

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, 28 June 2007 at 7.00 p.m.

PRESENT: Councillor M Chambers
(in the Chair)

ALDERMEN: M Copeland
J Norris MBE

IN ATTENDANCE: Mrs A M Beattie
J Beattie
Ms J Bunting
Mrs M Chambers
D Drysdale
Mrs S Duncan
B Hanvey
Miss R Hughes MBE
M Long
T Jeffers
G Robinson
C Tosh
J White

IN ATTENDANCE: Director of Administration & Community Services,
Director of Finance, Acting Director of Leisure
Services, Environmental Health Manager, Planning
Service Officer, Planning Officer, and Assistant
Members' Services Officer

APOLOGIES: Apologies were received on behalf of Aldermen
Mrs Rice and Mrs Robinson, Councillors Mrs
Cochrane, C Hall, M Henderson and J Spratt

2007/280 : OPENING OF MEETING

The Mayor welcomed her Chaplain, Reverend David McIlveen, to his first meeting. Reverend McIlveen opened the meeting with a prayer.

Noted.

2007/281 : SUSPENSION OF STANDING ORDERS.

RESOLVED: that Standing Orders be suspended in order to consider an item of any other business relating to the resignation of Alderman Peter Robinson as the first item on the agenda.

2007/282 : RESIGNATION OF RT. HON. PETER ROBINSON MP, MLA

Members considered a letter dated 25th June 2007 to the Chief Executive from Rt Hon Peter Robinson MP MLA tendering his resignation from the Council.

Following discussion, it was proposed by Councillor Bunting, seconded by Councillor White and

RESOLVED: that, as Rt Hon Peter Robinson was not present to hear the Council's comments of appreciation, he be invited to attend a special meeting of the Council to recognise the contribution he had made over many years to Castlereagh Borough Council.

2007/283 : MINUTES

RESOLVED : That

- (a) the Minutes of the following meetings be accepted as a true record:
- Special Council meeting held on 14 June 2007
 - Special Central Services Committee meeting held on 14 June 2007
 - Technical & Environmental Services Committee meeting held on 5 June 2007
 - Special Technical & Environment Services Committee held on 14 June 2007
 - Leisure Services Committee held on 7 June 2007
 - Special Leisure Services Committee held on 14 June 2007
 - Special Finance & General Purposes Committee meeting held on 14 June 2007
- (b) the minutes of the Council meeting held on 24 May 2007 be accepted as a true record, subject to the inclusion in Minute 2007/207(b) of the words "following a vote" before "amend resolution to read:"
- (c) the minutes of the Annual General Meeting held on 14 June 2007 be accepted as a true record subject to amendment of Minute no 2007/268 to read:
- "RESOLVED (unanimously) That Alderman J Norris, Councilors M Chambers, M Henderson and J White represent the Council on the National Association of Councillors – Northern Ireland Region for the 2007/2008 year."
- (d) the minutes of the Central Services Committee of 11 June 2007 be accepted as a true record subject to the inclusion of Councillor R Hughes MBE in the Apologies.
- (e) The minutes of the Finance and General Purposes Committee of 13 June 2007 be accepted as a true record subject to amendment of Minute F&GP/2007/179 to replace the sum of £20,000 with the sum of £10,000 at the fourth line of the minute and in the resolution.
- (f) the minutes of the following meetings were noted:

- Leisure Park Board meeting of 16 April 2007
- Castlereagh Hills Golf Club Board meeting held on 20 April 2007

MATTERS ARISING

2007/284 : FREEDOM OF THE BOROUGH FOR NIHE (Minute No. 2007/252 refers)

It was proposed by Councillor Robinson, seconded by Councillor Drysdale and

RESOLVED: that the Council ensure that, when conferring the Freedom of the Borough on the Northern Ireland Housing Executive, the contribution and service of the local Housing Executive office be highlighted and officers from the district office be involved in the organization of the event.

2007/285 : MEMBERSHIP OF FINANCE & GENERAL PURPOSES COMMITTEE (Minute no 2007/258 refers)

Councillor J Beattie pointed out that an error had been made when appointing Members to the Finance and General Purposes Committee whereby three places had been allocated to the Alliance Party rather than two and there was therefore one less place on the Committee for the DUP. Councillor Long stated that the membership was as agreed by the Council at its AGM. After some discussion as to whether this was a matter of accuracy or not, it was proposed by Councillor Bunting, seconded by Councillor J Beattie and

RESOLVED: that the matter be referred to the Finance & General Purposes Committee to establish where the error occurred and how it could be resolved.

2007/286 : REPRESENTATION ON SOUTH EASTERN GROUP BUILDING CONTROL COMMITTEE (Minute no 2007/263 refers)

Councillor Hanvey pointed out that it had been the Council's practice to appoint Members of the Technical Services Committee to represent the Council on the South Eastern Group Building Control Committee and he indicated that one of the Council's newly appointed representatives, Councillor Robinson, was not a Member of the Technical Services Committee. It was proposed by Councillor Robinson and

RESOLVED: that Councillor Robinson be replaced on the South Eastern Group Building Control Committee by a Member of his party who was also on the Technical Services Committee.

IN COMMITTEE

2007/287 : STREET TRADING LICENSING ACT (NI) 2001

The Acting Environmental Health Manager reported that an application for a Street Trading Licence had been received. In view of the changes in Street Trading Licences, it was

RESOLVED: that a small working group be established to consider the implications and issues arising in relation to the issue of the street trading licence.

(Councillor G Robinson left the meeting at 7.45 pm and returned at 8.10 pm)

OUT OF COMMITTEE

2007/288 : UPDATING OF COUNCIL WEBSITE (Minute No 2007/258 refers)

RESOLVED: that IT Service be asked to update the Council website with details of membership of committees before the next meeting of the council.

PLANNING

2007/289 : MINUTES OF THE SPECIAL PLANNING COMMITTEE MEETING HELD ON 25 MAY 2007 (copy previously circulated)

RESOLVED : That the Minutes of the Special Planning Committee meeting held on 15 May 2007 be accepted as a true and accurate record.

2007/290 : MINUTES OF THE SPECIAL PLANNING COMMITTEE MEETING HELD ON 14 JUNE 2007 (copy previously circulated)

RESOLVED : That the Minutes of the Special Planning Committee meeting held on 14 June 2007 be accepted as a true and accurate record

2007/291 : NOTES OF OFFICE MEETING HELD ON 8 JUNE 2007 (copy previously circulated)

Members noted the notes of the office meeting held on 8 June 2007 and

RESOLVED: That

- (a) In relation to Y/2005/0470/F, the Planning Officer write to the Planning Service to request that the following matters be given further consideration: the potential impact on wildlife within the site; the possibility of protecting the mature trees on the site under a Tree Preservation Order; and to ask the developer to reduce the ground level by 3 metres, rather than 2.65 metres, as he undertook to do at the meeting.
- (b) in relation to Y/2005/0339/RM, the Planning Officer write to the Planning Service to raise concerns regarding the following matters: the presence of wildlife and protection for mature trees on the site should be investigated and given appropriate protection and the proximity of the apartments on the site to existing dwellings and the potential for loss of amenity for the houses.
- (c) in relation to Y/2005/0076/F, the Planning Officer write to the Planning Service to object for the following reasons: the proposed access onto a

busy and fast road is not considered adequate in the interests of road safety and the existing septic tank is outdated and not sufficient to deal with the proposed development.

**SCHEDULE OF PLANNING APPLICATIONS DATED 28 JUNE 2007
(copy previously circulated)**

2007/292 : APPLICATIONS WITHDRAWN

The Planning Service Officer advised Members that the following planning applications had been withdrawn: Y/2005/0277/F; Y/2007/0048/0; Y/2007/0067/F; Y/2007/0235/F.

Noted.

2007/293 : PLANNING APPLICATION Y/2007/0099/F – 87 CASAELDONA PARK: DEMOLITION OF EXISTING DWELLING AND ERECTION OF 3 NO. APARTMENTS.

Councillor Bunting welcomed the Planning Service's decision to refuse this application. Other Members agreed with Councilor Bunting and expressed concern that similar developments were changing the character of this and other areas within the Borough.

Noted.

2007/294 : PLANNING APPLICATION – Y/2007/0103/F – 183 SAINTFIELD ROAD, BALLYLENAGHAN, BELFAST, BT8 7HP: AMENDMENTS TO APPROVED APPLICATION FOR 5 NO. DETACHED DEWELLINGS AT 183 SAINTFIELD ROAD – TO INCLUDE AMENDMENT TO LAYOUT, ADDITION OF UTILITY ROOMS AND AMENDED ELEVATIONS

Councillor Duncan indicated that this development had been completed and expressed concern on behalf of local residents who were overlooked by it. In response to a query by Councilor Bunting, the Planning Service Officer advised that the amendments were minor ones.

Noted.

APPLICATIONS DEFERRED FROM PREVIOUS MEETING

2007/295 : PLANNING APPLICATION Y/2006/0580/F – LAND ADJACENT TO 12 CHERRYHILL AVENUE, BALLLYREGAN, DUNDONALD, BT16 1JD: ERECTION OF SINGLE STOREY DETACHED DWELLING FOR DISABLED PERSON

Correspondence received from Ms Ann Cooper, the applicant's stepdaughter, was tabled at the meeting. In response to a query by Councilor Tosh, the Planning Service Officer advised that the planning opinion was to refuse the application as presented but that a refusal had not yet been issued. He advised that there were two separate issues to be considered, namely, addressing the need for appropriate accommodation for a disabled person and, at the same time, overcoming the planning difficulty of creating a

separate dwelling on the site. He indicated that he had met with the applicant and agents on several occasions to explore options for resolving the difficulties. After discussion it was

RESOLVED: that Councillor Tosh should meet informally with the Planning Officer and the Planning Service Officer to clarify the issues arising with this application.

2007/296 : WEEKLY PLANNING APPLICATIONS FOR THE PERIOD 15 MAY TO 18 JUNE 2007 (copy previously circulated)

Noted.

PLANNING CORRESPONDENCE

2007/297 : CORRESPONDENCE FROM THE DIVISIONAL PLANNING OFFICE DATED 24 MAY 2007 RE: APPLICATION NO 7/2007/0272/F – PROPOSED WIDENING OF THE ENTRANCE ROADWAY TO FORESTSIDE SHOPPING CENTRE TO PROVIDE ADDITIONAL EXIT LAND ONTO UPPER GALWALLY (copy previously circulated)

Noted.

2007/298 : CORRESPONDENCE FROM THE PLANNING SERVICE DATED 24 MAY 2007 RE: COUNCIL CONSULTATION ON PLANNING APPLICATIONS – MANAGEMENT BOARD REFERRAL PROCESS (copy previously circulated)

Noted.

2007/299: INFORMATION RECEIVED FROM BEARINGPOINT MANAGEMENT & TECHNOLOGY CONSULTANTS RE: REVIEW OF REVISED COUNCIL CONSULTATION PROCEDURES (copy previously circulated)

Councillor Robinson advised that the Council's meeting with the Consultants scheduled for 29 June 2007 had been cancelled and would be rearranged. He indicated that he and Councillor White would attend in their capacities as Chair and Vice-Chair of the Planning Committee along with a member from each party on the Council. Councillor Beattie stressed the importance of the meeting.

RESOLVED: That Councillors Robinson and White together with a Member from each party on the Council attend the forthcoming meeting with BearingPoint Management & Technology Consultants re: Review of Revised Council Consultation Procedures.

2007/300 : CORRESPONDENCE FROM THE HOUSING EXECUTIVE DATED 17 APRIL 2007 RE: EXTINGUISHMENT OF PUBLIC RIGHT OF WAY ORDER NO. 1 2006 CREGAGH, CAPPAGH GARDENS (copy previously circulated)

Noted.

ANY OTHER PLANNING BUSINESS

2007/301 : PLANNING APPLICATION NO Y/2007/0306/F

Councillor Hanvey referred to a planning application that had not yet come before the Council for a proposed development at Carlton Hills and asked the Planning Service Officer to take account of PPS7 when considering this application.

Noted.

2007/302 : PLANNING APPLICATION RELATING TO ST JOSEPH'S PRIMARY SCHOOL, CARRYDUFF

Councillor Hanvey referred to a cross party delegation, including the local MP, that had been given the opportunity to view this proposal and were happy to support it. He advised that the application would be coming to Council in due course and hoped that it would be supported.

Noted.

2007/303 : PLANNING IMPLICATIONS OF RECENT FLOODING

Alderman Copeland referred to recent flooding in the Borough and, in particular, to the devastating effects of overflow from the sewage system and he enquired whether there was any proposal to change consultation arrangements between the Planning Service and the Water Service in light of this. The Planning Service Officer advised that he was not in a position to comment as strategic issues were dealt with on a departmental level.

RESOLVED: that the Council write to the relevant Minister referring to damage caused by overflow of the sewage system during recent flooding and enquiring whether changes should be made to consultation arrangements between the Planning and Water Services.

LEGAL

2007/304 : LAND AT LOUGH MOSS – DEED OF TRANSFER BETWEEN HUDDLESTON AND CASTLEREAGH BOROUGH COUNCIL (Minute No TSC/2002/253 refers)

RESOLVED: That the Council approve the Deed of Transfer of Land at Lough Moss between Huddleston and Castlereagh Borough Council.

REPORT FROM OFFICERS

2007/305 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES

The Acting Environmental Health Manager reported that 17 witness statements had been received from the PSNI since his report to the Technical

& Environment Services Committee meeting of 5 June 2007. He advised that the total comprised 8 adults and 9 juveniles, all of whom had been witnessed consuming intoxicating liquor in a designated place contrary to the Council's bye-laws.

RESOLVED: that the Council approve the instigation of legal proceedings against those offenders who were adults and repeat juvenile offenders and that the Environmental Health Service should deal with first time juvenile offenders by means of a formal caution.

2007/306 : GRANT OF AN OCCASIONAL ENTERTAINMENT LICENCE

The Acting Environmental Health Manager reported that an application had been received for the grant of an Occasional Entertainment Licence from 7.00 pm on Friday 29 June 2007 to 2.00 am on Saturday 30 June 2007. He indicated that the event was a charitable dance barbeque to be held at outbuildings at Hugh Hoggs Farm, 31 Moneyreagh Road, Moneyreagh, and the applicant was Mrs Hazel McConkey of 2 Grange Park, Saintfield, BT24 7NT. He stated that Mrs McConkey was an organizer and fundraiser for Moneyreagh and District Action Cancer Group and the profits from the function were being donated to the charity.

The officer advised that consultations were ongoing with the Northern Ireland Fire and Rescue Service and the PSNI but that a full safety certification could not be obtain until shortly before the event when the marquee installation was complete. He stated that the applicant had placed a public notice in the Belfast Telegraph as required.

RESOLVED: that an Occasional Entertainment Licence be granted to Mrs Hazel McConkey for the above event.

2007/307 : PEOPLES MILLIONS – GRANT APPLICATION

The Acting Director of Leisure Services reported that, based on advice received from the UK People's Millions office, the Council had submitted two applications for funding, one for additional changing facilities at Belvoir Activity Centre and the second for refurbishment work to the hall at Downshire.

She stated that on 18 June 2007 the Council had been advised that only one application could be submitted per organization and that the preferred project had to be selected by 22 June 2007. Due to the timescale involved, a select panel comprising the Mayor, Deputy Mayor, Chairs of Leisure Services and Central Services Committee and an independent officer from Eastern Group. had evaluated the two projects using a scoring sheet based on the defined criteria. The Panel had recommended that the Downshire project be submitted for lottery funding.

RESOLVED: That

- (a) the Council retrospectively approve the selection of the Downshire project for the Big Lottery People's Millions

- (b) the Council approve the submission of an outline planning applications by Community Services so as to ensure that the project was not delayed at a later stage.

2007/308 : NILGA UPDATE

Noted.

MAYOR/DEPUTY MAYOR'S BUSINESS

**2007/309 : MAYOR/DEPUTY MAYOR'S BUSINESS FOR JUNE 2007
(copy previously circulated)**

Noted.

GENERAL

2007/310: CORRESPONDENCE FROM THE DEPARTMENT OF THE ENVIRONMENT DATED 7 JUNE 2007 RE: LATEST POSITION ON THE REVIEW OF PUBLIC ADMINISTRATION (copy previously circulated)

RESOLVED: That this correspondence be referred to the Finance & General Purposes Committee.

2007/311 : CORRESPONDENCE FROM THE ISLAND OF IRELAND PARTNERSHIP DATED 21 JUNE 2007 REGARDING PATHFINDING CONFERENCE IN FLANDERS AND THE SOMME TAKING PLACE ON 5 – 8 OCTOBER 2007 (copy letter previously circulated)

Noted.

2007/312 : RESPONSE DATED 19 JUNE 2007 FROM THE OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER IN RESPECT OF THE COUNCIL'S MOTION ON THE ABUSE OF OLDER PEOPLE IN NORTHERN IRELAND (copy previously circulated)

Councillor Robinson pointed out that, although the Council had written to the First Minister and Deputy First Minister, the response had been drafted and signed by the Private Secretaries. After some discussion, it was

RESOLVED: That the Council write to the Office of the First Minister and Deputy First Minister to clarify the protocol as to whether Private Secretaries should respond to letters directed to the Ministers.

2007/313 : CORRESPONDENCE DATED 24 MAY 2007 FROM ACTION ON ELDER ABUSE TOGETHER WITH DETAILS OF A CONFERENCE ENTITLED "FROM THE CRADLE TO THE GRAVE" BEING HELD IN THE TULLYGLASS HOTEL, BALLYMENA, ON 25-26 SEPTEMBER 2007 (copy previously circulated)

Noted.

2007/314 : CORRESPONDENCE FROM THE WILLIAM KEOWN TRUST DATED 4 JUNE 2007 RE: THE CLOSURE OF POST OFFICES (copy previously circulated)

Councillor White suggested that the Council should support the William Keown Trust in opposing the closure of post offices because of the difficulty caused to elderly people trying to access services. Councillor Hanvey referred to BT's decision to impose a surcharge of £5 on customers who paid by cash rather than by standing order as another example of discriminating against elderly people. Other Members indicated that other utilities and departments were introducing similar practices. After discussion it was proposed by Councillor White, seconded by Councillor Bunting and

RESOLVED: that

- (a) the Council support the William Keown Trust in its opposition to the closure of post offices
- (b) the Council should write to the Post Office, British Telecom, NIE, DETI and OFMDFM objecting to the imposition of surcharges on customers who pay by cash rather than by standing order on the basis that this discriminated against elderly people who tended to have savings accounts rather than current accounts.

2007/315: CORRESPONDENCE FROM THE DEPARTMENT OF TRADE AND INDUSTRY DATED 20 JUNE 2007 REGARDING THE FUTURE OF THE POST OFFICE NETWORK (copy previously circulated)

Noted

2007/316 : PAPER ENTITLED "REVIEW OF ROYAL MAIL'S COLLECTION AND DELIVERY TIMES – CONSULTATION DOCUMENT – NEXT STEPS" ISSUED BY POSTWATCH (copy previously circulated)

Noted

2007/317 : CORRESPONDENCE DATED 8 JUNE 2007 FROM NILGA RE: PLANNING SERVICE REVIEW OF COUNCIL CONSULTATION PROCEDURES (copy previously circulated)

Noted

2007/318: CORRESPONDENCE DATED 14 JUNE 2007 FROM THE ASSOCIATION FOR PUBLIC SERVICE EXCELLENCE RE: NORTHERN IRELAND REGIONAL MEETING TAKING PLACE AT SLIEVE DONARD RESORT AND SPA, NEWCASTLE, ON 2 JULY 2007 (copy previously circulated)

Noted

2007/319 : CORRESPONDENCE FROM THE ELECTORAL OFFICE FOR NORTHERN IRELAND DATED 21 JUNE 2007 RE: CONSULTATION ON ELECTORAL OFFICE DRAFT DISABILITY ACTION PLAN (copy previously circulated)

Noted

2007/320 : CORRESPONDENCE FROM TRANSLINK RECEIVED ON 22 JUNE 2007 RE: ULSTER BUS STRATEGIC REVIEW – CARRYDUFF (copy previously circulated)

Noted.

2007/321 : CORRESPONDENCE DATED 8 JUNE 2007 FROM THE NORTHERN IRELAND OFFICE POLICING DIVISION RE: LEGISLATION RELATING TO DISTRICT POLICING PARTNERSHIPS (copy previously circulated)

Noted.

ANNUAL REPORTS

2007/322 : THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY'S CORPORATE PLAN 2006-2009 (copy correspondence previously circulated, copy report available at Members' request)

Noted

2007/323 : NORTHERN IRELAND WATER, A NEW WAY FORWARD, STRATEGIC BUSINESS PLAN 2007-2010 (copy correspondence previously circulated, copy report available at Members' request)

Noted

FINANCE

2007/324 : ACCOUNTS FOR PAYMENT

RESOLVED : That the Council approve the undernoted payments:

Capital Account (General)	£190,823.76
General Account (Salaries)	£468,684.42
General Account (Suppliers)	£1,078,549.15

ANY OTHER BUSINESS

2007/325 : THANK YOU LETTERS

Three thank you letters from residents helped by the Council following recent flooding were tabled for Members' information.

Noted.

2007/326 : CORRESPONDENCE DATED 26 JUNE 2007 FROM COMMITTEE FOR CULTURE, ARTS & LEISURE RE: LIBRARIES BILL – REQUEST FOR COMMENT BY 17 JULY 2007

RESOLVED: that the Chair of the Finance and General Purposes Committee be asked to respond to this correspondence on behalf of the Council

2007/327 : CORRESPONDENCE DATED 26 JUNE 2007 FROM NI OMBUDSMAN ENCLOSING COPY ANNUAL REPORT FOR 2006/07

Noted.

2007/328 : CORRESPONDENCE DATED 20 JUNE 2007 FROM NI HOUSING EXECUTIVE ACCEPTING FREEDOM OF THE BOROUGH

Noted.

2007/329 : SCHEDULING OF COUNCIL MEETINGS

RESOLVED: That, with the exception of Single Status, Leisure Park Board and Castlereagh Hills Golf Club Board, no committee meetings would be held during July and August unless Chairmen considered it necessary and, further, that the Council meetings would proceed on the fourth Thursday of the month.

2007/330 : PARK AND PLAYGROUND AT RODDENS CRESCENT

Councillor Robinson reported that he had been contacted by residents of the Roddens Crescent area complaining of anti-social behaviour at the park and playground. He indicated that this included drinking and loutish behaviour, broken glass and people being verbally abused. At his request, it was

RESOLVED: That the Council's officers seek a meeting with PSNI to discuss means of resolving the problem of anti-social behaviour at the park and playground at Roddens Crescent and that a note be taken of the meeting and circulated to each Member.

2007/331 : DOG FOULING AT MOAT PARK

Councillor White referred to the problem of dog fouling at Moat Park. The Acting Environmental Health Manager confirmed that officers had targeted the park but that one of their difficulties was that they could not take action unless they saw the offence being committed. It was also noted that the offences often took place in the evening when dog wardens were not on duty.

The Acting Director of Leisure advised Members that it had recently been agreed at a Leisure Park Board meeting that any officer from Leisure or Technical Services would be able to issue a fixed penalty notice if they saw an offence taking place. This would increase the Council's capacity to manage the issue of dog fouling.

RESOLVED: That the Acting Environmental Health Manager review its dog warden service with a view to tackling the problem of dog fouling at Moat Park.

There being no further business, the meeting ended at 9.30 p.m.

MAYOR

CHIEF EXECUTIVE