

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, 22nd March 2007 at 7.00 p.m.

PRESENT: Councillor J Spratt
(in the Chair)

ALDERMEN: J Norris MBE

IN ATTENDANCE: Mrs A M Beattie
Ms J Bunting (from 7.20 p.m.)
Mrs M Chambers
Mrs S Duncan
D Drysdale
C Hall
B Hanvey
Miss R Hughes MBE
M Long
T Jeffers
Miss V Stevenson
C Tosh
J White

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

APOLOGIES: Apologies were received on behalf of Aldermen M Copeland, Mrs Rice, Mrs Robinson, P D Robinson, Councillors J Beattie, Mrs Cochrane, M Henderson and G Robinson

2007/114 : OPENING OF MEETING

In the absence of Reverend Brown, Alderman Norris opened the meeting with a prayer.

Noted.

2007/115 : CONDOLENCES

On behalf of Members and Staff, Councillor Spratt passed on his sincere sympathy to Alderman Rice on the death of her mother, and to Councillor Henderson and his wife Arenee on the death of her mother.

He further passed on sympathy to Mr Gordon Bratten, Building Control Manager on the death of his sister and to Mr Jimmy Monks employed at Henry Jones Playing Fields, on the death of his wife.

He outlined that Members' thoughts and prayers were with all the families.

Noted.

2007/116 : MINUTES

RESOLVED : That

- (a) the Minutes of the following meetings be accepted as a true record:
- Council meeting held on 22 February 2007
 - Leisure Services Committee meeting held on 1 March 2007
 - Technical & Environmental Services Committee meeting held on 6 March 2007
 - Central Services Committee meeting held on 12 March 2007
 - Finance & General Purposes Committee meeting of 21 February 2007
- (b) the Minutes of the Special Council meeting held on 14 February 2007 be accepted as a true record, subject to the inclusion of Councillors Miss V Stevenson and T Jeffers within those present
- (c) the Minutes of the following meetings were noted:
- Leisure Park Board meeting of 15 January 2007
 - Castlereagh Hills Golf Club Board meeting held on 19 January 2007
 - Castlereagh Hills Golf Club General Committee meeting held on 24 January 2007

MATTERS ARISING

2007/117 : PARADE TO COMMEMORATE THE 40TH ANNIVERSARY OF THE FORMATION OF 204 (NORTH IRISH) FIELD HOSPITAL BEING HELD ON SUNDAY 6TH MAY 2007 (Minute No. CS/2007/62 refers)

Councillor Chambers stated that the Central Services Committee had recently discussed the above event and had agreed in principle that it could proceed.

She further outlined that although most of the expenditure in respect of the event was being met by the Unit directly, the Council would be required to meet some of the costs from the Civic budget, as follows:

Reception for 130 people	£ 200.00
Corps of Commissioners	£ 90.00
Present to Unit	£1,000.00
Technical Services	£ 200.00
Street Cleansing	£ 120.00
Total	£1,610.00

She further reported that, should the weather be inclement, it may also be necessary to provide two marquees, the costs of which were as follows:

Marquee to hold 100	£545.00
Smaller marquee for Members	£340.00

Total **£845.00**

It was proposed by Councillor White, seconded by Alderman Norris, and

RESOLVED : That the Council grants approval for expenditure in the sum of £2,455.00 towards the costs involved in the parade to commemorate the 40th Anniversary of the Formation of 204 (North Irish) Field Hospital, being held on Sunday 6th May 2007, and charged to the Civic budget.

Councillor Bunting arrived at the meeting at this point at 7.20 p.m.

PLANNING

2007/118 : PRESENTATION BY A RATEPAYER RE: APPLICATION NO: Y/2005/0027/F – CONSTRUCTION OF A MULTI-USE GAMES AREA WITH FLOODLIGHTING TOGETHER WITH 2.4M PALADIN FENCING AND A SINGLE STOREY TOILET/STORE BLOCK AT LISNASHARRAGH PRIMARY SCHOOL (REFERS TO ITEM (5) ON THE PLANNING SCHEDULE)

The Planning Officer reported that the above presentation would not now be taking place.

Noted.

2007/119 : PRESENTATION BY REPRESENTATIVES FROM BEECHGROVE AND GLENCREGAGH RESIDENTS ASSOCIATION RE: APPLICATION NO: Y/2005/0539/O – SITE FOR INPATIENT ADOLESCENT AND CHILD MENTAL HEALTH FACILITIES AND OUTPATIENTS BUILDING INCORPORATING RESIDENTIAL ACCOMMODATION, TEACHING, RECREATIONAL AND OFFICE FACILITIES, ASSOCIATED ROADS, CAR PARKING AND OUTDOOR GAMES AREA AT FORSTER GREEN HOSPITAL, 110 SAINTFIELD ROAD, BALLYMACONAGHY (REFERS TO ITEM (7) ON THE PLANNING SCHEDULE)

Councillor Spratt welcomed to the meeting Mr Gibson from Beechgrove and Glencregagh Residents' Association.

Mr Gibson outlined that he was seeking the Council's support in having the above application treated as a major planning application under Article 31 by way of a public inquiry. He indicated that this was a major application, not only in financial terms, but given that it was to be an entirely open unit, little consideration appeared to have been given to the welfare and safety of the Beechgrove/Glencregagh residents, particularly in light of the fact that there were three schools in the area.

He expressed concern that should the Planning Service approve this application it would be flying in the face of the BMAP Team, in that, part of the site of the proposed Unit had been zoned under BMAP for housing.

He outlined that the Council was the last line of defense as far as the Residents' Association was concerned, and he hoped that the Councillors would support them in this matter.

Following a query from Councillor Chambers, the Planning Service Officer confirmed that there was a limited period in which the opportunity existed for the application to be designated as an Article 31 application, and this period had now passed.

Mr Gibson referred Members to a copy of the Residents' Association's bid which included a request for a public inquiry, and had been submitted to the Department on 12th December 2005.

The Planning Service Officer advised that the question as to whether an application be considered as an Article 31 application was the responsibility of the Department, and in planning terms, the Department had been of the view that it did not merit such a designation.

He added that the Department was, however, aware of the nature of the residents' concerns and had passed these onto the applicant.

Councillor Spratt thanked Mr Gibson for his presentation and advised that the matter would be considered further, under the Planning Schedule.

Noted.

2007/120 : MINUTES OF THE SPECIAL PLANNING COMMITTEE MEETING HELD ON 15 FEBRUARY 2007 (copy previously circulated)

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

2007/121 : WEEKLY PLANNING APPLICATIONS FOR THE PERIOD 6 FEBRUARY TO 12 MARCH 2007 (copy previously circulated)

Noted.

**SCHEDULE OF PLANNING APPLICATIONS DATED 22 MARCH 2007
(copy previously circulated)**

APPLICATIONS DEFERRED FROM PREVIOUS MEETING

2007/122 : PLANNING APPLICATION Y/2004/0477/0 – TO REAR OF 19 BRED A PARK, (ALONG BRED A AVENUE), BELFAST : SITE FOR DWELLING

At the request of Councillor Chambers, it was

RESOLVED (unanimously) That the Council agrees that Planning Application Y/2004/0477/0 be referred to the Management Board.

2007/123 : PLANNING APPLICATION Y/2005/0027/F – LISNASHARRAGH PRIMARY SCHOOL, TUDOR DRIVE : CONSTRUCTION OF A MULTI-USE GAMES AREA WITH FLOODLIGHTING, TOGETHER WITH 2.4M PALADIN FENCING AND A SINGLE STOREY TOILET/STORE BLOCK

Councillor Long sought clarification as to whether approval related to the amended plans which had been submitted in January, and he asked whether residents' concerns in respect of one of the entrances to the facility being located in Merok Park had been fully addressed.

The Planning Service Officer confirmed that amendments had been made in respect of the entrance and the pitch had been relocated closer to the school, and away from most of the dwellings. He added that the correspondence tabled on the Agenda related to the previous siting of this complex. He confirmed, however, that the facility could still be accessed via Merok Park.

Councillor White proposed that an office meeting be convened in order to view the plans and clarify the situation in terms of access, and this was seconded by Alderman Norris.

Following further discussion, it was

RESOLVED : That the Council agrees that consideration of Planning Application Y/2005/0027/F be deferred to enable an office meeting to be convened in liaison with the Chairman of the Planning Committee and Councillor White.

2007/124 : PLANNING APPLICATION Y/2005/0539/0 – FORSTER GREEN HOSPITAL, 110 SAINTFIELD ROAD : SITE FOR INPATIENT ADOLESCENT AND CHILD MENTAL HEALTH FACILITIES INCORPORATING RESIDENTIAL ACCOMMODATION, TEACHING, RECREATIONAL AND OFFICE FACILITIES. ASSOCIATED ROADS, CAR PARKING AND OUTDOOR GAMES AREAS

Councillor White stated that although he acknowledged that it was too late to ask for an Article 31 Inquiry, there were significant objections to this particular development, and he proposed that on this basis, it be referred to the Management Board.

Councillor Chambers expressed concern that the only option now was to refer the matter to the Management Board, and she hoped that the Council would be supportive of the residents.

Councillor Drysdale agreed, and outlined that this was particularly disappointing in light of the fact that the Residents' Association had requested a public inquiry back in 2005.

Following further discussion, it was

RESOLVED : That Planning Application Y/2005/0539/0 be referred to the Management Board.

2007/125 : APPLICATIONS WITHDRAWN

The Planning Service Officer advised Members of the following:

Planning Application Y/2006/0076 - withdrawn by the Planning Service
Planning Application Y/2006/0687/F - withdrawn by the applicant
Planning Application Y/2007/0062/F - withdrawn by the applicant

Noted.

2007/126 : PLANNING APPLICATION Y/2006/0558/F – LAND AT LISLEEN ROAD EAST, BALLYHANWOOD : REVISED DESIGN OF PREVIOUSLY APPROVED REPLACEMENT DWELLING UNDER APPLICATION REFERENCE Y/2002/0128

On behalf of Alderman Mrs Robinson, Councillor Spratt requested that an office meeting be convened in respect of the above application.

RESOLVED : That consideration of Planning Application Y/2006/0558/F be deferred to enable an office meeting to be convened in liaison with the Chairman of the Planning Committee and Alderman Mrs Robinson.

2007/127 : PLANNING APPLICATION Y/2006/0580/F – LAND ADJACENT TO 12 CHERRYHILL AVENUE, BALLYREGAN, DUNDONALD : ERECTION OF SINGLE STOREY DETACHED DWELLING FOR DISABLED PERSON

Councillor Tosh sought clarification as to the reasons for a refusal.

The Planning Service Officer advised that this proposal was to build a totally separate living unit which would set a precedent in the area. He added that it could not be considered as an exceptional case as there was adequate space to extend the existing property. He outlined that he was therefore not in a position to agree to a site meeting.

Councillor Bunting proposed that, in the first instance, the Planning Officer should request a site meeting, and if this was not agreed to then an office meeting be requested, and this was seconded by Councillor Tosh.

RESOLVED : That the Planning Officer writes to the Planning Service requesting a site meeting in respect of Planning Application Y/2006/0580/F, and if this was not agreed to, then an office meeting be requested.

ADDENDUM TO THE PLANNING SCHEDULE

2007/128 : PLANNING APPLICATION Y/2006/0132/F – 46-48 GILNAHIRK ROAD, TULLYCARNET : DEMOLITION OF EXISTING FILLING STATION AND SHOP AND REBUILD TO PROVIDE NEW FILLING STATION, SUPERMARKET RETAIL OUTLET

Noted.

PLANNING CORRESPONDENCE

2007/129 : LETTER OF OBJECTION FROM MR RATCLIFFE RE: PLANNING APPLICATION NO Y/2005/0027/F (ITEM 5) – CONSTRUCTION OF A MULTI-USE GAMES AREA WITH FLOODLIGHTING, TOGETHER WITH 2.4M PALADIN FENCING AND A SINGLE-STOREY TOILET/STORE BLOCK AT LISNASHARRAGH PRIMARY SCHOOL, TUDOR DRIVE (copy previously circulated)

Noted.

2007/130 : LETTER OF OBJECTION FROM MR & MRS KELLY AND PETITION RE: PLANNING APPLICATION NO Y/2005/0027/F (ITEM 5) – CONSTRUCTION OF A MULTI-USE GAMES AREA WITH FLOODLIGHTING, TOGETHER WITH 2.4M PALADIN FENCING AND A SINGLE-STOREY TOILET/STORE BLOCK AT LISNASHARRAGH PRIMARY SCHOOL, TUDOR DRIVE (copy previously circulated)

Noted.

2007/131 : LETTER OF OBJECTION, CASE AGAINST AND PETITION FROM BEECHGROVE AND GLENCREGAGH RESIDENTS' ASSOCIATION RE: PLANNING APPLICATION NO Y/2005/0539/O (ITEM 7) – SITE FOR INPATIENT ADOLESCENT AND CHILD MENTAL HEALTH FACILITIES AND OUTPATIENTS BUILDING, INCORPORATING RESIDENTIAL ACCOMMODATION, TEACHING, RECREATIONAL AND OFFICE FACILITIES, ASSOCIATED ROADS, CAR PARKING AND OUTDOOR GAMES AREA AT FORSTER GREEN HOSPITAL, 110 SAINTFIELD ROAD, BALLYMACONAGHY (copy previously circulated)

Noted.

2007/132 : LETTER OF OBJECTION RE: PLANNING APPLICATION NO Y/2006/0687/F (ITEM 17) – REPLACEMENT OF EXISTING DWELLING WITH A PAIR OF SEMI-DETACHED DWELLINGS, USING EXISTING ENTRANCE TO SITE AT 92 NEWTOWNBREDA ROAD, BELFAST (copy previously circulated)

The Planning Service Officer reminded Members that the above application had been withdrawn.

Noted.

2007/133 : CORRESPONDENCE FROM THE PLANNING SERVICE RE: MANAGEMENT BOARD REFERRAL – ERECTION OF A DETACHED THREE-BEDROOM, TWO-STOREY HOUSE ON SITE OF EXISTING GARAGE AND GARDENS AT 3 GLENSHARRAGH GARDENS, LISNASHARRAGH, BELFAST (copy previously circulated)

Noted.

2007/134 : CORRESPONDENCE FROM THE PLANNING APPEALS COMMISSION RE: BMAP 2015 PUBLIC INQUIRY (copy previously circulated)

Following a query from Councillor Chambers, the Planning Officer advised that the above correspondence was in response to a letter from the Council expressing concern that each objection had to be limited to 1,500 words. She added that the response also confirmed that the Council's original representation was already before the Commission and would be fully considered.

Noted.

2007/135 : CORRESPONDENCE FROM THE PLANNING APPEALS COMMISSION RE: APPEAL – 8 DWELLINGS, SITE ADJACENT TO 28 CREGAGH PARK, CREGAGH (copy previously circulated)

Following a query from Councillor Long, the Planning Officer advised that she had already submitted a statement of support for the applicant's case, explaining that the Council had proceeded to dispose of the above land.

ROADS

2007/136 : CORRESPONDENCE FROM THE ROADS SERVICE RE: STIRLING AVENUE, CASTLEREAGH – TRAFFIC CALMING SCHEME (copy letter previously circulated)

Noted.

EDUCATION

2007/137 : CORRESPONDENCE FROM THE DEPARTMENT OF EDUCATION RE: ACCOMMODATION DEFICIENCIES AT DUNDONALD HIGH SCHOOL (copy previously circulated)

Councillor Jeffers and Tosh expressed their concern that given the significant number of new housing developments in the area, that the Department had not considered Dundonald High School as a contender for capital funding.

Noted.

HOUSING

2007/138 : CORRESPONDENCE FROM THE NORTHERN IRELAND HOUSING EXECUTIVE RE: PROPOSED AMENDMENT TO RULE 23 INTIMIDATION POINTS OF THE HOUSING SELECTION SCHEME (copy letter previously circulated)

Councillor White sought clarification as to the detail of the proposed amendments, and expressed concern that the response date of 13th April would not provide Members with adequate time to consider the consultation document.

Following discussion, it was

RESOLVED : That the Chief Executive writes to the Housing Executive seeking clarification on the proposed amendments to Rule 23 Intimidation Points of the Housing Selection Scheme, and to request an extension to the consultation deadline of 13th April 2007.

2007/139 : CORRESPONDENCE FROM THE NORTHERN IRELAND HOUSING EXECUTIVE RE: TOWN CENTRE LIVING INITIATIVE AREAS (LOTS) (COPY LETTER PREVIOUSLY CIRCULATED)

Noted.

2007/140 : NILGA UPDATE

Noted.

FINANCE

2007/141 : ACCOUNTS FOR PAYMENT

RESOLVED : That the Council approve the undernoted payments:

Capital Account (General)	£ 17,777.14
General Account (Salaries)	£435,288.19
General Account (Suppliers)	£815,967.59

MAYOR/DEPUTY MAYOR'S BUSINESS

2007/142 : MAYOR/DEPUTY MAYOR'S BUSINESS FOR MARCH 2007 (copy previously circulated)

Noted.

GENERAL

2007/143 : CORRESPONDENCE FROM HOLMES & MOFFITT SOLICITORS 6 MARCH 2007 RE: ROAD POLICING COMMAND UNIT URBAN CASTLEREAGH SPORTS & RECREATION CLUB – LICENCE RENEWAL (copy previously circulated)

Noted.

2007/144 : CORRESPONDENCE FROM CARLOW TOURISM RE: 5TH NATIONAL TOURISM CONFERENCE – TOURISM: FOSTERING LOCAL AND REGIONAL REGENERATION, SEVEN OAKS HOTEL, ATHY ROAD, CARLOW, 29-30 MARCH 2007 (copy letter previously circulated)

Noted.

2007/145 : CORRESPONDENCE FROM NORTH DOWN BOROUGH COUNCIL RE: RADIO BROADCAST ON STEPHEN NOLAN SHOW – BBC NORTHERN IRELAND – WASTE RECYCLING (copy previously circulated)

Noted.

2007/146 : CORRESPONDENCE FROM EASTERN DRUGS AND ALCOHOL COORDINATION TEAM RE: DRAFT LICENSING AND REGISTRATION OF CLUBS (AMENDMENT) (NORTHERN IRELAND) ORDER 2007 (copy previously circulated)

Noted.

2007/147 : CORRESPONDENCE FROM THE WILLIAM KEOWN TRUST RE: FINANCIAL PRESSURES (copy previously circulated)

Following a proposal from Councillor Duncan, it was

RESOLVED : That the Council agrees to write to the William Keown Trust outlining support for the campaign to oppose British Telecom's proposal to surcharge customers who do not pay by direct debit.

2007/148 : CORRESPONDENCE FROM THE OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER RE: 'LIFETIME OPPORTUNITIES' – GOVERNMENT'S ANTI-POVERTY AND SOCIAL INCLUSION STRATEGY FOR NORTHERN IRELAND (copy letter previously circulated)

RESOLVED : That a copy of the correspondence from the Office of the First Minister and Deputy First Minister in relation to Lifetime Opportunities be forwarded to Councillor Jeffers.

2007/149 : CORRESPONDENCE FROM THE BAMFORD REVIEW OF MENTAL HEALTH & LEARNING DISABILITY (NI) RE: THE BAMFORD REVIEW OF MENTAL HEALTH AND LEARNING DISABILITY (NORTHERN IRELAND) – A COMPREHENSIVE LEGISLATIVE FRAMEWORK (copy letter previously circulated)

Noted.

2007/150 : CORRESPONDENCE FROM THE DEPARTMENT OF THE ENVIRONMENT RE: INTERNATIONAL CO-OPERATION ON DRIVING DISQUALIFICATIONS (copy previously circulated)

Following a proposal from Councillor Long, it was

RESOLVED : That the Council agrees to write to the Department of the Environment in support of the "International Co-operation on Driving Disqualifications" Initiative.

2007/151 : CORRESPONDENCE FROM THE ULSTER FARMERS' UNION RE: RURAL DEVELOPMENT 2007-2013 (copy previously circulated)

Noted.

ANY OTHER BUSINESS

2007/152 : RESCHEDULING OF MEETINGS DUE TO THE EASTER HOLIDAYS

Councillor Spratt advised that a number of meetings had to be re-scheduled during April due to the Easter Holidays, and he asked Members to note the new dates within the meetings list which had been circulated prior to the meeting.

Councillor Bunting referred to the Leisure Park Board meeting being held on 29th March 2007 and asked Members to note that the presentation by KPMG on the 50 metre pool would be heard at that meeting.

Noted.

IN COMMITTEE

2007/153 : REPORT FROM THE CLIENT MANAGER RE: LAND ISSUE IN DUNDONALD (circulated at the meeting)

Members considered the content of the above report and the implications for Council.

Councillor Bunting expressed the view that she was dissatisfied at the way in which information was being presented by Officers, and stressed that when considering an item, Members needed to be presented with all available facts from the very outset in order for the Council to make an informed decision.

Following a detailed discussion, it was

RESOLVED : In relation to the land issue at Comber Road, the Council agrees that

- (a) the Chief Executive implement a policy whereby an annual inspection be carried out on the Council's land portfolio to ensure no future encroachments
- (b) all relevant paperwork relating to this matter, including the advice provided by the Council's solicitor, together with any maps or other evidence which had been produced by the occupier in relation to his claim of ownership of the lands be tabled at a future Technical & Environmental Services Committee for consideration
- (c) the Council agrees not to accept the unsolicited offer of £10,000.00 as there were various unresolved matters in respect of the site

2007/154 : LOUGH VALLEY RELIEF SEWER

Councillor White sought an update in respect of the above.

The Client Manager advised that it had been his intention to verbally report on this matter. He outlined that Members may recall that at a previous Technical & Environmental Services Committee meeting, the Committee had agreed, in principle, to allow the contractor to enter onto Council land to lay the sewer

pipe to serve residential development at 10 Grahamsbridge Road, subject to five conditions being met by him in advance of the work commencing.

The Client Manager continued by stating that although the Council's solicitor had notified the contractor of these conditions, on a recent visit to the site he had observed that the contractor had entered onto Council land and had connected the sewer, despite the fact that a number of the conditions stipulated by Council, had still not been met, or agreed to in writing in advance of the contractor proceeding with the works.

Following a detailed discussion, it was

RESOLVED : In relation to the Lough Valley Relief Sewer, Officers instruct the Council's solicitor to advise the contractor that as he had not met all of the conditions as stipulated, and had entered onto Council land illegally, he should withdraw from the site with immediate effect. Failure to do so would result in the Council proceeding with the appropriate legal action.

There being no further business, the meeting ended at 9.15 p.m.

MAYOR

CHIEF EXECUTIVE