

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 March 2008, at 7.10 p.m.

PRESENT: Councillor M Chambers
(in the Chair)

ALDERMEN: M Copeland (until 8.45 pm)
J Norris MBE
Mrs I Robinson MP MLA (until 7.50 pm)
J White (until 8.55 pm)

COUNCILLORS: Mrs A M Beattie
J Beattie
Ms J Bunting
D Drysdale
Mrs S Duncan
C Hall
B Hanvey
M Henderson (until 8.45 pm)
Miss R Hughes
T Jeffers
M Long
Mrs V McCoy
G Robinson
C Tosh
L Walker

IN ATTENDANCE: Director of Administration & Community Services,
Director of Finance, Director of Technical and
Environmental Services, General Manager of
Leisure & Marketing, Planning Officer, Planning
Service Officer and Members' Services Officer

APOLOGIES: Apologies were received on behalf of Alderman
Mrs Rice and Councillors Mrs Cochrane and Spratt

2008/130 : OPENING OF MEETING

The Mayor's Chaplain, Reverend David McIlveen, opened the meeting with a prayer.

Noted.

2008/131 : SYMPATHY

On behalf of the Council, Councillor Chambers offered condolences to the family of former Councillor Clulow, who had passed away, and she proposed to write to the family. Councillors Beattie, Henderson, Miss Hughes, Mrs Duncan and Robinson also offered condolences to the family.

Several Members reiterated fond memories of Councillor Clulow, recalling him as a 'character' and someone dedicated to the cause of Unionism. It was also noted that, in former years, the Council had named a park after him.

RESOLVED: That a sympathy card be forwarded to the family of former Councillor Clulow, who had passed away, together with a copy of Minute 2008/131.

2008/132 : MINUTES

RESOLVED : That

- (a) the Minutes of the following meetings be accepted as a true record:
- Technical & Environmental Services Committee meeting held on 4 March 2008
 - Central Services Committee meeting held on 10 March 2008
- (b) the Minutes of the following meetings be accepted as a true record subject to the following amendments:
- Council meeting held on 28 February 2008 – Minute 2008/81, resolution – delete 'Members and their partners as well as Officers', insert 'Members and their partners, at Members' expense, as well as the Mayor and the Chief Executive'
 - Special Council meeting held on 13 March 2008 – insert an apology for Councillor Mrs McCoy
 - Delete 'Councillor Walker (until 8.45 pm), insert 'Councillor Walker (absent 8.35-8.45 pm)
Minute 2008/2008/132, 3rd para – delete 'developer', insert 'Council'
Minute 2008/134 – delete 'Minister for Finance & Personnel', insert 'the RT Hon Peter Robinson MP MLA'
 - Finance & General Purposes Committee meeting held on 12 March 2008 – Minute F&GP/2008/97 to be discussed 'Staff in Committee'
Minute F&GP/2008/91, 6th para – delete 'display', insert 'promote'
Delete 'on the website with links to the Council's website. Resolved: That details of the Lock Keeper's Cottage be placed on the Council's website and that the Council authorize Councillor Ms Bunting to forward details of the Lock Keeper's Cottage to the www.riverlaganwildlife.co.uk website in order that it could be displayed.'
Insert 'on this website with a link to the Council's website and also that the Council website would have a link to www.riverlaganwildlife.co.uk for the purposes of cross-promotion.
Councillor Mrs Beattie suggested that the members of Lagan Valley Regional Park would raise it at Board level to do likewise. Councillor

Ms Bunting asked that the Officer in charge of the Lock Keeper's Cottage contact the webmaster to share the necessary information.

RESOLVED:

- (a) That details of the Lock Keeper's Cottage be placed on the www.riverlaganwildlife.co.uk site
- (b) That the Council's website should have a link to this site and vice versa for cross-promotional purposes
- (c) That members of the Board of Lagan Valley Regional Park raise this matter at their next meeting and consider similar links
That the appropriate Council Officer contact the webmaster of the site to make the necessary arrangements.
Minute F&GP/2008/78 – clarify that the increase of £54,000 to the NILGA subscription is to be shared between all 26 councils
 - Leisure Services Committee meeting held on 6 March 2008 – Minute LS/2008/52 referred for discussion 'In Committee'

(c) the Minutes of the following meetings be noted:

- Leisure Park Board meeting held on 21 January 2008
- Castlereagh Hills Golf Club Board meeting held on 18 January 2008

MATTERS ARISING

2008/133 : COUNCIL MEETING HELD ON 28 FEBRUARY 2008 – MINUTE 2008/81

Councillor Henderson advised that, as all UUP Members had previously attended the Somme Pilgrimage, no member of the party would be attending the forthcoming event.

Noted.

2008/134 : FINANCE & GENERAL PURPOSES COMMITTEE MEETING HELD ON 12 MARCH 2008 – MINUTE F&GP/2008/86

RESOLVED: That Party Whips be asked to nominate members to the Sub-Committee for Land Sales.

PLANNING

2008/135 : SCHEDULE OF PLANNING APPLICATIONS DATED 27 MARCH 2008 (copy previously circulated)

Noted.

2008/136 : WEEKLY PLANNING APPLICATIONS FOR THE PERIOD 12 FEBRUARY 2008 TO 10 MARCH 2008 (copy previously circulated)

Noted.

PLANNING CORRESPONDENCE

2008/137 : CORRESPONDENCE FROM THE ENVIRONMENT & HERITAGE SERVICE, DATED 29 FEBRUARY 2008, RE: DRAFT PUBLIC PATH EXTINGUISHMENT ORDER – PUBLIC RIGHT OF WAY LEADING FROM GILNAHIRK ROAD TO GILNAHIRK AVENUE IN CASTLEREAGH (copy previously circulated)

Noted.

ANY OTHER BUSINESS - PLANNING

2008/138 : CORRESPONDENCE FROM TAGGART HOLDINGS LTD, DATED 19 MARCH 2008, RE: PLANNING REF Y/2007/0536/F MILLMOUNT, DUNDONALD

The Planning Officer tabled a response from Taggart Holdings Ltd, agreeing to a meeting with the Council to consider the above planning application.

RESOLVED: That the Planning Officer liaise with the Chairman in order to arrange an office meeting with the developer in respect of planning application Y/2007/0536/F.

ROADS

2008/139 : CORRESPONDENCE FROM THE ROADS SERVICE, DATED 29 FEBRUARY 2008, RE: CONSULTATION DOCUMENT ON DRAFT AMENDMENT REGULATIONS REGARDING THE BLUE BADGE SCHEME IN NORTHERN IRELAND (copy previously circulated)

Noted.

2008/140 : CORRESPONDENCE FROM THE ROADS SERVICE, DATED 13 MARCH 2008, RE: ROADS (NI) ORDER 1993 – PROPOSED ABANDONMENT AT DILL ROAD, CASTLEREAGH (copy previously circulated)

Noted.

FINANCE

2008/141 : ACCOUNTS FOR PAYMENT

RESOLVED : That the Council approve the undernoted payments:

Capital Account (General)	£134,648.45
General Account (Salaries)	£500,001.51
General Account (Suppliers)	£708,777.52

LEGAL

2008/142 : LICENCE AGREEMENT FOR LANDS AT OLD DUNDONALD ROAD BETWEEN CASTLEREAGH BOROUGH COUNCIL AND HANWOOD TRUST LTD

RESOLVED: That approval be granted for the signing of the Licence Agreement for lands at Old Dundonald Road between Castlereagh Borough Council and Hanwood Trust Ltd when ready.

2008/143 : LICENCE AGREEMENT BETWEEN KERNOGHAN'S CONSTRUCTION, HANWOOD TRUST COMPANY LTD AND CASTLEREAGH BOROUGH COUNCIL REGARDING TRANSPORT AND STORAGE OF SOIL

RESOLVED: That consideration of the Licence Agreement between Kernoghan's Construction, Hanwood Trust Company Ltd and Castlereagh Borough Council regarding transport and storage of soil be deferred to take place 'In Committee'.

2008/144 : LICENCE AGREEMENT FOR SERVICE LEVEL AGREEMENT BETWEEN CASTLEREAGH BOROUGH COUNCIL AND LAGAN VALLEY REGIONAL PARK

The Director of Administration & Community Services advised that documentation relating to the Service Level Agreement were still with the Council's solicitor, therefore she asked that consideration of same be deferred to a future meeting of Council.

RESOLVED: That consideration of the Licence Agreement for the Service Level Agreement between Castlereagh Borough Council and Lagan Valley Regional Park be deferred to a future meeting of Council.

MAYOR/DEPUTY MAYOR'S BUSINESS

2008/145 : MAYOR/DEPUTY MAYOR'S BUSINESS FOR MARCH 2008 (copy previously circulated)

Councillor Chambers advised that the Council had been awarded a plaque 'Translink Ulster in Bloom' 2007 for outstanding flower presentation, which was promoted by the Northern Ireland Local Government Association and assisted by the Northern Ireland Tourist Board, and she congratulated the staff in the Parks section of the Technical & Environmental Department for their good work.

Noted.

REPORTS FROM OFFICERS

2008/146 : REPORT FROM THE DIRECTOR OF ADMINISTRATION & COMMUNITY SERVICES – DRAFT REPORT FROM RUBICON CONSULTANTS RE: ACTION PLAN FOR PEACE III THEME 1.1 (copy tabled at the meeting)

RESOLVED: That consideration of the draft report from Rubicon Consultants re: Action Plan for Peace III Theme 1.1 be deferred to take place 'In Committee'.

GENERAL

2008/147 : CORRESPONDENCE FROM THE DEPARTMENT OF THE ENVIRONMENT, DATED 18 FEBRUARY 2008, RE: REVIEW OF THE WILDLIFE (NORTHERN IRELAND) ORDER 1985 (copy letter previously circulated)

Noted.

2008/148 : CORRESPONDENCE FROM THE DEPARTMENT OF EDUCATION, DATED 6 MARCH 2008, RE: DUNDONALD HIGH SCHOOL (copy previously circulated)

Councillor Robinson stated that, although the Minister had declined the invitation to meet with Members, immediate Health & Safety issues were now being addressed.

Noted.

2008/149 : CORRESPONDENCE FROM HSENI, DATED 5 MARCH 2008, RE: CONSULTATIVE DOCUMENT: PROPOSALS FOR HEALTH AND SAFETY (MISCELLANEOUS AMENDMENTS AND REVOCATION) REGULATIONS (NORTHERN IRELAND) 2008 (copy letter previously circulated)

Noted.

2008/150 : CORRESPONDENCE FROM THE RIVERS AGENCY, RECEIVED ON 5 MARCH 2008, RE: RIVERS AGENCY REVIEW OF THE REGULATION OF RESERVOIRS AND DAMS IN NORTHERN IRELAND (copy previously circulated)

Noted.

2008/151 : CORRESPONDENCE FROM THE NORTHERN IRELAND OFFICE, RECEIVED ON 7 MARCH 2008, RE: ALTERNATIVES TO PROSECUTION – A DISCUSSION PAPER (copy previously circulated)

Alderman White felt that this was an important issue, and he suggested that consideration be deferred to the Finance & General Purposes Committee

RESOLVED: That consideration of 'Alternatives to Prosecution – A Discussion Paper' be deferred to the Finance & General Purposes Committee.

2008/152 : CORRESPONDENCE FROM THE NORTHERN IRELAND OFFICE, CRIMINAL JUSTICE SERVICES DIVISION, DATED 6 MARCH 2008, RE: NORTHERN IRELAND CRIMINAL INJURIES COMPENSATION SCHEME 2009 (copy previously circulated)

Noted.

2008/153 : CORRESPONDENCE FROM THE NORTHERN IRELAND OFFICE, CRIMINAL JUSTICE DIRECTORATE, DATED 27 FEBRUARY 2008, RE: CRIMINAL JUSTICE IN A SHARED FUTURE (copy letter previously circulated)

Noted.

2008/154 : CORRESPONDENCE FROM THE NORTHERN IRELAND PRISON SERVICE, RECEIVED ON 10 MARCH 2008, RE: STRATEGY FOR THE MANAGEMENT OF WOMEN OFFENDERS – INVITATION TO A CONSULTATION EVENT AT HILLSBOROUGH CASTLE, 28 APRIL 2008 TO 1 MAY 2008 (copy previously circulated)

Councillor Duncan confirmed that she would be attending the consultation event.

During the ensuing discussion, Members congratulated the participants of the 'Sons of Ulster' TV series for their excellent performances.

RESOLVED: That any other Members wishing to attend 'Strategy for the Management of Women Offenders – Invitation to a Consultation Event at Hillsborough Castle' liaise with Members' Services.

2008/155 : CORRESPONDENCE FROM THE NATIONAL ASSOCIATION OF COUNCILLORS, RE: REGENERATION & HOUSING CONFERENCE, 11 TO 13 APRIL 2008, CROWN SPA HOTEL, SCARBOROUGH (copy previously circulated)

RESOLVED : That approval be granted for Alderman Norris and Councillor Henderson to attend 'Regeneration & Housing Conference' on 11 to 13 April 2008, at the Crown Spa Hotel, Scarborough, at a cost of £295 plus VAT per delegate.

2008/156 : CORRESPONDENCE FROM DOWN DISTRICT COUNCIL, DATED 25 FEBRUARY 2008, RE: PRESERVING THE RENEWABLE

ENERGY INDUSTRY IN NORTHERN IRELAND (copy previously circulated)

Noted.

2007/157 : CORRESPONDENCE FROM THE LOCAL GOVERNMENT ASSOCIATION, RE: LGA LOCAL GOVERNMENT OFFICER 2012 GAMES NETWORK, 7 APRIL 2008, LONDON (copy previously circulated)

Noted.

2008/158 : CORRESPONDENCE FROM THE DEPARTMENT OF ENTERPRISE, TRADE & INVESTMENT, DATED 10 MARCH 2008, RE: PUBLIC APPOINTMENTS: MEMBERS – HEALTH & SAFETY EXECUTIVE FOR NORTHERN IRELAND (HSENI) (copy previously circulated)

Noted.

2008/159 : CORRESPONDENCE FROM LAND & PROPERTY SERVICES, DATED 10 MARCH 2008, RE: DISPOSAL OF THE FORMER BELVOIR HOSPITAL SITE (copy previously circulated)

Following some discussion, it was

RESOLVED: That the Council respond to the Land & Property Services, requesting an update on land sales and of restrictions on the former Belvoir Hospital site.

2008/160 : CORRESPONDENCE FROM THE CONFEDERATION OF EUROPEAN COUNCILLORS, RECEIVED ON 19 MARCH 2008, RE: ONE-DAY INFORMATION & TRAINING SEMINAR, KILLYHEVLIN HOTEL, ENNISKILLEN, 24 APRIL 2008 (copy previously circulated)

RESOLVED: That approval be granted for Alderman Norris to attend a one-day seminar re: Information & Training, on 24 March 2008, in the Killyhevlin Hotel, Enniskillen.

2008/161 : CORRESPONDENCE FROM NICCY, DATED 18 MARCH 2008, RE: NICCY ROAD SAFETY POLICY PAPER (copy letter previously circulated)

Noted.

2008/162 : CORRESPONDENCE FROM BALLYMENA BOROUGH COUNCIL, DATED 11 MARCH 2008, RE: SUPPORT FOR RESOLUTION (copy previously circulated)

Noted.

**REPORTS / ANNUAL REPORTS
(available at Members' request)**

2008/163 : INTERNATIONAL FUND FOR IRELAND – ANNUAL REPORT & ACCOUNTS 2007

Noted.

ANY OTHER BUSINESS

2008/164 : CORRESPONDENCE FROM THE MID-ULSTER EX-FIRE FIGHTERS ASSOCIATION, DATED 14 MARCH 2008, RE: CAMPAIGN MEDAL FOR NORTHERN IRELAND FIRE FIGHTERS

Following some discussion, it was

RESOLVED: That the Council write to the Secretary of State in support to the Mid-Ulster Ex-Fire Fighters Association.

2008/165 : BOWLING EVENT IN AID OF THE MAYOR'S CHARITY

Councillor Henderson suggested that the Council book two lanes in the forthcoming bowling event in aid of the Mayor's charity.

RESOLVED: That approval be granted to book two lanes in the bowling event in aid of the Mayor's charity.

2008/166 : LETTER OF SUPPORT RE: INSTALLATION OF PEDESTRIAN CROSSING AT MONEYREAGH CENTRE

Councillor Robinson stated that Alderman Robinson had requested that a letter of support be sent to the Department for Regional Development in support of the installation of a pedestrian crossing at the Moneyreagh Centre.

RESOLVED: That approval be granted to send a letter of support for the installation of a pedestrian crossing at the Moneyreagh Centre to the Department for Regional Development.

2008/167 : SPORTSMAN'S DINNER AT CASTLEREAGH HILLS GOLF CLUB

Councillor Henderson proposed that the Council book two tables at the Sportsman's dinner at Castlereagh Hills Golf Club, at a cost of £180 per table or £30 per person in aid of the Mayor's charity. Councillor Hanvey seconded the proposal, and it was

RESOLVED: That approval be granted to book two tables at the Sportsman's dinner held at Castlereagh Hills Golf Club.

IN COMMITTEE

2008/168 : LEISURE SERVICES COMMITTEE MEETING HELD ON 6 MARCH 2008 - MINUTE LS/2008/52 (copy previously circulated)

RESOLVED: That consideration of Minute LS/2008/52 of the Leisure Services Committee meeting held on 6 March 2008 be referred back to Committee.

(Councillor Ms Bunting left the meeting at 8.40 pm)

2008/169 : REPORT FROM THE DIRECTOR OF FINANCE - PHASE II HANWOOD TRUST LTD (copy tabled at meeting)

The Director of Finance advised that the Council's solicitor had endeavoured to obtain full indemnity cover for Castlereagh Borough Council, Belfast City Council and Hanwood Trust Company Ltd regarding the movement of soil between the Hanwood sites.

In their response, T & A Kernoghan Ltd had added the 'and only insofar as T & A Kernoghan Ltd are legally liable to pay' to the draft prepared by the Council's solicitor. However, the removal of the word 'total' from the indemnity requested by the Council, as well as the additional words meant that the indemnity offered by T & A Kernoghan Ltd was limited to a situation where loss was the result of negligence on the part of that company. In situations where T & A Kernoghan Ltd had not been at fault, the Council may have to accept liability through their insurance.

In order to safeguard the Council's position, further indemnity cover had been sought from Hanwood Trust Company Ltd, but this might be of little benefit to the Council if the Hanwood Company had few or no assets.

Following discussion, it was

RESOLVED:

- (a) That the Council proceed with the more limited indemnity being offered by T & A Kernoghan Ltd regarding the movement of soil between the Hanwood sites
- (b) That Officers arrange to have the soil moved between the Hanwood sites as quickly as possible
- (c) That the Council agree to accept that the indemnity may not fully release the Council from any liability, given that the soil is on Council land.

(Councillor Ms Bunting returned to the meeting at 9.00 pm)

2008/170 : REPORT FROM THE DIRECTOR OF ADMINISTRATION & COMMUNITY SERVICES – DRAFT REPORT FROM RUBICON CONSULTANTS, RE: ACTION PLAN FOR PEACE III THEME 1.1

The Director of Administration & Community Services outlined the details of the draft report from Rubicon Consultants. She advised that the deadline for response was 31 March 2008, therefore she sought Members' views regarding the Council's approval of the Action Plan in principle.

The Director of Administration & Community Services then took Members through a brief summary of the key points which Members should be aware of, to include:

- Structure of partnership
- Lead Council
- Anticipated grant amount
- Deadlines
- Cross-border element
- Possible costs to the Council
- Themes of programme

Following discussion, it was

RESOLVED: That approval be granted, in principle, for the Action Plan for Peace III Theme 1.1 as tabled.

STAFF IN COMMITTEE

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

MAYOR

CHIEF EXECUTIVE