appeals Commission

Royal Institution of Chartered Surveyors Northern Ireland

Royal Society of Ulster Architects

Royal Town Planning Institute Northern Ireland

Rural Community Network

School of Law - The Queen's University of Belfast

Shadow Civil Justice Council

The Law School at the University of Ulster (Jordanstown)

The River Faughan Anglers Ltd

Tidy Northern Ireland

Tourism NI

Translink

Ulster Farmers' Union

Woodland Trust

World Wildlife Fund, Northern Ireland

Privacy Notice – Consultations (DoJ)

Data Controller Name: Department of Justice

Address: Knockview Buildings, Stormont, BELFAST, BT4 3SG

Email: AtoJ.Consultation@justice-ni.gov.uk

Data Protection Officer Name: DoJ Data Protection Officer

Telephone: (028) 9037 8617

Email: DataProtectionOfficer@justice-ni.gov.uk

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the Data Protection Act and the EU General Data Protection Regulation (“GDPR”). The Department of Justice (“the Department”) is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

Purpose for processing

We will process personal data provided in response to consultations for informing the development of our policy, guidance or other regulatory work in the subject area of the request for views. We may publish a summary of the consultation responses and, in some cases, the responses themselves but these will not contain any personal data. We will not publish the names or contact details of respondents but will include the names of organisations responding.

Lawful basis for processing

The lawful basis we are relying on to process your personal data is Article 6(1)(e) of GDPR, which allows us to process personal data when this is necessary for the performance of our public tasks in our capacity as a Government Department.

We will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health, disability or sexual life/orientation when it is necessary for reasons of substantial public interest under Article 9(2)(g) of GDPR, in the exercise of the function of the Department and to monitor equality.

How will your information be used and shared?

We process the information internally for the above stated purpose. For the time that we are processing this data, it will be held on a secure IT system and access to it will be controlled. We do not intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance with the provisions of the data protection laws.

How long will we keep your information?

We will retain consultation response information until our work on the subject matter of the consultation is complete and in line with the Department's approved Retention and Disposal Schedule.

What are your rights?

You have:

- the right to obtain confirmation that your data is being processed and access to your personal data;
- an entitlement to have personal data rectified if it is inaccurate or incomplete;
- a right to have personal data erased and to prevent processing in specific circumstances;
- the right to 'block' or suppress processing of personal data in specific circumstances;
- the right to data portability in specific circumstances; and
- rights in relation to automated decision making and profiling.

How to complain if you are not happy with how we process your personal information

If you wish to request access, object or raise a complaint about how we have handled your data, you can contact our Data Protection Officer using the details above.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you have the right to lodge a complaint with the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
Email: casework@ico.org.uk
<https://ico.org.uk/global/contact-us/>

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Article 9

Access to Justice

1. Each Party shall, within the framework of its national legislation, ensure that any person who considers that his or her request for information under article 4 has been ignored, wrongfully refused, whether in part or in full, inadequately answered, or otherwise not dealt with in accordance with the provisions of that article, has access to a review procedure before a court of law or another independent and impartial body established by law.

In the circumstances where a Party provides for such a review by a court of law, it shall ensure that such a person also has access to an expeditious procedure established by law that is free of charge or inexpensive for reconsideration by a public authority or review by an independent and impartial body other than a court of law.

Final decisions under this paragraph 1 shall be binding on the public authority holding the information. Reasons shall be stated in writing, at least where access to information is refused under this paragraph.

2. Each Party shall, within the framework of its national legislation, ensure that members of the public concerned
 - (a) Having a sufficient interestor, alternatively,
 - (b) Maintaining impairment of a right, where the administrative procedural law of a Party requires this as a precondition,

have access to a review procedure before a court of law and/or another independent and impartial body established by law, to challenge the substantive and procedural legality of any decision, act or omission subject to the provisions of article 6 and, where so provided for under national law and without prejudice to paragraph 3 below, of other relevant provisions of this Convention.

What constitutes a sufficient interest and impairment of a right shall be determined in accordance with the requirements of national law and consistently with the objective of giving the public concerned wide access to justice within the scope of this Convention. To this end, the interest of any non-governmental organization meeting the requirements referred to in article 2, paragraph 5, shall be deemed sufficient for the purpose of subparagraph (a) above. Such organizations shall also be deemed to have rights capable of being impaired for the purpose of subparagraph (b) above.

The provisions of this paragraph 2 shall not exclude the possibility of a preliminary review procedure before an administrative authority and shall not affect the requirement of exhaustion of administrative review procedures prior to recourse to judicial review procedures, where such a requirement exists under national law.

3. In addition and without prejudice to the review procedures referred to in paragraphs 1 and 2 above, each Party shall ensure that, where they meet the criteria, if any, laid down in its national law, members of the public have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of its national law relating to the environment.
4. In addition and without prejudice to paragraph 1 above, the procedures referred to in paragraphs 1, 2 and 3 above shall provide adequate and effective remedies, including injunctive relief as appropriate, and be fair, equitable, timely and not prohibitively expensive. Decisions under this article shall be given or recorded in writing. Decisions of courts, and whenever possible of other bodies, shall be publicly accessible.

5. In order to further the effectiveness of the provisions of this article, each Party shall ensure that information is provided to the public on access to administrative and judicial review procedures and shall consider the establishment of appropriate assistance mechanisms to remove or reduce financial and other barriers to access to justice.

Circulated for Information

Please find attached the NI Housing Council minutes for the past three months.

I apologise for the delay, as they were usually circulated at your Council's monthly meeting, for Councillors information.

Going forward, I will be sending them on a monthly basis.

Kind Regards

Kelly

Kelly Cameron
Secretary
Northern Ireland Housing Council
Ext: 82752
Direct Line: 028 9598 2752



Minutes of the 509th Meeting of the Northern Ireland Housing Council held on Thursday, 12th September 2024 at 10.30 in the Housing Centre, 2 Adelaide Street, Belfast

Present:

Cllr Mark Cooper
Cllr Aaron Skinner
Cllr Mary O'Dowd

Ald Keith Kerrigan
Ald Amanda Grehan
Cllr Deirdre Varsani

Antrim & Newtownabbey Borough Council
Mid-East Antrim Borough Council
Armagh City, Banbridge & Craigavon Borough Council
Derry & Strabane District Council
Lisburn & Castlereagh City Council
Mid Ulster District Council

Virtual:

Cllr Anne Marie Fitzgerald
Ald Stephen McIlveen

Fermanagh & Omagh District Council
Ards & North Down Borough Council

In Attendance – NIHE:

Grainia Long
Gillian Greer
Maria McLaughlin
Kelly Cameron

Chief Executive
Assistant Director, Housing Benefit
Executive Assistant Chair & CX's Office
Secretary, Housing Council

Apologies:

Cllr Sean McGlinchey
Cllr Aoife Finnegan

Causeway Coast & Glens Borough Council
Newry, Mourne & Down District Council

1.	Welcome The Chair welcomed Members to the meeting, in particular to Councillor Deirdre Varsani, Mid Ulster District Council to her first meeting since her appointment.	
2.	Declarations of Interest Cllr Varsani advised that her son works for a Housing Association.	
3.	Draft Minutes – Housing Council Meeting held on Thursday, 8th August 2024 Proposed by Cllr Mary O'Dowd and Seconded by Ald Amanda Grehan. The Minutes were approved.	

<p>4.</p> <p>4.1</p> <p>4.2</p>	<p>Matters Arising from the Minutes</p> <p>Meeting with the CEO of NIFHA</p> <p>It was noted that arrangements will be made to invite the CEO of NIFHA to a future meeting.</p> <p>As discussed at the 'In Committee' session, the Chair advised that a previous Memorandum of Understanding (MoU) between the Housing Council and Housing associations had been drawn up and would be circulated and revised at a future meeting.</p> <p>Invitation to the new Minister of Communities</p> <p>As discussed at the 'In Committee' session arrangements would be made for the new Minister for Communities, Gordon Lyons to attend a future meeting.</p> <p>The Chair added that it was discussed at the 'In-Committee' session and Members are to forward questions they wish put the Minister to the Secretary.</p> <p>All other matters arising will be dealt with through the agenda.</p>	<p style="text-align: right;">235</p> <p style="text-align: right;">KC</p> <p style="text-align: right;">KC</p> <p style="text-align: right;">All/KC</p>
<p>5.0</p> <p>5.1</p> <p>5.2</p>	<p>VERBAL UPDATE ON EMERGING ISSUES & STRATEGIC ITEMS</p> <p>Grainia Long gave Members an update on emerging issues and strategic items as follows.</p> <p>Draft Programme for Government 2024-2027 'Our Plan: Doing What Matters Most</p> <p>It was noted there is a strong focus, in the document, on housing practice and that cross cutting is a priority. The PfG will deliver a housing supply strategy and it is critical that they are committed to delivering this. The Housing Executive has been feeding into this and G Long would provide an update on this if required.</p> <p>G Long added that she would put a presentation together on what the Programme for Government might mean for housing.</p> <p>Impact of Draft 2024/25 Budget</p> <ul style="list-style-type: none"> • EQIA response - the proposed budget cuts pose significant risk for strategic programmes and services and will lead directly to cuts in service delivery, as early as October 2024. • Homelessness - insufficient budget to meet statutory obligations; wraparound support and prevention will be greatly reduced. The increasing numbers of people awarded refugee status must be supported. • Waiting lists - will be longer and stays in expensive temporary accommodation will increase further (already at critical levels). 	<p style="text-align: right;">KC</p>

- **SHDP** - only able to deliver up to 600 new homes, largest projected reduction in a generation; when housing need is at its most acute.
- **Construction sector** - reduction in new build will take approx. £80-£90m out of the sector, causing 'shock,' which will take time to recover from.
- **Affordable Warmth Scheme** – reduced by £6.8m will mean 53% fewer households (1,465) being able to access this scheme.
- **Supporting People** – indicative £80.7m allocation will prevent full roll out of the SP Strategy and the Providers Innovation Fund.
- **Fundamental Review of Allocations** – will face uncertainty as there is no budget set aside to implement any recommendations.
- **Staff costs** – reduction in allocation will negatively impact NIHE's ability to provide homelessness services, specifically in the Housing Solutions Team. (NIHE out-of-hours service will also be adversely affected).
- **Emergency planning** – no funding for contingency and emergency planning i.e. extreme weather events experienced recently.

5.3 **Emerging Issues by Exception:**

- Progress against Business Plan objectives on track; 80 out of 87 KPIs green, 7 amber. Main underperformance is in relation to disabled adaptations for NIHE stock; continue to struggle to secure contractors.
- Busy summer; several major issues to deal with, including rise in number of race hate incidents- currently at 143. Coordinated approach in response, across the organisation and with statutory and other partners.
- Housing Solutions Task and Finish Group (aimed at increasing our supply of temporary accommodation) continues to progress; more than 80 additional units added to portfolio since April. First use of HMOs in August, further coming on stream in September. Notice periods from Mears continues to be less than 28 in majority of cases.
- Annual round of Housing Investment Plan meetings underway, across all 11 Councils; setting out scale and nature of our investment locally.
- Prioritisation of new build schemes following additional £20m for new build social housing; engagement with housing association sector, developers etc.
- Major programme of work on leasehold to identify and provide solutions for leaseholders unable to afford major works
- Progress across the DLO in relation to reducing backlog in COTs and repairs, reduction in relet times: voids at 0.44%.

5.4 **Draft Ten Year Mission and Corporate Strategy – Pre-consultation stage**

G Long advised that the Board has reviewed the document, which is now at pre-consultation stage, and which will be submitted to the Minister on Monday 16 September 2024. She felt it would be useful for the Housing Council to see it also and undertook to check with the Minister's office that the Housing Council can see the document while he is reviewing it. The document would be circulated once permission has been received.

5.5	<p>Discussion took place on the following:</p> <p>Race Hate – why do MEARS give short notice to leave temporary accommodation. G Long advised this is due to MEARS not getting enough notice from the Home Office, but also not passing the information to the Housing Executive as soon as they receive it from the Home Office. GL confirmed that the Housing Executive had asked that the Home Office notify the Housing Executive regarding notice, but this was declined as their contract is with MEARS. GL offered to provide more detail if required.</p> <p>Ald. Grehan asked why MEARS only provide 28 days notice but private landlords allow three months. G Long advised this is due to legalities and that the Home Office wouldn't pay for an additional three months.</p>	KC
5.6	<p>SHDP – Further discussion took place on the SHDP requirement this year of 400 homes (increased to 600) and how easy it would be to allocate. G Long advised that strategic guidelines would be applied (only on programme if based on housing need). She added that those homes, on last year's programme, that were delayed due to planning approval etc would be included in the 600 homes this year.</p> <p>Clr O'Dowd requested confirmation where the 600 homes would be. G Long advised she would ask her Director of Strategic Housing Authority to follow this up and respond.</p> <p>In response to Ald. Grehan's question regarding the 20% affordable and social housing in developments, G Long advised she was concerned that Housing Association schemes won't be commissioned as developers are not making money. She added that she meets with Housing Associations quarterly and has already had this conversation and is making a strong case to DfC and then to DoF. Meetings have also taken place with CITB regarding developers. Discussion also took place on commuted sums.</p> <p>The Chair referred to the model used in Finland and keen to look at this model and explore this more in-depth.</p> <p>G Long agreed that it would be useful to present to the Housing Council on leasehold.</p> <p>Agreed: Presentation to be emailed to all Members.</p>	KC KC
6.	<p>PRESENTATION ON UPDATE ON THE MOVE TO UNIVERSAL CREDIT (UC)</p> <p>Gillian Greer, Assistant Director Housing Benefit from the Housing Executive gave an update on the move to Universal Credit. Her presentation focussed on:</p> <ul style="list-style-type: none"> • Background to UC Universal Credit replaces six existing legacy benefits with one and is aimed at people of working age between 18 and state pension. 	

The system went live in NI for new claims in September 2017 and some claimants have moved naturally to UC, due to a change in their circumstances.

- **Move to UC**

On 16 October, the move to UC went live for customers in receipt of Tax Credits only and the final stage of UC implementation, known as Move to UC involves the managed migration of those people who remain in receipt of legacy benefits. Current planning assumption is that approximately 14,000 Housing Benefit customers will receive a migration letter in this financial year

- **Planned Rollout**

From May 2024 the planned rollout will begin with Tax Credits with Housing Benefit followed by Tax Credits with Income Support, ESA (Income Related) with Child Tax Credits, Pension Age Tax Credits and Tax Credits with JSA (Income-Based).

- **Next Steps**

Customers will receive a Migration Notice from DfC and they will have three months from the date of the Migration Notice to claim Universal Credit. At that point in time the Housing Benefit team will receive what is known as a "Stop Notice" from DfC Move to UC Team.

If they change their mind within one month of their Housing Benefit claim stopping, their UC claim will be backdated, and they will remain eligible for Transitional Protection. All customers will receive an additional two weeks rent as part of the stopping HB process, this payment excludes rates.

- **Impact on Housing Executive**

In total, approximately 54,000 HB customers will move to UC. Housing Benefit caseload will reduce to approximately 75,000 customers. Approximately 36,000 Housing Executive tenants in receipt of Housing Benefit will Move to UC.

- **Delivery Readiness**

Processes have been in place since September 2017 with a new team in place to oversee the Move to UC Programme. The Housing Executive is confident that the new structure will work well and enable them to effectively cope with the additional volume of Stop Notices they will receive.

- **Considerations**

This is a collaborative piece of work that DfC will take the lead on, in partnership with Housing Benefit and any communications must be led by DfC. This is their programme, and risks would be introduced if the Housing Executive ran their own communications campaign. There are processes in place to deal with legacy benefit customers who do not apply within their migration window.

	<p>Discussion took place as follows:</p> <p>Cllr O'Dowd asked about pension tax credit for pensioners with HB and those with disabilities and mental health issues. The Assistant Director, Housing Benefit advised that this is a bespoke customer base and relates to pensioners who are still working. In total there are 110,000 people moving to UC and, of that 1,000 are pensioners who are still working and will be managed through the process. Those with disabilities and mental health issues, who are in receipt of support allowance will have support through their journey to UC.</p> <p>The Assistant Director, Housing Benefit undertook to clarify the following questions:-</p> <ul style="list-style-type: none"> • If Universal Credit is to be paid directly to the Housing Executive as the landlord • Discretionary support – is there a timeline for paying back the financial support <p>The Chair thanked G Greer for her presentation.</p>	G Greer
7.	<p>Any other business</p> <p>7.1 Visit to Sunningdale, Belfast</p> <p>Members noted that a visit to the newbuild scheme in Sunningdale, Belfast has been arranged for 24th September. Members were encouraged to attend the visit and see at first-hand the design, standards and net zero of the scheme.</p> <p>7.2 Meadowbrook, Craigavon</p> <p>Cllr O'Dowd confirmed there were issues with the Contractor on the Meadowbrook site. It was noted that there are only 1 or 2 contractors who are skilled to do this retrofit work in Northern Ireland. J Blease undertook to follow this up.</p> <p>7.3 Infrastructure Issues</p> <p>Cllr Varsani added that there are two completed projects in her area, Dungannon, which can't open due to infrastructure issues particularly in relation to the public sewer system.</p> <p>In response to Cllr Varsani's request that all Councils should do a scoping exercise to put forward land, the Chair believes an exercise is being done at present by all agencies.</p> <p>The Chair advised that NI Water, as well as the DfI Minister, should be invited back to a meeting to give an update on where they are now. It was agreed that all Councils should be asked for their plans and, when all plans are received, a letter should be issued to the DfI Minister with an update.</p>	JB KC

7.4	<p>Members received the following responses, for their information:-</p> <ul style="list-style-type: none"> • Repair Grants • Fuel Poverty in Northern Ireland • Areas of ERDF and 400 programme retrofit • Promoting the NI Energy Advice Service • Housing Council response to EQIA budget 2024/25 	
7.5	<p>NIFHA Conference in Lough Erne Enniskillen from 17th-18th October 2024</p> <p>The Chair advised that, if any Member wishes to attend the NIFHA conference, they should contact the Secretary.</p>	
7.6	<p>In-Committee</p> <p>The Chair asked Officers to leave the meeting as he wanted to reconvene the In-Committee Session (12.18 pm)</p>	
8.	<p>Date of Next Meeting</p> <p>The next meeting would be held on Thursday 10th October at 10.30 am in the Craigavon Civic Centre.</p>	

Meeting ended 12.31pm



Minutes of the 510th Meeting of the Northern Ireland Housing Council held on Thursday, 10th October 2024 at 10.30 in Craigavon Civic Centre, Craigavon

Present:

Ald Amanda Grehan
Cllr Mary O'Dowd

Cllr Aoife Finnegan
Cllr Anne Marie Fitzgerald
Cllr Deirdre Varsani

Lisburn & Castlereagh City Council (Chair)
Armagh City, Banbridge & Craigavon Borough Council
Newry, Mourne & Down District Council
Fermanagh & Omagh District Council
Mid Ulster District Council

Virtual:

Cllr Mark Cooper
Ald Stephen McIlveen
Heloise Brown
Keiran Devlin

Antrim & Newtownabbey Borough Council
Ards & North Down Borough Council
Department for Communities
Department for Communities

In Attendance – NIHE:

Catherine McFarland
John Gowdy
Jenny Williamson
Kelly Cameron

Director of Finance, Audit & Assurance, NIHE
Senior Planning & Performance Manager, NIHE
Business Manager
Secretary, Housing Council

Apologies:

Cllr Sean McGlinchey
David Polley

Causeway Coast & Glens Borough Council
Department for Communities

1.	<p>Welcome</p> <p>The Chair welcomed Members to the meeting.</p> <p>Several Members felt that in the absence of the Chair and Vice Chair, the stand-in Chair should have been appointed by Members at the Meeting and not nominated before the meeting.</p>	
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2.	<p>Declarations of Interest</p> <p>There were no declarations.</p>	
=3.	<p>Draft Minutes – Housing Council Meeting held on Thursday, 12th September 2024</p> <p>Proposed by Cllr Mary O’Dowd and Seconded by Cllr Deirdre Varsani.</p> <p>The Minutes were approved.</p>	
4.	<p>Matters Arising from the Minutes</p> <p>4.1 Meeting with the CEO of NIFHA</p> <p>It was noted that Seamus Leheny, Chief Executive of NIFHA had accepted an invitation to give a presentation at the November meeting.</p> <p>4.2 Invitation to the new Minister of Communities</p> <p>Members undertook to provide further questions they wish to be put forward to the Minister for Communities and this will be discussed at the next ‘In Committee’ session, prior to setting up a meeting.</p> <p>4.3 Housing Executive Board Membership</p> <p>It was noted that the Housing Council had still not received application forms for the three vacancies from the Housing Council to the NIHE Board. Several Members expressed their disappointed at the delay in this process.</p> <p>Heloise Brown confirmed that it is the intention following the competition process the appointments should be made by 1st January 2025.</p> <p>All other matters arising will be dealt with through the agenda.</p>	
5	<p>Department for Communities Housing Top Issues</p> <p>The report was noted.</p>	
6.	<p>Presentation on the Housing Executive’s Budget 2024/25</p> <p>Catherine McFarland, the Housing Executive’s Director of Finance, Audit & Assurance gave a detailed update on the Housing Executive’s Budget 2024/25.</p> <p>An overview was given on the Housing Executive’s Landlord Services and Regional Services on the key responsibilities, funding model and positions. Members also noted the key financial challenges for the current year and year 2025/2026.</p>	

	<p>Members acknowledged the continuing financial challenges year on year and the detrimental impact it has on maintaining and investing in stock and services provided.</p> <p>Several Members referred to the lack of support for some of the most challenging and vulnerable people with mental health problems causing anti social behaviour and in-turn that leads to higher levels of homelessness and asked what is the level of discretion, Housing Executive staff have in dealing with those with extreme complex needs.</p> <p>Cllr Fitzgerald sought confirmation on the opening hours of Housing Executive local offices.</p> <p>It was agreed that an update on will be given to a future Meeting and to address supporting services that are not always targeting the most vulnerable. The Housing Council as a body could address and consider ways to improve the situation.</p> <p>Cllr Varsani referred to managing the budget in different ways and suggested investing in derelict properties, particularly as there is pressure on the water and sewage systems where there are difficulties in newbuild schemes due to the lack of infrastructure.</p> <p>Assurance was given that all options are explored in order to increase housing supply. The DfC confirmed that the Housing Supply Strategy will be presented to the Northern Ireland Assembly in the nearer future.</p> <p>Members supported the regeneration to town centre living by investing in properties over shops and drive forward the economy.</p> <p>The DfC confirmed that a report had been carried out on Living over the shops (LOTS scheme) and its findings showed that this was an ineffective way of resources and not value for money, to bring these properties back into use.</p> <p>Cllr Cooper referred to the JANS Modular Housing Review is a body with key members of local council, politicians and the Housing Executive on the capability and capacity to provide Modular housing solutions within the affordable / social sector, and beyond. Cllr Cooper undertook to provide further details for Members attendance.</p> <p>Referring to the length of time for a response letter from the British Government in relation to the 2024/25 budget, the Secretary undertook to follow up on a response.</p> <p>The Chair thanked Catherine McFarland for a very useful presentation.</p>	<p>Secretary</p> <p>Secretary</p> <p>Secretary</p> <p>M Cooper /Secretary</p> <p>Secretary</p>
7.	<p>Presentation on the Housing Executive's Draft Corporate Strategy</p> <p>John Gowdy, Senior Planning & Performance Manager from the Housing Executive gave an overview on the current position of the Housing Executive's draft Corporate Strategy.</p>	

	<p>The strategy outlines the Housing Executive's plans and priorities over the 3 year period 2022/23 – 2024/25 period and includes a 3 Year High Level Action Plan.</p> <p>Members noted that subject to DfC approval, the document will commence a 12 week public consultation and it is planned that the final Corporate Strategy will be in place for 1 April 2025.</p> <p>Cllr O'Dowd who had recently visited the newbuild scheme in Sunningdale, Belfast highly commended the scheme.</p> <p>In response to Cllr Fitzgerald question in relation to engagement with Irish Travellers, it was confirmed that the Housing Executive have a specific Team that deal with Irish Travellers and sites and there is a Travellers Forum which meets regularly. There is a Traveller Needs Assessment which is carried out to analysis the needs every few years.</p> <p>Mark Cooper referred to the model used in Finland and keen to look at this model and explore this more in-depth. He stated that Finland has a population of 5,5 million people, in 1985 their homelessness crisis was 20,000 and by 2023, they had a reduction of -83% and currently have 429 homelessness.</p> <p>Cllr Varsani referred to the Housing Executive's maintenance programme for grass cutting, pavements etc. in estates, but unfortunately now no one seems to take responsibility for maintaining grounds maintenance, solutions are required for pride in our estates.</p> <p>The Chair thanked John Gowdy for his informative presentation.</p>	
8.	<p>Any other business</p>	
8.1	<p>Members Queries - Universal Credit</p> <p>Information noted.</p>	
9.	<p>Date of Next Meeting</p> <p>The next meeting would be held on Thursday 14th November at 10.00 am in the Housing Centre, Belfast.</p>	

Meeting ended 12.15 pm.



Minutes of the 512th Meeting of the Northern Ireland Housing Council held on Thursday, 14th November 2024 at 10.30 in Mossley Mill, Newtownabbey

Present:

Cllr Mark Cooper
Cllr Aaron Skinner
Cllr Mary O'Dowd

Antrim & Newtownabbey Borough Council
Mid & East Antrim Borough Council
Armagh City, Banbridge & Craigavon Borough Council

Virtual:

Cllr Aoife Finnegan
Ald Stephen McIlveen
Keith Kerrigan
Grainia Long
Jonny Blease

Newry, Mourne & Down District Council
Ards & North Down Borough Council
Derry City & Strabane District Council
Chief Executive, NIHE
Head of Communications, NIHE

In Attendance:

Seamus Leheny
Jenny Williamson
Kelly Cameron

CEO, NIFHA
Business Manager
Secretary, Housing Council

Apologies:

Cllr Anne Marie Fitzgerald
Ald Amanda Grehan

Fermanagh & Omagh District Council
Lisburn & Castlereagh City Council

1.	Welcome The Chair welcomed Members to the meeting.	
2.	Declarations of Interest There were no declarations.	
3.	Report on the Housing Executive's Board deliberations Alderman Keith Kerrigan gave a brief report on the Housing Executive's Board deliberations from the meeting on 30 th October.	

	<p>The Chair thanked Alderman Kerrigan for a comprehensive update and appreciated his work and commitment he is the only Housing Council Member currently sitting on the Board.</p>	
4.	<p>Draft Minutes – Housing Council Meeting held on Thursday, 10th October 2024</p> <p>Proposed by Cllr Mary O’Dowd and Seconded by Cllr Aoife Finnegan.</p> <p>The Minutes were approved.</p>	
5.	<p>Matters Arising from the Minutes</p> <p>5.1 Invitation to the new Minister of Communities</p> <p>Arrangements will be made for the Minister for Communities, Gordon Lyons to attend a future meeting early in the New Year. Several Members still have to submit their questions.</p> <p>A response letter had been received from the Minister in relation to 2024/25 budget, was noted.</p> <p>5.2 Housing Executive Board Membership</p> <p>It was noted that Members have received applications forms this week for the three vacancies from the Housing Council to the NIHE Board. Applications to be submitted by noon on Wednesday 27 November 2024.</p> <p>5.3 Letter to Rachel Reeves, Chancellor of the Exchequer</p> <p>As requested, a reminder letter to the British Government in relation to the 2024/25 budget has been sent, as reply is still awaited.</p> <p>The Chair noted that he had been recently contacted by the Department for Communities to inform him that it wasn’t the correct protocol to directly send a letter to the British Government and should go through local Government. In future, advice will be sought from the DfC on the protocol.</p> <p>5.4 Non attendance at meetings</p> <p>In accordance with the Housing Council Standing Orders 2 (4) If a Member fails to attend 3 consecutive meetings of the Housing Council and Committees, the Members Local Council shall be notified</p> <p>Members agreed that letters to be sent to Belfast City Council for their representative’s non-attendance at meetings.</p>	
		Secretary

	<p>It was noted that the representative for Causeway Coast & Glens also has not attended any meetings since his appointment but was supposed to join the meeting via Teams, due to technical issues he may have had problem joining, the Secretary to confirm whether or not it was his intention to join and therefore the letter would be waived.</p> <p>All other matters arising will be dealt with through the agenda.</p>	
6	<p>HOUSING EXECUTIVE EMERGING ISSUES & STRATEGIC ITEMS</p> <p>Grainia Long gave an update on the following issues:-</p> <ul style="list-style-type: none"> • Progress against Business Plan objectives on track. Of total KPIs, 79 green, 7 amber, 1 red as of end of Quarter 2 (September 2024); • Budget and Monitoring Round update; • Good progress on Task and Finish Group re Accommodation Solutions; • Annual round of Housing Investment Plan meetings almost complete, across all 11 Councils; setting out scale and nature of our investment locally; • Prioritisation of new build schemes following additional £20m for new build social housing; engagement with housing association sector, developers etc. Engagement with NIW re capacity constraints and impacts; • In Belfast, work ongoing to identify alternative accommodation for Welcome Organisation and steps underway to ensure robust SWEP arrangements for Winter 2024; • Approval by Board in October of new retrofit/EWI programme for 950 homes; <p>Referring to shortages of staff, Cllr O'Dowd referenced a staff member at her local Housing Executive office who was 'being moved around within different roles in the office' and was unhappy, she requested more information on the situation.</p> <p>The Chair reminded Members that it wasn't appropriate to go into local issues.</p> <p>Several Members commended their local Housing Executive staff on their work and commitment.</p> <p>Agreed:</p> <ul style="list-style-type: none"> • Presentation to be arranged for a future meeting on the Retrofit programme, including the pros and cons of the scheme; a breakdown by Council areas where these schemes are and the proposed planned schemes. 	Secretary

6.	<p>Seamus Leheny, Chief Executive of Northern Ireland Federation for Housing Associations (NIFHA)</p> <p>Seamus Leheny gave Members a presentation on work of Housing Associations and the future delivery of housing services in Northern Ireland.</p> <p>It was noted that the Northern Ireland Federation of Housing Associations, formed in 1977, is the representative body for NI's 20 registered housing associations.</p> <p>To ensure Housing Associations can succeed, NIFHA works with government to develop housing policy which is best placed to support social and affordable housing, while promoting best practice and innovation right across the housing sector.</p> <p>Housing Associations provide social and affordable housing across Northern Ireland, from family homes to supported living, as well as housing solutions for those who want to buy homes (through Co-ownership).</p> <p>Agreed:</p> <ul style="list-style-type: none"> • a breakdown of Housing Association social housing dwellings per council area which includes type of residence (general needs and sheltered housing); • S Leheny to confirm an approximate figure for Housing Associations to build a 2-bedroom unit to include the cost of land, construction, fittings etc; • A breakdown of Total Cost Indicators for each council area. It was noted that TCI rates are set by Dept for Finance and Dept of Communities and HA's must build to within these budgets to avail of the Housing Association Grant (HAG); • S Leheny to review the Memorandum of Understanding (MOU) (Nov 2015) between the Housing Council and NIFHA and comeback thereon. <p>S Leheny welcomed the opportunity to working more closely with the Housing Council going forward.</p> <p>The Chair thanked Mr Leheny for his informative presentation and welcomed the prospect to grow the working relationship between both organisations.</p>	<p>S Leheny</p> <p>S Leheny</p> <p>S Leheny</p> <p>S Leheny</p>
7.	<p>Any other business</p>	
7.1	<p>Chartered Institute of Housing (CIH) All Ireland Awards 2025</p> <p>Members were reminded that it had been agreed that the Housing Council would sponsor some Organisational Awards, the first one the Chartered Institute of Housing (CIH) All Ireland 'Housing Hero' Individual Award in 2025 Award.</p>	

7.2	<p>Members agreed to proceed with the sponsor.</p> <p>Members noted that the Awards Ceremony will be held in Titanic Belfast on the 21st February 2025 and the package includes a table of up to 10 guests. The Chair requested that Members put the date in their diaries and further information will be provided nearer the time.</p> <p>Housing Executive Local office opening times</p> <p>Member noted the information provided.</p>	All
8.	<p>Date of Next Meeting</p> <p>The next meeting would be held on Thursday 12th December at 10.30 am in Corrs Corner, Newtownabbey.</p> <p>The Chair emphasised that following the meeting, arrangements have been made for a Christmas Lunch and asked if Members could try to attend this meeting in person, but if this was not possible to let this Secretary know, in order to avoid any unnecessary costs.</p>	Secretary

Meeting ended 12.15 pm.