

September 21st, 2023


**Notice Of Meeting**

You are requested to attend the meeting to be held on **Wednesday, 27th September 2023** at **7:00 pm** in **City Hall, Bangor.**

# Agenda

## Agenda


(Attached)

 *C 27.09.2023 Agenda.pdf*

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1. **Prayer**
2. **Apologies**
3. **Declarations of Interest**
- 4 **Mayor's Business**
- 5 **Mayor and Deputy Mayor Engagements for the Month of September 2023**
- 6 **Minutes of Council Meeting held dated 20 August 2023**

(Copy attached)

 *C 30.08.2023 Minutes.pdf*

*Not included*

## 7 **Minutes of Committees**

### 7.1 **Planning Committee dated 5 September 2023**

(Copy attached)

 *Minutes PC.05.09.23.pdf*

*Not included*

 *Minutes PC.05.09.23 PM.pdf*

*Not included*

### 7.2 **Environment Committee dated 6 September 2023**

(Copy attached)

 *230906 EC Minutes.pdf*

*Not included*

 *230906 EC MinutesPM.pdf*

*Not included*

**\*\*\*IN CONFIDENCE\*\*\***

## **7.2.1 Matter Arising - Governance Arrangement for Management of Council Harbours Appointment of 'Duty Holder'**

## **7.3 Place and Prosperity Committee dated 7 September 2023**

(Copy attached)

📎 *PP 07.09.2023 Minutes.pdf* *Not included*

📎 *PP 07.09.2023 Minutes PM.pdf* *Not included*

## **7.4 Corporate Services Committee dated 12 September 2023**

(Copy attached)

📎 *CS 12.09.2023 Minutes.pdf* *Not included*

📎 *CS 12.09.2023 Minutes PM.pdf* *Not included*

## **7.4.1 Matter Arising - Report on the Consultation Response to Northern Ireland's 2030 and 2040 Emissions Reduction Targets and First Three Carbon Budgets and Seeking views on Climate Change Committee (CCC) Advice Report: The Path to Net Zero Northern Ireland**

(Report attached)

📎 *Item 7.4.1-Matter Arising-Report on the Consultation response to Northern Irelands 2030 - 2040 Emissions Reduction Targets and First Three Carbon Budgets a.pdf* *Not included*

📎 *Item 7.4.1 - Matter Arising - Appendix 1 - Carbon Budget Consultation Document.pdf* *Not included*

📎 *Item 7.4.1 - Matter Arising - Appendix 2 - Draft consultation response revised Full council.pdf* *Not included*

## **7.5 Community and Wellbeing Committee dated 13 September 2023**

(To follow)

## **7.5.1 Matter Arising - Report on the Funding Offer from Department of Business Energy and Industrial Strategy (BEIS) for Capacity and Capability Building Programme in Northern Ireland: Non-Good Products 2023/24**

(Report attached)

📎 **7.5.1 Matter Arising Funding Offer from BEIS Capacity & Capability Building Programme.pdf**

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## **7.6 Audit Committee dated 18 September 2023**

(To follow)

## **8. Requests for Deputation**

### **8.1 Re-Gen**

(Copy attached)

📎 **8.1 Request for Presentation - Re-Gen.pdf**

Page 8

📎 **8.1 Appendix 1 - Letter from Re-Gen.pdf**

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## **9. Nomination to East Border Region Members Forum**

(Report attached)

📎 **9. Nomination to East Border Region Forum.pdf**

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## **10. NILGA Accredited Provision for Elected Member Development 2023/2024**

(Report attached)

📎 **10. NILGA Accredited Provision for Elected Member Development 23 24.pdf**

Not included

📎 **10. Appendix 1 - NILGA Accredited Provision Nominations LetterANDAug2023.pdf**

Not included

📎 **10. Appendix 2 - NILGA Local Development Planning Leadership Programme 2023-24 Promotion.pdf**

Not included

📎 **10. Appendix 3 - NILGA Leadership Development Programme 2023 -24 Promotion August 2023.pdf**

Not included

📎 **10. Appendix 4 - NILGA Accredited Learning Provision Indicative Costs (2023-24).pdf**

Not included

## **11. Implementation of New HRC Access Booking System Update**

(To follow)

## 12. Nomination to Outside Bodies

(Report attached)

📄 *12. Nominations to Outside Bodies.pdf*

*Not included*

## 13. Sealing Documents

## 14. Transfer of Rights of Burial

## 15. Notice of Motion Status Report

(Report attached)

📄 *15. NOM Status Report.pdf*

*Not included*

📄 *15. NOM TRACKER LIVE.pdf*

*Not included*

## 16. Notices of Motion

### 16.1 Notice of Motion submitted by Councillor Moore and Councillor Creighton

This Council believes:

education should be accessible to all who seek it and embedding a culture of lifelong learning in our society is essential to enabling people to realise their potential.

part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive and green economy.

part-time students are a unique demographic, they are more likely to have disabilities, come from disadvantaged backgrounds, having caring responsibilities, such as children or elderly relatives, and in general, be part of a 'hard to reach' group who missed out on full-time study.

lifelong learning, including non-formal education, addresses social issues, strengthens communities and builds civic engagement. It is the most effective tool for meeting social policy objectives and creating positive social change.

recognises that lifelong learning must become a meaningful and developed policy area with tangible actions and outcomes, underpinned by the wealth of best practice and innovation from across the UK and Ireland.

This Council therefore resolves to:

work with the Lifelong Learning Alliance to develop a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities.

Engage with MLAs and MPs to prioritise funding for formal and informal part-time education when the

Executive is formed.

Encourage MLAs to form an All- Party Group on Lifelong Learning to support an evidence and best-practice informed approach to policy making, in collaboration with adult education bodies to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

## 16.2 Notice of Motion submitted by Councillor Woods and Councillor McKee

That this Council, recognising its commitment as a responsible employer, and that staff are paid the current Living Wage, tasks officers to explore becoming 'Living Wage' accredited with the UK Living Wage Foundation, as well as ensuring any regularly contracted employees and workers, including those who are employed externally to deliver Council services, are paid the living wage hourly rate. It also explores also becoming Living Hours and Living Pensions accredited too.





## 16.3 Notice of Motion submitted by Councillor Adair and Councillor Douglas

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.

**\*\*\* IN CONFIDENCE \*\*\***




## 17. Disposal of Kinnegar Logistics Base Update

(Report attached)

<a href="#"> 17. Disposal of Kinnegar Logistics Base -update.pdf</a>	<i>Not included</i>
<a href="#"> 17. Appendix 1 - Letter from Cleaver Fulton Rankin.pdf</a>	<i>Not included</i>
<a href="#"> 17. Appendix 1 - Legal Opinion.pdf</a>	<i>Not included</i>
<a href="#"> 17. Appendix 2 - Letter from Joe ONeil Belfast Harbour to Stephen Reid.pdf</a>	<i>Not included</i>

## 18. NIE Request for Use of Land Castle Place Car Park, Newtownards

(Report attached)

<a href="#"> 18. Request for a lease to NIE - Kennel Lane Carpark Newtownards.pdf</a>	<i>Not included</i>
<a href="#"> 18. Appendix 1 - location map - request from NIE.pdf</a>	<i>Not included</i>
<a href="#"> 18. Appendix 2 - substation drawing - request from NIE.png</a>	<i>Not included</i>



## ARDS AND NORTH DOWN BOROUGH COUNCIL

20 September 2023

Dear Sir/Madam

You are hereby invited to attend a hybrid Meeting (in person and via Zoom) of Ards and North Down Borough Council which will be held at the City Hall, The Castle, Bangor on **Wednesday, 27 September 2023 at 7.00pm.**

Yours faithfully

Stephen Reid  
Chief Executive  
Ards and North Down Borough Council

### **A G E N D A**

1. Prayer
2. Apologies
3. Declarations of Interest
4. Mayor's Business
5. Mayor and Deputy Mayor Engagements for the month of September 2023
6. Minutes of Council meeting dated 30 August 2023 (Copy attached)
7. Minutes of Committees
  - 7.1. Minutes of Planning Committee dated 5 September 2023 (Copy attached)
  - 7.2. Minutes of Environment Committee dated 6 September 2023 (Copy attached)

**\*\*\*IN CONFIDENCE\*\*\***

- 7.2.1 Matter Arising – Governance Arrangement for Management of Council Harbours Appointment of 'Duty Holder'
  - 7.3. Minutes of Place and Prosperity Committee dated 7 September 2023 (Copy attached)



- 7.4 Minutes of Corporate Services Committee dated 12 September 2023 (Copy attached)
  - 7.4.1 Matter Arising – Report on the Consultation response to Northern Ireland’s 2030 and 2040 Emissions Reduction Targets and First Three Carbon Budgets and Seeking views on Climate Change Committee (CCC) Advice Report: The path to Net Zero Northern Ireland (Report attached)
- 7.5 Minutes of Community and Wellbeing Committee dated 13 September 2023 (Copy to follow)
  - 7.5.1 Matter Arising – Report on the Funding Offer from Department of Business Energy & Industrial Strategy (BEIS) for Capacity & Capability Building Programme in Northern Ireland: Non-Food Products 2023/24 (Report attached)
- 7.6 Minutes of Audit Committee dated 18 September 2023 (Copy to follow)
8. Requests for Deputation
  - 8.1 Re-Gen (Report attached)
9. Nomination to East Border Region Members Forum (Report attached)
10. NILGA Accredited Provision for Elected Member Development 2023/2024 (Report attached)
11. Implementation of New HRC Access Booking System Update (Report to follow)
12. Nomination to Outside Bodies (Report attached)
13. Sealing Documents
14. Transfer of Rights of Burial
15. Notice of Motion Status Report (Report attached)
16. Notices of Motion
  - 16.1 Notice of Motion submitted by Councillor Moore and Councillor Creighton

This Council believes:

- education should be accessible to all who seek it and embedding a culture of lifelong learning in our society is essential to enabling people to realise their potential.
- part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive and green economy.
- part-time students are a unique demographic, they are more likely to have disabilities, come from disadvantaged backgrounds, have caring

responsibilities, such as children or elderly relatives, and in general, be part of a 'hard to reach' group who missed out on full-time study.<sup>1</sup>

- lifelong learning, including non-formal education, addresses social issues, strengthens communities and builds civic engagement. It is the most effective tool for meeting social policy objectives and creating positive social change.
- recognises that lifelong learning must become a meaningful and developed policy area with tangible actions and outcomes, underpinned by the wealth of best practice and innovation from across the UK and Ireland.

This Council therefore resolves to:

- To work with the Lifelong Learning Alliance to develop a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities.
- Engage with MLAs and MPs to prioritise funding for formal and informal part-time education when the Executive is formed.
- Encourage MLAs to form an All-Party Group on Lifelong Learning to support an evidence and best-practice informed approach to policy making, in collaboration with adult education bodies to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

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#### 16.3 Notice of Motion submitted by Councillor Adair and Councillor Douglas, Alderman McIlveen

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.

#### **\*\*\*IN CONFIDENCE\*\*\***

#### 17 Disposal of Kinnegar Logistics Base Update (Report attached)

#### 18 NIE request for Use of Land Castle Place car park, Newtownards (Report attached)

### MEMBERSHIP OF ARDS AND NORTH DOWN BOROUGH COUNCIL

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

Unclassified

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## ITEM 7.5.1

## Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 September 2023
Responsible Director	Director of Community and Wellbeing
Responsible Head of Service	Head of Environmental Health, Protection and Development
Date of Report	19 September 2023
File Reference	CW99
Legislation	Enterprise Act 2002
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input checked="" type="checkbox"/> If other, please add comment below: N/A
Subject	Matter Arising - Funding Offer from Department of Business Energy & Industrial Strategy (BEIS) for Capacity & Capability Building Programme in Northern Ireland: Non-Food Products 2023/24
Attachments	

**Background**

At its September meeting, the Community and Wellbeing Committee considered a report on the Funding Offer from Department of Business Energy & Industrial Strategy (BEIS) for Capacity & Capability Building Programme in Northern Ireland: Non-Food Products 2023/24.

At the meeting, the proposal fell and the Committee did not agree to accept the Grant offer.

By way of background, the funding is used to undertake a wide range of activities on non-food products including to;

- build on previous product safety capacity and capability building work;
- ensure access to enforcement equipment and facilities;

## Not Applicable

- provide advice and support to local businesses to meet their obligations under product safety legislation for importing and appropriate labelling/marketing of goods;
- define work processes;
- develop officers' understanding of local supply chains and their associated risks;
- ensure adequate prioritisation of effort and resource against OPSS policy and national regulatory interests; and
- ad hoc requests for case studies or other additional information.

Members will recall from previous reports in 2023, and supported by two sets of legal advice, that the activities funded through this Grant are a statutory duty on Council and must be carried out whether this funding is accepted or not. The funding has been accepted by the Council in both 2021/22 and 2022/23. The legislation clearly states the obligation to carry out these functions; there is no suggestion of discretion within these duties. Discretionary work carried out by Officers could be interpreted as the way in which the legislation is enforced. Officers currently follow the Council's Enforcement Policy principles which present a graduated approach to enforcement using a range of formal and informal enforcement actions.

### Funding

These funding offers are historically made during the financial year meaning that the Council operates at risk by incurring cost in anticipation of the funding. The Council employs staff directly to discharge these responsibilities and work has already been completed from the 2023/24 work plan.

The Council approved the 2023/24 budget in February. This budget included within the income assumptions that £55k of grant funding would be received to discharge these statutory responsibilities. By not accepting the grant, the Council must consider options for how this could otherwise be funded in the current year, as well as consider long term options as part of the estimates process for next year.

### Options

Outlined below is an assessment of the usual options which would be examined by Council in order to manage a cost pressure:

- (i) **Service Underspends** - At this stage in the financial year, expenditure within the EHPD Service is expected to land in line with budget (excluding this pressure).
- (ii) **Service Reductions** – It is detailed within budgetary guidance to managers that Heads of Service are charged with managing budget pressures within their Service budget. Therefore options to manage this cost pressure must be examined by the Head of Service for EHPD. As over 90% of the service delivers statutory functions, savings would therefore need to come from non-statutory functions, such as health and wellbeing and pest control. The Head of Service has indicated that expenditure on these areas would be cut back in the current financial year, both in the extent of service provision and through not filling existing vacancies in order to come in on budget.

Not Applicable

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- (iii) **Organisation Underspends** - The Council will produce a forecast year end outturn at the November Corporate Services Committee. Whilst time-based savings have been created through managing vacancies in the first part of the year (therefore showing a year to date underspend) the Council is still monitoring some significant uncertainties, particularly around staff pay award, as well as managing pressures relating to a reduction in income from planning applications and cost increases in estate maintenance. The Council's proposed budget strategy for 24/25 includes a commitment to improve financial resilience through increasing reserves, which would be supported by any identified organisational underspends at year end. Managing this additional pressure at an organisational level increases the risk of organisational budget overspend.
- (iv) **Reserves** – The Council agreed a Reserves policy in June 2023. The policy states the *'the general fund may be used for non-essential expenditure up to a maximum of 0.5% of the opening balance for the financial year. Approval for this must be by the Corporate Services Committee in order to maintain appropriate oversight of unbudgeted expenditure'*. Using reserves in this instance would therefore be in breach of the Council's Reserves policy.

### RECOMMENDATION

Further to the decision made at the Community and Wellbeing Committee on 13 September 2023, it is recommended that Council considers the options outlined in this report.

Unclassified

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**ITEM 8.1****Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	27 September 2023
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	15 September 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Request for Deputation from Re-Gen
Attachments	Appendix 1 - Letter from Re-Gen

Correspondence had been received from Re-Gen requesting to present to the Environment Committee to outline the benefits of commingled collection for householders and Council, and extended producer responsibility and other legislation affecting recycling and waste management.

In line with the Council's decision in July to hear a deputation from Keep Recycling Local, it is recommended that Council approved this request for a deputation.

**RECOMMENDATION**

It is recommended that Council accepts the request for a deputation from Re-Gen and refers it to the Environment Committee.



14 September 2023

Mr Stephen Reid  
Chief Executive  
Ards & North Down Borough Council

By email: [Stephen.reid@ardsandnorthdown.gov.uk](mailto:Stephen.reid@ardsandnorthdown.gov.uk)

Dear Mr Reid

I would like to request a meeting with the Environment Committee to outline the benefits of commingled collection for householders and Council, and extended producer responsibility and other legislation affecting recycling and waste management.

Re-Gen has invested around £9 million in the plant over the last five years and has ambitious plans for recycling, waste management and R&D projects. To date, we have processed almost 2,000,000 tonnes of waste and diverted considerable tonnage from landfill.

We have developed and maintained one of the most varied end markets for single stream recyclates, and continue to work in close partnership with local authorities in Northern Ireland.

If you would like to send suitable dates and times, my personal assistant Josephine will be able to set something up. Please contact Josephine at [josephinemcshane@regenwaste.com](mailto:josephinemcshane@regenwaste.com).

I look forward to hearing from you.

Yours Sincerely

A handwritten signature in blue ink that reads "Joseph Doherty".

Joseph Doherty  
Managing Director

Cc: Cllr Patricia Morgan, Chair, Environment Committee, Ards & North Down Borough Council

Unit 7, Shepherds Drive, Carnbane Industrial Estate, Newry BT35 6JQ • T: +44(0)28 3026 5432



Our Future is Cleaner



Unclassified

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## ITEM 9

## Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Council Meeting
Date of Meeting	27 September 2023
Responsible Director	Chief Executive
Responsible Head of Service	
Date of Report	08 September 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Nomination to East Border Region Members Forum
Attachments	

Places on working groups are filled through nomination at the Council's Annual Meeting and are thus held by individual Members rather than Parties. When a position becomes vacant, it reverts back to Council to nominate a Member to fill the place rather than Party Nominating Officers.

Following the resignation of Alistair Cathcart from the East Border Region Members Forum, a place has now become available. The current membership is as follows for 2023/27:

- Alderman McDowell
- Councillor Rossiter
- Councillor Blaney
- Councillor Boyle
- Councillor McKimm
- Vacant

Not Applicable

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

#### **RECOMMENDATION**

It is recommended that Council nominate a Member to the East Border Region Members Forum.