

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, 22 June 2006, at 7.00 p.m.

PRESENT:-

Alderman J Norris MBE
Alderman Mrs G Rice
Alderman P D Robinson MP MLA
Alderman Mrs I Robinson MP MLA

Councillor Mrs A Beattie
Councillor J Beattie
Councillor Ms J Bunting (from 8.30 pm)
Councillor Mrs M Chambers
Councillor Mrs J Cochrane
Councillor D Drysdale
Councillor Mrs S Duncan
Councillor C Hall
Councillor B Hanvey
Councillor Miss R Hughes MBE
Councillor T Jeffers
Councillor M Long
Councillor G Robinson
Councillor J Spratt
Councillor Miss V Stevenson (from 7.20 pm)
Councillor C Tosh
Councillor J White

IN ATTENDANCE:-

Chief Executive, Director of Technical & Environmental Services, Director of Administration & Community Services, Acting General Manager of Leisure & Marketing, Marketing & PR Manager, Acting Environmental Health Manager, Planning Service Officer, Planning Officer and Members' Services Officer

APOLOGIES:-

Apologies were recorded on behalf of Alderman Copeland and Councillor Henderson

2006/337 : OPENING OF MEETING

In the absence of Reverend Brown due to illness, Mr Brian McCommish opened the meeting with a prayer.

Noted.

2006/338 : APOLOGY FROM ALDERMAN MRS G RICE

Alderman Rice informed Members that she would not be able to attend any meetings for some time, due to a stay in hospital for further treatment and recovery afterwards. She added that, during her period as Deputy Mayor, more than £200,000 had been raised for charity.

Alderman P Robinson advised that legislation allowed Members to be absent from Council business for a period up to six months. However, due to the circumstances, he stated that no action would be taken if this period was exceeded by Alderman Rice's hospital treatment and convalescence.

Noted.

2006/339 : MINUTES

RESOLVED: That

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

- Council meeting of 25 May 2006
- Finance & General Purposes meeting of 17 May 2006
- Leisure Services meeting of 1 June 2006
- Technical & Environmental Services meeting of 6 June 2006
- Special Technical & Environmental Services Committee meeting of 13 June 2006

MATTERS ARISING

2006/340 : CLOSURE OF LIBRARIES (Minute 2006/306 refers)

Councillor Duncan sought clarification in respect of opening hours of libraries. Councillor Tosh advised that a meeting had taken place with the South Eastern Education & Library Board regarding opening hours and closures of libraries, and a vote had taken place in respect of the closure of Gilnahirk Library. Councillor Tosh added that he had been opposed to this closure, and it was hoped that the decision could be overturned.

Councillor Long stated that he had assumed the Council was opposed to shortened opening hours of libraries. The Chief Executive replied that Councillor Bunting had confirmed the resolution, in that the Council was opposed to all changes.

Noted.

2006/341 : SUSPENSION OF STANDING ORDERS

RESOLVED: That Members agree to a suspension of Standing Orders to enable a discussion regarding a dog that had been seized in Newtownbreda under the Dangerous Dogs (NI) Order 1991.

2006/342 : DISCUSSION REGARDING A DOG THAT HAD BEEN SEIZED UNDER THE DANGEROUS DOGS (NI) ORDER 1991 (Minute T&ES/2006/268 refers)

Members were of the view that Minute T&ES/2006/268 required further discussion. Councillor Chambers reiterated the details of the case and stated that, in her view, the dog was not of a dangerous disposition.

Alderman P Robinson asked to put on record that he supported the above legislation, as there was a necessity to safeguard the public against dogs that had been bred for the purpose of fighting and which could cause harm to the public. He advised that an amendment to this particular legislation had been implemented by the Northern Ireland Assembly in order to give courts more control. Alderman Robinson added that Section 3, Article 25, of the Order states that dogs bred for the purpose of fighting are prohibited, and that dogs of the type known as Pit Bull Terrier are one of those breeds prohibited under the Order.

In respect of the dog under discussion, Alderman Robinson referred to a contradiction in the statements received from two experts and the family vet. The experts had stated that, in their view, the dog was of the type known as a Pit Bull Terrier, but they did not give any reasons for their conclusions. However, the family vet had given evidence that this dog was not of the type of a Pit Bull Terrier. Furthermore, the USPCA had originally classed the dog as a Staffordshire Bull Terrier cross, which had later been changed to a Pit Bull Terrier. Alderman Robinson was of the view that, if anybody was at fault, it should be the USPCA. However, Alderman Robinson continued to say that he did not think the USPCA would be careless in regard to public safety.

Alderman Robinson further stated that, if it was clear that this dog was, indeed, a Pit Bull Terrier, he would not hesitate to uphold the law, but as this was not the case, further proof would be required. The evidence to date was not sufficient to order the humane destruction of the dog.

Alderman P Robinson stated that, should the dog be returned to the family, Council Officers should recommend measures to be implemented by the licensed keeper to mitigate any potential danger posed by the dog.

Following some further discussion, Councillor Chambers proposed that the dog be returned to its owners. Councillor Hughes seconded the proposal, and it was

RESOLVED:

- (a) That the dog, which had been seized in Newtownbreda, be returned to its owners and no further action be taken by the Council.
- (b) That Council Officers recommend measures to be implemented by the licensed keeper to mitigate any potential danger posed by the dog.

2006/343 : SPECIAL TECHNICAL & ENVIRONMENTAL MEETING HELD ON 22 JUNE 2006

Councillor Robinson referred to the Special Technical & Environmental Services meeting earlier that day and asked that reference to the time limit for removal of the glass houses at Tullycarnet be removed from the resolution.

Agreed.

2006/344 : PRESENTATION - DEMONSTRATION BY THE IT MANAGER ON COUNCIL'S NEW WEBSITE

The IT Manager demonstrated the Council's new website, which, he explained, was much easier to navigate than the previous one. He added that the introduction of a new system had been necessary to allow access for blind or partially sighted people. The content of the new website would be subject to Management Team approval.

Following the presentation, Members asked questions in relation to the website.

Noted.

PLANNING

**SCHEDULE OF PLANNING APPLICATIONS DATED 22 JUNE 2006
(copy previously circulated)**

2006/345 : PLANNING APPLICATION NO Y/2004/0701 – DEMOLITION OF EXISTING FILLING STATION SHOP AND DWELLING AND ERECTION OF 22 APARTMENTS

The Planning Officer referred to letters of objection that had been received, raising concern about the impact of apartments on the character of the area as well as the increased traffic likely to be generated.

In light of this information, Councillor Duncan requested that a site meeting be arranged, and it was

RESOLVED: That consideration of Planning Application Y/2004/0701 be deferred to enable a site meeting to be held, at a date and time to be

arranged with the Chairman of the Planning Committee in liaison with Councillor Duncan.

2006/346 : PLANNING APPLICATION NO Y/2005/0470/F – DEMOLITION OF EXISTING HOUSES AND ERECTION OF 13 NO TOWNHOUSES AND 12 NO APARTMENTS

The Planning Service Officer informed Members that this application had been presented in error and had been withdrawn from the Planning Schedule.

Noted.

2006/347 : PLANNING APPLICATION NO Y/2005/0489/F – ERECTION OF 25M LATTICE MAST AND INSTALLATION OF THREE NO 2.06M 3G ANTENNAE, ONE NO 0.6M TRANSMISSION DISH, THREE NO 0.3M TRANSMISSION DISHES AND ANCILLARY EQUIPMENT

The Planning Service Officer informed Members that this application had been presented in error and had been withdrawn from the Planning Schedule.

Noted.

2006/348 : PLANNING APPLICATION NO Y/2005/0500/F – SITE FOR HOUSING DEVELOPMENT WITHOUT COMPLIANCE WITH CONDITION 6 OF PREVIOUS PLANNING APPROVAL REFERENCE Y/1996/0233 (LIMITING NUMBERS OF DWELLINGS TO 460) TO FACILITATE PROVISION OF 712 DWELLINGS

Alderman Rice was concerned about the increase in traffic volume on the Saintfield Road that would generate from this development on an already very busy road, therefore she was opposed the application.

Councillor Hanvey agreed. He reminded Members of conditions attached to the development, ie the erection of traffic lights, and he sought confirmation from the Planning Service Officer that these conditions would be adhered to.

The Planning Service Officer replied that Traffic Impact Assessments had been carried out in the area, which had been based on a larger development than the one applied for. He also confirmed that the developer was required to erect traffic lights before the occupation of any dwellings of Phase 2 of the development.

Alderman P Robinson stated that planning permission had already been granted for this development. However, he stressed the importance of checks being carried out by the Planning Service to ensure that the developer adhered to all conditions attached to the planning permission, and following some further discussion, it was

RESOLVED: That the Planning Service ensure that all conditions attached to Planning Application No Y/2005/0500/F are met by the developer.

2006/349 : PLANNING APPLICATION NO Y/2006/0045/F – PROPOSED EQUESTRIAN CENTRE MANAGER’S DWELLING AND DETACHED DOMESTIC GARAGE

Councillor Bunting requested that an office meeting be arranged with the applicant in order to discuss the application in more detail.

RESOLVED: That consideration of Planning Application Y/2006/0045/F be deferred 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 Bunting.

2006/350 : PLANNING APPLICATION NO Y/2006/0055/F – ERECTION OF TWO-STOREY DWELLING WITH INTEGRAL GARAGE PLUS AMENDED ACCESS POSITION FOR NO 228 LOWER BRANIEL ROAD

The Planning Service Officer advised that this application had been withdrawn by the applicant.

Noted.

2006/351 : PLANNING APPLICATION NO Y/2006/0108/F – ERECTION OF TWO-STOREY EXTENSION AND ALTERATIONS TO DWELLING

The Planning Service Officer advised that an amendment had been submitted, therefore it was

RESOLVED: That this application be withdrawn from the Planning Schedule to enable the Planning Service to consider the amended plans.

2006/352 : PLANNING APPLICATION NO Y/2006/0113/F – PROPOSED DETACHED DOMESTIC GARAGE TO INCLUDE PLAYROOM ON UPPER FLOOR PLUS PROVISION OF ENTRANCE GATES AND ASSOCIATED SITE WORKS

Councillor Drysdale advised that he had received information that this development might be intended for commercial purposes.

The Planning Service Officer replied that this application had been submitted for domestic purposes, but the Planning Service had been asked to examine the plan in more detail, as it was not compatible with ordinary domestic use. However, the agent had advised that the applicant owned a number of cars as a hobby, and the garage also included a playroom facility.

Councillor Cochrane was of the view that the layout of the site did not suggest that it was purely for domestic use, therefore she requested that a site meeting be arranged.

RESOLVED: That consideration of Planning Application Y/2006/0113/F be deferred to enable a site meeting to be held, at a date and time to be arranged with the Chairman of the Planning Committee in liaison with Councillor Cochrane.

2006/353 : PLANNING APPLICATION NO Y/2006/0119/O – CHANGE OF USE OF VERNACULAR OUTBUILDINGS TO DWELLING

In response to Members' queries, the Planning Service Officer explained that the time limit for carrying out the change had expired, therefore the application had been resubmitted.

Noted.

2006/354 : WEEKLY LIST OF PLANNING APPLICATIONS FOR THE PERIOD 16 MAY 2006 – 12 JUNE 2006 (copy previously circulated)

Noted.

2006/355 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT OF THE ENVIRONMENT, DATED 31 MAY 2006, RE: RESPONSE TO COUNCIL LETTER REGARDING FUTURE PLANNING SCHEDULES OF PLANNING APPLICATIONS (copy previously circulated)

Noted.

2006/356 : MINUTES

RESOLVED: That the Minutes of the Special Planning meeting, held on 23 May 2006, be accepted as a true record.

ANY OTHER BUSINESS – PLANNING

2006/357 : BILLBOARDS - DEVELOPMENT HOARDING

Councillor Robinson referred to billboards on East Link Road, which had initially been erected to advertise the housing development at Leathem Square housing development. He noted that an application has now been submitted to authorize the billboards on a permanent basis, and the local residents were very concerned about this. Councillor Robinson reminded Members that he had previously raised this issue and had been assured that these signs would not be made permanent. He added that residents had bought houses on the understanding that the billboards would be taken down when all houses had been sold, and Councillor Robinson was of the view that it would be a disgrace to change the temporary status of these billboards.

Councillor Chambers agreed with Councillor Robinson that the billboards should not become a permanent fixture, and she proposed that the Planning

Officer write to the relevant department of the Planning Service to request a policy on hoardings erected by developers, as there were a lot of examples.

Councillor Hanvey raised concerns regarding billboards that had reappeared in respect of the Primrose development. Councillor Drysdale also raised concerns regarding signs that had been erected at the Comber Road junction.

The Planning Service Officer confirmed that the Enforcement Section was investigating all these instances.

Councillor Robinson seconded the proposal from Councillor Chambers, and it was

RESOLVED: That the Planning Officer write to the Planning Service to ask them to look at forming a policy on temporary consent for billboards to be removed once all houses in the development were sold.

2006/358 : REPLACEMENT OF GRANTON HEIGHTS DEVELOPMENT

Alderman P Robinson referred to the presentation and advised that he was of the view that there had been an improvement in the new drawings for the Granton Heights development, but there were still some issues outstanding following the meeting with representatives from Hagan Homes, namely:

- Right of way for the path to the rear of the development, which was not included in the new plans.
- Residents had complained about a large apartment block, which was overshadowing the houses in close proximity to it.
- In order to alleviate congestion and car parking problems, there should be designated parking spaces.

Noted.

2006/359 : APPEAL AGAINST REFUSAL OF PLANNING APPLICATIONS

Alderman P Robinson referred to three planning applications that had been refused by the Planning Service on the grounds of adverse effects on the intrinsic environmental value and character as set out in the Draft Belfast Metropolitan Area Plan 2015. One of the applicants intended to appeal this decision, and Alderman Robinson proposed that the Council support the appeal and that the Planning Officer offer assistance.

Following some discussion, it was

RESOLVED: That the Council support the appeal against the refusal of a planning application on the grounds of adverse effects the intrinsic environmental value and character as set out in the Draft Belfast Metropolitan Area Plan 2015, and that the Planning Officer liaise with the applicants to offer assistance.

ROADS

2006/360 : CORRESPONDENCE RECEIVED FROM THE ROADS SERVICE, DATED 1 JUNE 2006, RE: MILLTOWN ROAD AT RAMADA HOTEL (copy previously circulated)

Noted.

HOUSING

2006/361 : CORRESPONDENCE RECEIVED FROM THE NORTHERN IRELAND HOUSING EXECUTIVE, DATED 26 MAY 2006, RE: ASSESSING RURAL HOUSING NEED – LATENT DEMAND TEST RESULTS 2005-06 (report available at Members' request)

Noted.

WATER

2006/362 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT OF FINANCE & PERSONNEL, DATED 8 JUNE 2006, RE: WATER CHARGES AND REGIONAL RATES INCREASES (copy previously circulated)

Noted.

EDUCATION

2006/363 : CORRESPONDENCE RECEIVED FROM LISBURN CITY COUNCIL, DATED 24 MAY 2006, RE: DEPARTMENT OF EDUCATION – 'PROGRAMME OF CUTS', NOTICE OF MOTION (copy previously circulated)

Noted.

FINANCE

2006/364 : ACCOUNTS FOR PAYMENT

RESOLVED : That the Council approve the undernoted payments:

Capital Account (General)	£3,157.11
General Account (Salaries)	£428,222.21
General Account (Suppliers)	£813,098.93

2006/365 : MAYOR/DEPUTY MAYOR'S BUSINESS FOR JUNE 2006 (copy previously circulated)

Noted.

GENERAL

2006/366 : CORRESPONDENCE RECEIVED FROM STEWARTS SOLICITORS, DATED 17 MAY 2006, RE: APPLICATION FOR OCCASIONAL LICENCE – MONEYREAGH ACTION CANCER GROUP (copy previously circulated)

Noted.

2006/367 : CORRESPONDENCE RECEIVED FROM THE DEPARTMENT FOR TRANSPORT, DATED 22 MAY 2006, RE: PORTS POLICY REVIEW CONSULTATION (report available at Members' request)

Noted.

2006/368 : REPORT RECEIVED FROM DRIVER & VEHICLE LICENSING NORTHERN IRELAND, RECEIVED 30 MAY 2006, RE: PROPOSALS TO RESTRUCTURE AND REVISE THE FEE FOR A TAXI DRIVER'S LICENCE

Noted.

2006/369 : CORRESPONDENCE RECEIVED FROM THE NORTHERN IRELAND OFFICE, CRIMINAL JUSTICE POLICY DIVISION, RECEIVED 30 MAY 2006, RE: AMENDMENTS TO REHABILITATION OF OFFENDERS (EXCEPTIONS) ORDER (NORTHERN IRELAND) 1979 (copy previously circulated)

Noted.

2006/370 : CORRESPONDENCE RECEIVED FROM THE ULSTER FARMERS' UNION, DATED 18 MAY 2006, RE: FREEDOM TO FARM – THE ULSTER FARMERS' UNION'S VISION FOR RURAL DEVELOPMENT IN NORTHERN IRELAND 2007-2013 (report available at Members' request)

Noted.

2006/371 : CORRESPONDENCE RECEIVED FROM THE ELECTORAL COMMISSION, DATED 1 JUNE 2006, RE: SUMMARY OF RESEARCH – MAY 2006

Noted.

2006/372 : CORRESPONDENCE RECEIVED FROM THE CONFEDERATION OF EUROPEAN COUNCILLORS, DATED 18 MAY 2006, RE: ONE-DAY SEMINAR ‘LOCAL GOVERNMENT AND THE PLANNING SYSTEM, NORTH AND SOUTH’ (copy previously circulated)

Noted.

REPORTS AND ANNUAL REPORTS

2006/373 : THE BAMFORD REVIEW OF MENTAL HEALTH AND LEARNING DISABILITY (NORTHERN IRELAND) – MENTAL HEALTH IMPROVEMENT AND WELL-BEING – A PERSONAL, PUBLIC AND POLITICAL ISSUE (copy available at Members’ request)

Noted.

2006/374 : EQUALITY COMMISSION FOR NORTHERN IRELAND – GOOD RELATIONS IN PRACTICE: A REPORT OF PROGRESS ON THE GOOD RELATIONS DUTY 2003-2005 (copy available at Members’ request)

Noted.

ANY OTHER BUSINESS

2006/375 : CONGRATULATIONS TO CHIEF EXECUTIVE ON RECEIPT OF MBE

Councillors Chambers, Hughes and Spratt congratulated the Chief Executive on the achievement of an MBE for his services to Local Government.

Councillor Duncan offered congratulations on behalf of the Alliance Party.

Councillor Drysdale offered congratulations on behalf of the Ulster Unionist Party.

Noted.

2006/376 : CORPORATE CATERING

Councillor Bunting referred to a decision taken by the Leisure Park Board that the Council’s corporate catering be used to cater at Council events. She asked that this policy be adhered to and that all catering requests be made to the Council’s corporate catering in the first instance.

Noted.

2006/377 : ANNADALE HOCKEY CLUB

Alderman P Robinson asked that a meeting be arranged between all relevant parties in order to discuss and resolve any outstanding issues in respect of the water-based synthetic pitch at the Billy Neill Soccer Centre of Excellence, so that this project could be progressed.

RESOLVED: That a meeting be arranged between Council Officers, representatives from Annadale Hockey Club, the Council's solicitors and outside agencies to discuss and resolve any outstanding issues relating to the water-based synthetic pitch at the Billy Neill Soccer Centre of Excellence.

2006/378 : COMPLAINT RE: NOISE FROM PROPERTY IN GLENDALE SOUTH

Alderman P Robinson referred to complaints received from a resident in Glendale South regarding a noisy neighbour. The Council had previously served a Noise Abatement Notice, and Alderman Robinson asked that legal proceedings be instigated by the Technical & Environmental Services Committee.

Councillor Spratt replied that the Committee had resolved to instigate legal proceedings in this case for a breach of the Pollution Control and Local Government (NI) Order 1978 at the Special Technical & Environmental Services meeting earlier that evening.

Noted.

2006/379 : BELFAST COMMUNITY HOUSING ASSOCIATION DEVELOPMENT IN LOWER BRANIEL ROAD

Alderman P Robinson informed Members that he had been approached by a company that was carrying out work for Belfast Community Housing Association in the Lower Branial Road area, wishing to give a presentation to Council.

Following some discussion, it was

RESOLVED: That the Planning Officer contact Belfast Community Housing Association regarding a presentation to Council in respect of a development in the Lower Branial Road area.

2006/380 : MINUTES OF THE SPECIAL TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF 22 JUNE 2006

RESOLVED: That the resolutions of the Minutes of the Special Technical & Environmental Services Committee meeting, held on 22 June 2006, be adopted as a true and accurate record, with the amendment as previously raised by Councillor Robinson (Minute 2006/343 refers).

2006/381 : MINUTES OF THE CENTRAL SERVICES COMMITTEE MEETING OF 12 JUNE 2006

The Director of Administration & Community Services outlined the issues relating to the cancellation of the residential and the cancellation fees involved.

Discussion ensued on the information tabled by the Community Services Manager at the last Central Services meeting and the fact that no mention had been made of a second day, either in the report or included in the paperwork.

Councillor Bunting confirmed that the issues related to programme content and that she would be happy for the residential to run, providing the programme was developed to a better standard than that originally presented.

Councillor Bunting further stated that she was of the view that, as the residential was a part of the project, it should take place as soon as a new programme could be composed. She proposed that the residential be arranged to take place in September/October, and if that was not possible because of funding, that it be scheduled for August 2006.

Following some further discussion, it was

RESOLVED:

- (a) That the Capacity Building Residential be arranged to take place at a date agreed between the Council, the LSP and the hotel.
- (b) That the Minutes of the Central Services Committee meeting of 12 June 2006 be adopted as a true and accurate record.

2006/382 : LETTER OF THANKS

Councillor Spratt advised that a letter had been received from Her Majesty, the Queen, thanking the Council for the kind wishes for her birthday.

Noted.

As there was no further business, the meeting concluded at 9.40 p.m.

CHIEF EXECUTIVE

MAYOR