

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the meeting of Castlereagh Borough Council, held in the Council Chamber, Castlereagh Borough Council, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB, on Thursday, 27 April 2006, at 7.00 pm.

PRESENT: Councillor T Jeffers
(in the Chair)

ALDERMEN: M Copeland MLA
J Norris MBE
P D Robinson MP MLA (until 11.30 pm)

COUNCILLORS: Mrs A M Beattie
J Beattie
Ms J Bunting
Mrs M Chambers
Mrs J Cochrane
D Drysdale
Mrs S Duncan
C Hall
B Hanvey
M Long
G Robinson
J Spratt
Miss V Stevenson
C Tosh
J White

IN ATTENDANCE: Chief Executive, Director of Administration & Community Services, Director of Finance & Leisure Services, Director of Technical & Environmental Services, Planning Officer, Planning Service Officer and Assistant Members' Services Officer

APOLOGIES: Apologies were received on behalf of Aldermen Mrs G Rice and Mrs I Robinson and Councillors M Henderson and Miss R Hughes MBE

2006/188 : OPENING OF MEETING

Reverend Caldwell opened the meeting with a prayer.

Noted.

2006/189 : ALDERMAN MRS RICE

Councillor Jeffers informed Members that Alderman Mrs Rice had agreed to host a function in her capacity as Deputy Mayor.

Noted.

2006/190 : MINUTES

RESOLVED: That

(a) the Minutes of the following meetings be accepted as a true record:

- Council meeting of 23 February 2006
- Special Council meeting of 23 February 2006
- Council meeting of 23 March 2006
- Leisure Services Committee meeting of 2 March 2006
- Leisure Services Committee meeting of 6 April 2006
- Technical & Environmental Services Committee meeting of 4 April 2006
- Central Services Committee of 13 March 2006
- Central Services Committee meeting of 10 April 2006 – subject to Minute CS/2006/99, part (b) of the resolution being taken back to Committee for further consideration
- Finance & General Purposes meeting of 15 March 2006

MATTERS ARISING

2006/191 : CLOSURE OF LIBRARIES (Minute 2006/75 refers)

Councillor Bunting referred to the Minutes of the Special Council meeting regarding the closure of libraries and asked that they be forwarded to SEELB as agreed.

Noted.

2006/192 : MONTGOMERY PRESENTATION BY ULSTER SCOTS AGENCY (Minute 2006/126 refers)

Councillor Bunting enquired whether the Ulster Scots Agency had been contacted regarding a presentation to Council. The Mayor confirmed that this had been done.

Noted.

2006/193 : GEORGE BEST MEDALLIONS (Minute CS/2006/99 refers)

Councillor Chambers asked that three medallions be set aside, to be presented to dignitaries during the dinner in honour of Dr George Best in May 2006.

RESOLVED: That three medallions be set aside, to be presented to dignitaries at the dinner in honour of Dr George Best in May 2006.

2006/194 : FINAL DRAFT OF THE CORPORATE STRATEGY FOR 2006-2009

Members asked that a copy of the final draft Corporate Strategy for 2006-2009 be forwarded to all Members for consideration.

RESOLVED: That a copy of the final draft Corporate Strategy for 2006-2009 be forwarded to all Members for consideration and that any final amendments be notified to the Chief Executive or Heather Moore by 10 May 2006..

PRESENTATION

2006/195 : PRESENTATION BY THE ROADS SERVICE (EASTERN DIVISION) RE: PROGRAMME OF WORKS 2006

Councillor Jeffers welcomed Mr Tom McCourt, Deputy Divisional Roads Manager, and Mr John Kee, Castlereagh Section Engineer, to the meeting.

Mr McCourt started the presentation by pointing out that the most significant schemes for Castlereagh were Milltown Road and Purdysburn junction as well as the resurfacing scheme of the Saintfield Road. He assured Members that the Roads Service intended to make every effort to keep disturbances to a minimum, and that regular updates could be found on the internet and the radio.

Mr McCourt stated that, as management and maintenance of roads would be the responsibility of local authorities following the RPA in 2009, the Roads Service were assessing the transfer and any implications that might arise.

Mr McCourt then took Members through the report, outlining details of schemes currently in progress as well as future plans. Following the presentation, Mr McCourt addressed Members' queries, including the following:

- Request for an investigation regarding additional safety measures at the part of the Ballygowan Road where the recent accident had occurred;
- Resurfacing work on the Milltown Road – causing considerable inconvenience to businesses in the area;
- Concerns re parking enforcement, responsibility for which was due to be passed to the Department for Regional Development, and it was felt that tight controls would be necessary;
- Concerns regarding access to the new location of the post office on the Ballygowan Road;
- Provision of car parking area at the former council estate in North Field Rise;

- Application from a resident in Glen Road to plant and maintain an area of land previously planted with trees;
- Posters for taxi firms that had appeared in the Braniel/Cregah area;
- Concerns regarding an application for a large warehouse in Cairnshill;
- Concerns regarding inadequate signage of works at Milltown junction;
- Concerns regarding improvements at the Moneyreagh/Hillsborough crossroads and the effect on businesses in the area;
- Commencement of resurfacing of Glensharragh Gardens;
- Concerns regarding the lack of a right-turn at the traffic lights at the Ballygowan Road/Knock Road;
- Concerns that resurfacing work in the Newtown Park area had not taken the whole area into consideration;
- Concerns regarding traffic lights at the Carryduff roundabout, which had been out of order for some considerable time;
- Maintenance of footpaths on the Saintfield Road;
- Tree roots protruding on to the footpath on the Eastlink Road;
- Concerns regarding the condition of roads following works carried out by Phoenix Gas etc;
- Possibility of works programme for the Ballyregan Road;
- Concerns regarding the condition of the surface of the Castlereagh Road close to the power station;
- Placement of 'For Sale' signs not close to houses that are for sale.

Mr McCourt assured Members that all concerns would be considered and appropriate action taken.

Noted.

2006/196 : PRESENTATION BY MR DAVID MURPHY, PLANNING & FEASIBILITY MANAGER, NORTHERN IRELAND HOUSING EXECUTIVE, RE: LOTS INITIATIVE

Councillor Jeffers welcomed Mr David Murphy, Planning & Feasibility Manager, NIHE, to the meeting.

Mr Murphy took Members through the powerpoint presentation. He outlined that Councils would be able to decide which application they wanted to accept and that NIHE would accept those applications that best matched NIHE's criteria.

Noted.

PLANNING

**SCHEDULE OF PLANNING APPLICATIONS DATED 27 APRIL 2006
(copy previously circulated)**

DEFERRED PLANNING APPLICATIONS

2006/197 : PLANNING APPLICATION Y/2004/0276/O – 3 GLENSHARRAGH GARDENS, LISNASHARRAGH, BELFAST

The Planning Officer advised that a letter of objection had been received, asking that the application be deferred because of an unresolved boundary dispute. Councillor Bunting asked the Planning Officer to copy this to members of Castlereagh Central.

Alderman P Robinson enquired whether the owner of the land had been contacted in respect of the unresolved issues. The Planning Service Officer confirmed that the applicant and solicitor had been advised in writing.

In light of the above information, Alderman Copeland requested that consideration of Application Y/2004/0276/O be deferred for one month, in order for a site visit to be arranged.

Following discussion, it was

RESOLVED:

- (a) That the Planning Officer forward a copy of correspondence received in respect of a boundary dispute relating to Application Y/2004/0276/O to Members of Castlereagh Central.
- (b) That consideration of Planning Application Y/2004/0276/O be deferred for one month to enable a site visit to be held, at a date and time to be arranged with the Chairman of the Planning Committee, in liaison with Alderman Copeland.

2006/198 : PLANNING APPLICATION Y/2004/0626/F – 9 ROCHESTER DRIVE, CREGAGH, BELFAST

Alderman P Robinson asked that, because of the similarity of the issues involved, the above application, as well as Application Y/2005/0309/F and Application Y/2005/0503/O be discussed as a group.

Alderman Robinson expressed disappointment that the Planning Service had not granted approval for these applications on the grounds of the adverse effect on the intrinsic environmental value and character as set out in the Draft Belfast Metropolitan Area Plan 2015, especially in light of the fact that designs of this nature had already been erected on existing properties in the area.

He therefore wished to place on record that, should the applicants of all three applications decide to appeal their decisions, the Council would support them on the basis that the Planning Service had acted unreasonably and that these applications did not violate the Metropolitan Plan.

Noted.

2006/199 : PLANNING APPLICATION Y/2005/0206/F – 24A LISDOONAN ROAD, LISDOONAN, CARRYDUFF

Councillor Robinson requested that the decision notice was not issued for a month to enable the applicant to submit further information.

RESOLVED: That the Planning Service would delay issuing a decision notice for a further four weeks.

2006/200 : PLANNING APPLICATION Y/2005/0309/F – LAND ADJACENT TO FRONT AND AT REAR OF 2 THIEPVAL AVENUE, CREGAGH, BELFAST

As discussed in Minute 2006/198, Members agreed that the Council would support the applicant, should an appeal be submitted.

Noted.

2006/201 : PLANNING APPLICATION Y/2005/0338/F – 11 CADGER ROAD, CLONTONAKELLY, CARRYDUFF

Following information received from Councillor Henderson, Councillor Drysdale advised that the applicant intended to withdraw the application.

Noted.

NEW PLANNING APPLICATIONS

2006/202 : PLANNING APPLICATION Y/2004/0561/F 32-34 OLD DUNDONALD ROAD, BALLYBEEN DUNDONALD

The Planning Officer advised that correspondence had been received from a third party regarding the visual impact of the above development. Councillor White asked that consideration of Application Y/2004/0561/F be deferred for one month to enable a site visit to take place. The proposal was seconded by Councillor Tosh. Councillor White also requested that all correspondence from the third party be forwarded for Members' perusal.

RESOLVED:

- (a) That consideration of Planning Application Y/2004/0561/F be deferred for one month to enable a site visit to be held, at a date and time to be arranged with the Chairman of the Planning Committee, in liaison with Councillors White and Tosh.
- (b) That copies of correspondence received from a third party in respect of Application Y/2004/0561/F be forwarded for Members' perusal.

2006/203 : PLANNING APPLICATION Y/2004/0383/F – 77 BEECHILL PARK WEST, BALLYLENAGHAN, BELFAST

Councillor Hall enquired whether enforcement action in respect of the above application would proceed. The Planning Service Officer confirmed that the Department would contact the applicant, who would be entitled to lodge an appeal and enforcement action would have to be stalled until a decision had been reached. Furthermore, it would only be if the appeal was rejected, that enforcement action would commence.

Councillor Chambers requested that, in future, planning applications be clearly marked as retrospective.

RESOLVED:- That, the Planning Service ensure that all retrospective planning applications on the Planning Schedule are clearly marked for Members' information.

2006/204 : PLANNING APPLICATION Y/2005/0130/RM – LAND AT 170-174 NEWTOWNBREDA ROAD, BALLYLENAGHAN, BELFAST

Following several Members' queries, the Planning Service Officer confirmed that the application had been amended and, as the changes had been found satisfactory, the Planning Service had now approved this application.

Noted.

2006/205 : PLANNING APPLICATION Y/2005/0182/F – 9-16 GLENSHARRAGH PARK, LISNASHARRAGH, BELFAST

Members expressed anger at the Planning Service's decision to grant approval for this application despite the volume of objections received.

Councillor Long stated that many of the residents had expressed concerns over the parking implications, especially in light of the numbers of elderly residents in the locality, and he proposed that a site visit be arranged.

Alderman Norris agreed as he and Councillor Robinson had visited the site on a number of occasions. He was of the view that the development could include both shops and apartments and that the Planning Department should take the residents' views into consideration when making decisions.

Alderman P Robinson recalled that, in the past, planning policy encouraged small shopping centres in local communities. However, he was of the view that there had been a deliberate attempt by the new owner of the shops to let them fall into disrepair in order to change the use to a more lucrative purpose. He added that many people in the area had approached him to voice their outrage about the proposed apartments. Alderman Robinson seconded the proposal for a site visit, and he urged the Planning Service not to dismiss the need for retail outlets in the area. He further asked that petitions regarding

planning applications be included in the planning schedule and that the Council write to the Minister in this respect, informing him of the Council's view that the present practice is misleading.

Councillor Bunting wished to place on record her support of comments made by her colleagues.

The Planning Officer referred to the design concept statement which stated that the retail units were no longer viable as they could not be rented out and that the Planning Service should look at this in further detail.

The Planning Service Officer responded that although he appreciated Members' concerns, he emphasised that these shops were not protected under planning policy and the Department has to consider the proposal as presented.

Following further discussion, it was

RESOLVED:

- (a) That consideration of Planning Application Y/2005/0182/F be deferred for one month to enable a site visit to be held, at a date and time to be arranged with the Chairman of the Planning Committee, in liaison with Councillor Long and Alderman P Robinson.
- (b) That the Planning Officer write to the Minister, informing him of the Council's view that the current presentation of the planning schedule is misleading, and that all petitions and objections should be included.

2006/206 : PLANNING APPLICATION Y/2005/0230/F – 1 FOUR WINDS AVENUE, BALLYMACONAGHY, BELFAST

Councillor Spratt asked that consideration of the above application be deferred to enable an office meeting to take place.

RESOLVED: That consideration of Planning Application Y/2005/0230/F be deferred for one month to enable an office meeting to be held, at a date and time to be arranged with the Chairman of the Planning Committee, in liaison with Councillor Spratt.

2006/207 : PLANNING APPLICATION Y/2005/0246/F – 103-107 SAINTFIELD ROAD, BREDAS, BELFAST

Councillor Chambers was of the view that erection of apartments would destroy the character of the area, and she proposed that consideration of the application be deferred to enable a site visit to be arranged.

Councillor A Beattie raised concerns regarding the 9 objections and the right of way implications, as well as the speed with which the application had been progressed, and she seconded the proposal for a site visit.

RESOLVED: That consideration of Planning Application Y/2005/0246F be deferred for one month to enable an office meeting to be held, at a date and time to be arranged with the Chairman of the Planning Committee, in liaison with Councillors Chambers and A Beattie.

2006/208 : PLANNING APPLICATION Y/2005/0300/F – ROADS SERVICE MAINTENANCE DEPOT, BELVOIR ROAD, NEWTOWNBREDA

Councillor Duncan welcomed the decision by the Planning Service to grant approval for the above application.

Noted.

2006/209 : PLANNING APPLICATION Y/2005/0343/F – LANDS TO WEST OF CAPPAGH GARDENS AND NORTH OF SOUTH BANK (SITE OF DISUSED COMMUNITY CENTRE), CREGAGH ESTATE, BELFAST

Councillor Robinson welcomed the decision by the Planning Service to grant approval for this development.

Noted.

2006/210 : PLANNING APPLICATION Y/2005/0426/F – ADJACENT TO FAIRVIEW, GRANSHA ROAD, CASTLEREAGH (220M SW OF LA MON HOTEL)

Councillor J Beattie asked that consideration of the above application be deferred to enable an office meeting to be held.

RESOLVED: That consideration of Planning Application Y/2005/0246F be deferred for one month to enable an office meeting to be held, at a date and time to be arranged with the Chairman of the Planning Committee, in liaison with Councillor J Beattie.

2006/211 : PLANNING APPLICATION Y/2005/0503/O – 2 BAPAUME AVENUE, BALLYMACONAGHY, BELFAST

As discussed in Minute 2006/198, Members agreed that the Council would support the applicant, should an appeal be submitted.

Noted.

2006/212 : PLANNING APPLICATION Y/2006/0135/A – CAIRNSHILL METHODIST CHURCH HALL, SAINTFIELD ROAD, CASTLEREAGH

Councillor Hanvey reported that a sign in respect of the above development had recently been erected. The Planning Service Officer replied that the Department would investigate the matter.

Noted.

2006/213 : WEEKLY LIST OF PLANNING APPLICATIONS FOR THE PERIOD 7 MARCH 2006 – 10 APRIL 2006 (copy previously circulated)

Noted.

2006/214 : CORRESPONDENCE RECEIVED FROM MR R F SADLIER, DATED 2 JULY 2005, 25 AUGUST 2005, 23 NOVEMBER 2005 AND 27 FEBRUARY 2006, RE: 32-34 OLD DUNDONALD ROAD, DUNDONALD, PLANNING REF Y/2004/0561/F (copy previously circulated)

Noted.

2006/215 : CORRESPONDENCE RECEIVED FROM MRS S BARR, DATED 20 MAY 2005, RE: 9-16 GLENSHARRAGH PARK, LISNASHARRAGH, PLANNING REF Y/2005/0182/F (copy previously circulated)

Noted.

2006/216 : CORRESPONDENCE RECEIVED FROM MRS M JOHNSTON, DATED 13 SEPTEMBER 2005, RE: ROADS SERVICE MAINTENANCE DEPOT, BELVOIR ROAD, NEWTOWNBREDA, PLANNING REF Y/2005/0300/F (copy previously circulated)

Noted.

2006/217 : CORRESPONDENCE RECEIVED FROM THE PLANNING SERVICE, DATED 22 MARCH 2006, RE: SITE TO THE EAST OF LANDS COMPRISING GROSVENOR GRAMMAR SCHOOL, ORANGFIELD HIGH AND ORANGFIELD PRIMARY, AND WEST OF KNOCK ROAD, BELFAST, PLANNING REF Z/2005/1389/O (copy previously circulated)

Councillor Long recalled that access to the site had previously been a point of contention, and he sought clarification regarding whether this issue had addressed.

Alderman Copeland replied that the applicant had withdrawn the application and resubmitted an amended application.

Noted.

2006/218 : CORRESPONDENCE RECEIVED FROM THE PLANNING SERVICE MANAGEMENT BOARD, DATED 27 MARCH 2006, RE: 1 WILLOWBANK CRESCENT, BALLYMACONAGHY, PLANNING REF Y/2004/0634/F (copy previously circulated)

Noted.

2006/219 : CORRESPONDENCE RECEIVED FROM THE PLANNING SERVICE, DATED 14 APRIL 2006, RE: 1 CHURCH ROAD, DUNDONALD, PLANNING REF Y/2005/0240/F (copy previously circulated)

Noted.

2006/220 : CORRESPONDENCE RECEIVED FROM ORANGE PERSONAL COMMUNICATIONS SERVICES LTD, DATED 29 MARCH 2006, RE: NOTIFICATION OF PLANNING SUBMISSION FOR PROPOSED ORANGE RADIO TRANSMITTER SITE AT LISNABREENY SERVICE RESERVOIR, LISNABREENY ROAD, CASTLEREAGH (copy previously circulated)

Noted.

2006/221 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 23 MARCH 2006, RE: TRAFFIC CALMING MEASURES AT COMMONS BRAE JUNCTION TO SAINTFIELD ROAD, BALLYLENAGHAN (copy previously circulated)

Noted.

2006/222 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT FOR REGIONAL DEVELOPMENT, DATED 16 MARCH 2006, RE: PUBLIC CONSULTATION ON DRAFT PLANNING POLICY STATEMENT 14 - SUSTAINABLE DEVELOPMENT IN THE COUNTRYSIDE (copy previously circulated)

Noted.

2006/223 : CORRESPONDENCE RECEIVED FROM LONDONDERRY CITY COUNCIL, DATED 10 APRIL 2006, RE: DRAFT PLANNING POLICY STATEMENT 14 - SUSTAINABLE DEVELOPMENT IN THE COUNTRYSIDE (copy previously circulated)

The Planning Officer sought Members' views regarding the response to the Draft Planning Policy Statement 14.

Following some discussion, it was

RESOLVED: That a special meeting of the Planning Committee be convened to discuss the Council's response to the Draft Planning Policy Statement 14.

2006/224 : CORRESPONDENCE RECEIVED FROM NILGA, DATED 12 APRIL 2006, RE: PLANNING POLICY STATEMENT 14 – SUSTAINABLE DEVELOPMENT IN THE COUNTRYSIDE (copy previously circulated)

Noted.

2006/225 : DRAFT CONSULTATION RESPONSE BY THE PLANNING OFFICER TO DRAFT PLANNING POLICY STATEMENT 14 – SUSTAINABLE DEVELOPMENT IN THE COUNTRYSIDE (copy previously circulated)

Noted.

ROADS

2006/226 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 15 MARCH 2006, RE: QUEENSFORT PARK SOUTH – REQUEST FOR TRAFFIC CALMING MEASURES (copy previously circulated)

Noted.

2006/227 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 16 MARCH 2006, RE: COMBER ROAD / OLD DUNDONALD ROAD / GRAHAMSBRIDGE ROAD JUNCTION, DUNDONALD (copy previously circulated)

Noted.

2006/228 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 14 MARCH 2006, RE: MILLTOWN ROAD AT RAMADA HOTEL (copy previously circulated)

Councillor Cochrane was of the view that another survey should be carried out on the access road to the Milltown Road and that temporary traffic lights should be erected to allow improved flow of traffic.

Following discussion, it was

RESOLVED: That the Roads Service be asked to carry out a further survey in respect of traffic movement on the access road to the Milltown Road at the Ramada Hotel.

2006/229 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 21 MARCH 2006, RE: THE ARDNIE AVENUE, DUNDONALD (ABANDONMENT) ORDER (NI) 2006 (SR 2006 NO 134) (copy previously circulated)

Noted.

2006/230 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 3 APRIL 2006, RE: ROADS (NI) ORDER 1993 – STOPPING OF PUBLIC RIGHTS-OF-WAY AT NEWTOWNBREDA ROAD / BELVOIR ROAD (copy previously circulated)

Noted.

2006/231 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 22 MARCH 2006, RE: ROADS (NI) ORDER 1993 – ABANDONMENT OF PUBLIC RIGHTS-OF-WAY AT ARDNOE AVENUE (copy previously circulated)

Noted.

2006/232 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 10 APRIL 2006, RE: A55 OUTER RING ROAD – WIDENING AT KNOCK ROAD, BELFAST – PUBLIC CONSULTATION (copy previously circulated)

Noted.

2006/233 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 29 MARCH 2006, RE: RETIREMENT OF DIVISIONAL ROADS MANAGER (copy previously circulated)

Noted.

HOUSING

2006/234 : CORRESPONDENCE RECEIVED FROM HAPPENING, DATED 12 APRIL 2006, RE: CONFERENCE ‘THE REGENERATION GAME’, TO BE HELD IN THE HILLGROVE HOTEL, CO MONAGHAN, 31 MAY – 1 JUNE 2006 (copy previously circulated)

Noted.

2006/235 : CORRESPONDENCE RECEIVED FROM NIHE, DATED 5 APRIL 2006, RE: THE NORTHERN IRELAND HOUSING MARKET – REVIEW AND PERSPECTIVES 2006-2009

Noted.

2006/236 : CORRESPONDENCE RECEIVED FROM NIHE, RE: CO-OWNERSHIP – THE EXPERIENCE OF THE CUSTOMER

Noted.

EDUCATION

2006/237 : SOUTH EASTERN EDUCATION & LIBRARY BOARD, BOARD AND COMMITTEE PAPERS, FEBRUARY AND MARCH 2006

Noted.

2006/238 : CORRESPONDENCE FROM THE DEPARTMENT OF EDUCATION, DATED 10 APRIL 2006, RE: NEW NUTRITIONAL STANDARDS FOR SCHOOL MEALS AND OTHER FOOD IN SCHOOLS - CONSULTATION

Noted.

HEALTH

2006/239 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY, DATED 15 MARCH 2006, RE: A HEALTHIER FUTURE – A STRATEGIC FRAMEWORK FOR RESPIRATORY CONDITIONS

Noted.

2006/240 : CORRESPONDENCE RECEIVED FROM THE BAMFORD REVIEW OF MENTAL HEALTH AND LEARNING DISABILITY (NI), DATED 31 MARCH 2006, RE: THE BAMFORD REVIEW OF MENTAL HEALTH AND LEARNING DISABILITY – FORENSIC SERVICES REPORT

Noted.

2006/241 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT OF HEALTH, SOCIAL SERVICES & PUBLIC SAFETY, DATED 7 APRIL 2006, RE: PROTECT LIFE, A SHARED VISION – THE NORTHERN IRELAND SUICIDE PREVENTION STRATEGY (copy previously circulated)

Noted.

NOTICE OF MOTION

2006/242 : NOTICE OF MOTION PROPOSED BY COUNCILLOR JUDITH COCHRANE RE: DUNDONALD BECOMING A FAIRTRADE TOWN AND THE SETTING UP OF A FAIRTRADE STEERING GROUP (deferred from the March Council meeting)

“This Council supports the concept of Dundonald becoming a Fairtrade Town. In doing so, this Council reaffirms its commitment to supporting the principles of Fairtrade, and agrees to continue to serve Fairtrade tea and coffee on its premises. It further agrees to facilitate the setting up a Fairtrade steering group to ensure continued commitment to the development of Fairtrade status within Dundonald”

Councillor Cochrane outlined that five million people benefited from the fair trade system worldwide through better housing, healthcare, education etc. The system allowed people to receive fair pay for a fair day's work. Councillor Cochrane recalled that, in 2001, the Council had backed a motion to adopt a fair trade policy, and she was of the view that Dundonald could be a good example in this respect.

Councillor Chambers took the floor.

Councillor Chambers stated that she felt that that the proposal was worthy of support. Indeed, she would like to see current Fairtrade arrangements within the Civic Offices extended to all Council facilities. She added that she would support the motion subject to the amendment in respect of the word 'Village' being added in place of 'Town'.

Councillor Bunting rose in support of the proposal, referring to a tasting session that she had organised through Councillor Long in the Mayor's Parlour when she was Mayor. She added that, at that time, Council had shown its support, and she had no doubt that it would do so again.

Alderman Copeland left the meeting at 10.45 pm

Councillor Long said that he had long been a supporter of Fairtrade. He hoped that Dundonald would take the lead and become the first Fairtrade town in Northern Ireland, as it was very important to raise the issues in order to guarantee a better deal for Third World producers.

Councillor G Robinson thanked Councillor Cochrane for the samples provided at the Council meeting for the Elected Members, stating that he would be very proud if Dundonald became part of this initiative and, indeed, take the lead in, becoming the first Fairtrade town in Northern Ireland.

In closing her motion, Councillor Cochrane stated that she would check with the organisers regarding the change from 'Town' to 'Village' to ensure that this would be acceptable, and she would report back to the Officers in due course.

RESOLVED: Unanimously, that

"This Council supports the concept of Dundonald becoming a Fairtrade Village. In doing so, this Council reaffirms its commitment to supporting the principles of Fairtrade, and agrees to continue to serve Fairtrade tea and coffee on its premises. It further agrees to facilitate the setting up a Fairtrade steering group to ensure continued commitment to the development of Fairtrade status within Dundonald".

FINANCE

2006/243 : ACCOUNTS FOR PAYMENT

RESOLVED : That the Council approve the undernoted payments:

Capital Account (General)	£23,224.18
General Account (Salaries)	£434,814.35
General Account (Suppliers)	£1,096,990.23

Noted.

2006/244 : LAND SALES

Councillor Beattie raised a matter which had been referred to the Council from the Finance & General Purposes Committee regarding the sale of land, and asked the Planning Officer to take Members through her report.

The Planning Officer confirmed that the Finance & General Purposes Committee had been asked to consider offers received for land at Ladas Drive and Picardy Avenue. She advised that, in both cases the highest offers were being recommended. In respect of Ladas Drive, the highest offer of £143,333 was subject to a vehicular access and planning permission and for Picardy Avenue the highest offer was £118, 635 subject to satisfactory title only.

Alderman P Robinson pointed out that, if there was no degree of certainty in getting planning permission for the Ladas Drive site, the Council would be wasting its time in accepting the highest bid proposal, unless it was realistic that the planning conditions could be met. The Planning Officer responded that she was aware that there were issues relating to this site and that preliminary enquiries had been made with the Roads Service to ascertain if there would be any problems in securing a vehicular access from the site onto Ladas Drive. She further reported that the Roads Service had confirmed that, subject to the developer being able to meet the road safety standards a vehicular access could be considered acceptable.

The Chief Executive confirmed that he had been in contact with the Roads Service some three years ago, when this land was first put on the market, and at that time had been advised that planning consent would be highly unlikely. However, since then the Council's Planning Officer had had further discussions, and it would now appear that Roads Service's latest opinion was different to that advised some time ago.

The Chief Executive went on to advise Members that the Planning Officer had received an email to confirm that they would be willing to consider a vehicular access on to Ladas Drive.

On the basis of the information provided, Alderman P Robinson proposed that the email should be given to the person making the highest offer for Ladas Drive to see if they would be prepared to withdraw the condition making it subject to planning consent.

Councillor Robinson then referred to the Picardy Avenue site, stating that a number of residents had voiced their concern that this strip of land was to be developed. The Planning Officer reminded Members that the Council had already made a decision to sell this piece of land some time ago and it was the offers only which were now being considered.

Councillor Long expressed his concern that he had been advised that Council had recently planted out the area with trees and shrubs, at an alleged cost of £800. He asked the Director of Technical & Environmental Services to confirm if the cost had been £800 as reported. The Director responded that he was not aware of the details, but he would report back to the Council in due course. Councillor Bunting raised concern that departments within the Council were not liaising with one another regarding such matters. The Planning Officer responded that the Parks Manager had consulted her regarding planting the area and she had advised him that if the land was sold that the timescale for this to take place as well as planning permission to be secured could be lengthy but that she was unable to advise him whether or not to undertake the planting.

Councillor Beattie stated that, on the basis of the discussion that had ensued regarding Picardy Avenue, he would be prepared to put the sale of the Picardy land on hold until the various points had been clarified.

RESOLVED:

- (a) That the sale of the land at Picardy Avenue be deferred until the Officers report back to the next meeting of the Finance & General Purposes Committee with the information requested regarding the planting.
- (b) That the highest bidder in respect of the Ladas Drive site be forwarded with a copy of the email from the Planning Service to ascertain if they would be willing to withdraw the conditions attached to their bid.
- (c) That the Council authorise the sale of Picardy Avenue and Ladas Drive to the highest bidders and give permission to the Finance & General Purposes Committee to consider the various points raised by Council and process the sale accordingly.

LEGAL

2006/244 : CAR LOAN AGREEMENT FOR ENVIRONMENTAL HEALTH OFFICER

This item was deferred to allow further information to be obtained.

Noted.

2006/245 : LAND SALES IN COMMITTEE

Alderman P Robinson provided the Council with some background information regarding land acquisition and sales in the Castlereagh West area. He outlined that the Council owned land in Carryduff, and he would like Officers to investigate the possibility of selling. This land, referred to as the Scout Field, was presently used as an informal recreation area, but in order to ensure that this facility would not be lost, an alternative and much improved facility would be provided within the area.

RESOLVED: That the Council agree, in principle, that the Chief Executive look at the various options in consideration of disposing of lands in Carryduff in respect of agreeing the most favourable terms in accordance with the legal framework.

2006/246 : MAYOR/DEPUTY MAYOR'S BUSINESS FOR APRIL 2006 (copy previously circulated)

The Mayor drew Members' attention to the Sponsored Swim with Sharks, which was being undertaken by Councillor Stevenson in support of the Mayor's charity, Multiple Sclerosis.

Noted.

GENERAL

2006/247 : CORRESPONDENCE RECEIVED FROM THE NORTHERN IRELAND OFFICE, DATED 16 MARCH 2006, RE: THE ASSOCIATION OF OLD VEHICLE CLUBS LTD (copy previously circulated)

Noted.

2006/248 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT OF THE ENVIRONMENT, DATED 14 APRIL 2006, RE: INVOLVEMENT OF LOCAL GOVERNMENT IN WORK OF THE TASKFORCE AT OFFICER AND MEMBER LEVEL (copy previously circulated)

Noted.

2006/249 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT OF THE ENVIRONMENT, DATED 27 MARCH 2006, RE: INTRODUCTION OF PLASTIC BAGS TAX (copy previously circulated)

Noted.

2006/250 : CORRESPONDENCE RECEIVED FROM LISBURN CITY COUNCIL, DATED 8 MARCH 2006, RE: REVIEW OF PUBLIC ADMINISTRATION (copy previously circulated)

Alderman P Robinson stated that he did not support the seven-council model, and he pointed out that NILGA was not in a position to issue instructions to Council Officers, as this was a matter for individual councils.

Noted.

2006/251 : CORRESPONDENCE RECEIVED FROM NORTH DOWN BOROUGH COUNCIL, DATED 4 APRIL 2006, RE: WATER CHARGES AND THE 19% REGIONAL RATES RISE (copy previously circulated)

During the ensuing discussion, Members expressed the view that the Council should support the Notice of Motion brought forward by North Down Borough Council, and it was

RESOLVED: That the Council write to the Secretary of State in support of the Notice of Motion brought forward by North Down Borough Council in respect of water charges and the 19% regional rates rise.

2006/252 : COPY CORRESPONDENCE FROM COUNCILLOR TOSH TO THE SOUTH EASTER EDUCATION & LIBRARY BOARD, DATED 9 MARCH 2006, RE: ESTIMATED COSTS FOR THE EXTENSION AND RENOVATION OF BRANIEL AND BELVOIR LIBRARIES (copy previously circulated)

Councillor Tosh informed Members that to date he had not received a reply to his correspondence to the SEELB, stating his view that the quotations for the extension and renovation of Branial and Belvoir libraries, prepared by an independent quantity surveyor, appeared to be inaccurate.

Noted.

2006/253 : CORRESPONDENCE RECEIVED FROM THE PARADES COMMISSION, DATED 14 MARCH 2006, RE: PUBLIC MEETINGS TO REVIEW PROCEDURES (copy previously circulated)

Councillor Bunting was of the view that the Parades Commission should be abolished, as it had consistently shown itself to be biased and conducted its business, deliberations and decision-making process in secret in an age of openness, transparency and accountability. She added that the Commission was fundamentally flawed, as the only means of appeal was by way of a judicial review through the courts, which was an expensive and time-consuming process, which merely covered points of law relating to the due process rather than to the determination itself. For this reason, Loyal Orders would never know the basis on which decisions were taken and could not dispute those points or voice them in any forum. In addition, the timescales required for a judicial review meant that a successful appeal could prove immaterial, since the date of the parade had often passed.

Councillor Bunting stated that the principle of a fundamental right to parade should be enshrined, and Sinn Fein / IRA residence groups should not be

allowed to hold the community to ransom. Decisions should not be made on the grounds of which community posed the greatest threat, but that the premise should be to facilitate parades and police protests.

Alderman P Robinson supported Councillor Bunting's remarks. He added that his experience with the Parades Commission over the last few years had been a sad one. He cited an example of residents' groups and parades forums in North and West Belfast, who had reached an agreement in 2005 in respect of parades which the Parades Commission irrespectively ignored despite its approval by the Secretary of State.

Alderman Robinson was of the view that the Parades Commission should publicise reasons for its decisions or offer alternatives, with the same rules applied to both paraders and protesters. Alderman Robinson outlined that protesters should not be given greater rights and that protestors should be also be asked to submit an application to the Commission if they wished to hold a protest.

The Parades Commission was not required to give notice of any decisions, and the practice was that people were notified at the last possible moment, therefore the opportunity to appeal was greatly reduced. In order to make progress, Alderman Robinson stated that the Parades Commission should listen to the people so that appropriate changes could be made to the way they operate.

Councillor Long opposed the above comments. In his view, the Parades Commission had provided an excellent service by looking at applications independently and thereby helping to reduce problems associated with parades, although he appreciated that some aspects of their procedures could be improved upon.

Councillor Long continued to say that people on both sides had in the past abused any compromises and that some of the people involved in parades should take equal responsibility to move things forward instead of dragging the reputation of Northern Ireland down.

Councillor Bunting replied that it was impossible to say that the Parades Commission operated on a fair basis, as it was unknown how their decisions were reached.

Councillor Chambers also supported Councillor Bunting's statement. In her view, parades had been enjoyed by all sides of the community for a long time and any contentiousness had been caused by Sinn Fein / IRA.

Following a vote, it was

RESOLVED: That the comments made by Alderman P Robinson and Councillor Bunting for the basis of the Council's response to the Parade Commission's correspondence relating to the Public Meetings to Review Procedures, namely:

- It is the Council's view that the Parades Commission should be abolished. It has consistently shown itself to be biased and has conducted its business, deliberations and decision-making process in secret, in an age of openness, transparency and accountability.

It is fundamentally flawed on the basis that the only means of appeal is by way of a judicial review through the courts. This is an expensive and time-consuming process, which merely covers points of law relating to the due process rather than to the determination itself.

Loyal Orders never know the basis on which decisions are taken and cannot therefore dispute these points or voice them in any forum. In addition, the timescales required for a judicial review mean that a successful appeal can prove immaterial since the date for the parade often will have passed!

It is time that the principle was enshrined that there is a fundamental right to parade and that the community should not be held to ransom by Sinn Fein / IRA residence groups.

Decisions should not be made on the grounds of which community poses the greatest threat. Instead, the premise should be facilitating parades and policing protests.

2006/254 : CORRESPONDENCE RECEIVED FROM THE NORTHERN IRELAND OFFICE, DATED 23 MARCH 2006, RE: PUBLIC CONSULTATION – DRAFT POLICE AND CRIMINAL EVIDENCE (AMENDMENT) (NORTHERN IRELAND) ORDER 2006 AND ASSOCIATED CODES OF PRACTICE

Noted.

2006/255 : CORRESPONDENCE RECEIVED FROM THE ROYAL MAIL GROUP PLC, DATED 15 MARCH 2006, RE: REPORT ON INNOVATIVE WAYS OF PROVIDING POST OFFICE SERVICES IN RURAL AREAS (copy previously circulated)

Noted.

2006/256 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT OF THE ENVIRONMENT, DATED 29 MARCH 2006, RE: CONSULTATION ON PROPOSALS FOR A MARINE BILL (copy previously circulated)

Noted.

2006/257 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT OF THE ENVIRONMENT, DATED 16 MARCH 2006, RE: PROPOSAL TO INTRODUCE FLEXIBLY ROUTED BUS SERVICES – DEMAND RESPONSIVE BUS SERVICES (copy previously circulated)

Noted.

2006/258 : CORRESPONDENCE RECEIVED FROM THE FARMERS' UNION, DATED 5 APRIL 2006, RE: ULSTER FARMERS' UNION RENEWABLES INFORMATION EVENT – 4 MAY 2006 (copy previously circulated)

Noted.

2006/259 : CORRESPONDENCE RECEIVED FROM THE FISHERIES DIVISION, DATED 7 APRIL 2006, RE: INDUSTRY CONSULTATION ON NEW EUROPEAN FISHERIES FUND – DRAFT NORTHERN IRELAND STRATEGIC PLAN (copy previously circulated)

Noted.

2006/260 : CORRESPONDENCE RECEIVED FROM THE NORTHERN IRELAND POTATO INDUSTRY STAKEHOLDERS FORUM, DATED 7 FEBRUARY 2006, RE: CONSULTATION ON FUTURE SUPPORT TO THE NORTHERN IRELAND POTATO SECTOR (copy previously circulated)

Noted.

2006/261 : CORRESPONDENCE RECEIVED FROM THE NORTH DOWN BRANCH OF THE REGIMENTAL ASSOCIATION OF THE ULSTER DEFENCE REGIMENT RE: INVITATION TO ANNUAL THANKSGIVING AND REMEMBRANCE SERVICE (copy enclosed)

Noted.

2006/262 : CORRESPONDENCE RECEIVED FROM THE INTERNATIONAL SCHOOL FOR PEACE STUDIES, DATED 2 MARCH 2006, RE: ISLAND OF IRELAND PEACE WEEK (copy previously circulated)

Noted.

2006/263 : CORRESPONDENCE RECEIVED FROM THE CONSUMER COUNCIL, DATED 31 MARCH 2006, RE: IN CONTROL?

Noted.

2006/264 : CORRESPONDENCE RECEIVED FROM THE CONFEDERATION OF EUROPEAN COUNCILLORS, DATED 23 MARCH 2006, RE: SEMINAR ENTITLED 'THE POTENTIAL FOR LOCAL AND REGIONAL TOURISM, NORTH AND SOUTH' (copy previously circulated)

Noted.

2006/265 : CORRESPONDENCE RECEIVED FROM NEWRY & MOURNE DISTRICT COUNCIL, DATED 21 MARCH 2006, RE: AUTISM NORTHERN IRELAND CAMPAIGN (copy previously circulated)

Noted.

2006/266 : CORRESPONDENCE RECEIVED FROM ONE SMALL STEP, DATED 4 APRIL 2006, RE: ONE SMALL STEP INITIATIVE (copy previously circulated)

Noted.

2006/267 : CORRESPONDENCE RECEIVED FROM NEWRY & MOURNE DISTRICT COUNCIL, DATED 5 APRIL 2006, RE: ALL IRELAND NUCLEAR FREE FORUM (copy previously circulated)

Noted.

2006/268 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT FOR EMPLOYMENT & LEARNING, DATED 3 APRIL 2006, RE: PUBLIC CONSULTATION ON WORK AND FAMILIES

Noted.

2006/269 : CORRESPONDENCE RECEIVED FROM THE LORD'S TAVERNERS, DATED 30 JANUARY 2006, RE: APPLICATION FOR AN OCCASIONAL LICENCE (copy previously circulated)

Noted.

2006/270 : CORRESPONDENCE RECEIVED FROM C & H JEFFERSON, DATED 20 APRIL 2006, RE: NOTICE OF APPLICATION FOR PROVISIONAL GRANT OF A LICENCE IN RESPECT OF PREMISES SITUATED AT CASTLEREAGH ROAD (copy previously circulated)

Noted.

2006/271 : CORRESPONDENCE RECEIVED FROM C & H JEFFERSON, DATED 20 APRIL 2006, RE: NOTICE OF APPLICATION FOR FINAL GRANT OF A LICENCE IN RESPECT OF PREMISES SITUATED AT CASTLEREAGH ROAD (copy previously circulated)

Noted.

2006/272 : CORRESPONDENCE RECEIVED FROM L'ESTRANGE & BRETT, DATED 19 APRIL 2006, RE: NOTICE OF APPLICATION FOR PROVISIONAL GRANT OF A LICENCE IN RESPECT OF PHILIP RUSSELL, SITUATED AT 793 UPPER NEWTOWNARDS ROAD, DUNDONALD (copy previously circulated)

Noted.

2006/273 : CORRESPONDENCE FROM L'ESTRANGE & BRETT, DATED 19 APRIL 2006, RE: NOTICE OF APPLICATION FOR PROVISIONAL GRANT OF A LICENCE IN RESPECT OF THE ELK INN, 793 UPPER NEWTOWNARDS ROAD, DUNDONALD (copy previously circulated)

Noted.

2006/274 : CORRESPONDENCE RECEIVED FROM O'REILLY STEWART, DATED 13 APRIL 2006, RE: APPLICATION FOR PROVISIONAL GRANT OF A LICENCE IN RESPECT OF THE RAMADA HOTEL, MILLTOWN ROAD, SHAW'S BRIDGE (copy previously circulated)

Noted.

REPORTS AND ANNUAL REPORTS

2006/275 : DEPARTMENT OF THE ENVIRONMENT, 'CODE OF AUDIT PRACTICE 2006' (copy previously circulated)

Noted.

2006/276 : DEPARTMENT OF HEALTH, SOCIAL SERVICES & PUBLIC HEALTH, 'THE SMOKING (NORTHERN IRELAND) ORDER 2006'

Noted.

2006/277 : LOCAL GOVERNMENT STAFF COMMISSION FOR NORTHERN IRELAND – CORPORATE PLAN 2005-2009 AND BUSINESS PLAN 2006-2007

Noted.

2006/278 : POBAL, 'THE IMPLEMENTATION OF THE CHARTER WITH REGARD TO THE IRISH LANGUAGE, JULY 2002-2005'

Noted.

2006/279 : NIHE, 'CO-OWNERSHIP – THE EXPERIENCE OF THE CUSTOMER'

Noted.

ANY OTHER BUSINESS

2006/280 : CORRESPONDENCE RECEIVED FROM MS ANDREA ROBINSON, DATED 26 APRIL 2006, RE: FUNDRAISING EVENT IN CLONDUFF COMMUNITY CENTRE

The Chief Executive tabled correspondence received from Ms Andrea Robinson regarding a fundraising event in Clonduff Community Centre in respect of Nassima, an East Belfast girl whose father had refused to let her return to her mother in Belfast after taking her to Algeria. Nassima's family intended to start court proceedings in Algeria, therefore Ms Robinson asked if the Council would consider a donation towards funding for accommodation, legal advice and travel costs.

Following some discussion, it was

RESOLVED: That this matter be referred to the Finance & General Purposes Committee for consideration.

2006/281 : INTERNATIONAL WOMEN'S DAY

Councillor Duncan highlighted the event in respect of International Women's Day being held in the Civic & Administrative Buildings on Saturday, 29 April 2006, and she felt that the Council should be represented.

Noted.

2006/282 : JAZZ EVENT IN BELVOIR PLAYERS' STUDIO

Councillor Duncan informed Members that a jazz event would be held in Belvoir Players' Studio on Friday, 4 May 2006.

Noted.

2006/283 : HER MAJESTY THE QUEEN'S BIRTHDAY

Councillor Bunting proposed that the Council write to congratulate Her Majesty the Queen on her birthday. She added that the Queen had earned great respect and had shown great dignity during her reign.

The Chief Executive replied that a letter of congratulations had already been sent.

Noted.

IN COMMITTEE

2006/284 : CORRESPONDENCE RECEIVED FROM OUR LADY AND ST PATRICK'S COLLEGE, KNOCK, DATED 20 MARCH 2006, RE: PLANNING FOR THE NEW SCHOOL (copy previously circulated)

Correspondence had been received from Our Lady and St Patrick's College informing the Council that the school expected to receive requests from the contractors to use the nursery area adjoining the site to place temporary classrooms for the duration of the project, and the Principal asked that the Council consider such requests.

The Chief Executive outlined that the Council would receive rent for the site, and the contractor would landscape the area following completion of the project.

Following discussion, it was

RESOLVED: That the Council enter into negotiations with the contractors, should a request be forthcoming, regarding terms and conditions for use of the nursery site to place temporary classrooms while construction of the new school was in progress.

2006/285 : FOOTBALL GAMES

Councillor Robinson raised a matter in relation to correspondence which had been circulated from an elderly gentleman in Mawhinney Park, asking if anything could be done to prevent the children in the area from playing football outside his house, as he felt intimidated. The letter stated that many residents in the street shared this view.

Councillor Robinson stated that no legislative provision existed to deal with this complaint. However, Councillor Robinson asked if Officers could investigate.

Following discussion, it was

RESOLVED: That the request received from a gentleman in Mawhinney Park regarding football games on the street be passed on to the Technical & Environmental Services Committee for consideration.

There being no further business, the meeting ended at 11.45 pm.

MAYOR

CHIEF EXECUTIVE