

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 Tuesday, 16 December 2008, at 4.40 p.m.

PRESENT: Councillor Mrs A M Beattie
(in the Chair)

ALDERMEN: M Copeland
J Norris MBE
Mrs G Rice
J White

IN ATTENDANCE: J Beattie
Mrs M Chambers
Mrs J Cochrane
D Drysdale
S Duncan
C Hall
B Hanvey
M Henderson
Miss R Hughes MBE
T Jeffers
M Long
Mrs V McCoy
G Robinson
J Spratt MLA
C Tosh
L Walker

IN ATTENDANCE: Chief Executive, Director of Finance, Director of Administration & Community Services, Acting Director of Leisure Services, Director of Technical & Environmental Services, Human Resources Manager, General Manager of Leisure & Marketing, Operational Services Manager, Planning Officer, Planning Service Officer and Members' Services Officer

APOLOGIES: Apologies were received on behalf of Alderman Robinson and Councillor Bunting

2008/761 : OPENING OF MEETING

Reverend Smyth opened the meeting with a prayer.

Noted.

2008/762 : MINUTES

RESOLVED : That

- (a) The Minutes of the following meetings be adopted as a true and accurate record of the proceedings:
- Technical & Environmental Services Committee meeting held on 2 December 2008
 - Central Services Committee meeting held on 8 December 2008
- (b) The Minutes of the following meetings be adopted as a true and accurate record of the proceedings, subject to the following amendments:
- Council meeting held on 27 November 2008 – P6, insert at beginning of para 4: ‘Councillor Walker thanked the Water Service for their help and assistance with the recent floods at Merok Crescent and Merok Gardens’.
 - Leisure Services Committee meeting held on 4 December 2008 – P2, para 5, after ‘consider all options’ insert ‘in respect of the costs involved’.
 - Finance & General Purposes Committee meeting held on 10 December 2008 – Minute F&GP/2008/380 heading: delete ‘2008’ and insert ‘2009’.

PLANNING

2008/763 : SCHEDULE OF PLANNING APPLICATIONS DATED 16 DECEMBER 2008 (copy previously circulated)

Noted.

2008/764 : WEEKLY PLANNING APPLICATIONS FOR THE PERIOD 18 NOVEMBER 2008 TO 8 DECEMBER 2008 (copy previously circulated)

Noted.

2008/765 : CORRESPONDENCE FROM THE PLANNING SERVICE, DATED 26 NOVEMBER 2008, RE: PUBLICATION OF DRAFT PPS 21 ‘SUSTAINABLE DEVELOPMENT IN THE COUNTRYSIDE’ (copy previously circulated)

Noted.

2008/766 : CORRESPONDENCE FROM COLERAINE BOROUGH COUNCIL, DATED 24 NOVEMBER 2008, RE: PLANNING APPLICATION – DECISION NOTICES (copy previously circulated)

Councillor Beattie advised that he had taken part in consultations with the Planning Service in respect of issuing decision notices to applicants, particularly refusal notices, which, in the majority of cases, were issued the day following Council meetings. This did not leave an opportunity for applicants to withdraw the applications.

The Planning Service Officer replied that, in his view, it was unlikely that the Planning Service issued refusal notices the day following Council meetings.

Noted.

ANY OTHER PLANNING BUSINESS

2008/767 : CHRISTMAS WISHES

Councillor Spratt thanked the Planning Service Officer and all Planning Service staff for their assistance and co-operation during the past year and wished everyone a Merry Christmas.

Noted.

2008/768 : AMENDMENTS TO PLANNING APPLICATIONS

Councillor Cochrane enquired whether or not amendments to planning applications should appear on the Weekly Lists provided to the Council. The Planning Services Officer replied that he would clarify this issue and report back to the Council.

Noted.

ROADS

2008/767 : CORRESPONDENCE FROM THE ROADS SERVICE, DATED 3 DECEMBER 2008, RE: CONSULTATION ON POLICY PROPOSALS FOR A ROADS (MISCELLANEOUS PROVISIONS) BILL (copy previously circulated)

Members raised concerns that the correct procedures were followed in respect of the policy proposals. Councillor Chambers commented that research had been carried out regarding legal aspects in cases where there was no respective law on the statute books.

Noted.

FINANCE

2008/768 : ACCOUNTS FOR PAYMENT

RESOLVED : That the Council approve the undernoted payments:

| | |
|------------------------------------|-------------|
| General Account (Salaries & Wages) | £697,763.90 |
| General Account (Suppliers) | £447,760.94 |

MAYOR/DEPUTY MAYOR'S BUSINESS

**2008/769 : MAYOR/DEPUTY MAYOR'S BUSINESS FOR DECEMBER 2008
(copy previously circulated)**

Noted.

REPORTS FROM OFFICERS

**REPORT FROM THE OPERATIONAL SERVICES MANAGER
(copy previously circulated)**

**2008/770 : INTERMEDIATE SOCCER PITCH AT BILLY NEILL SOCCER
CENTRE OF EXCELLENCE**

The Operational Services Manager provided details in respect of the tender for fencing and minor site works to form an intermediate pitch at the Billy Neill Soccer Centre of Excellence (BNSCOE), which complied with the Irish Football Association's Intermediate Ground Improvement Project. He advised that an advertisement for tenders had been placed in the Belfast Telegraph on 14 November 2008, and 13 tender documents had been received by the deadline of 28 November 2008.

All tenderers had complied with the mandatory requirements and had been assessed equally on the basis of cost and references. Following due consideration, approval was now sought for tender option B, submitted by Ardmore Contracts Ltd in the sum of £32,587 plus VAT, which included a contingency sum of £3,000. In the event of Ardmore Contracts Ltd withdrawing their application, approval was sought to appoint McAvoy Construction LLP as first reserve. Furthermore, the Operational Services Manager reported that a grant in the sum of £10,000 was available from the Irish Football Association towards the cost of this work and the provision of dug-outs.

Following discussion, it was

RESOLVED:

- (a) That approval be granted to appoint Ardmore Contracts Ltd to carry out fencing and minor works at the Billy Neill Soccer Centre of Excellence, at a cost of £32,587 plus VAT, and to appoint McAvoy Construction LLP as first reserve.

- (b) That approval be granted for the Mayor and the Chief Executive to sign the contract documents.
- (c) That approval be granted for an application to secure grant funding from the Irish Football Association as part of their Intermediate Ground Improvement Project.

2008/771 : UPDATE ON THE PUBLIC RIGHT OF WAY BETWEEN GILNAHIRK ROAD AND GILNAHIRK AVENUE

The Operational Services Manager advised that a response had been received from the Council's solicitors regarding the establishment of an implementation agreement for the completion of the diverted path between Gilnahirk Road and Gilnahirk Avenue. He further stated that a meeting had taken place between the developers, Peartree Homes Ltd, and the Council to draft the principles of an agreement, detailing the plans for the diverted right of way, a timetable for completion, an undertaking that the right of way would not be obstructed during further construction and a bond to ensure that appropriate finance would be available for completion of the right of way should Peartree Homes Ltd cease trading. Once all details are in place, the Council's solicitor and the developer's solicitor will receive the information and a 28-day period of public consultation will commence.

During the ensuing discussion, Councillor Robinson proposed that the Council approve the above. The proposal was seconded by Councillor Long, and it was

RESOLVED:

- (a) That approval be granted for the terms of the proposed agreement as drawn up by the Council's solicitor.
- (b) That approval be granted to instruct the Council's solicitor to engage with the solicitors appointed by Peartree Homes Ltd regarding the implementation of the proposed agreement.
- (c) That approval be granted for the commencement of the statutory period of public consultation in accordance with Schedule 1; 1(c) of the Access to the Countryside (NI) Order 1983.
- (d) That all relevant information be forwarded to the Technical & Environmental Services Committee for consideration and approval before consideration by full Council.

GENERAL

2008/772 : CORRESPONDENCE FROM THE NORTHERN IRELAND AMBULANCE SERVICE, DATED 21 NOVEMBER 2008, RE: PROPOSALS FOR EFFICIENCY SAVINGS AND COMPREHENSIVE SPENDING REVIEW INVESTMENT 2008-2011 – CONSULTATION DOCUMENT INCLUDING EQUALITY IMPACT ASSESSMENT (copy previously circulated)

Noted.

2008/773 : CORRESPONDENCE FROM THE DEPARTMENT FOR REGIONAL DEVELOPMENT, DATED 24 NOVEMBER 2008, RE: CONSULTATION ON THE AMENDMENT OF THE WATER SUPPLY (WATER QUALITY) REGULATIONS (NORTHERN IRELAND) 2007 (copy previously circulated)

Noted.

2008/774 : CORRESPONDENCE FROM THE NORTHERN IRELAND OFFICE, DATED 20 NOVEMBER 2008, RE: CRIMINAL JUSTICE IN A SHARED FUTURE: MAKING PROGRESS (copy previously circulated)

Noted.

2008/775 : CORRESPONDENCE FROM THE SOCIAL SECURITY AGENCY, DATED 27 NOVEMBER 2008, RE: STRATEGIC BUSINESS REVIEW – LAUNCH OF PUBLIC CONSULTATION (copy previously circulated)

Noted.

ANY OTHER BUSINESS

2008/776 : REPORT FROM THE DIRECTOR OF FINANCE – REQUEST TO ATTEND A CONFERENCE ENTITLED ‘FAIL SAFE PROCUREMENT WITHIN THE EU RULES’ (copy previously circulated)

The Director of Finance outlined details of a request from the Procurement Officer to attend a conference entitled ‘Fail Safe Procurement within the EU Rules’ on Wednesday, 28 January 2009, in the Hilton Hotel, Belfast, at a cost of £299 plus VAT.

During the ensuing discussion, Members felt that the item should be deferred for consideration by the Finance & General Purposes Committee, as the benefits of the conference were not clearly outlined.

RESOLVED: That consideration of attendance of the Procurement Officer at the conference entitled ‘Fail Safe Procurement within the EU Rules’ on 28 January 2008 at a cost of £299 be deferred to the Finance & General Purposes Committee at its next meeting.

2008/777 : REPORT FROM THE ACTING DIRECTOR OF LEISURE – TENDER EVALUATION REPORT IN RESPECT OF REPLACEMENT OF SPORTS HALL FLOOR AT LOUGH MOSS LEISURE CENTRE (copy tabled at the meeting)

The Acting Director of Leisure outlined details of the procurement process and tender specifications for the replacement of the sports hall floor at the Lough

Moss Leisure Centre. The consultant had estimated the cost of the work at £48,585.

Following advertisement for tenders, two tenders had been received by the deadline. Although one company did not submit a third-party Health & Safety certificate, they did provide more than adequate information in adherence to health & safety requirements. Financial references would be confirmed prior to award. Approval was sought to accept the tender from Sports Surfaces in the sum of £48,788 to replace the sports hall floor at Lough Moss Leisure Centre, subject to final approval by Sport NI.

During the ensuing discussion, Councillor Robinson proposed to grant approval to appoint Sport Surfaces. The proposal was seconded by Councillor Henderson, and it was

RESOLVED:

- (a) That approval be granted to accept the tender from Sports Surfaces in the sum of £48,788 to replace the sports hall floor at Lough Moss Leisure Centre, subject to final approval by Sport NI.
- (b) That, should Sport NI not accept the award to Sport Surfaces, then the tender from the second company be accepted.
- (c) That approval be granted for the Mayor and Chief Executive to sign the contract.

2008/778 : CORRESPONDENCE FROM DUNDONALD PRESBYTERIAN CHURCH, DATED 8 DECEMBER 2008, RE: PROPOSALS FOR A NEW PRESBYTERIAN CHURCH AT CHURCH GREEN, DUNDONALD (copy previously circulated)

Correspondence had been received from Dundonald Presbyterian Church, outlining proposals and developments in respect of a new Presbyterian Church at Church Green, Dundonald, as well as asking for the Council's support.

During the ensuing discussion, Alderman White proposed that the Council write to the Northern Ireland Environment Agency in support of the proposals put forward by Dundonald Presbyterian Church. The proposal was seconded by Councillor Robinson, and it was

RESOLVED: That the Council write to the Northern Ireland Environment Agency in support of proposals for a new Presbyterian Church at Church Green, Dundonald.

2008/779 : LEGIONELLA TRAINING (copy circulated at the meeting)

As requested by the Finance & General Purposes Committee, the Director of Administration & Community Services tabled a report outlining details of the cost involved in providing Legionella training. She advised that the cost for disbursements, exam registration, room hire, refreshments and lunch was £543.45 per person, with no charge being made by Craigavon Borough

The Chief Executive, on behalf of all the Council's staff, wished Members a Happy Christmas and a peaceful and prosperous New Year. Alderman Rice and Councillor Henderson added their best wishes to all Members and staff for a happy Christmas and a good New Year.

Noted.

2008/782 : HOMECOMING PARADE FOR 204 FIELD HOSPITAL

Councillor Henderson thanked the Mayor, the Director of Administration & Community Services and all staff who worked at the Homecoming Parade for 204 Field Hospital for all their work.

Councillor Spratt also praised everybody involved in the organisation of the event, although he was disappointed that Technical & Environmental Services staff had not agreed to work on the day due to payment issues.

Noted.

2008/783 : ADDITIONAL ANNUAL LEAVE DAY

Councillor Henderson proposed that all staff be given an additional annual leave day on 2 January 2009, and that staff required to work on that day be given an additional annual leave day at a later date. The proposal was seconded by Councillor Spratt, and it was

RESOLVED: That all staff be given one additional annual leave day on 2 January 2009 and that staff members required to work on that day be given an additional annual leave day at a later date.

2008/784 : BOOKING OF TABLES AT ULSTER SCOTS NIGHT

Councillor Henderson proposed that the Council book four tables at the forthcoming Ulster Scots event in aid of the Mayor's charity – two tables for Members and guests, and, if agreed by the respective Boards, that one table be booked for the Ice Bowl and one for Castlereagh Hills Golf Club. The proposal was seconded by Councillor Chambers, and it was

RESOLVED:

- (a) That the Council book two tables at the forthcoming Ulster Scots event in aid of the Mayor's charity for Members and guests.
- (b) That the Leisure Park Board be asked to consider booking one table at the forthcoming Ulster Scots event in aid of the Mayor's charity.
- (c) That Castlereagh Hills Golf Club Board be asked to consider booking one table at the forthcoming Ulster Scots event in aid of the Mayor's charity.

IN COMMITTEE

**REPORT FROM THE PLANNING OFFICER
(copy circulated at the meeting)**

2008/785 : LAND SALES UPDATE

The Planning Officer provided an update in respect of land sales at Geary Road, Tullycarnet, and the Scout Field, which were currently being progressed.

Since the land at Geary Road had originally been valued at £905,000, land values had fallen significantly, and a recent valuation indicated that the value of the land now, if developed, would be approximately £400,000. The developer, being aware of a reduction in value, had asked the Council to proceed with the sale, subject to planning permission, at a reduced price. However, as post-contract negotiation was not permitted under legislation, the Local Government Auditor had advised that the land needed to be re-advertised through an estate agent on the open market.

In respect of the Scout Field, the Planning Officer advised that the current estimated value was between £3 million and £3.5 million. The estate agent who had originally won the tender to sell the land on behalf of the Council had indicated that there might be a conflict of interest, therefore they would not be able to proceed. The Council was now in a position to advertise the land on the open market through Hampton Estates, the estate agent who had been second in the original tender process.

During the ensuing discussion, Alderman Rice recalled that a covenant existed in respect of the use of the Scout Field, in that this land had only been zoned for community use in the Carryduff Area Plan. The Planning Officer indicated that this plan had been superseded by BMAP. However, Councillor Henderson recalled that the Council had originally considered selling the Scout Field on the open market, provided the reason was confirmed, but that this would need to be rearranged.

Following some further discussion, it was

RESOLVED:

- (a) That the land at Geary Road be re-advertised for sale on the open market through Hampton Estates.
- (b) That the land known as the Scout Field be advertised for sale on the open market through Hampton Estates.

STAFF IN COMMITTEE

There being no further business, the meeting ended at 6.00 p.m.

CHIEF EXECUTIVE

MAYOR