

ARDS AND NORTH DOWN BOROUGH COUNCIL

25 July 2019

Dear Sir/Madam

You are hereby invited to attend a meeting of the Ards and North Down Borough Council which will be held in the **Council Chamber, Town Hall, The Castle, Bangor** on **Wednesday, 31 July 2019** commencing at **7.00pm**.

Yours faithfully

Stephen Reid
Chief Executive
Ards and North Down Borough Council

A G E N D A

1. Prayer
2. Apologies
3. Declarations of Interest
4. Mayor's Business
5. Mayor and Deputy Mayor Engagements for the Month (To be tabled)
6. Minutes of Meeting of Council dated 26 June 2019 (Copy attached)
7. Minutes of Committees
 - 7.1. Audit Committee dated 24 June 2019 (Copy attached)
 - 7.2. Planning Committee dated 2 July 2019 (Copy attached)
8. Consultation Documents
 - 8.1 Department for Education – Supporting Newcomer Pupils Policy – Responses to be submitted no later than Tuesday 15 October 2019 (Copy correspondence attached)
 - 8.2. Department for Communities – Consultation on Definition of Affordable Housing – Responses to be submitted by 13 September 2019 (Copy correspondence attached)
9. Conferences and Invitations

- 9.1. NILGA – Changing Places: Planning, Place-Shaping and Place-Making in Northern Ireland – 8 October 2019 – Killyhelvin Hotel, Enniskillen (Correspondence attached)
- 9.2. Retail NI Invitation to NI Economy Themed Reception at the House of Commons (Report attached)
- 9.3. East Border Region Study Visit to the EU (Report attached)
10. Resolution
 - 10.1. Derry City and Strabane District Council: Impact of Climate Breakdown (Correspondence attached)
11. Nominations to the PCSP Appointment Panel for Independent Members (Report attached)
12. Independent Appointments to the Arts and Heritage Advisory Panel (Report attached)
13. Ards and North Down Sports Forum Grants (Report attached)
14. Caravan Sites (Report attached)
15. Grant of Entertainment Licence (Report attached)
16. NI Water – Infrastructure Investment Proposals: Request for a Deputation to August 2019 Council (Report attached)
17. Review and Update of Standing Orders (Report attached)
18. Quarterly Report on Equality and Good Relations (Section 75 of the N.I. Act 1998): 1 April – 30 June 2019 (Report attached)
19. NILGA Regional Programme for Elected Member Development 2019/20 (Report attached)
20. Northern Ireland Local Government Code of Conduct for Councillors (Report attached)
21. Belfast Region City Deal Update (Report attached)
 - 21.1. Request by the City of Belfast Grand Black Chapter to use Spafield Car Park (Report attached)
22. Sealing Documents

23. Transfer of Rights of Burial

24. Notice of Motion Status Report (Report attached)

25. Notices of Motion

25.1. Notice of Motion submitted by Councillor Mathison, seconded by Councillor Smart

That in light of the tragic, fatal collision on the Movilla Road on 13 December 2018, and noting the increased development at Rivenwood along with substantial planned housing development in the area, this Council considers the current 40mph speed limit on the Movilla Road to be inappropriate and dangerous. This Council therefore commits to write to the Permanent Secretary for the Department for Infrastructure to request an urgent review of the current DfI policy to maintain the 40mph speed limit. This correspondence should highlight the current and planned level of development in the area and the presence of a large primary school on the road, and request that fresh consideration be given to the introduction of a 30mph speed limit.

25.2. Notice of Motion submitted by Councillor Boyle

This Council condemns animal cruelty in all forms; notes the effective framework currently in place for punishing offenders and imposing appropriate sentences which serve as a deterrent to others; recognises the work of the USPCA in challenging cruel behaviour toward animals as well as supporting rehoming initiatives for those animals that have suffered abuse or neglect; further notes with concern that there is no central register of those convicted of animal cruelty offences and; resolves to write to the Permanent Secretary at the Department of Justice, and the British and Irish Governments to raise these concerns and propose a central all-island register for animal abusers.

25.3. Notice of Motion submitted by Councillors Woods, McKee and Dunlop

That this Council acknowledges that air pollution has harmful effects on human health. It notes that poor air quality affects those who have heart, circulatory and respiratory conditions and can cause new health problems. It recognises that serious action needs to be taken to tackle air pollution. This Council therefore commits to increasing its monitoring across Ards and North Down in order to build a more accurate picture of air quality, adopts WHO standards and brings back a report on what measures Council can take in order to reduce the level of pollutants in our air, including through an air quality action plan.

25.4. Notice of Motion submitted by Councillor P Smith

That Council writes to the Department for Infrastructure seeking support and partnership for the use of redeployable Speed Management Signs at entrance points to villages that straddle A class roads to encourage adherence to the 30mph speed limits in built up areas.

25.5. Notice of Motion submitted by Councillor Boyle

This Council acknowledges the scale of the climate crisis and the impact it will have on people and communities in Northern Ireland; resolves to establish an all-party working group on climate change resilience exploring how we can mitigate this crisis and protect our citizens from the existing and future effects of climate breakdown and; investigate measures the council can take to limit its impact on climate change.

25.6. Notice of Motion submitted by Alderman Muir

That this Council agrees to write to Transport NI outlining our concerns in relation to the dilapidated state of Redburn Square A2 Subway, road safety concerns arising as a result and, in light of such, the need for full upgrade with site meeting to be requested involving Transport NI representatives plus Councillors for the DEA.

25.7. Notice of Motion submitted by Councillor McKee and Councillor Dunlop

This Council notes the devastating impact that the exploration, extraction, transportation, refinement and burning of fossil fuels has on our environment and on human health and well-being. Continued investment in coal, oil and gas companies is fuelling the climate crisis and has detrimental effects on our wellbeing. Continued investment in the root causes of our ecological and climate crises undermines any leadership we show on environmental issues as well as taking away investments in cleaner, greener renewable forms of energy. Council notes that investment in fossil fuels now comes with a serious financial risk and notes that fossil fuel investments are already dragging down investors' returns. Council notes that increasing numbers of institutions are taking their money out of fossil fuels for financial, legal, reputational and ethical reasons.

This Council therefore pledges its support for fossil fuel divestment and writes to the Northern Ireland Local Government Officers Superannuation Committee (NILGOSC) calling on them to make an immediate commitment to divest the Local Government pension scheme from all fossil fuel companies, as soon as possible, and within 3 years at the latest, and to reinvest those funds in local renewable energy opportunities

*****IN CONFIDENCE*****

26. Tender for the Redevelopment of the Existing Play Area at: Carrowdore (Report attached)
27. Tender for the Development of a new Play Area at Scrabo, Newtownards (Report attached)
28. Request by the Donaghadee Heritage Preservation Company to Place Signage at the Sir Samuel Kelly Lifeboat (Report attached)

Circulated for Information

- (a) Department for Infrastructure – Disabled Persons Parking Places on Roads (Correspondence attached)
- (b) NILGA All Council Bulletin July 2019 (Correspondence attached)
- (c) NILGA Press Release – Local Government Awards NI (Correspondence attached)
- (d) Department for Justice – Domestic Abuse Bill Introduction (Correspondence attached)

MEMBERSHIP OF ARDS AND NORTH DOWN BOROUGH COUNCIL

Alderman Carson	Councillor S Dunlop
Alderman Gibson	Councillor Dunne
Alderman Girvan	Councillor Edmund
Alderman Irvine	Councillor Egan
Alderman Keery (MAYOR)	Councillor Gilmour
Alderman McDowell	Councillor Greer
Alderman McIlveen	Councillor Kennedy
Alderman Menagh	Councillor Mathison
Alderman Muir	Councillor Martin
Alderman Smith	Councillor McAlpine
Councillor Adair	Councillor McClean
Councillor Armstrong-Cotter	Councillor McKee
Councillor Blaney	Councillor McKimm
Councillor Boyle	Councillor Smart
Councillor Brooks	Councillor P Smith
Councillor Cathcart	Councillor T Smith
Councillor Chambers	Councillor Thompson
Councillor Cooper	Councillor Walker
Councillor Cummings	Councillor Wilson
Councillor Douglas (DEPUTY MAYOR)	Councillor Woods

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Ards and North Down Borough Council was held in the Town Hall, The Castle, Bangor on Wednesday, 26 June 2019 commencing at 7.00pm.

PRESENT:

In the Chair: The Mayor (Alderman Keery)

Aldermen:

Carson	McDowell
Gibson	McIlveen
Girvan	Menagh
Irvine	Muir

Councillors:

Adair	Greer
Armstrong-Cotter	Kennedy
Blaney	Mathison
Boyle	Martin
Brooks	McAlpine
Cathcart	McClellan
Chambers	McKee
Cooper	McKimm
Douglas	Smart
Dunlop	P Smith
Dunne	Thompson
Edmund	Wilson
Egan	Woods
Gilmour	

Officers: Chief Executive (S Reid), Director of Organisational Development and Administration (W Swanston), Director of Community and Wellbeing (G Bannister), Head of Finance (S Grieve), Director of Regeneration, Development and Planning (S McCullough), Democratic Services Manager (J Wilson) and Democratic Services Officer (H Loebnau)

1. PRAYER

The Mayor (Alderman Keery) welcomed everyone to the meeting and commenced the proceedings by inviting the Chief Executive to read the Council prayer.

NOTED.

2. APOLOGIES

Apologies were received from Alderman M Smith and Councillors Cummings, T Smith and Walker.

NOTED.

3. DECLARATIONS OF INTEREST

The Mayor asked for any Declarations of Interest and the following Declarations were made.

Councillor Greer declared an Interest in Item 9.1 – Housing Executive Chronic Homelessness Action Plan Consultation.

Councillor McAlpine declared an Interest in 9.2 – Supporting Newcomer Pupils Policy – Public Consultation.

Councillor Chambers declared an Interest in Item 26 – Request to Use Spafield Car Park and Rugby Field for 12th July Celebrations.

Councillor Dunne declared an Interest in Item 26 – Request to Use Spafield Car Park and Rugby Field for 12th July Celebrations.

NOTED.

4. MAYOR'S BUSINESS

The Mayor reported that he was delighted that Bangor had been awarded the “Best Urban Centre” by Best Kept Ireland at a ceremony in Dublin the previous day and offered praise to all the staff who had been involved in that achievement.

He congratulated the recipients from the Borough who had been honoured in the Queen’s Birthday Honours and made particular mention of fellow Councillor, Lorna McAlpine, who had been awarded an MBE and the Environmental Health Manager, Colin Magill who had been awarded a BEM.

He referred to the tragic news earlier in the week of the sudden passing of Mr Marty Lee from the Waste and Cleansing Section of the Environment Directorate based at the North Road Depot, Newtownards. Condolences had been sent by the Council to Mr Lee’s family.

He also expressed his dismay to hear of the shootings which had taken place in the Council’s Sister City of Virginia Beach in the United States. Twelve Council staff had lost their lives and many more had been injured in the gun attack. The Mayor explained that he had written to Mayor Dyer expressing sympathy and condolences to all those who had been affected.

As a mark of solidarity and respect for the citizens of the City of Virginia Beach he asked the Council to stand for a moment in silence.

4.1 PRESENTATION OF CERTIFICATES TO OUTGOING MAYOR AND DEPUTY MAYOR

The Mayor presented certificates and brief thanks to the outgoing Mayor, Councillor Richard Smart, and Councillor Eddie Thompson, outgoing Deputy Mayor.

NOTED.

5. MAYOR AND DEPUTY MAYOR ENGAGEMENTS FOR THE MONTH OF JUNE 2019

(Appendix I)

PREVIOUSLY CIRCULATED:- Copy of the Mayor and Deputy Mayor Engagements for the month of June 2019.

The Mayor expressed his thanks to the Deputy Mayor, Councillor Karen Douglas, for assisting him with engagements during the month. He had welcomed the visit of the Chinese Consul General and also the Consul for the United States to the Town Hall in Bangor and hoped to build on those relations in the future.

He referred to the D Day Commemoration in the Borough which had taken place early in the month and considered that it had gone smoothly and that credit should be given to the staff for the professionalism that had been evident on the day.

Alderman Menagh referred to the passing of Mr Eddie Spence, one of a diminishing group of veterans living in the Borough and asked that the Mayor write to his family offering condolences on behalf of the Council. The Mayor agreed that that was an appropriate suggestion and would be acted upon.

RESOLVED, on the proposal of Alderman Girvan, seconded by Councillor Smart, that the information be noted.

6. MINUTES OF ANNUAL MEETING DATED 22 MAY 2019

PREVIOUSLY CIRCULATED: - Copy of the above minutes.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Irvine, that the minutes be agreed as a correct record.

7. MINUTES OF MEETING OF COUNCIL DATED 29 MAY 2019

PREVIOUSLY CIRCULATED:- Copy of the above Minutes.

RESOLVED, on the proposal of Councillor Adair, seconded by Alderman Girvan that the minutes be agreed as a correct record.

8. MINUTES OF COMMITTEES

8.1. Minutes of Planning Committee Meeting dated 4 June 2019

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Gibson, that the minutes be adopted.

8.2. Minutes of Environment Committee Meeting dated 5 June 2019

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Arising from Item 14 – Future of Bangor Market

Alderman Irvine enquired about the future of Bangor Market and asked the Director to outline the next steps in the process and if consultation had taken place with traders. The Director explained that extensive consultation had taken place with both residents and market traders and he expressed the hope that the Council would give approval at the meeting for officers to look at the detail from the consultation and bring back a firmer report in the Autumn on proposals for the future.

Councillor Dunne believed that the current traders were key stakeholders and had a strong role to play in shaping the future. Alderman Menagh added that the other markets within the Borough should not be forgotten and reminded Members and officers that all the markets needed to be treated equally.

Councillor Douglas thanked the officers for the work under the Recycling Community Fund and particularly welcomed the Citizen Project.

RESOLVED, on the proposal of Councillor McAlpine, seconded by Councillor Edmund, that the minutes be adopted.

8.3. Minutes of Regeneration and Development Committee Meeting dated 6 June 2019

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Arising from Item 6 – GCSE Support Revision Programme

Councillor Boyle queried the benchmark standard in eligible schools as 50% pass rate for Maths and English and how had that been set. He also asked for the names of the seven schools in the Borough who had been contacted about the initiative. He sought confirmation that Strangford Integrated College and Nendrum College had not met the pass rate.

The Director of Regeneration, Development and Planning explained that that information had been public in the media but that she would forward the detail to Councillor Boyle. She emphasised that the scheme operating in West Belfast was purely a pilot study and that Nendrum College and Strangford Integrated College had met the criteria for eligibility.

Arising from Item 8 – Vacant Commercial Property Improvement Scheme

Councillor Boyle asked if the £3,000 figure was gathered on estimates. The Director responded that the funding was from the Department for Communities who set the criteria for funding and fully audited it. The Council assisted with the administration of the Scheme.

Arising from Item 13 – Rural Development Programme

Councillor Boyle regretted that the Ballyhabert scheme had not been supported by the community and wondered why that was. The Director of Regeneration, Development and Planning explained that funding could not be provided for something which had been commissioned previously.

Councillor Boyle asked if the football club in Ballyhalbert had requested to meet with the Council and the Director of Regeneration, Development and Planning was of the understanding that consultation had taken place with the village over the MUGA Scheme. The Director of Community and Wellbeing remarked that the play strategy had not yet been completed and communication was taking place with the club.

Councillor Adair stressed the need for the football pitch in Ballyhalbert since the population was growing there but the facilities available to them were not. He urged Councillor Boyle to attend the meetings with the community and thanked officers for the work which was being carried out with community groups to deliver investment in the town.

Councillor Edmund added that the Council staff at Londonderry Park had been most helpful towards the football club in Ballyhalbert and expressed delight that Ballyhalbert United was up and running.

RESOLVED, on the proposal of Councillor Dunlop, seconded by Councillor Douglas, that the minutes be adopted.

8.4 Minutes of Corporate Committee Meeting dated 11 June 2019

PREVIOUSLY CIRCULATED:- Copy of the above minutes

On a point of accuracy Alderman Muir asked that his attendance be recorded on the front page of the minutes.

Arising from Item 20 (d) – Strangford Ferry Service

Councillor Boyle expressed his disappointment on the response from the Permanent Secretary which did not address the letter or the issues which the Council had raised and he could only conclude that it was again giving the Council the 'run around'. He questioned why it was not clear that a large traffic and employment accessibility and educational problem could be resolved with the ferry operating for an additional 2.5 hours each week offering additional hours to only five or six employees. He considered that elected members should continue to engage with their constituents but would not make a further proposal at this time.

RESOLVED, on the proposal of Councillor Gilmour, seconded by Alderman Gibson, that the minutes be adopted.

8.5 Minutes of Community and Wellbeing Committee Meeting dated 12 June 2019

PREVIOUSLY CIRCULATED:- Copy of the above minutes

Arising from Item 27.1 – Any Other Business – Update on the Progress of the 3G Facility to be located within the Ards Peninsula

Councillor Adair expressed his concern at the delays to the 3G Pitch on the Ards Peninsula. He presented a document from February 2017 which stated that Portavogie would be a standalone project, however, he now believed that there was an attempt to deliver two projects in tandem - one in Portavogie and another at a further location which would ultimately lead to delays at Portavogie.

The Director of Community and Wellbeing clarified that budgets had been set for two projects but that they would each proceed at their own pace. Councillor Adair thanked the Director and reminded Members that they were entitled to their own opinions but not to their own facts.

Arising from Item 23 – Beach Cleaning

Councillor Dunne raised the issue of beach cleaning at Seapark, Holywood. He presented a photograph of the beach to the chamber and argued that the beach's appearance was unattractive and unkempt. He said that he had received multiple complaints from residents and reminded the committee that the beach was often the first impression that visitors had of Holywood. He argued that rather than children using the beach the prime users were now fouling dogs.

The Director of Community and Wellbeing confirmed that the beach was mechanically cleaned and that the Council was not permitted to touch certain areas of the beach due to environmental considerations and designations, as in other Areas of Special Scientific Interest, costs could be imposed for cross contamination.

Councillor Woods reminded Councillor Dunne that the beach contained protected species which, if removed, would lead to a £20,000 fine being imposed on the Council. She confirmed that when she had visited the previous day the place was full of people enjoying the sunshine.

RESOLVED, on the proposal of Alderman Carson, seconded by Councillor Douglas, that the minutes be adopted.

9. CONSULTATION DOCUMENTS

(Councillor Greer left the meeting at 7.45 pm)

9.1 Housing Executive Chronic Homelessness Action Plan Consultation (Appendix II)

PREVIOUSLY CIRCULATED:- Correspondence from the Northern Ireland Housing Executive outlining consultation process and events. Members were asked to note the dates.

RESOLVED on the proposal of Alderman Gibson, seconded by Alderman Girvan, that the information be noted.

(Councillor Greer entered the meeting 7.46 pm)
(Councillor McAlpine left the meeting at 7.46 pm)

9.2 Supporting Newcomer Pupils Policy – Public Consultation
(Appendix III)

PREVIOUSLY CIRCULATED:- Correspondence from the Department of Education outlining a public consultation on Supporting Newcomer Pupils. Members were invited to respond.

RESOLVED, on the proposal of Alderman Greer, seconded by Councillor Douglas, that the information be noted.

(Councillor McAlpine entered the meeting at 7.47 pm)

9.3 Consultation on Stroke Services
(Appendix IV)

PREVIOUSLY CIRCULATED:- Report dated 19 June 2019 from the Director of Organisational Development and Administration detailing that, as Members would be aware, the Council considered the consultation at its meeting on 24 April 2019. At that time it was agreed that the consultation document be deferred and that representatives of the Department of Health be invited to address the Council on the proposal to move stroke services from the Ulster Hospital to the Royal Victoria Hospital, Belfast.

Unfortunately, the Department had not acceded to the Council's request and instead had indicated that it planned to hold an additional public consultation event in the Ards area within the next few weeks. Planning for that was underway, and the Department would confirm the date and venue very soon.

RECOMMENDED that the Council formulates a response to the consultation document.

Councillor Armstrong-Cotter proposed an addition to the recommendation which was seconded by Councillor Adair to include;

“That this Council formulates a response to the consultation and can review the response following the public consultation event in the Ards area.”

Councillor Armstrong-Cotter expressed her own views on the subject and while accepting that reforms were often necessary she insisted that proper scrutiny be made in advance of changes. The Royal Victoria Hospital, Belfast, could end up being swamped dealing with the additional volume of patients from the Ards and North Down Area and parts of South Down.

Councillor Adair welcomed the consultation in the area and stressed the protection of local services. He observed that moving services to the city centre in Belfast would add at least a further 20 minutes to arrival at hospital for most people within the Borough. When a patient was suffering a Stroke speed of treatment was crucial to positive outcomes.

Councillor Edmund explained that response times from an ambulance crew were not always prompt and he feared that patients could suffer. He noted that when a person suffered a Stroke there were two patients involved since the primary carer was affected. He believed that the NI Ambulance Service was already stretched and more resources would be necessary before any changes could ever be considered.

Alderman Menagh agreed that Stroke services were a very important issue for the Borough and that elected members must play a role in the consultation.

Alderman Muir was happy to support the amendment to make an informed response to the consultation. He noted that it would take place on 24 July 2019 at Strangford Arms, Newtownards and recognised that science had moved treatment further and that health services needed to keep up with the change. If the health service was to have a viable future health services would need to be configured in the best way possible.

Councillor P Smith supported Alderman Muir in stressing the need to review the strategic context. There were trends in areas of specialism. He considered that it may be possible to make specialism local but not treatment centres. He stressed that Members listen to the views of senior medical staff.

Councillor Armstrong-Cotter thanked Members for their support and insisted that she was supportive of centres of excellence and reforms but felt that the priority lay with patient care and it was worrying to her that she had not yet heard anyone speak out strongly in support. She looked forward to being present at the consultation on 24th July.

RESOLVED, on the proposal of Councillor Armstrong-Cotter, seconded by Councillor Adair, that the information be noted.

10. REQUEST FOR DEPUTATION

10.1 Northern Ireland Water – Infrastructure Investment Proposals (Appendix V)

PREVIOUSLY CIRCULATED:- Correspondence from NI Water dated 23 May 2019 requesting to make a Deputation to Ards and North Down Borough Council.

RESOLVED, on the proposal of Alderman Irvine, seconded by Councillor Cooper, that the recommendation be adopted.

11. COURSES/CONFERENCES AND INVITATIONS

11.1 La Touche Legacy Seminar 6th Festival of History – 13th-14th September 2019
(Appendix VI)

PREVIOUSLY CIRCULATED:- Report from the Chief Executive dated 18 June 2019 detailing that Wicklow County Council had provided the seminar programme for La Touche Legacy Seminar 6th Festival of history which was being held in Greystones Golf Club from 13-14 September 2019.

The fee for the seminar was 100 Euro per delegate. That included a seminar dinner on the seconded day, 14 September. Travel and accommodation would be an additional cost. There was no recommendation for an officer to attend.

RECOMMENDED that the Council notes the invitation.

RESOLVED, on the proposal of Alderman Muir, seconded by Alderman McIlveen, that the recommendation be adopted.

11.2 Chartered Association of Building Engineers (CABE) Annual Conference

PREVIOUSLY CIRCULATED:- Report from the Director of the Environment detailing that the 2019 annual conference of the Chartered Association of Building Engineers was being held on 3rd and 4th of October, 2019 in Manchester.

Over the past year the construction industry had seen many changes and the results of the Hackitt Review (established in the wake of the Grenfell tragedy) had significant implications for the regulatory and accountability framework of the industry. The CABE annual conference would look at 3 key areas of interest:

- Regulatory Reform to Improve Building Safety

As Government and industry continued to develop plans to implement the Hackitt Review, the conference would consider key aspects of structural reform including regulatory and systemic changes, improvement to productivity and industry practice and how to develop better skills and training all in the context of building engineers helping to create a safe built environment that protected people throughout the building lifecycle.

- How Knowledge Base Applied in Practice

The conference would look more closely at the role of standards for products and systems performance in delivering safe buildings, emerging changes to regulatory requirements and process, and consideration of the essential competencies that building engineers needed in order to effectively apply their professional skills in practice.

- Cultural Reform

The conference would look at how the construction and built environment sector needed to change its culture to ensure that buildings responded to

societal expectations. That would include consideration of the need to promote better health and welfare within the construction industry; the importance of the role of building engineers in maintaining professional standards; and how we could all work to deliver a built environment that worked for the widest possible range of people.

The estimated cost of attendance was £492 per person (including residential conference fee and travel at current rates), which could be met through existing budgets.

A written report would be prepared and presented upon return.

RECOMMENDED that the Council approves the attendance at this conference by the Building Control Services Manager.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Alderman Muir, that the recommendation be adopted.

11.3 APSE Seminar – Climate Change Action: Policy into Practice for Frontline Services

PREVIOUSLY CIRCULATED:- Report dated 11 June from the Director of Environment detailing that APSE had organised a one-day seminar to be held in Liverpool on 12th July 2019, which addressed a diverse and highly relevant range of climate change adaptation issues for frontline public services. Those included:

- Housing and developments – ensuring local green infrastructure
- Industrial technologies and innovation in transport infrastructure
- Transport emissions
- Maximising green opportunities
- Deposit return schemes for drinks containers
- Food waste recycling
- Greening the local authority fleet
- Raising public awareness on plastic pollution
- Council energy policy

The cost of the seminar was £179 per person (APSE member rate), and the only other cost would be the day return flight to Liverpool. In view of the growing importance of that agenda and the diversity and relevance of the subject areas covered, approval was sought for attendance of up to 2 Officers at the seminar. A written report would be prepared and presented up on return.

RECOMMENDED that approval be granted for attendance by up to 2 Officers at the 1-day APSE Seminar detailed in the report.

RESOLVED, on the proposal of Councillor Woods, seconded by Councillor Greer, that the recommendation be adopted.

11.4 Somme Sunday – 30 June 2019

PREVIOUSLY CIRCULATED:- Report dated 18 June 2019 from the Director of Organisational Development and Administration detailing that the Council had received an invitation from the Bangor Branch of the Royal British Legion to its annual Somme Commemoration Service to be held on Sunday, 30 June 2019. The service would be held in Ward Park, Bangor and would commence at 2.00pm. Members were asked to meet at the Bowling Pavilion at 1.30pm for robing. Members would then process across to the service.

Members should notify Democratic Services if they planned to attend, to ensure their robes were taken to the venue.

RECOMMENDED that the Council accepts the invitation from the Royal British Legion to its annual Somme Commemoration Service on 30 June 2019.

RESOLVED, on the proposal of Councillor Douglas, seconded by Alderman Girvan, that the recommendation be adopted.

12. TRANSFER OF RIGHTS OF BURIAL

PREVIOUSLY CIRCULATED:- Report detailing that the following transfer applications were received:-

Name	Transferred to	Cemetery	Section	No
A Mooney	GH McDowell	Clandeboye	AL	3769
A Hiles	LM Long	Comber	28	20

RESOLVED: - (On the proposal of Alderman Carson, seconded by Alderman Gibson)

THAT the above Transfers be approved.

13. SEALING DOCUMENTS

RESOLVED: - (On the proposal of Councillor Adair, seconded by Councillor Douglas)

THAT the Seal of the Council be affixed to the following documents:-

- a) Grant of Right of Burial Nos 13093 to 13128
- b) Grant of Easement – 12 Church Street, Greyabbey – ANDBC to Marc and Emma Ruddock
- c) Lease Renewal – Tennis Club Pavilion at Fort Road, Helen's Bay – ANDBC to S Leach, R Masefield and F Gouk

- d) Ice Cream Licence – Ward Park, Bangor –
ANDBC to Carousel Ices – Robert Neill

14. NOTICES OF MOTION – STATUS REPORT

(Appendix VII)

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational Development detailing the Status of Notices of Motion.

RESOLVED, on the proposal of Alderman McIlveen, seconded by Councillor McClean, that the Notice of Motions be noted.

15. NOTICES OF MOTION

(Councillor McClean left the meeting at 8.09 pm)

15.1 Notice of Motion submitted by Councillor Martin

With the 75th anniversary of the end of the Second World War approaching, Council wishes to recognise the contribution of those who fought in that War. It notes that every year the number of our surviving veterans is reducing and the time to provide public and appropriate recognition is running out. This Council will therefore provide all surviving veterans of WW2 (including those in the Merchant Navy who reside in our Borough with a Silver Poppy of Remembrance to mark their service in the fight against Fascism and Nazism. These Poppies will be presented to all surviving Veterans at a special Service of Remembrance the week commencing the 4th November 2019. It further encourages other Councils throughout Northern Ireland to mark our surviving Second World War veterans service in a similar way.

Proposed by Councillor Martin, seconded by Alderman McIlveen.

Councillor Martin proposed the Motion to honour the few surviving veterans of World War Two through providing them with a silver poppy, as a gift from the Council. Those would be presented in the lead up to the 75th anniversary of VE Day.

Councillor Martin further noted that the veterans were now very elderly and may not be around for much longer. He added that there was no conscription in Northern Ireland during World War Two and that all were volunteers. The poppies would be handcrafted by local artist, Sarah McAleer, and would cost no more than £500 each. Councillor Martin expressed his hope that other Councils would follow the example that this Council would set and concluded by declaring that the veterans had stood up for democracy when it was threatened and safeguarded the right to debate. Members were currently enjoying within the democratic chamber.

Alderman McIlveen thanked Councillor Martin for the enormous amount of work he had put in to his Motion. He remarked on the sad passing of local veteran Mr Eddie Spence who had been discussed earlier in the evening and noted that remembering was a key element of our history. What the veterans had experienced had been

horrific and it was important to offer a collective response as a small token of their citizens' enduring gratitude.

Alderman Menagh added that he had met Mr Spence on several occasions and that he had visited him in hospital before his death, aged 94 years. He stated his belief that the Motion was a brilliant idea and that the Council should do whatever it took to honour its veterans.

Councillor Douglas also supported the Motion and thanked Councillor Martin for bringing it forward. She noted that those veterans had given themselves so that their communities could enjoy current freedoms. The Motion was a fitting tribute and she was happy to support it.

The Mayor asked if retired service personnel who were not born in Northern Ireland but who now resided in the Borough could receive poppies and Councillor Martin agreed that they should. He concluded by thanking Members for their support and, in particular, Alderman McIlveen, for his wisdom in pushing forward the Motion. It was important to find the veterans and honour them.

AGREED.

15.2 Notice of Motion submitted from Alderman Irvine

That this Council brings back a report which includes community consultation on increasing and upgrading the Skipperstone playpark.

RESOLVED, on the proposal of Alderman Irvine, seconded by Councillor Douglas, that the Notice of Motion be referred to the Community and Wellbeing Committee in September 2019.

15.3 Notice of Motion of submitted by Alderman Irvine

That this Council maintains on a regular basis the North section of Gibson's Lane from Balloo Road to Willowbrook Gardens, which was designated as a PROW and surfaced at a cost of £750,00 by the legacy North Down Borough Council.

RESOLVED, on the proposal of Alderman Irvine, seconded by Councillor Greer, that the Notice of Motion be referred to the Community and Wellbeing Committee in September 2019.

16. GRANT OF ENTERTAINMENT LICENCE

PREVIOUSLY CIRCULATED:- Report dated 4 June 2019 from the Director of Environment detailing that the following application for the grant of licence had been received:

Pickie Fun Park Café, Marine Gardens, Bangor

Applicant name: Kieran Quinn

Applicant address: Millview Portaferry

Day and hours of use: Monday to Sunday during the permitted hours during which alcohol may be served under the Licensing (NI) Order 1996

Type of Entertainment: Dancing, singing, or music or entertainment of a like kind

RECOMMENDED that the applications be recommended for approval subject to the following:

- 1 The applications being completed satisfactorily with all the Council's requirements being met;
- 2 The PSNI, Northern Ireland Fire and Rescue Service or members of the public not objecting to the issue of the licence; and
- 3 The applicant foregoing his right to appear before and be heard by the Council.

RESOLVED, on the proposal of Councillor Smart, seconded by Councillor Douglas, that the recommendation be adopted.

17. SCHEDULE OF MEETINGS

PREVIOUSLY CIRCULATED:- Report dated 17 June 2019 from the Director of Organisational Development and Administration detailing that, as Members would be aware, a revised Committee Terms of Reference was tabled and agreed at the Annual Meeting in May 2019, as part of the Governance Arrangements.

The Terms of Reference had been amended to give an element of flexibility in respect of the Summer Recess. However, the Chief Executive and Party Leaders had discussed the requirement to hold committee meetings in August 2019 and had agreed that there was no such need.

The meeting schedule for July and August was therefore as follows:-

JULY 2019		
Tuesday 2 July	Planning Committee	Church Street, N'Ards
Wednesday 31 July	Council Meeting	Town Hall, Bangor
AUGUST 2019		
Tuesday 6 August	Planning Committee	Church Street, N'Ards
Wednesday 28 August	Council Meeting	Town Hall, Bangor

RECOMMENDED that it is noted that only the Planning Committee and Council would meet in July and August 2019.

RESOLVED, on the proposal of Councillor Dunne, seconded by Alderman McIlveen, that the recommendation be adopted.

EXCLUSION OF PUBLIC/PRESS

AGREED, on the proposal of Alderman Girvan, seconded by Alderman McDowell, that the public/press be excluded from the meeting for the undernoted items of confidential business.

18. **DEVELOPMENT PROPOSAL FOR HIBERNIA STREET CAR PARK, HOLYWOOD (FILE REF 1)**

(Appendix VIII – XI)

IN CONFIDENCE

NOT FOR PUBLICATION

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

19. **TENDER REPORT FOR ELECTRICAL FITTINGS (FILE 77001)**

IN CONFIDENCE

NOT FOR PUBLICATION

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

20. **TENDER REPORT FOR LEGIONELLA MONITORING (FILE 77001)**

IN CONFIDENCE

NOT FOR PUBLICATION

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

21. **REQUEST FROM DONAGHADEE FOOTBALL CLUB TO USE THE PREMISES ABOVE THE PUBLIC TOILETS AT THE PARADE, DONAGHADEE (FILE LP468)**

(Appendix XII)

IN CONFIDENCE

NOT FOR PUBLICATION

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

22. REQUEST FROM NI WATER TO PURCHASE LAND AT STRICKLANDS GLEN AND FOR A LICENCE FOR A TEMPORARY WORKING AREA (LP246)

(Appendix XIII and XIV)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

23. REQUEST FROM NIE FOR A WAYLEAVE AT CLOUGHEY ROAD PLAYING FIELDS, PORTAFERRY (FILE LP463)

(Appendix XV)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

24. MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNCIL AND THE MOD IN RELATION TO THE DEVELOPMENT OF THE MASTERPLAN FOR KINNEGAR (FILE RDP 37)

(Appendix XVI)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

25. ARISING FROM MINUTES OF CORPORATE SERVICES COMMITTEE – NOMINATIONS (4 ELECTED MEMBERS, ONE FROM EACH OF THE LARGEST POLITICAL PARTIES) TO CHIEF EXECUTIVE PERFORMANCE REVIEW PANEL

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

26. REQUEST TO USE SPAFIELD CAR PARK AND RUGBY FIELD FOR 12TH JULY CELEBRATIONS (LP466)

(Appendix XVII)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

27. FLAGSHIP CENTRE, BANGOR (RDP83)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

28. PAYMENT TO COUNCILLORS 2018/19 (FILE FIN23)

(Appendix XVIII)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

29. ICE-CREAM TENDER AT WARD PARK AND CAFÉ AT OLD NDCC BUILDING

(Appendix IXX)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

30. DAERA – RURAL TOURISM SCHEME UPDATE – BALLYCOPELAND WINDMILL (FILE TO/TD22)

*****IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

READMITTANCE OF PUBLIC/PRESS

AGREED, on the proposal of Councillor Martin, seconded by Councillor Gilmour, that the public/press be re-admitted to the meeting.

Members were advised that in line with Section 47 (1) of the Local Government Act (Northern Ireland) 2014 the audio recording would now recommence.

Circulated for Information

PREVIOUSLY CIRCULATED:- Undernoted items of correspondence.

- (i) Department for Infrastructure - Hardford Mews, Newtownards – Proposal to Install an Accessible Parking Bay, to the rear of House 7.
- (ii) Department for Infrastructure – Proposal for 24 Hour Waiting Restriction, Comber Road, Ballygowan.
- (iii) Letter of Thanks – From Jim Shannon MP re D Day Celebrations

RESOLVED, on the proposal of Councillor Adair, seconded by Councillor Gilmour, that the correspondence be noted.

TERMINATION OF MEETING

The meeting terminated at 8.50 pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Audit Committee was held in the Council Chamber, 2 Church Street, Newtownards on Monday, 24 June 2019 at 7.00 pm.

PRESENT:-

In the Chair: Alderman Irvine

Aldermen: Gibson
Muir
McDowell

Councillors: Armstrong-Cotter Greer
Chambers (7.03pm) P Smith

In Attendance: ASM – Christine Hagan
Deloitte – Stacy Bonar
Deloitte – Camille McDermott
Independent Member – Sam Hagan

Officers: Chief Executive (S Reid), Head of Finance (S Grieve), Head of Performance and Projects (A Scott) and Democratic Services Officer (P Foster)

1. APOLOGIES

Apologies for inability to attend were received from Alderman M Smith.

NOTED.

2. CHAIRMAN'S REMARKS

The Chairman welcomed everyone to the meeting.

NOTED.

3. DECLARATIONS OF INTEREST

The Chairman asked for any declarations of interest at this stage.

Mr Hagan indicated that he had an interest to declare in Item 15 Recruitment of Independent Member.

NOTED.

4. MEETING WITH NI AUDIT OFFICE AND INTERNAL AUDIT SERVICE IN THE ABSENCE OF MANAGEMENT

The Chief Executive, Head of Finance, Head of Performance and Projects and Democratic Services Officer all withdrew from the meeting during the discussion of the item (7.01pm – 7.02pm).

NOTED.

5. MATTERS ARISING FROM PREVIOUS MEETING (AUD 02)

(a) Audit Committee Minutes dated 25 March 2019

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

AGREED TO RECOMMEND, on the proposal of Alderman Gibson, seconded by Alderman Muir, that the minutes be noted.

(b) Actions Register (File AUD02)

PREVIOUSLY CIRCULATED: - Report from the Director of Finance and Performance stating that in line with best practice, the purpose of the report was to make the Audit Committee aware of the status of any outstanding actions from the previous Audit Committee meetings. The Committee would note that four actions were required from previous committee meetings, these are detailed in the table below.

Item	Title	Action	Update	Status
January 2018				
7	Outstanding External Audit Recommendations	<ul style="list-style-type: none"> Clear legacy issues by December 2018 Income policy to be progressed before June audit committee meeting 	Head of Finance Dec 2018	In progress
December 2018				
7	Improvement Audit and Assessment	<ul style="list-style-type: none"> Internal Audit Plan for 2019/20 to include Performance Improvement as an audit area 	Item 8b	Complete
12	Internal Audit Contract	<ul style="list-style-type: none"> Appoint new contractor 	Appointed 2 nd April 2019	In Attendance

RECOMMENDED that the Committee notes the report.

AGREED TO RECOMMEND, on the proposal of Councillor Armstrong-Cotter, seconded by Alderman Muir, that the recommendation be adopted.

6. PERFORMANCE IMPROVEMENT PLAN 2018/19 – UPDATE ON KEY ACTIONS (260501)









(Appendix I)

PREVIOUSLY CIRCULATED: - Report from the Director of Finance and Performance stating that the Local Government Act (Northern Ireland) 2014 Part 12 put in place a new framework to support continuous improvement in the delivery of council services. The Council was required each year to determine its priorities for improvement which were aligned to the Community Plan and Corporate Objectives and to publish those in the format of an Improvement Plan.

In the 2018/19-year Council's Performance Improvement Plan (PIP) identified 7 improvement objectives with a corresponding 27 actions together with 7 Statutory Indicators, all of which were included in the Council's Service Plans which were monitored and reported on through each Service's respective Standing Committee. It should be noted that this report reflected performance of the PIP only and was not necessarily representative of the overall performance of the organisation.

The following table gave an overall assessment of the status across all actions in the PIP, the detail of which could be found in the attached progress report.

SUMMARY TABLE OF PROGRESS AGAINST OUR IMPROVEMENT OBJECTIVES FOR Q4 - 2018/19

Corporate Plan Theme	Improvement Objective	Aggregated RAG Status across all actions
PEOPLE	▶ We will support local communities to develop community resilience for emergency planning.	
PLACE	▶ We will increase recycling and divert waste from landfill	
	▶ We will ensure we make the very best of the natural, cultural and environmental assets in our Borough	
	▶ We will improve street cleanliness	
PROSPERITY	▶ We will support and invest in our Borough to promote economic growth, regeneration and sustainability	
PERFORMANCE	▶ We will improve customer access to services and functions provided by the Council and improve their efficiency	
	▶ We will reduce staff absence levels across the Council	
OVERALL		

Members should note that actions with a RAG status of amber or red would be carried forward, if relevant, into the 2019/20 PIP.

RECOMMENDED that the report be noted.

(Councillor Chambers entered the meeting at this stage – 7.03pm)

The Head of Performance & Projects guided members through the report highlighting the salient points within it.

AGREED TO RECOMMEND, on the proposal of Alderman Gibson, seconded by Councillor P Smith, that the recommendation be adopted.

7. EXTERNAL AUDIT

7A. OUTSTANDING EXTERNAL AUDIT RECOMMENDATIONS

(FIN69)

(Appendix II)

PREVIOUSLY CIRCULATED: - Report from the Director of Finance and Performance and attaching the register of outstanding external audit recommendations was attached for members information. It was noted this had been prepared to align with good practice and to give an appropriate level of priority to those items.

The table below summarised the number of issues where action was outstanding, and the appendix provided the detail on each issue.

	March 2019	Changes			June 2019
		Removed	Change Status	New	
Issued addressed	4	-4	3		3
In progress	9		-3		6
Issue not yet addressed	-				
Long-term project	-				
Totals	13				9

RECOMMENDED that the Committee notes the report.

The Head of Finance guided members through the report which highlighted that in total 13 issues remained either outstanding or had been addressed.

Councillor Armstrong-Cotter noted the priority 1 issue in respect of Exit Packages remarking that the Council believed that it had followed due process and in light of that she sought an explanation on how the Council had been open and transparent.

In response the Head of Finance confirmed that legal advice was sought in those cases and it had been agreed that a Business Case would be prepared to support

such payments under those circumstances. He added that the Business Case would be considered by the Council's Corporate Leadership Team and duly recorded as so.

Mr Hagan referred to Page 2 of the report which detailed a number of legacy Ards Borough Council issues and sought details on how it was proposed to progress those.

The Head of Finance confirmed that part of those issues referred to had been addressed and continuing confirmed that the Review of Assets remained a live process. He added that last year work had been carried out externally and the main issue remaining was the formulation of a policy in respect of Asset Management. Progress had been slow due to the Director of Finance and Performance post being vacant and he hoped to provide members with a policy development plan in the near future, prioritising assets and income.

AGREED TO RECOMMEND, on the proposal of Councillor Chambers, seconded by Councillor Greer, that the recommendation be adopted.

8. INTERNAL AUDIT

(a) Internal Audit Charter (Appendix III)

PREVIOUSLY CIRCULATED: - Copy of the Ards and North Down Borough Council Internal Audit Charter.

RECOMMENDED that the report be noted.

At this stage the Chairman welcomed Stacy Bonar and Camille McDermott to the meeting and asked them to guide members through the Internal Audit Charter.

Ms Bonar commented that she would take the document as read by members adding that it provided an overview of the Charter which had been specifically tailored for the Council.

AGREED TO RECOMMEND, on the proposal of Alderman Muir, seconded by Councillor P Smith, that the recommendation be adopted.

(b) Strategy and Annual Plan 2019-20 (Appendix IV)

PREVIOUSLY CIRCULATED: - Copy of the Ards and North Down Borough Council Internal Audit Strategy 2019/20 – 2022/23 and Annual Audit Plan 2019/20.

RECOMMENDED that the report be noted.

Ms Bonar commented that the Internal Audit Strategy 2019/20 - 2022/23 was for a period of four years and considered both current and emerging risks. She referred

members to reference made to the current strategy which detailed where the Council currently was and other areas of the document which detailed potential primary risks.

At this stage Ms McDermott referred members to Page 7 of the document which outlined the Internal Audit Plan for the next four years. She advised that this had been based upon risk assessments which would then subsequently be refreshed on an annual basis. Section 5 detailed the Internal Audit Plan and included the strategic review areas which would be undertaken. Members were advised that operational audits would take place throughout the year and would include the Policing and Community Safety Partnership (PSCP). Other operational up and coming audits included Human Resources, Finance and ICT. Ms McDermott advised that a set number of days would be set aside for each audit and where appropriate and necessary, additional audit expertise could be drafted in.

Councillor P Smith referred to the potential audits and timings and specifically referred to the audit of HR Policies in 2023 which would include issues such as absence and noted that the last audit had taken place five years ago.

Ms Bonar commented that the Plan was very flexible and if there were any emerging risks, reviews could be moved to reflect that.

Ms McDermott advised members that a core of 140 days for the Internal Audit service had been set aside along with 40 days for contingency. She added that an advisory review would be undertaken for the Council's Community Centres and efforts would be made to work with management in respect of that.

AGREED TO RECOMMEND, on the proposal of Alderman Muir, seconded by Alderman Gibson, that the recommendation be adopted.

(c) Outstanding Internal Audit Recommendations (File AUD03)

PREVIOUSLY CIRCULATED:- Report dated 14 June 2019 from the Director of Finance and Performance stating that Council had used two methods to track the implementation of outstanding internal audit recommendations:

1. A centrally maintained register of all recommendations overseen by the Head of Finance; and
2. A register of priority 1 recommendations maintained by the internal audit contractor.

While there were advantages to both approaches, neither had proved entirely satisfactory, with approach 1 being administratively cumbersome and approach 2 only focussing on a small number of recommendations.

As part of the audit needs assessment the Internal Audit Manager and the Head of Finance had undertaken to devise a new process for dealing with the follow up of outstanding recommendations and intend to bring this to the next meeting of the Committee.

RECOMMENDED that Committee notes the report.

The Head of Finance provided members with an overview of the report commenting that work would continue with Deloitte to track all recommendations and report back to members at the next meeting of the Committee scheduled for 23 September 2019.

Alderman Muir proposed, seconded by Councillor P Smith, that the recommendation be adopted.

Mr Hagan commented that it was important for the Committee to be kept up to date on any progress on a regular basis.

In response the Head of Finance indicated that a new process was being designed as there had been the general consensus that previous reports had not been efficient. Continuing he acknowledged that updates on Priority 1 and 2 would likely continue to be made to the Committee whereas in respect of Priority 3 recommendations summary information was likely to be provided. He indicated that he would endeavour to keep the Committee up to date in respect of all internal audit recommendations.

AGREED TO RECOMMEND, on the proposal of Alderman Muir, seconded by Councillor P Smith, that the information be noted.

9. CORPORATE GOVERNANCE

9a. Year End Statement of Assurance

The Chairman advised that the matter would now be considered 'In Confidence'.

NOTED.

10. ANDBC SCHEME OF DELEGATION (Appendix V)

PREVIOUSLY CIRCULATED: - Report from the Director of Finance and Performance stating that the Local Government Act (Northern Ireland) 2014 required local authorities to maintain a list specifying those powers of the Council which were exercisable by officers of the council and stating the title of the officer by whom each of the powers so specified was so exercisable except in cases where the arrangements for discharge by officers were for a specified period not exceeding six months.

Ards and North Down Borough Council ("the Council") was committed to setting and securing the highest standards in decision making and the Scheme of Delegation provided the framework and guidance for the powers delegated to Committees of Council and to senior officers within the Council.

By delegating responsibility for specific duties to Officers, members would have more opportunity to concentrate on the most important strategic decisions of Council policy including both corporately significant decisions and service delivery issues. This

would allow officers to deal with operational issues in a more expedient way and reduce the overall administrative burden on the political process.

The development of the Scheme had been led by the Head of Performance and Projects with input from all Heads of Service and had been reviewed and amended appropriately by the Corporate Leadership Team.

The Scheme had been designed to support continuous collaboration and engagement between the different levels of management within the Council, Directorates and Services.

RECOMMENDED that the Committee approves Ards and North Down Borough Council Scheme of Delegated Authority - June 2019.

The Head of Performance and Projects indicated that he wished to highlight the importance of the document adding that it was imperative to achieve the correct balance in respect of decision making – enabling effective performance of the Council within an appropriate governance framework. Continuing he advised that the Scheme had been developed in conjunction with input from a large group of officers and was a living document which would be kept under review.

Mr Hagan asked if consideration had been given to an independent review of the document, via Internal Audit, which would ensure independent assurance.

In response the Head of Finance confirmed that if the Committee so wished, he would ensure that was facilitated.

AGREED TO RECOMMEND, on the proposal of Alderman Gibson, seconded by Councillor Greer, that the recommendation be adopted.

11. REVIEW OF COMMITTEE TERMS OF REFERENCE (FILE AUD02) (Appendix VI)

PREVIOUSLY CIRCULATED: - Report from the Director of Finance and Performance stating that in line with good practice the Audit Committee should review its terms of reference annually and make recommendations to Council to ensure that it kept up to date with developments within legislation, guidance and regional and national issues.

During the previous Council term, in order to increase the completeness of review of significant governance items, the Committee agendas had included an update in respect of significant data protection issues, in addition to those of fraud and whistleblowing. In order, therefore, to bring the terms of reference into line with current practice, the following amendment to the Committee's responsibilities was proposed:

- "Receive notification of all significant Whistleblowing or Data Protection incidents."

RECOMMENDED that Council agrees the revised Audit Committee terms of reference.

The Head of Finance provided members with a brief synopsis of the report which detailed the recommendation to add the issue of data protection and whistleblowing to the Committee's responsibilities.

AGREED TO RECOMMEND, on the proposal of Alderman Gibson, seconded by Alderman Muir, that the recommendation be adopted.

EXCLUSION OF PUBLIC/PRESS

AGREED TO RECOMMEND, on the proposal of Councillor Armstrong-Cotter, seconded by Alderman Gibson, that the public/press be excluded during the discussion of the undernoted items of confidential business.

12. DRAFT GOVERNANCE STATEMENT 2018/19 (AUD07) (Appendix VII)

*****COMMERCIAL IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

13. DRAFT FINANCIAL STATEMENTS 2018/19 (FIN65) (Appendix VIII)

*****COMMERCIAL IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

14. SINGLE TENDER ACTION UPDATE (231329)

*****COMMERCIAL IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

(Mr Hagan declared an interest in the next item and left the chamber at this stage – 8.00pm)

15. RECRUITMENT OF AN INDEPENDENT MEMBER (AUD08)

*****COMMERCIAL IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

(Mr Hagan re-entered the meeting at this stage – 8.04pm)

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NOTED.

16. FRAUD, WHISTLEBLOWING AND DATA-PROTECTION MATTERS

*****COMMERCIAL IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

NOTED.

17. CORPORATE GOVERNANCE

17a) YEAR END STATEMENTS OF ASSURANCE

*****COMMERCIAL IN CONFIDENCE*****

*****NOT FOR PUBLICATION*****

Schedule 6 – Information relating to the financial or business affairs of any particular person (including the Council holding that information).

RE-ADMITTANCE OF PUBLIC/PRESS

AGREED TO RECOMMEND, on the proposal of Councillor Armstrong-Cotter, seconded by Alderman Muir, that the public/press be re-admitted to the meeting.

PREVIOUSLY CIRCULATED FOR INFORMATION

a) **Northern Ireland Audit Office – Local Government Auditor Report 2019**

PREVIOUSLY CIRCULATED:- Copy of the above correspondence.

Alderman Muir indicated that he understood a report would be brought back to the next meeting of the Committee in response to the document and that was something he would welcome as he was aware it had come under the spotlight of local media.

Continuing Alderman Muir stated that he wished to raise three issues of concern as detailed below:

- Page 19 - Council spend per person and currently the Council was bottom of what could be described as a 'league table'
- Page 28 Figure 12 -General Fund balances as percentage of operating expenditure – the Council also appeared to be at the bottom of that 'league table'
- Page 22 - Exit Packages and Capital Expenditure and Financing
- Outstanding Loan Balances as at 31 March 2018 which were significantly high.

Alderman Muir reflected that the rate setting process for the next few years would be challenging particularly as the Council had one of the lowest rates in comparison to other Councils. Continuing he noted the Council's significant borrowings were also high in comparison to other Councils and he understood the General Fund was in line with the guidance but relatively low in comparison to others. In light of that he asked if officers would have any concerns in relation to any of those matters at that stage. Continuing he acknowledged that the entire Council would need to work together rather than have matters left for the Corporate Services Committee to ensure any rate rise was kept as low as possible. He sought a view from officers on that.

The Chief Executive confirmed that a report would be circulated to the September meeting of the Council's Corporate Services Committee in response to the report from the Local Government Auditor. Continuing he informed members that the Council currently had the lowest cost per head per population and suggested that was something which should be viewed as a positive. Regular reviews of the rates burden had ensured the continuation of the efficient delivery of excellent services throughout the Borough with 83% of residents satisfied with overall Council services. At this stage the Chief Executive made reference to the Council's investment over the past ten years in capital assets had been to the benefit of residents, businesses and visitors with some £120M invested in Public Realm Works, provision of two leisure centres, Londonderry Park, Newtownards, 3G pitch at Spafield, Holywood, multiple playparks, outdoor gyms, energy efficient vehicles and plant and equipment. Where possible he reported the Council had sought to secure grant funding in order to ensure best value for money. The Chief Executive expressed the view that the apparent low figure of £377 spend per head of population was argued by the Council to be a good figure as it was delivering all of those services and therefore expenditure was relatively low thereby keeping the rate down. Continuing he referred to the General Fund for which certain guidelines had been set commenting that any

underspend could be used to mitigate that rather than eating up reserves. Members were advised that fund was regularly kept under active review and agreed that unfortunately the Auditor's report did lend itself to comparisons in league tables and therefore it was right to scrutinise officers on such matters. He stated that the Council had invested significantly in its assets and that had been reflected in those figures, however he added that he was content to keep them under review.

At this stage the Head of Finance noted the work which his staff had done to date in light of the report and drew out a number of key salient points as detailed below:-

- Over £120 million of investment throughout the Borough
- Secured Grants in excess of £20 million
- Used Capital Receipts of £15 million
- Revenue Funding of £9 million
- £85 million worth of borrowing

Continuing the Head of Finance confirmed that given the challenges which had arisen, work would continue and be the subject of a report which would be brought to Committee for consideration in September 2019. He stated that Reserves were modest and officers would be carefully considering the Council's ability to absorb any potential shocks, of which there had been a number during the previous year. That had resulted in costs to the Council in excess of £600,000 from property revaluations alone. He agreed that there were undoubtedly challenging times ahead for the Council and difficult decisions would need to be taken.

The Head of Performance and Projects concurred with those statements adding that currently the Council already endeavoured to operate as efficiently as possible. He agreed that difficult decisions lay ahead as part of the rate setting process and the Council would be required to take decisions in respect of investments. Continuing it was noted that a number of workshops for members would be convened to consider the Council's new Corporate Plan and a subsequent, supporting Transformation Programme. He agreed that undoubtedly there would be interesting and challenging times ahead with many complex issues to consider.

At this stage Alderman Muir thanked officers for their comments reiterating that it was an important issue for all particularly as the Council frequently got caught up in minutia. He acknowledged the importance of strategic issues for the Council going forward.

Councillor P Smith acknowledged that the biggest challenge for the Council would be the non-domestic rate base and asked if it would be possible to obtain some form of comparative analysis against other Councils. He added that was particularly important as the Council was in a position where it did not have a large industrial and service base and instead the Council relied upon the domestic rate base to fund its services.

The Head of Finance indicated that he would discuss that with representatives of LPS and report back to members in due course.

NOTED.

TERMINATION OF MEETING

The meeting terminated at 8.20 pm.

ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Planning Committee was held in the Council Chamber, 2 Church Street, Newtownards on Tuesday, 2 July 2019 at 7.00pm.

PRESENT:

In the Chair: Alderman McIlveen

Aldermen: Gibson McDowell
Girvan

Councillors: Adair McAlpine
Brooks McClean (7.37pm)
Cathcart McKee
Cooper Walker
Kennedy

Officers: Director of Regeneration, Development and Planning (S McCullough), Head of Planning (A McCullough), Principal Planning and Technical Officer (G Kerr), Senior Professional and Technical Officers (P Kerr and A Todd) and Democratic Services Officers (H Loebnau and E Brown)

Also in Attendance: G Thompson (G T Design)
A Stephens (Matrix Planning Consultancy)
D Thompson (MBA Planning)
A Heley (Applicant)
D Mounstephen (Fleming Mounstephen Planning)
W Adams (Henderson Group)
J Bosket (Whittaker and Watt)
J Cooper (Resident/Neighbour)

WELCOME

The Chairman welcomed Members and Officers to the meeting and made a special mention of those persons with speaking rights and members of the public seated in the public gallery.

NOTED.

1. APOLOGIES

Apologies for inability to attend were received from Alderman Keery (who was on Mayoral Business) and Councillor Thompson (who was accompanying the Mayor) and also Councillor P Smith.

Apologies for lateness were received from Councillor McClean.

NOTED.

2. DECLARATIONS OF INTEREST

The Chairman sought Declarations of Interest at this stage.

Councillor McAlpine declared an interest in Item 4.6 – LA06/2017/0829/F.

NOTED.

3. MATTERS ARISING FROM MINUTES OF PLANNING COMMITTEE MEETING OF 4 JUNE 2019

PREVIOUSLY CIRCULATED:- Copy of the above.

There were no matters arising.

RESOLVED, that the minutes be adopted.

4. PLANNING APPLICATIONS

4.1. LA06/2018/0383/F 820 Upper Newtownards Road, Dundonald (Appendix I)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Newtownards

Committee Interest: Call in by Alderman Fletcher from previous delegated list for the following reason – 'Call in request to discuss as no material change has been identified and back up correspondence from Dfl confirms.'

Proposal: Construction of a new access, including new entrance gates and pillars and new hard-core laneway to premises at 820 Upper Newtownards Road. Old driveway to be used by new building site already passed (Amended description and additional drawings)

Site Location: Land North and adjoining 820 Upper Newtownards Road, Dundonald extending to Old Belfast Road.

Recommendation: Refusal

The Senior Professional and Technical Officer detailed that the proposal was for the construction of a new hard-core laneway to premises at 820 Upper Newtownards Road and exited onto Belfast Road via the existing field entrance. The existing driveway was to be used by a new dwelling that had already received planning permission. This proposal was being presented at Committee as it had been called in.

She continued that the site comprised a detached two storey dwelling and the site was located within the countryside as shown within the Ards and Down Area Plan 2015 and PPS21 applied. The site was located within a fluvial flood zone and so PPS15 applied. At present an existing access served the applicant's dwelling at 820

Upper Newtownards Road and also the site approved for a dwelling under LA06/2018/1389/F. As the proposal was for a domestic laneway to serve a dwelling the addendum to PPS7 applied. In particular policy EXT1 was relevant in respect of the following requirements: the scale, massing and design was sympathetic with built form and would not detract from the surrounding area. It would not impact upon neighbouring amenity; it would not cause unacceptable loss of damage to trees or other landscape features and sufficient space would remain within the curtilage of the property.

With regard to PPS21, she advised that planning permission would be granted in the countryside for an extension to a dwelling house where it was in accordance with PPS7 addendum. With regard to CTY 13 it required that where possible, access to a new building should be taken from an existing laneway. The proposed lane cut across a flat and open roadside field and as the existing laneway could be used at no detriment to the existing or proposed dwelling it was considered that it created urban emphasis. With regard to Planning Policy Statement 15 the site was located within a fluvial flood plain and FLD1 applied where development would not be permitted within the 1 in 100-year fluvial flood plain or the 1 in 200-year coastal flood plain unless the applicant could demonstrate that the proposal constituted an exception to the policy. Only where the principle of development was accepted by meeting the exceptions test a flood risk assessment (FRA) would be required.

The officer continued that there was no defence around the flood zone on and around the application site, so it was determined that the area was undefended. The proposal did not constitute new development within settlements in the coastal floodplain where the land was raised through infilling to an acceptable level above the flood plain nor was it a replacement of an existing building therefore it was not an exception and so no FRA had been asked for on that basis. The proposal did not fall under minor development either as defined in the glossary of PPS15. No works had been carried out on site in the area within the flood plain, so the area was undeveloped. As part of the site was located within an undefended undeveloped area it had to be demonstrated that the proposal constituted an exception to the policy. It had not been demonstrated that the proposal met any of the exceptions outlined in the policy. She further reported that the Rivers Agency consultation response had stated it was the remit of the planning authority to grant an exception through the exceptions test and it was not deemed that this proposal was an exception.

The officer concluded that both the existing and the dwelling granted permission, shared the access onto the Kempstones Road which was an acceptable arrangement under CTY10, which meant that the proposed access was not essential and the proposal was contrary to FLD1 of PPS15.

The Chairman invited questions from members.

In response to queries from Alderman Gibson, the Officer confirmed that the application solely related to access and was on a green field site.

The Chairman invited Mr Gary Thompson to come forward who was speaking in support of the application.

Mr Thompson thanked members for the opportunity to speak. Referring to PPS1 he stated that the proposal represented an improvement in the access to the property, as the existing laneway exited onto Kempstones Road which was a protected route. He continued that the proposal would alleviate traffic on that protected route. He noted that the main reason for refusal appeared to be because the site was located on a floodplain. However, it was his view that whilst the laneway would cross the floodplain there would be no increase in the height of the road. He then read an extract from DfI Rivers on how flood maps were provided and based on that he stated that in essence floodplain maps were not 100% accurate. He pointed out that the piece of land in question was probably the width of a desk across the floodplain. He presumed that if there was no loss of floodplain then there would be no detriment to the floodplain and therefore no need for a floodplain assessment. He reiterated that the new laneway would be an improvement, particularly as it would remove traffic going onto a protected route and it would also redirect an agricultural road away from a main dual carriageway. As such there would be a reduction in existing road dangers as access would be onto a minor road instead of a dual carriageway. He added that the existing access was still used by agricultural vehicles.

Alderman Girvan asked if Mr Thompson had any documentation recording evidence of flooding. Mr Thompson replied that there was no record of flooding on historical flood maps.

Alderman Girvan asked if a flood risk assessment (FRA) had been carried out and Mr Thompson confirmed that he had contacted three companies that undertook flood risk assessments, however they had not been engaged to date as the case officer did not deem it to be an exceptional case and did not ask for an FRA.

Councillor Cathcart enquired about measures to alleviate flooding and also whether the proposal would improve road safety at that location. In response, Mr Thompson said that the lane provided access to the farm and farm building and that it was historically known that protected routes were deemed not as safe and therefore to reduce traffic onto that one would be an improvement. In respect of flooding, he advised that the surface of the lane would be finished with stone gravel but would not increase the road level and therefore posed no risk to the floodplain.

Responding to further queries from Councillor Cathcart, the Senior Professional and Technical Officer advised that an FRA would be required because it was in a floodplain, however since the proposal did not fall under exceptions one had not been requested. She continued that PPS15 detailed a number of exceptions however the application did not fall under any of them.

Councillor Cathcart asked, if adequate measures were taken and alternative proposals put to planning officers, would they still be minded to refuse. In response, the Senior Professional and Technical Officer advised that Rivers Agency had been consulted and because an acceptable access already existed it was deemed satisfactory under CTY10. She reiterated that planning officers did not deem it to be an exception.

Alderman Girvan was not convinced about the recommendation to refuse, given that there was no history of flooding and it was not in a residential area. She also queried why there had been no FRA and why it would still not be acceptable if drainage was installed. The Senior Professional and Technical Officer highlighted that the area was on a floodplain map, the proposed hardcore surface would alter the existing drainage of surface water and could cause flooding elsewhere. She reiterated that the proposal was contrary to policy in that it did not meet any exceptions.

Councillor McAlpine commented that she was familiar with the area and noted that it did get flooded at times. She asked if it was the belief that, with the proposed lane being on a higher level, it would draw water down faster. The Senior Professional and Technical Officer confirmed that to be the case, combined with putting hardcore where water could normally soakaway and push water to the floodplain.

The Chairman sought to clarify that floodplain areas were identified by Rivers Agency and that based on those maps, planning officers decided as to whether a proposal was an exception or not – the Senior Professional and Technical Officer concurred.

At this stage in the meeting Councillor Cathcart proposed that the matter be deferred to allow a flood risk assessment to be undertaken and that the case be referred to Rivers Agency to assess. He believed that would help the Committee to make a more informed decision.

The Chairman cautioned that before they did that, they needed to determine if this represented an exception to the policy for the Committee to consider.

Councillor Cathcart replied that Mr Thompson had raised the issue of a protected route, and that would be the exception the request for an FRA would be based on.

To provide clarity, the Senior Professional and Technical Officer advised that DfI Roads was content that the current laneway provided acceptable access for both dwellings and that there would only be additional traffic from one dwelling; that did not represent a significant impact on traffic levels and as such it was not necessary to have two lanes. She was unsure therefore how the proposal would meet an exception.

The Chairman expressed concern about raising the expectations of the applicant, that obtaining an FRA would alter the recommendation. He sought a seconder for the proposal.

Alderman Girvan seconded the proposal and stated that whilst ultimately it was the applicant's decision whether or not to seek an FRA, they should be given the option to do so.

In response to a query from Alderman McDowell, the Senior Professional and Technical Officer advised that if approval was given, there would be two access lanes available for use.

On being put to the meeting, with 3 voting FOR, 6 voting AGAINST, 3 ABSTAINING, and 4 ABSENT, the proposal FELL. A recorded vote resulted as follows:

FOR (3)	AGAINST (6)	ABSTAINING (3)	ABSENT (4)
Alderman	Alderman	Aldermen	Alderman
Girvan	McDowell	McIlveen	Keery
Councillors	Councillors	Gibson	Councillors
Cathcart	Adair	Councillor	McClellan
Kennedy	Cooper	Brooks	P Smith
	McAlpine		Thompson
	McKee		
	Walker		

At this stage in the meeting, the Chairman sought an alternative proposal.

Councillor Walker proposed, seconded by Councillor Cooper, that the recommendation be adopted and that planning permission be refused.

On being put to the meeting, with 5 voting FOR, 2 voting AGAINST, 5 ABSTAINING, and 4 ABSENT, the recommendation was declared CARRIED. A recorded vote resulted as follows:

FOR (5)	AGAINST (2)	ABSTAINING (5)	ABSENT (4)
Alderman	Alderman	Aldermen	Alderman
McDowell	Girvan	McIlveen	Keery
Councillors	Councillor	Gibson	Councillors
Cooper	Adair	Councillors	McClellan
McAlpine		Brooks	P Smith
McKee		Cathcart	Thompson
Walker		Kennedy	

RESOLVED, on the proposal of Councillor Walker, seconded by Councillor Cooper, that the recommendation be adopted and that planning permission be refused.

4.2 LA06/2018/0300/F 5 Abbacy Road, Portaferry (Appendix II)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Ards Peninsula

Committee Interest: Call in from the delegated list of 3 June 2019 at request of Ald. Gibson for the following reasons:

- There were no consultations with any statutory consultees. Refusal grounds 5 and 6 are on the basis that the proposal is contrary to PPS 2 yet NIEA have not been consulted and have therefore not objected or assessed the proposal;
- To reconsider whether Policy EXT 1 of Addendum to PPS 7 is met by the application and in the absence of a policy covering this situation whether that means it must be refused. The main issue appears to be the extension of the

curtilage. However, this does not constitute built development and therefore consideration of the proposal is limited to the building under EXT1;

- There are numerous buildings of this size, scale, form and materials located within the existing Area of Outstanding Natural Beauty (AONB) so it would not impact on the AONB, given the area it extends to. I feel that refusal ground 2 needs to be reconsidered;
- This is a replacement of a derelict building placed further back against mature trees providing better integration. This suggests that the proposal will not adversely impact on the rural character of the area; and
- There does not appear to have been consideration of the past and present layout and function of the land and this would be a material consideration.

Proposal: Replacement of existing building with general purpose domestic building for storage of yacht (retrospective) including increase in the domestic curtilage of no.5 Abbacy Road, Portaferry.

Site Location: 5 Abbacy Road, Portaferry

Recommendation: Refusal

The Senior Professional and Technical Officer detailed that the application was for the replacement of an existing building with general purpose domestic building for storage of yacht (retrospective) including increase in the domestic curtilage of no.5 Abbacy Road, Portaferry. The site was accessed off the Abbacy Road through an agricultural gate off a side lane to the north. The site was flat and was bound to north and west by a fence. The eastern boundary was marked with a hedgerow and mature trees. There was a small ruinous building set close to the road within the field. The building which was the subject of the presentation which had already been built was located to the east of the field. The dimensions of the shed were 12.8m x9.15 with a ridge height of 5.15 m. The shed was finished in dark green corrugated sheeting.

The officer then outlined the background for the application. The Council had become aware of the unauthorised building on that site around October 2015 which was now the subject of the proposal. As a result of investigation by the planning enforcement section a retrospective application under LA06/2016/0701/F had been submitted for an agricultural shed for a goat herd and was subsequently refused as the shed was not on land that was part of an agricultural holding. The refusal was not appealed.

A second application, i.e. this application, was submitted by a different agent on the basis that the first application had been applied for in respect of the incorrect use. This subsequent application introduced the fact that the building was intended to be a replacement for an existing building on the applicant's land and also an extension to the domestic curtilage as the agent had been informed that the proposal could not be considered under addendum to PPS7 if the proposal was not actually located within the existing domestic curtilage. She continued that it was important to note that this was a retrospective application and that the building to be replaced was still standing and the building applied for was already built. It was therefore difficult to consider the application as a replacement notwithstanding the fact that there was no policy that allowed for the replacement of an ancillary domestic dwelling. That said the proposed 'replacement' was in a completely different location to the existing and

the dimensions were not like for like. The building to be replaced was also not fully intact.

Referring to the Development Plan, she advised that the Ards and Down Area Plan 2015 was the relevant extant plan. The site was located within the Countryside and the Strangford and Lecale Area of Outstanding Natural Beauty. PPS21 Policy CTY1 stated that there were a range of types of development which were considered acceptable in principle in the countryside. That included the extension to a dwelling house in accordance with APPS7. If a proposal complied with APPS7 it would comply with CTY1.

The officer continued that with regard to the addendum to PPS7 policy EXT1 the proposed building was approximately 60m away from the dwelling it was associated with. Approval would result in a domestic curtilage completely at odds with those rural plots in the immediate area. It failed to meet criteria (a) of policy Ext1 in that the scale, massing design and external materials of the proposal would detract from the appearance and character of the surrounding area. Annex A of Addendum to PPS7 stated that in the countryside ancillary buildings should be designed as part of the overall layout to result in an integrated group of buildings. Paragraph A24 stated that the impact of an extension or alteration on the visual amenity of the countryside, and in particular AONBs, needed to be considered. It warned that through poor design the individual and cumulative effect of extensions and alterations which were disproportionate in size to existing property or which required land outside the established curtilage of property would result in a detrimental change to rural character. Turning back to PPS21 the proposal was contrary to both CTY1 and CTY14 in that there were no overriding reasons why the development was essential in that rural location, and that the building would result in suburban style build up when viewed with existing and approved buildings as it was so far removed from the host dwelling, did not respect traditional pattern of settlement and would create a visually prominent plot size and road frontage. With regard to PPS2 policy NH6 related to Areas of Outstanding Natural Beauty and stated that new development would only be granted where it was of an appropriate design, size and scale.

(Councillor McClean joined the meeting at this stage – 7.37pm)

The proposal was not of an appropriate scale and did not respect the AONB. It was recognised that there were other buildings in the locality of similar scale and design, but those were generally agricultural buildings that had been deemed reasonably necessary for the purposes of agriculture - not for a domestic shed. NIEA was not consulted on the proposal as the ecology report had not been requested (for reasons later explained) and the AONB was a visual test that a professional planner could assess. Criterion C of Policy NH6 stated that the proposal should respect local architectural styles and patterns. As a large domestic outbuilding not visually linked with the host dwelling and not deemed necessary for agricultural purposes, that criterion was not met. The biodiversity checklist had flagged hazards including bats which would require an ecology report however it was not felt it was expedient to ask for that as a refusal was being recommended.

The officer stated that it was important to note that under permitted development (PD) for a domestic building located within an AONB, if the building was situated

more than 20metres away from a host dwelling wall then the building could not be more than 10sq metres. That was in place to protect the integrity and character of the AONB. In the case of this proposal the area covered by the building was in excess of 100sqmetres which was greatly in excess from what was allowed under PD.

She continued that previous planning appeals were notable for this proposal. The Cotter Appeal which was for an agricultural shed and hardstanding under reference 2014/E0033 was relevant to this proposal. The Commission found that the development was not within the curtilage of the host dwelling and therefore could not benefit from PD rights. The fundamental requirement of agricultural PD of land being within an agricultural unit had not been satisfied and even if it were it would have been the applicant's first agricultural building on the unit and therefore would not fall under PD. There were no overriding reasons why the development was essential. Even if the development had been retained for domestic use it would not have complied with Policy EXT 1 in The Addendum to Planning Policy Statement 7 'Residential Extensions and Alterations' in that the scale, mass and design was not sympathetic with the built form and appearance of the host dwelling. It had an industrial appearance. The appeal was dismissed. Also of note was, 2016/A0073 McGuinness Appeal against the refusal of an extension to existing dwelling curtilage and erection of a domestic garage was dismissed. It had also been sited within an AONB and had failed to fully comply with NH6 of PPS2. It had failed to comply with the provisions of APPS7 and therefore did not comply with CTy1 of PPS21. The extension to the curtilage was not sympathetic to the built form of the host dwelling and would detract from the appearance and character of surrounding area.

The officer concluded that the proposal did not comply with the addendum to PPS7 nor did it comply with PPS21. There was no policy provision for the replacement of an outbuilding and if there had been, the location, scale and design of the building would not be appropriate in an AONB and therefore refusal was recommended.

The Chairman invited questions from Members at this stage.

Councillor Adair sought clarity that there were similar agricultural sheds in the vicinity. The Planner agreed that there were but that they were used for agricultural purposes and that the application under discussion was the construction of an outbuilding for the purposes of storing boats which was not classified under agricultural use.

Councillor Brooks referred to the location within an AONB and questioned if many objections to the development had been raised by third parties. The Officer repeated that the permission was being sought retrospectively and there had been no objections recorded. She went on to inform the Member that the area of development was within an AONB and the purpose of the planning system had a duty to protect land, particularly in those designated areas, whether neighbours objected to the development or not.

The Chairman invited Mr Andy Stephens to address the meeting and he was speaking in support of the application.

Mr Stephens thanked Members for the opportunity to speak. He felt that the prominent issue was whether the proposal was acceptable in principle. He considered that the development was within a definite curtilage of the home and it replaced a ruinous building which was also on the site. It was an integrated development on a rural site.

He thought that the development could fall within the outdoor recreation policy within the planning system which permitted ancillary uses in rural areas such as sailing activities. He suggested that the development did not detract from the character of the area and was constructed in rural materials and well set back from the main road. The design itself was not inappropriate in the area and he pointed to the presumption in favour of development.

Councillor Cathcart thought the application was a curious one and asked Mr Stephens to discuss the history of it. Mr Stephens replied that revised assessments were common in planning and he admitted that the original application had been for a shelter for goats but the application currently was for a building to store boats. He explained that the current owners had bought the land in 2015 and that the ruinous structure on the site was classified as a building.

Councillor Walker thought that it was difficult to get an understanding of the application. The original application had failed but the planning system and Members were required to look at what was currently in front of them for consideration. Simply put a structure had been erected without permission and was now seeking permission to continue to be used.

The Chairman sought clarification if the former use of the ruinous site could be taken into consideration. Mr Stephens suggested that the past and current functions could be considered and that the application was for domestic use.

There were no more questions for the speaker and Mr Stephens returned to the public gallery.

The Chairman invited questions from Members at this stage.

Following questions from Alderman Gibson the Planning Officer advised that since it lay within an AONB the construction was at odds with the character of the area. The construction was located 60 metres away from the host dwelling and had an agricultural look. To be a domestic building it would be smaller and closer to the curtilage of the host property. It was considered that its substantial size made it stand out in the area.

Councillor Cathcart wondered if a small cluster already existed in the area and questioned if the ruinous property was demolished would it stand alone. The Planner repeated that the building was 60 metres from the main dwelling so could not be considered as a domestic shed. With reference to the ruinous state of the old building on site the Planning Officer stated that in its current condition it was difficult to distinguish what it had been. She said that abandoned buildings such as that would always need new planning permission for redevelopment.

The Chairman asked what the rationale had been for not using the recreational policy when considering the application and the Planning Officer remarked that the policy had not been applicable to the proposal being discussed. She suggested that if the Planning Committee wished to consider it under recreational use a further application would need to be resubmitted along with further information relating to AONB.

Proposed by Councillor Walker, seconded by Councillor Cooper, that the recommendation be adopted.

On being put to the meeting, with 7 voting FOR, 2 voting AGAINST, 3 ABSTAINING, the recommendation was CARRIED. A recorded vote resulted as follows:

FOR (7)	AGAINST (2)	ABSTAINING (3)	ABSENT (3)
Aldermen	Alderman	Alderman	Alderman
Girvan	Gibson	McIlveen	Keery
McDowell	Councillor	Councillors	Councillors
Councillors	Adair	Cathcart	P Smith
Brooks		McIlveen	Thompson
Cooper			
McAlpine			
McKee			
Walker			

Councillor McClean arrived during the discussion and was unable to vote.

RESOLVED, on the proposal of Councillor Walker, seconded by Councillor Cooper that the recommendation be adopted and that planning permission be refused.

4.3 LA06/2018/1165/F 50 Thornyhill Road, Killinchy (Appendix III)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Comber

Committee Interest: Call in at request of Alderman Girvan

- It has been identified in the Council's Blue/Green Integrated Economic Tourism Strategy that there is a severe shortage of accommodation in the Borough. In particular, the Columban Way, a European Pilgrim Route, is currently being planned for this area. My understanding is that the route will come from Downpatrick to Balloo, Killinchy, Whiterock and on to Nendrum monastic site on Mahee Island. Therefore, the Thornyhill Road is well located to accommodate walkers who are seeking low cost accommodation which in turn will help to boost the local economy.
- Furthermore, whilst there is limited self-catering accommodation in this area, there have been similar conversions on the Ballymorran Road and in other areas of the Borough.

- The Local Development Plan needs to reflect the growing need to provide more accommodation in our Borough if we are to facilitate the anticipated growth in tourists to our area.

Proposal: Conversion and extension of an existing outbuilding to provide tourist accommodation consisting of 1 No. self-catering unit.

Site Location: 20m South of 50 Thornyhill Road, Ballymacreely, Killinchy

Recommendation: Refusal

The Planning Officer indicated that Item 4.3 was an application seeking full planning permission for the conversion and extension of an outbuilding to provide 1 self-catering tourist accommodation unit 20m south of 50 Thornyhill Road, Killinchy. The application had been brought before Planning Committee for consideration following a call-in request from a Committee Member.

Site and Surroundings

The site was located in the open countryside on Thornyhill Road south west of the small settlement of Balloo. It was set back approximately 150m from the road accessed via a private lane. The site was located to the rear of the applicant's dwelling at 50 Thorny Hill Road. It contained two single storey outbuildings and it was the smaller of those located on the southern boundary of the site which was the subject of this application.

The building in question was single storey with a render finish and slate roof. The building was small in size with an internal floorspace area of only 50sqm and had two door openings and three window openings on its front elevation.

Due to its small size and distance from the public road, there were no significant views of the building at all within the locality.

Policy

As the proposal involved the conversion of a building in the countryside for tourist accommodation, the policies within the SPPS, Planning Policy Statement 21: Sustainable Development in the Countryside and Planning Policy Statement 16: Tourism were all applicable.

Paragraph 1.12 of the SPPS addressed potential conflict arising between the SPPS and the retained policies, in that where the SPPS introduced a change of policy direction or provided policy clarification that would be in conflict with the retained policy, the SPPS should be afforded greater weight.

With regard to tourism, the SPPS did not introduce any change in policy direction from PPS16 but stated that in the countryside, Planning Authorities must **carefully** manage tourism development.

Policy TSM 5 of PPS16 dealt with self-catering accommodation in the countryside. It stated that planning approval would be granted for self-catering units in any of three circumstances:

- (a) Where one or more of the units would be located in the grounds of an existing or approved hotel, self-catering complex, guest house or holiday park.
- (b) A cluster of 3 or more new units provided at or close to an existing or approved tourist amenity that was or would be a significant visitor attraction in its own right.
- (c) The restoration of an existing clachan or close through conversion or replacement of existing buildings.

The proposal did not meet any of the three identified circumstances in policy TSM5. The site was not in the grounds of a hotel, guest house or self-catering complex. While the applicant's agent had argued that there was an existing self-catering use on the site, there was no evidence of planning permission having been granted for such a use and in any case the policy referred to an existing self-catering complex rather than a single unit. The proposal did not involve a cluster of 3 or more units and was not close to any tourist amenity that would be a significant visitor attraction in its own right and it did not involve the restoration of a traditional clachan.

Paragraph 7.24 of the justification and amplification text of the policy added that the policy provided for sustainable environmental benefit through focusing self-catering development in existing nodes of tourist activity, thereby avoiding development throughout the countryside.

For single units of self-catering accommodation, paragraph 7.29 of policy TSM 5 directed the reader to PPS21 and ultimately now to paragraph 6.73 of the SPPS as it stated its policies relating to the conversion and reuse of rural buildings may provide an opportunity for small scale single unit self-catering accommodation in the countryside. The proposal therefore fell to be considered under the re-use and conversion policies contained within the SPPS and policy CTY4 of PPS21. Paragraph 6.73 of the SPPS provided policy clarification with regard to the conversion and reuse of existing buildings for non-residential use requiring the existing building to be a 'suitable locally important building of special character or interest' as opposed to just a 'suitable' building as stated under policy CTY4.

Consideration

Whilst 'locally important' was not defined in the SPPS, in recent appeal decisions, the Planning Appeals Commission had considered that it required the building to be of some merit and importance to its local setting making it worthy of retention and to warrant it being of 'special character or interest'.

From a review of Ordnance Survey historical maps, it would appear that the building was constructed some time after 1900 as the first appearance of the building was on a map dating back to the period 1900 -1932. Prior to that, the building was not evident on the historical maps and no evidence had been submitted by the applicant or agent to demonstrate that the building was of any local historic interest or importance. In addition, the building did not display any special character or architectural features which would be worthy of retention nor was it of any particular importance in terms of vernacular features. The building also had a lack of visual

significance given its small size and distance from the public road and therefore failed to make any contribution to its local setting. It was therefore not considered that the building in question would constitute a 'locally important building'. In terms of its general suitability for conversion and re-use, the building was of a considerable age and no structural survey or other evidence accompanied the application to demonstrate that the building was structurally suitable for adaptation.

In correspondence with the Planning Department, the applicant's agent had argued that the proposal would provide much needed tourist accommodation for the Borough and in that regard had made reference to the Council's Integrated Strategy for Tourism, Regeneration and Economic Development. However, that strategy sought to support a balanced approach to tourism development which took account of environmental considerations to ensure economic development was appropriate in its context. Both the Council and the planning policies promoted the principle of harnessing existing assets, including natural and built heritage however the building in question was not an important asset nor was it associated with any significant tourist amenity or visitor attraction. Approval of the proposal would set a detrimental precedent for similar sporadic and piecemeal developments for tourist accommodation in rural locations away from tourism assets.

That was not in line with the approach for sustainable tourism development outlined in both the SPPS and policy TSM 5 which supported focusing self-catering development around existing nodes of tourist activity, thereby avoiding sporadic development throughout the countryside.

In summary, it was not considered that the argument that the proposal would contribute to the provision of tourist accommodation in the Borough would justify setting aside the determining planning policy objections to the proposal. It was therefore on that basis that the refusal of full planning permission was recommended.

Alderman Girvan declared that she had absolutely no personal interest in the application but rather it had struck her that the integrated strategy for tourism had suggested a definite shortage and so she questioned why the application was being refused. She referred to the area as prime for further development of tourism with walking, sailing and Christian heritage centres close by and there was a strong need for low cost accommodation.

The Planning Officer stated that there was a difficulty with such applications because if one was passed for tourism a precedent would be set for the whole Borough and development could become a free for all. The role of the Planning Department was to protect the countryside and it considered that tourism development in clusters close to significant visitor attractions was more sustainable as espoused in the regional policy.

Alderman Girvan asked if all of the criteria needed to be met to allow for development but the Planning Officer stated that the development did not fall into the definition of a traditional clachan. The Member felt that the design of the proposal was appropriate and was a sympathetic conversation providing accommodation for a need which existed.

The Planning Officer stressed that development must be of a locally important building (in line with regional policy), Policy CTY 4 that the Member referred to had been superseded by the SPPS and that Policy TSM5 also directed them to PPS 21. It was up to the development of the Development Plan to identify where appropriate sites should be located.

Alderman Gibson shared many of Alderman Girvan's views on the application and remarked that the property was old and significant and argued that it was close to Whiterock and other tourist areas.

The Planning Officer insisted that the area in question was located in a very attractive and environmentally sensitive area; however, it was the responsibility of the planning system not to set a dangerous precedent to allow a free for all situation.

Councillor McClean asked for advice on why protections that existed in the countryside were not so evident in more urban areas when it appeared that a more piecemeal approach was taken to planning. The Planning Officer maintained that they were two completely different policy contexts and in urban areas there existed a presumption in favour of development and that was not the case in the countryside.

Councillor Cooper asked for a classification of what a locally important building was. The Planner informed him that that was not defined but was often tested at planning appeal. She considered that the age of a building, its historical significance in an area and visual prominence of such an historic building would make up that definition however each application was considered on its own merits. Councillor Cooper went on to mention nearby tourist attractions such as Castle Espie and remarked that there were other accommodations such as Air BNB and self-catering in the area but the Planning Officer stated that those would have no bearing on the application.

Councillor McAlpine asked if the application had been for 3 or 4 units rather than just one would it have met the criteria. The Planning Officer outlined three circumstances which should be met in those applications.

The Chairman invited Mr Gary Thompson, (G T Design) to come forward who was speaking for the application. He explained that the proposal was an annex to an established Air BNB and lay within the confines of an open farmyard. The proposal facilitated the re use of rural buildings and he did not consider that they should be confined to buildings of local importance. He stressed that Ards and North Down Borough Council stated that it supported the development of tourism in helping to sustain the local economy where excellent growth possibilities existed. There was an absence of appropriate accommodation and the proposal was much needed in the area. It was located far from the road and had a rural feel and seemed to comply with all the policies laid down for a clachan. He considered that the development was appropriate in its nature and scale and was a balanced development in safeguarding the surrounding area.

The Chairman invited questions from members at this stage. Alderman Girvan pointed out that the development was for an existing old farmhouse. The development would be farm diversification and there was established

accommodation provision on the site and she considered the extension to be complementary to that. There was heavy demand for accommodation which was not being met.

Alderman Gibson was in agreement with many of Alderman Girvan's comments and he felt that SPPS appeared to be in conflict and there was greater leniency shown for tourism than for a private development. Councillor Cathcart agreed with that and referred to the policy relating to the re use of rural buildings whether they were of local importance or not and he asked for clarification. He questioned that if the proposal was hidden from public view what harm was it doing and therefore it should be permitted.

The Chairman queried the map which was submitted showed a number of units and dwellings which together could be considered a clachan.

In response to those comments the Planning Officer stated that SPPS and tourism policy did not supersede other planning policy however PPS16 of the tourism policy was held to have a higher weight. She went on to stress that the site was in the countryside and there was a presumption against development in the countryside and the Planning Department needed to take a sustainable approach. As already stated the grouping did not fall into the definition of a clachan.

Alderman McDowell explained that he fully supported tourism development and hoped that the Applicant had been in touch with the Council's tourism team for assistance.

The Chairman said that only matters relating to planning could be discussed and it was important that elected members informed the tourism development strategy.

Referring to SPPS the Head of Planning stated that it superseded Policy CTY 4 on conversions as already stated numerous times by the Officer and as detailed in the Case Officer Report. In respect of Tourism the policy was currently restrictive and could be addressed through the forthcoming Local Development Plan. Indeed work was ongoing through liaison with colleagues in the Tourism Service Unit in respect of an accommodation audit which would help inform policy within the local development plan. A high demand for accommodation should not contribute to sporadic development throughout the countryside and if the application was passed it would set an unwelcome precedent in the borough in respect of allowing every outbuilding to be converted to tourism accommodation.

Councillor Cooper asked what affect the scoping would have on applications such as the current one and would it change the balance of weight.

The Head of Planning concluded by saying that LDP gave a chance to review regional policy in respect of tourist development throughout the countryside and review areas where it would be considered appropriate.

RECESS at 9 pm

RECOMMENCEMENT OF MEETING 9.15 pm

Councillor Walker thought that this was a difficult planning policy which did not appear to help the application, but he was sympathetic towards this type of development in the future and recognised that further thought needed to be given to tourist accommodation within the Borough.

Proposed by Councillor Walker, seconded by Councillor McKee, that the recommendation be adopted and the application be refused.

On being put to the meeting, with 9 voting FOR, 3 voting AGAINST, 1 ABSTAINING, the recommendation was declared CARRIED. A recorded vote resulted as follows:

FOR (9)	AGAINST (3)	ABSTAINING (1)	ABSENT (3)
Alderman	Aldermen	Alderman	Alderman
McDowell	Gibson	McIlveen	Keery
Councillors	Girvan		Councillors
Brooks	Councillor		P Smith
Cathcart	Adair		Thompson
Cooper			
Kennedy			
McAlpine			
McClellan			
McKee			
Walker			

RESOLVED, on the proposal of Councillor Walker, seconded by Councillor McKee, that the recommendation be adopted and that planning permission be refused.

4.4. ITEM WITHDRAWN

Members were advised this item was withdrawn prior to the meeting.

NOTED.

4.5. LA06/2019/0198/F – 131-133 Main Street, Bangor (Appendix IV)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor Central

Committee Interest: A local development application which is a departure from the Development Plan and which is recommended for approval.

Proposal: Change of Use of retail unit to Wellness Centre.

Site Location: Nos. 131-133 Main Street, Bangor

Recommendation: Approval

The Planning Officer outlined that Item 4.5 was an application seeking full planning permission for a change of use from a retail unit to a wellness centre at 131-133 Main Street, Bangor. The application had been brought before Planning Committee

for consideration as it had been recommended for approval and involved a departure from the development plan.

Site and Surroundings

The site was located in Bangor town centre within the Primary Retail Core and Primary Retail Frontage as designated in Draft BMAP. The site was also within the Town Centre and Shopping Core policy zones as designated in the extant North Down and Ards Area Plan. The unit was currently vacant however it was last occupied by *Baillies* clothing retailer up until around March of this year when it consolidated its business into its remaining unit on High Street. The area of Main Street surrounding the site generally had a good level of occupancy with numerous other retail and service uses including Menarys and its associated retail units, Asda, Boots and other smaller retailers and businesses.

Policy

In terms of the development plan policy requirements, paragraph 17.42 of the North Down and Ards Area Plan stated that there would generally be a presumption against non-retail uses at ground floor level on Main Street.

In Draft BMAP, policy R2 was relevant for proposals such as this one which were located within the Primary Retail Frontage of the town centre. This policy also stated that planning permission would not be granted for non-retail uses at ground floor level within the Primary Retail Frontage in order to retain the focus of retail uses and ensure the maintenance of a compact shopping environment.

While BMAP had reverted to draft stage following the decision of the Court of Appeal in May 2017 to quash the adopted plan, the recommendations of the PAC accepted by the Department in its adoption statement following the public inquiry for Draft BMAP remained a material consideration.

Following the Public Inquiry, the PAC recommended that policies R1 and R2 of the draft plan should be replaced by a single policy which was then carried through to the adopted plan. That policy stated that 'Non retail development would be restricted in designated Primary Retail Cores (and Primary Retail Frontages) so that no more than 25% of the frontage of the shopping street to which it related was in non-retail use and no more than 3 adjacent units were in non-retail use.' The proposal would comply with that policy if considered in the context of the immediate Primary Retail Frontage along this southern section of Main Street which still had a significant number of retail uses.

In comparison to BMAP, the SPPS introduced a shift in policy direction in relation to retailing and town centres as it promoted town centres as the appropriate first choice location not only for retailing but also for other complementary functions and main town centre uses, acknowledging that there was a need to protect and enhance diversity in the range of town centre uses. Paragraph 6.281 of the SPPS required that applications for main town centre uses should be considered in a sequential order of preference with the primary retail core being the first preference. The proposed wellness centre would offer a combination of leisure and health services which were both considered to be main town centre uses as defined in the SPPS,

therefore being located within the Primary Retail Core of the town centre, the proposal would comply with the sequential approach.

Consideration

Planning permission was previously granted for a non-retail use on the application site in 2011 under Draft BMAP, which was a material consideration given that Draft BMAP was still applicable. The previous application was considered to be acceptable as the loss of ground floor retail floorspace of approximately 160sqm was not considered to be significant in the context of the Primary Retail Core or Frontage. It was also considered that the change of use would not lead to a clustering of non-retail uses given that the immediate area would remain substantially in retail use.

The uses in the immediate area of the site had remained unchanged on the whole with retail continuing to be the predominant use. The centre would provide four consultation rooms at ground floor and a studio at first floor for activities such as pilates and yoga. It was anticipated that the centre would be open until 9pm in the evening. The proposed use and extended opening hours would be in line with the aims of the recently published Preferred Options Paper for the Borough's Development Plan, which promoted town centres operating not only as the commercial heart of a town, but also as the focus for service, entertainment, leisure, cultural and civic activities. The Paper highlights that those other town centre uses were playing an increasingly important complementary role to traditional retail uses as they enabled activity levels to be sustained at different times of the day.

It was therefore considered that the new use would promote and enhance the diversity and range of functions within the town centre of Bangor as well as attracting additional footfall. The proposal would facilitate the occupation of a vacant unit which the agent advised has been marketed extensively with no interest whatsoever from any long-term retail tenants. With Bangor town centre currently experiencing a high level of vacancy of approximately 23% when compared to the Northern Ireland average of 14%, it was considered to be more advantageous to have a complimentary use such as a wellness centre occupying the vacant unit than for it to remain disused. Furthermore, the agent had advised that the project would represent a significant investment into the area involving a £50,000 refurbishment and the creation of 10 jobs.

In summary, while it was acknowledged that the proposal did not fully comply with the retail policies set out in the extant North Down and Ards Area Plan and Draft BMAP in respect of the Primary Retail Frontage, it was considered that the benefits of the proposal, combined with the planning history of the site and the more flexible approach of the SPPS in respect of town centre uses would outweigh the plan policies in that instance. It was therefore on that basis that approval of full planning permission be recommended.

Councillor McClean sought clarity on why the proposal was not considered to be retail when it was a for-profit venture.

In response, the Senior Professional and Technical Officer advised that retail was considered as Class A1 and encompassed trades such as the Post Office, travel

agents and sellers of goods in respect of the Planning Use Classes Order. She continued that the proposal was 'sui generis' i.e. in a class of its own; it fell under the definition of a main town centre use.

The Chairman invited Ms Diana Thompson and Mr Andrew Heley to come forward who were speaking in support of the application.

Ms Thompson thanked members for the opportunity to speak. She also thanked the case officer for her approach in handling the application. She supported the assessment that it was more advantageous to have the unit occupied than lying empty and un-used. She noted that no objections had been raised to the proposal. Referring to the economic impact of the proposal, she highlighted that it represented an investment of around £250k, would create ten jobs and would make around an £18k contribution to the Council's rateable base.

The Chairman invited questions from members at this stage. There were no questions for the speaker and Ms Thompson and Mr Heley returned to the public gallery.

It was then proposed by Councillor Cathcart, seconded by Councillor McClean, that the recommendation be adopted.

Councillor Cathcart welcomed the investment in the town centre and wished the business every success.

UNANIMOUSLY RESOLVED, on the proposal of Councillor Cathcart, seconded by Councillor McClean, that the recommendation be adopted and that planning permission be granted.

(Having declared an interest in Item 4.6, Councillor McAlpine left the meeting at this stage – 9.30pm)

4.6. LA06/2017/0829/F – Site to the East of amenity site at Moss Road and opposite 1-5 Moss Road, Millisle
(Appendix V)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Ards Peninsula

Committee Interest: Six or more separate individual objections contrary to Officer's Recommendation

Proposal: Proposed two retail units, petrol forecourt and associated parking and accesses

Site Location: Site to the East of amenity site at Moss Road and opposite 1-5 Moss Road, Millisle

Recommendation: Approval

The Principal Planning and Technical Officer detailed that the application site was located on the northern side of the Moss Road in Millisle. It was located between Millisle Recycling Centre to the west and a large car park to the east. Residential

properties were located opposite the site to the south with a watercourse and agricultural land to the north and she reminded members that a major housing development of 158 houses had been granted reserved matters planning approval on that agricultural land at the previous month's committee.

She continued that the application site was located at an accessible location 50 metres east of the junction of Moss Road and Main Street in Millisle. The application site was located within the settlement limits and was shown as whiteland in the Ards and Down Development Plan. Millisle did not have a designated village centre but it was noted within the Plan that the village possessed a range of facilities.

She noted that the proposal was for the relocation of the existing Spar shop in the Main Street to facilitate its relocation and incorporation with a petrol filling station of which there currently was none in Millisle and an additional unit of 70 square metres of retailing space. As the proposal was under 1000, square metres, in retailing terms that was not considered to be a major proposal and its scale was more appropriate and proportionate to the village of Millisle. Policies and proposals for shops in villages and small settlements had to be consistent with the aim, objectives and policy approach for town centres and retailing set out in the SPPS, meet local need, and be of a scale, nature and design appropriate to the character of the settlement.

The Planning Department had referred the application to an independent retailing advisor in order to assess if there would be a negative effect of the vitality and viability of the main street in Millisle if the proposal was to be granted permission. If this had been a completely new retailing proposal it was acknowledged that there may have been a negative impact on the village but as it was a relocation of an existing business and also the fact that the proposal was only 50 metres from the Main Street it could not be considered that there would be a negative impact on the Main street. Adopting that approach, it was therefore accepted that the Spar store in Millisle already had a market share of retail trade in the area which would not be lost from Millisle if the business was to relocate only 50 metres away from the Main Street. Although not required for village proposals an assessment was carried out to explore alternative sites within Millisle and it was found that this was the only location in Millisle that could accommodate the proposal. Case law relating to sequential tests made it clear that alternative sites should be sought for the development as proposed and not whether the proposed development could be altered or reduced so that it could be made to fit an alternative site. It was accepted that the proposed retailing would be the main use on the site, but for the purposes of exploring alternative sites, the ability to incorporate a petrol filling station had been examined.

The officer continued, that direct and indirect retail impacts had been examined within the retail evaluation. The direct impact on shops that sold similar convenience goods was balanced against the fact that they already competed with the existing Spar store and there were already established trading patterns. Indirect retail impact as a result of a loss of footfall on Main Street was examined in the context of existing vacancy. It was accepted that footfall would decrease as a result of relocation of the Spar store to the application site, but it was considered that this would not necessarily markedly affect the other businesses. The retail evaluation concluded that, on balance, the proposal could be considered acceptable from the perspective of retail planning.

She further stated that it was acknowledged that there was a shortfall of 8 car parking spaces in the proposed car park, however on balance that was deemed to be acceptable as one could not ignore the fact that there was a large car park directly adjacent to the proposal that could accommodate 94 car parking spaces. Also, the proposal was in close proximity to residential properties including the site to the north recently granted planning permission for 158 dwellings, all within walking distance of the site. The provision of car parking at the site would ensure that there were no lorries off-loading stock in the street which was currently the case with the existing spar shop in the Main Street which contributed to traffic congestion in the village and took up streetcar parking.

The officer advised that the case officer had assessed relevant policies and the proposal was compliant. The case officer had extensively consulted with relevant bodies and no objections had been received subject to certain conditions being added.

She reported that the proposed development represented a £2.5 million investment which would deliver a modern convenience retail facility to serve the village of Millisle and the surrounding rural hinterland. The proposed development would support in the region of 40-45 jobs in a range of full and part time positions. With the expansion of the population in Millisle due to recent housing developments the proposal represented a complimentary investment in retail provision in the area.

In concluding, she advised that all material planning considerations had been assessed fully and comments from consultees and representations from members of the public had been considered. It was the professional planning judgement that the proposal complied with prevailing policy and guidance and grant of planning permission was recommended.

The Chairman invited Mr David Mounstephen, Mr William Adams and Mr Jason Bosket to come forward who were speaking in support of the application.

Mr Mounstephen thanked members for the opportunity to speak. He stated that the proposal was for the relocation of an existing retail unit to a currently disused site in Millisle. The proposal represented expansion of the current business and an investment of around £2.5 million. He noted that the proposal would provide the people of Millisle with two retail units and a petrol forecourt where local people could shop and get fuel. He highlighted that the proposed site was currently a brownfield site in great need of redevelopment. Furthermore, he advised that the population in Millisle had seen significant growth in recent times but there had not been significant investment. He referred to the recent approval for a further 158 dwellings in the area which would increase the population further. He advised that the proposal would create around 40-45 jobs and that the Henderson family who owned the existing Spar in Millisle were a local family who had already invested in the community and played an active role in supporting local life.

In concluding, Mr Mounstephen advised that the proposal represented a contribution of around £35k to the rateable base of the Council. He advised that the application had been subject to a two year assessment process to get to this stage, including no

objections being raised by statutory consultees. The proposal had also been reviewed by an independent retail assessor who had also raised no objections. He fully supported the recommendation.

The Chairman invited questions from members at this stage. There were no questions for the speakers and they returned to the public gallery.

In response to a query from Councillor McClean, the Principal Planning and Technical Officer advised that an objector had employed Gravis Planning who had submitted an objection on his behalf and he had also approached local politicians about the proposal. The objection was withdrawn following an independent retail evaluation of the proposed development.

Referring to the impact on the existing high street, Councillor McClean queried whether the proposal would have a negative impact on existing traders.

The Principal Planning and Technical Officer advised that the planning system did not exist to promote or go against competition; that was subject to market conditions. She further advised that retail planning was a complex matter and as such the Council had sought advice from an independent retail consultant, who had undertaken an evaluation of the proposal. She further advised that if a whole new development was being proposed it could potentially have a negative impact on the high street, however there was already some trade going to the existing Spar and other trade was leaking to Carrowdore and Donaghadee. The proposal sought to capture that trade and keep it in the village and would be located within walking distance of the high street.

Councillor McClean asked if the officer was aware of instances when the consultation's report advised that a proposal would have a negative impact on a village.

In response, the Principal Planning and Technical Officer advised that in her experience it was substantial proposals, such as large supermarkets, that would have a greater impact on the high street. She further advised that the applicant in this case was not required to submit additional information, however had been willing to work with the Planning office and supply the information it requested. She added that the site was ripe for development and would regenerate the area.

It was then proposed by Councillor Adair, seconded by Councillor Cooper, that the recommendation be adopted.

Welcoming the report, Councillor Adair stated that the site was currently a magnet for anti-social behaviour and was also unsightly and he welcomed the revitalisation and regeneration of that part of Millisle. He noted that the proposal had local support, particularly as not every village on the Peninsula had a petrol station, and so it would serve to alleviate some problems and address the concerns of the residents of Millisle. He welcomed that it would bring jobs and services to the village.

As seconder Councillor Cooper also welcomed the proposal and the great asset it would be to the village, including the much-needed development of an unsightly area of land. He continued, that on the back of the approved new housing it would be a great investment and would also increase the economy in Millisle. He wished the venture well.

UNANIMOUSLY RESOLVED, on the proposal of Councillor Adair, seconded by Councillor Cooper, that the recommendation be adopted and that planning permission be granted.

(Councillor McAlpine returned to the meeting)

4.7. LA06/2018/1405/F – 19 Strathearn Park, Bangor
(Appendix VI)

PREVIOUSLY CIRCULATED:- Case Officer's Report.

DEA: Bangor West

Committee Interest: Application with six or more objections contrary to officer representation

Proposal: Two storey side extension and roof space conversion

Site Location: 19 Strathearn Park, Bangor

Recommendation: Approval

The Principal Planning and Technical Officer advised that the application was seeking approval for a 2 storey side extension and roofspace conversion at number 19 Strathearn Park, Bangor. The site consisted of a semi-detached two storey dwelling finished in red brick. The dwelling had a garden to the front and to the rear with a driveway along the west side leading to a detached garage with pitched roof. There were dwellings bounding the site to the east, west and south. The area was residential in nature with a mix of house types surrounding the local area. There were no designations on the site. As the site lay within a development limit, there was a presumption in favour of development unless there was demonstrable harm. In addition to that, as the proposal was residential and was set within residential surroundings it was considered acceptable providing certain criteria in relevant policies were satisfied.

She continued that during the processing of the application consultation had been carried out with NI Water who had expressed no conditions to the proposal. Considering the content of some objections regarding flooding the case officer had contacted Rivers Agency who had confirmed that there was no record of the site in relation to surface water flooding. A biodiversity checklist had been submitted with the application and no hazards had been identified.

Referring to the proposal, she advised that the extension was to be located on the western elevation of the dwelling and would have a pitched roof and be 2.6m wide, 5m long and 7.8m high. The extension was to be constructed in red brick and roof tiles matching the existing dwelling. She noted that the proposed development originally submitted included a single storey rear extension and the two storey side extension was to be flush with the front façade of the host dwelling. As the

proposed single storey rear return broke the light test to an unreasonable degree that was removed from the proposal. In addition, the side extension was set down from the ridge and set back from the front of the main dwelling. The proposed development was subordinate to the host dwelling and was not considered to be visually prominent within the streetscape as it would be finished in materials matching those of the host dwelling and the surrounding dwellings within the street. The scale of the extension was in proportion with the property, and the roof design and pitch were all in keeping with the character of the area. It was the professional planning opinion that the proposed extension had been designed sympathetically to the host dwelling and to the neighbouring properties within the street. The design of the extension would not detract from the streetscape and the extension would be constructed in materials matching the host dwelling. The proposal did not affect the privacy or amenity of neighbouring residents. Three dwellings directly bounded the site, no.21 Strathearn Park to the west, no.17 Strathearn Park to the east and no. 16 Rathmore Crescent to the south. The windows to the west elevation were to be conditioned as obscured glazing. No.21 had an external door at ground floor level and a landing window at first floor level with obscured glazing, which would face directly towards the proposed extension. As the windows had obscured glazing and there was no outlook from them, this did not conflict with the policy. As the extension was now only on the western elevation there would be no impact on number 17. The proposed two-storey extension would be over 20m from the shared boundary with no.16 Rathmore Crescent and that was considered acceptable.

The Principal Planning and Technical Officer advised that objections had been received in relation to the proposal. All material concerns raised for example covered areas such as Overshadowing, Dominance, Parking, Character of the area, Flooding and amenity space. Disruption during construction was also raised but that was not a material planning consideration as with any building work a temporary period of disruption was to be expected. All material objections raised had been assessed and had been detailed in the COR.

In concluding, the Principal Planning and Technical Officer advised that all the material considerations such as the development plan, policies and comments from consultees and third parties had been assessed and the recommendation was to grant planning permission.

The Chairman invited questions from members at this stage.

In response to a query from Alderman McDowell about access to the garage, the Principal Planning and Technical Officer advised that there were currently no plans to demolish the garage. She clarified that there would still be ample space within the curtilage of the property to park two cars.

Councillor McAlpine referred to the shared boundary and queried the fire safety implications of building across the current rear access. The Principal Planning and Technical Officer acknowledged that the extension would be built across the current driveway, however she noted that there were many instances when there was no access down the side of a property.

At this stage the Chairman invited Mr James Cooper to come forward who was speaking in opposition to the application.

Mr Cooper thanked members for the opportunity to speak and he stated that he lived with his wife at no.21 Strathearn Park, which was directly bounded to the application site. He noted that he had studied the case officer's report and he disagreed with some of the comments within, specifically in respect to flooding, dominance and disruption during construction. With respect to flooding, he stated that the problem was localised as the ground water came from an underground spring and was not surface water. Currently the spring ran under the foundations of the house at no.19 and under the back garden of no.21. Mr Cooper was concerned that the introduction of new foundations in the neighbouring driveway would cause the spring to divert and to go under the foundations of his property, which sat lower than the house at no.19. He advised that he had consulted with two geologists who had both agreed with his assessment of the situation. One of the geologists had suggested mitigating measures to be implemented, however Mr Cooper was not confident that such measures would be implemented.

Mr Cooper then referred to the matter of dominance. He was concerned that the extension close to his property would lead to darkness in his property and would create a feeling of being hemmed in, not just inside the house but every time they used their driveway.

Referring then to construction disruption, Mr Cooper believed that his health concerns and those of his wife had been trivialised and not given due consideration. He explained that he suffered with a chronic dermatological condition and attended hospital regularly for treatment and to help manage his condition, which was exacerbated by dust. He also detailed that his wife suffered with a heart condition and that both of them needed to live in a clean environment for the sake of their health.

The Chairman invited questions from members at this stage.

Councillor Cooper sought clarity on whether there had been any liaison with statutory agencies in respect of flooding concerns and Mr Cooper confirmed that the residents at no.23 had undertaken that, however those agencies had distanced themselves from any issues to do with spring water.

Councillor Cooper asked if there was any clear evidence to suggest the potential for flooding could be exacerbated and whether there was physical evidence of the location of the spring. In response, Mr Cooper said that the spring started outside no.17 and flowed diagonally through the foundations of no.19 and across the driveways of no's 19 and 21. He reiterated his concern that the new foundations could divert the flow of water to under his house.

There were no more questions for the speaker and Mr Cooper returned to the public gallery.

Councillor Cooper asked the officer to comment if there was any evidence to suggest that the new foundations would result in the spring being diverted and increase flooding.

In response, the Principal Planning and Technical Officer advised that Council officers had initially consulted with NI Water who had returned a response of no objection. It was only due to the objections to the application that officers had gone back to NI Water for further consultation. She continued that Rivers Agency was not normally a consultee for domestic extensions; however, officers did consult them in this instance and they advised that they had no record of flooding in that area. She further advised that it would be the responsibility of the developer to ensure there were no issues with flooding and she reiterated that there was no evidence to suggest flooding would occur. She added that permitted development was allowed in that locality for residential development that required foundations.

Councillor McClean asked about NI Water's view on the spring and the Principal Planning and Technical Officer advised that NI Water had looked at the drainage pipes and had raised no objections and she pointed out that it was quite common to find springs under houses.

In response to a further query from Councillor McClean, the Principal Planning and Technical Officer advised that if spring disruption came to light, it would be down to the developer to address it. She noted that builders usually had indemnity insurance and any issues down the line would be a civil matter; the Planning Committee would have no liability.

Referring to the issue of dominance, Alderman Girvan asked if officers were satisfied that the extension would not block out light or raise issues of privacy at the neighbouring property.

The Principal Planning and Technical Officer responded that the proposal had already been amended to address those concerns, as the initial proposal had failed the light test; also the height of the extension had been reduced and would be set back from the existing property. She noted that the existing outlook from the neighbouring property was a brick wall and the three new windows on the extension were conditioned to be obscured in perpetuity.

Alderman McDowell expressed concern that the proposal was not in keeping with the area, especially as a large extension already existed at the rear of the property. He queried whether PPS7 was relevant in that case. He also expressed concern that the spring could be disrupted and cause problems for the neighbours. He sought further information about the responses from Rivers Agency and NI Water.

In response, the Principal Planning and Technical Officer stressed that people could not just build what they wanted to, hence why the first proposal had not been approved. She also pointed out that there were other examples in the area of side extensions to dwellings and that proposals would be approved if they were policy compliant and fulfilled planning criteria.

Proposed by Councillor Cathcart, seconded by Alderman Gibson, that the recommendation be adopted.

On being put to the meeting, with 6 voting FOR, 3 voting AGAINST, 4 ABSTAINING and 3 ABSENT, the recommendation was declared CARRIED. A recorded vote resulted as follows:

FOR (6)	AGAINST (3)	ABSTAINING (4)	ABSENT (3)
Alderman	Alderman	Aldermen	Alderman
Gibson	McDowell	Girvan	Keery
Councillors	Councillors	McIlveen	Councillors
Adair	Brooks	Councillors	P Smith
Cathcart	McClellan	Kennedy	Thompson
Cooper		McKee	
McAlpine			
Walker			

RESOLVED, on the proposal of Councillor Cathcart, seconded by Alderman Gibson, that the recommendation be adopted and that planning permission be granted.

4.8. LA06/2019/0121/F – Lands between 12 and 35 Queen’s Parade, Bangor
(Appendix VII)

PREVIOUSLY CIRCULATED:- Case Officer’s Report.

DEA: Bangor Central

Committee Interest: Council application

Proposal: Variation of Condition 1 of Planning Approval LA06/2018/0137/F (Extend Temporary Permission of 6 no. Urban Art Pods from “The development, hereby permitted shall be removed and the land restored to its former condition on or before 24 April 2019” to “The development, hereby permitted, shall be removed and the land restored to its former condition on or before 24 April 2021.”)

Site Location: Lands between 12 and 35 Queen’s Parade, Bangor

Recommendation: Approval

The Principal Planning and Technical Officer outlined that this was an application to amend a previous condition of the temporary approval by a further two years. It was a retrospective application and the condition would extend the time period until 21 April 2021. The proposal had been submitted for the amendment of the condition to enable the continuation of the highly popular and successful use on the site. Grant of planning permission was recommended.

The Director advised that the extension did not have any implications in respect of the Queen’s Parade development and was being undertaken as a matter of good practice.

Proposed by Councillor Cathcart, seconded by Councillor McClellan, that the recommendation be adopted.

UNANIMOUSLY RESOLVED, on the proposal of Councillor Cathcart, seconded by Councillor McClean, that the recommendation be adopted and that planning permission be granted.

(Councillor Adair left the meeting at 10.15 pm)

4.9. LA06/2019/0122/F – Lands between 12 and 35 Queen’s Parade, Bangor
(Appendix VIII)

PREVIOUSLY CIRCULATED:- Case Officer’s Report.

DEA: Bangor Central

Committee Interest: Council application

Proposal: Variation of Condition 1 of Planning Approval LA06/2016/0885/F (Extend Temporary Permission for an Aluminium Framed Temporary Structure with PVC Roof to be erected over an event space at the centre of Project 24, a public space used for community engagement through art) from “The permission hereby granted shall be for a limited period of 5 years only and shall expire on or before 30 June 2019” to “The permission hereby granted shall be for a limited period of 2 years only and the structure hereby approved shall be removed from the site on or before 30 June 2021.

Site Location: Lands between 12 and 35 Queen’s Parade, Bangor

Recommendation: Approval

The Principal Planning and Technical Officer advised that this was an application to amend a previous condition of the temporary approval by a further two years. It was a retrospective application and the condition would extend the time period until 30 June 2021. The proposal had been submitted for the amendment of the condition to enable the continuation of the highly popular and successful use on the site. Grant of planning permission was recommended.

The Director advised that the extension did not have any implications in respect of the Queen’s Parade development and was being undertaken as a matter of good practice.

Proposed by Councillor Cathcart, seconded by Councillor McClean, that the recommendation be adopted.

UNANIMOUSLY RESOLVED, on the proposal of Councillor Cathcart, seconded by Councillor McClean, that the recommendation be adopted and that planning permission be granted.

5. UPDATE ON PLANNING APPEALS

PREVIOUSLY CIRCULATED:- Report dated 19 June 2019 from the Director of Regeneration, Development and Planning providing an update on the above.

Decisions

The following appeal had been dismissed on 9 April 2019.

Appeal reference:	2018/A02015
Application Reference:	LA06/2018/1036/A
Appeal by:	Mr Chris Mullan
Subject of Appeal:	Retrospective application for a roofscape sign
Location:	278 Seacliff Road, Bangor

The Council had refused this decision on 23 October 2018 for the following reasons:

- i. The proposal was contrary to Policy AD 1 of PPS 17: Control of Outdoor Advertisements in that it would fail to respect amenity when assessed in the context of the general characteristics of the locality by reason of the size, scale and location of the sign which would appear over-dominant in relation to the host building;
- ii. The proposal was contrary to Policy ATC 3 of the Addendum to Planning Policy Statement 6, Areas of Townscape Character, in that it would if permitted fail to maintain the overall appearance of the area by reason of its size, scale and location. The signage would if permitted detract from and fail to respect the appearance of the area.

The Commissioner had considered the signage on the roof of the former dwelling, now a guest house and café, to be prominent and visible over both immediate and long distance views, appearing incongruous and detrimental to the visual amenity and character of the existing building and surrounding area. Furthermore, the appeal signage would fail to maintain the overall character and appearance of the proposed ATC as a whole. Both reasons for refusal were sustained and the appeal was dismissed.

The Council would proceed to ensure removal of the sign.

2. The following appeal had been dismissed on 17 June 2019.

Appeal reference:	2018/A0166
Application Reference:	LA06/2017/4116/O
Appeal by:	Mr Ray Jackson
Subject of Appeal:	Site for two dwellings and garages
Location:	Land between No. 59 Thornyhill Road and No. 44 Ballymacashen Road, Killinchy

The Council had refused this decision on 17 August 2018 for the following reasons:

- i. The proposal was contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there were no overriding reasons why that development was essential in the rural location and could not be located within a settlement.
- ii. The proposal was contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 of Planning Policy Statement 21,

Sustainable Development in the Countryside in that the proposal did not constitute a small gap sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage, and would, if permitted, result in the creation of ribbon development along the Ballymacashen Road.

- iii. The proposal was contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwellings would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings and create a ribbon of development which would therefore result in a detrimental change to further erode the rural character of the countryside.
- iv. The proposal was contrary to The Strategic Planning Policy Statement for Northern Ireland CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacked long established natural boundaries and was unable to provide a suitable degree of enclosure for the building to integrate into the landscape and as a result would not visually integrate into the surrounding landscape.

The Commissioner had sustained the Council's first, second and fourth reasons for refusal; however, in respect of the third reason he considered the remaining vegetation could be augmented and the landform backdrop would be sufficient to allow two sensitively sited dwellings of low elevation to appear suitably integrated into the surrounding landscape.

Given that the other reasons had been sustained, the appeal was dismissed.

New Appeals Lodged

- 3. At the date of writing, there were no new appeals lodged since the date of the last report.

Details of appeal decisions, new appeals and scheduled hearings can be viewed at www.pacni.gov.uk.

RECOMMENDED that the report be noted.

AGREED TO RECOMMEND, on the proposal of Alderman Gibson, seconded by Councillor Cooper, that the recommendation be adopted.

6. PLANNING BUDGETARY CONTROL REPORT – MAY 2019 (FIN 45)

PREVIOUSLY CIRCULATED:- Report dated 18 June 2019 from the Director of Regeneration, Development and Planning providing an update on the above.

The Planning Budgetary Control Report covered the 2-month period 1 April to 31 May 2019 and was set out below. The net cost of the service was showing an under spend of £21,796 (12.9%) – box A.

Explanation of Variance

The Planning budget performance was further analysed into three key areas: -

Report	Type	Variance	Box
Report 2	Payroll Expenditure	£7,671 favourable	B
Report 3	Non-Payroll Expenditure	£736 favourable	C
Report 4	Income	£13,390 favourable	D

Boxes B, C and D added up to the overall favourable variance (Box A - £21,797).

That variance could be summarised in the following table: -

Type	Variance £'000	Comment
Payroll Expenditure	(7.7)	Small underspend to date.
Non-payroll Expenditure	(0.7)	
Income	(13.4)	Planning application income was ahead of budget.
Total	(21.8)	Box A

REPORT 1 BUDGETARY CONTROL REPORT						
Period 2 - May 2019						
	Year to Date Actual	Year to Date Budget	Variance	Annual Budget	Variance	
	£	£	£	£	%	
Planning						
330 Planning	147,604	169,400	(21,796)	1,207,400	12.9	
Total	147,604	169,400	A (21,796)	1,207,400	12.9	
REPORT 2 PAYROLL EXPENDITURE BUDGETARY CONTROL REPORT						
	£	£	£	£	%	
Planning - Payroll Expenditure						
330 Planning	307,029	314,700	(7,671)	1,895,600	2.4	
Total	307,029	314,700	B (7,671)	1,895,600	2.4	
REPORT 3 NON-PAYROLL EXPENDITURE BUDGETARY CONTROL REPORT						
	£	£	£	£	%	
Planning - Non-Payroll Expenditure						
330 Planning	28,964	29,700	(736)	310,300	2.5	
Total	28,964	29,700	C (736)	310,300	2.5	
REPORT 4 INCOME BUDGETARY CONTROL REPORT						
	£	£	£	£	%	
Planning - Income						
330 Planning	(188,390)	(175,000)	(13,390)	(998,500)	(7.7)	
Totals	(188,390)	(175,000)	D (13,390)	(998,500)	(7.7)	

RECOMMENDED that the report be noted.

AGREED TO RECOMMEND, on the proposal of Councillor Cooper, seconded by Alderman Gibson, that the recommendation be adopted.

7. LDP ENGAGEMENT

PREVIOUSLY CIRCULATED:- Report dated 18 June 2019 from the Director of Regeneration, Development and Planning providing an update on the above.

Introduction

1. The purpose of the report was to inform members of the proposal to commence engagement workshops for the next stage in the preparation of the Council's Local Development Plan (LDP) – towards publication of the Draft Plan Strategy. It also detailed the governance arrangements for the progress and oversight of the LDP.

2. The Council's Statement of Community Involvement, published July 2017, set out that the Council would set up a Steering Group to act as a high-level coordinating body that would ensure an overview and strategic input to the plan process. The Council had agreed that the Planning Committee, supported by the Director, Head of Planning and LDP Manager, would be the Steering Group for the Local Development Plan with the following objectives:
 - To secure the necessary input from planning professionals so as to deliver the LDP in accordance with the LDP Timetable agreed with the Department for Infrastructure (DfI), whilst meeting statutory requirements and various tests of 'soundness'.
 - To ensure that the public and key stakeholders were engaged in the Plan process as provided for in the Council's Statement of Community Involvement (SCI).
 - To secure the engagement of Councillors in the LDP process, particularly at key stages where a corporate Council view had to be identified and presented to the public (e.g. Preferred Options Paper).
 - To take appropriate action to address any policy and resource gaps, identified through the Head of Planning.

Background

3. The Council had published its Preferred Options Paper (POP) in March 2019 which identified key issues in the Borough and outlined options to address those issues, including the Council's preferred options. The POP was open for public consultation, closing on 9 August 2019. Running in parallel to the assessment of the representations received to the POP, once the consultation closed, was a detailed planning policy review for inclusion within the Draft Plan Strategy.
4. As such it was necessary to convene a Consultation Group to input into the preparation of the Draft Plan Strategy (PS). The purpose of the draft PS was to provide the strategic policy framework for the Borough as a whole, across a range of topics whilst taking account of regional planning policy enshrined in the Regional Development Strategy and the Strategic Planning Policy Statement for Northern Ireland.
5. The Consultation Group would be premised on attendance of all 40 elected members who wished to be involved, alongside relevant Heads of Service and other officers in relation to specific topic areas. In order to keep up momentum towards the Draft PS, it was proposed to hold twice monthly engagements sessions with the Consultation Group, commencing the third week in September 2019 to further work on the planning policy review required, with preliminary dates detailed below, subject to confirmation and details of times. It was proposed to hold these engagement sessions in Londonderry Park.
 - Monday 16 September 2019
 - Tuesday 17 September 2019
 - Tuesday 15 October 2019
 - Wednesday 16 October 2019
 - Tuesday 19 November 2019

- Wednesday 20 November 2019
- Tuesday 17 December 2019
- Tuesday 21 January 2020
- Wednesday 22 January 2020
- Tuesday 18 February 2020
- Wednesday 19 February 2020
- Tuesday 24 March 2020
- Thursday 26 March 2020
- Monday 27 April 2020
- Tuesday 28 April 2020
- Tuesday 19 May 2020
- Wednesday 20 May 2020

6. As stated above, the Planning Committee remained as the Steering Group for the LDP to ensure an overview and strategic input into the Plan process.
7. Following outcome of each engagement session, it was proposed to provide reports to the Planning Committee as Steering Group to detail outcomes from each session and seek agreement on proposals as presented. It was vital to gain approval from the Steering Group and ratification by the Council following the engagement sessions in order to progress work on the Draft Plan Strategy. Given the proposed dates of the sessions it may not have been possible to present such reports on a monthly basis immediately following discussion of the topic areas. As such it was proposed to hold quarterly meetings of the Steering Group from 6.00pm – 6.45pm immediately prior to the normal Planning Committee meetings as follows:

Tuesday 5 November 2019
 Tuesday 4 February 2020
 Tuesday 5 May 2020
 Tuesday 4 August 2020

RECOMMENDED that:

- a) Members note the commencement of monthly Engagement Sessions of the Consultation Group towards publication of the Draft Plan Strategy commencing the third week in September 2019, and
- b) Members note dates and time of meetings of the Steering Group.

The Head of Planning guided members through the report and then sought any queries. She explained that the Planning Committee acted as the steering group and the purpose of the paper was to propose dates to include the Elected Members and officers to look at existing planning policies. The first meeting would take place on Monday 16 September and officers would update on the findings from the sessions at Steering Group meetings accordingly.

In response to questions from Councillor Cathcart, the Head of Planning advised that all the sessions would be held in the evening at Londonderry Park, Newtownards.

Councillor Cooper commented that the structure was good by having monthly sessions and quarterly meetings.

Councillor McClean queried if there would be an opportunity for external experts to have an input into the plans in order to achieve best practice.

The Head of Planning confirmed that would happen and she added that the previous papers set out the external consultancy work required to support preparation of the LDP. She continued that they were in a favourable position because they were learning from other Councils that were ahead of them in the process. She advised that they were also employing a barrister to ensure the soundness of the plan.

AGREED TO RECOMMEND, on the proposal of Alderman Gibson, seconded by Councillor Cooper, that the recommendation be adopted.

TERMINATION OF MEETING

The meeting terminated at 10.26 pm.

ITEM 8.1.**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	25 July 2019
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Department for Education – Supporting Newcomer Pupils Policy, Public Consultation
Attachments	Public Consultation Document

The Department of Education are conducting a Public Consultation on the Supporting Newcomer Pupils Policy. The Consultation is running from Tuesday 18 June to Tuesday 15 October 2019. Responses are to be submitted no later than 5pm on Tuesday 15 October 2019.

RECOMMENDATION

It is recommended that Council notes the attached Consultation Document.

ITEM 8.2.**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Amanda Martin
Date of Report	25 July 2019
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Department for Communities – Consultation on Definition of Affordable Housing
Attachments	Consultation Paper

The Department for Communities has published a consultation paper entitled 'Definition of Affordable Housing'. The overall aim of this work is to agree a clear definition of affordable housing that can be applied consistently in legislation, policy, local plans and in practice. Responses are to be submitted by 13 September 2019.

RECOMMENDATION

It is recommended that Council notes the attached Consultation paper.

ITEM 9.1.**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	25 July 2019
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	NILGA Changing Places: Planning, Place-Shaping and Place-Making in Northern Ireland
Attachments	Draft Agenda

The Council has received an invitation from NILGA to its Changing Places: Planning, Place-Shaping and Place-Making in Northern Ireland to be held on 8 October 2019. The conference will be held in the Killyhelvin Hotel, Enniskillen.

This is a free event for Northern Ireland Elected Members and Officers but numbers are limited to six per Council. Completed booking forms should be returned to events@nilga.org by 24 September 2019.

RECOMMENDATION

That the Council considers the invitation from NILGA.



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

DRAFT AGENDA

Changing Places: Planning, Place-shaping and Place-making in Northern Ireland

**8th October 2019
Killyhevlin Hotel
Enniskillen**

Draft Agenda

Changing Places: *Planning, Place-shaping and Place-making in Northern Ireland*

8th October 2019, Killyhevlin Hotel, Enniskillen

Time	Topic	Speaker
9.30 – 10.00	Registration, tea and coffee	
10.00 – 10.05	Welcome to Enniskillen	Fermanagh & Omagh District Council
10.05 – 10.10	Welcome from NILGA and outline of the day	Cllr Steven Corr, Chairperson - NILGA Place-shaping and Infrastructure Network
10.10 – 10.40	Keynote Address Shaping NI: The role of the Department of Infrastructure in delivering well-being through regional place-shaping activity (planning policy, roads infrastructure, flood mitigation)	Katrina Godfrey Permanent Secretary DfI
10.40 – 11.10	Keynote address <i>Planning, Place shaping, Place making</i> New Civic Leadership: The power of place and the co-creation of public innovation	Robin Hambleton, University of the West of England, and Urban Answers
11.10 – 11.20	<i>A place for questions....</i>	
11.20 – 11.45	Tea, coffee and networking	
	Growing Places	
11.45 – 12.00	A place to live – The future of housing in Northern Ireland	Paddy Gray, Emeritus Professor of Housing - Ulster University
12.00 – 12.15	Thriving places – Local job creation and sustainability	Noelle McAloon Enniskillen BID Manager
12.15 – 12.30	Growing places? Addressing the infrastructure deficit	NI Water – <i>Invited</i>
12.30 – 12.45	<i>A place for questions....</i>	
12.45 – 1.30	Lunch and networking	
	Green Places	
1.30 – 1.45	Enjoyable Places – Building social capital/community use of public space	Adam Turkington Seedhead Arts
1.45 – 2.00	Beautiful places – Caring for our environment	Ian Humphrey Keep Northern Ireland Beautiful
2.00 – 2.15	Adaptable places – Building local resilience in a climate emergency	David Lindsay Ards and North Down Borough Council
2.15 – 2.35	Greening Places – Derry City Council Green Infrastructure Plan (video)	Dr Christine Doherty Derry City and Strabane District Council
2.35 – 2.45	<i>A place for questions...</i>	
2.45– 3.00	Tea, coffee and networking	
	Going Places	
3.00 – 3.15	Connecting places - Transport planning	Peter Morrow Aecom
3.15 – 3.30	Connecting business – The digital infrastructure to deliver economic success	BT - <i>Invited</i>
3.30 – 3.45	Smart places – Smart cities and Innovation	Deborah Colville
3.45 – 4.00	Places to remember – Developing sustainable tourism infrastructure	David Jackson Causeway Coast and Glens Borough Council
4.00 - 4.15	<i>A place for questions...</i>	
4.15 – 4.30	Conference round up and close	Derek McCallan NILGA CEO

This event is **FREE** for NI Elected Members and Officers but numbers are limited to 6 per council. We would ask all councils to confirm in advance the names of those attending. NILGA will try to accommodate all enquiries.

Completed booking forms should be returned to events@nilga.org by the 24th September 2019.

NILGA Changing Places: Planning, Place-shaping and Place-making in Northern Ireland

**8th October 2019
Killyhevlin Hotel
Enniskillen**

BOOKING FORM

PLEASE NOTE:

Places at this event are limited so early booking is recommended.

Contact name of person responsible for bookings _____

Council: _____

Email: _____

Contact telephone number: _____

Council nominations

Full Name	Position	Dietary / Special requirements

Completed booking forms should be returned to events@nilga.org by the 24th September 2019.

**Northern Ireland Local Government Association
Bradford Court, Upper Galwally, Castlereagh, BT8 6RB
tel: 028 9079 8972 web: www.nilga.org twitter: [@NI_LGA](https://twitter.com/NI_LGA)**

Disclaimer: The Northern Ireland Local Government Association (NILGA) endeavours to ensure that the information contained within our Website, Policies and other communications is up to date and correct. We do not, however, make any representation that the information will be accurate, current, complete, uninterrupted or error free or that any information or other material accessible from or related to NILGA is free of viruses or other harmful components. NILGA accepts no responsibility for any erroneous information placed by or on behalf of any user or any loss by any person or user resulting from such information.

ITEM 9.2.**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Regeneration, Development and Planning
Responsible Head of Service	Head of Economic Development
Date of Report	16 July 2019
File Reference	
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/>
Subject	Retail NI invitation to NI Economy themed reception at the House of Commons
Attachments	Letter from Retail NI

On behalf of Retail NI, Manufacturing NI and Hospitality Ulster the Chief Executive of Retail NI recently sent an invitation to Councils to participate in a Northern Ireland Economy themed reception at the House of Commons on Wednesday 11 September 2019.

Similar to events run in previous years, the event aims to enhance Northern Ireland's economic reputation with key backbench MPs and diplomats. The bodies plan to invite over 300 diplomats from the London embassies and will invite the Top 100 NI companies.

The Secretary of State for Northern Ireland will be the keynote speaker, along with Nigel Dodds MP and Paul Maskey MP. All 650 MPs and over 700 members of the House of Lords will be invited as will all 90 MLAs and the three NI MEPs.

The two key themes they intend to promote for this year are:
Promoting Northern Ireland as good place to shop, socialise, locate and start a business and;
Setting out a new vision for the future of the Northern Ireland economy.

Unclassified

As part of this year's event Council is being offered a small information stand to promote AND at a cost of £1,000, in addition to travel and expenses. To date Retail NI has confirmed that 3 Councils have agreed to participate.

Since the launch of the Integrated Tourism Regeneration and Economic Development Strategy 2018-2030 (ITRDS) the work of the Economic Development Unit has become more targeted and focused on those sectors and opportunities that can help to deliver our ambitious targets on job creation and visitor spend. While this event may provide an opportunity to somewhat raise the profile of the Borough, it would not appear to present value for money or any identifiable return.

RECOMMENDATION

It is recommended therefore that Council does not participate in the event.



RetailNI

Standing up for
Independent Retailers

245 Upper Newtownards Road
Belfast BT4 3JF

Telephone
028 9022 0004

Email
info@retailni.com

Stephen Reid
Chief Executive
Ards & North Down Borough Council
Town Hall
The Castle
Bangor
BT20 4BT

7 June 2019

Chief Executive's Office

11 JUN 2019

RECEIVED

Dear Stephen

I hope this letter finds you well.

I am writing on behalf of Retail NI, Manufacturing NI and Hospitality Ulster.

Our three organisations are organising a Northern Ireland Economy-themed reception at the House of Commons Terrace from **4-6pm on Wednesday 11th September 2019**. Our aim for this event is to promote Northern Ireland as a good place to shop, socialise and to do business.

We will be inviting all MPs, Members of the House of Lords, Ambassadors from the London Embassies, as well as our members across the three organisations. Additionally, we will be also be extending invitations to the Top 100 Northern Ireland companies.

Our three groups hosted a similar event last year which attracted over 250 politicians, business leaders and diplomatic representatives and was addressed by the Secretary of State for Northern Ireland and the Shadow Secretary of State. This year we have invited the Chancellor as the keynote speaker.

We would be delighted to work with you for this year's event and would like to offer a small information stand to promote your Council and its economic agenda. In addition, we would ensure that you are included in the publicity on the day. There would be a small charge of £1000 to cover the costs of this event, which is strictly not for profit. You will appreciate that this is an expensive event to run.

I would be very happy to have a chat with you or any of your team if you require further information. I can be contacted on 07515 710517 or glyn@retailni.com.

I look forward to hearing from you.

Your sincerely

Glyn Roberts
Chief Executive

RetailNI.com

ITEM 9.3.**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Regeneration, Development and Planning
Responsible Head of Service	Head of Economic Development
Date of Report	23 July 2019
File Reference	
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	East Border Region Study Visit to the EU
Attachments	

Background

East Border Region Ltd is a local authority led cross border network comprising 6 Local Authorities: Ards and North Down Borough Council, Newry, Mourne and Down District Council and Armagh City, Banbridge and Craigavon District Council in Northern Ireland and Louth, Monaghan and Meath County Councils in the Republic of Ireland and has a total population of 826,000.

Ards and North Down Borough Council has been involved in working with the East Border Region Group (EBR) during the last three rounds of European Structural Funds. Ards Borough Council joined EBR in 2003 and North Down Borough Council joined in 2006. Under Interreg III and Interreg IV, EBR has managed the funds on behalf of the Council areas involved in the group.

Current situation

At the last East Border Region (EBR) Board meeting in June 2019, it was agreed that due to the number of new EBR Directors following the Local Government elections in both the Republic of Ireland and Northern Ireland, it is essential that EBR and its Executive Board Members prepare for the challenges and opportunities which may arise as a result of Brexit.

Over the past twenty years EBR has drawn down millions of Euro from the EU for cross border projects which have benefitted the people of the region.

Irrespective of Brexit there will be another PEACE Plus Programme 2021-2027, currently valued at €600m. East Border Region is also aware that outside of the European Union, Northern Ireland can access EU funding in conjunction with the Republic of Ireland as a 'Third country'. It is important that Board members, officials and EBR staff are fully appraised of all future funding opportunities in order to secure the maximum benefit to the East Border Region in the future.

EBR is therefore organising a deputation, involving all Executive Board members and Advisors of EBR, to examine and explore in conjunction with high level EU officials and MEP's potential future opportunities and it is very important that all members attend.

EBR wants to book flights and make arrangements, as early as possible, for the trip, which takes place from:

Tuesday 5th November 2019: Depart Dublin Airport at 16.30 (Ryanair) to
Friday 8th November 2019 : Depart Brussels Airport at 16.20 (Ryanair)

EBR have asked the Council to confirm those who will travel along with details to facilitate the bookings as early as possible to get best value for money. EBR is in the process of finalising the itinerary (which will be forwarded in due course) for the deputation. EBR will cover travel, accommodation, and most meal costs for both its Board Members and Officers. Cost to Council will therefore be minimal and can be met by existing budgets.

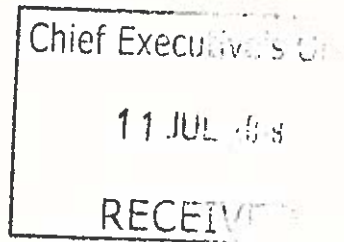
As Council is aware, there are currently three Elected Members representing Ards and North Down Borough Council on the Executive Board. The Mayor, (Alderman Keery), Alderman McDowell and Alderman Carson.

RECOMMENDATION

It is recommended that Council approves the participation on the EBR Study Visit to Brussels of the three Executive Board Members and one senior officer.



Derry City & Strabane
District Council
Comhairle
Chathair Dholre &
Cheantar an tSratha Báin
Derry Cille & Strabane
Districk Council



Our Ref: TJ

9 July 2019

Mr Stephen Reid
Chief Executive
Ards and North Down Borough Council
Town Hall, The Castle
Bangor, BT20 4 BT

Dear Mr Reid

At a Meeting of Derry City and Strabane District Council held on 27 June 2019, the following Motion was unanimously passed:

Council notes the recent IPCC (Intergovernmental Panel on Climate Change) report on the impact of climate breakdown and agrees that drastic measures must be taken to mitigate the risks.

Council requests an urgent report assessing the impact of the activities of Derry and Strabane Council on greenhouse gas emissions. Council must aim for Derry and Strabane to move away entirely from fossil fuels and towards renewable energy sources.

Council congratulates the Extinction Rebellion movement and other activists who have recently protested here and across the world to highlight the threat of climate catastrophe. Council supports the global climate strike set for September 20th next.

Council urges other local Councils to follow suit and also declare a Climate Emergency.

Council recognises that trains are the cleanest means of mass transportation available to us. Council calls for and will campaign for the completion of Phase Three of the promised upgrade of the Derry-Coleraine line.

Council agrees to establish a multi-agency team across the council area including government departments, political parties and other relevant agencies to ensure that tackling the causes of climate change is an immediate priority.

I would appreciate your consideration in this important matter and would be grateful for a response in relation thereto by 15 July 2019, prior to the next meeting of Derry City and Strabane District Council.

Yours sincerely

A handwritten signature in black ink, appearing to read "John Kelpie". The signature is written in a cursive style with a large initial "J".

John Kelpie
Chief Executive

ITEM 11

Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Community and Wellbeing
Responsible Head of Service	Head of Community and Culture
Date of Report	17 July 2019
File Reference	PCSP AND5 Members
Legislation	Justice Act NI 2011
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Nominations to the PCSP appointment panel for Independent Members
Attachments	None

In March 2019 the Northern Ireland Policing Board launched the formal application process to appoint Independent Members to the 11 Policing and Community Safety Partnerships across Northern Ireland, following reconstitution in 2020. 422 applicants are now proceeding to the next stage of interviews to be conducted by PCSP Elected Members in all 11 council areas. The number of applications received by Council area are detailed in table 1 below.

Table 1

PCSP Area	Hard Copy Applications returned	Electronic Applications completed	Total Applications received
Antrim & Newtownabbey	3	35	38
Ards & North Down	1	34	35

Unclassified

Armagh, Banbridge & Craigavon	4	35	39
Belfast Principal	2	37	39
Belfast North	1	15	16
Belfast South	0	25	25
Belfast East	0	18	18
Belfast West	0	12	12
Causeway Coast & Glens	4	31	35
Derry & Strabane	2	29	31
Fermanagh & Omagh	4	22	26
Lisburn & Castlereagh	2	29	31
Mid & East Antrim	3	20	23
Mid Ulster	2	24	25
Newry Mourne & Down	4	24	28
Total	32	390	422

The selection stage involving PCSP Elected Members is about to proceed and requires:

- Mandatory training – the full course must be attended by all panel members and reserve panel members.
- Shortlisting and Interviewing days

The Northern Ireland Policing Board require each Council to nominate 3 panel members and 2 reserves from the Elected Members serving on the PCSP. The Elected Members appointed at the Council AGM to the PCSP are:

- Councillor N Edmund (Chair)
- Alderman W Irvine
- Alderman M Smith
- Councillor D Chambers
- Councillor T Cummings
- Councillor K Douglas
- Councillor C Egan
- Councillor C Kennedy
- Councillor N Mathison
- Councillor R Woods

Nominations are not subject to d'Hondt, however the Council should try to ensure balance in the panel. Where this is not possible, for example if 3 male councillors are appointed, then the Policing Board will appoint a female independent member. The Board expects that HR best practice will prevail.

The panel will be trained and guided by HR consultants appointed by the Policing Board and it is expected that 4 training sessions will take place province wide in August / September 2019 with interviews taking place in September / October 2019. Elected Members should be aware that the training days will be from 9am to 5pm. PCSP Chair, should be appointed to the panel and will receive additional training in the afternoons on governance of the interview panels.

Recommendation

It is recommended that the Council nominates 2 Elected Members to the Independent PCSP Member appointment panel, in addition to the Chair of the PCSP, Councillor Edmund, and 2 reserves.

ITEM 12**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Community and Wellbeing
Responsible Head of Service	Head of Community and Culture
Date of Report	23 July 2019
File Reference	ART01- 07/19
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Appointment of voluntary positions to the Arts and Heritage Advisory Panel
Attachments	None

In accordance with the Constitution of the Arts and Heritage Panel, all voluntary members stood down in June 2019 having served 4 years in line with the Council's term of office.

Twelve new voluntary representatives to the Arts and Heritage Advisory Panel are required to sit alongside the five Elected Members nominated by Council and a recruitment process took place in June/July 2019.

The positions sought were for volunteers with specialties and/or demonstrable experience in the following areas:

- Museum & Heritage
- Visual Arts/Crafts
- Literature
- Performance based arts (music, dance, drama etc)
- Community Arts

Unclassified

Applicants were asked to state clearly what their background in the arts, heritage and/or cultural sector is and to demonstrate clearly their experience. Applicants were also asked to outline how they felt their experience could benefit the Arts and Heritage Advisory Panel in their remit to advise, endorse and advocate for arts and heritage in the Ards and North Down Borough area.

A panel met on Tuesday 23 July to assess the applications received for the twelve vacant positions. The panel comprised the following Elected Members and Officers:

- Councillor Karen Douglas
- Emily Crawford, Arts and Heritage Manager
- Heather McGuicken, Museum Manager

Fifteen applications were received and were scored out of ten, on merit, in the following areas:

Conflict of Interest	2
The relevance of their experience	2
The extent of their experience	3
What benefit their experience could bring to the panel	<u>3</u>
Total	10

It was agreed in advance by the Panel that the following numbers of representatives were required for each position:

- Museum & Heritage 3
- Visual Arts/Crafts 3
- Literature 2
- Performance based arts 2
- Community Arts 2

The top scoring candidates for each specialism, scoring a minimum of eight or above would be deemed successful and a total of ten applications were scored eight or above.

The successful applicants are, by their chosen area of expertise:

Museum/ Heritage	Dr Verity Peet	Manager at Portico, 20yrs experience in heritage sector. Experience in preservation of listed buildings and digital heritage. Partnership project delivery with NI based heritage agencies.
Museum/ Heritage	Robin Masefield	Extensive experience in the museum/heritage field, published historical author and founder member of Bayburn Historical Society. Member of Ulster Maritime Heritage Group.
Museum/ Heritage	Billy Carlisle	Member of United Ulster History Forum, Ulster Scots Language Society and Chair Ballywalter

		Historical Society. Experienced facilitator/speaker on heritage subjects
Visual Arts/ Crafts	Sharon Regan	Professional maker, member of Creative Peninsula. Assisted the development of FoRM Sculpture Exhibition. Resident at Project 24 and founder of Art on the Rails and Market Fresh.
Visual Arts/ Crafts	Michael Geddis	Award winning fine artist. Past resident at Project 24. AND BC Bursary recipient. Creative Peninsula artist. Arts advocate.
Visual Arts/ Crafts	<i>Vacant Post</i>	
Literature	Hanna Slatne	Award winning Freelance Dramaturg and facilitator. 20yrs+ experience in writing for stage and curated a Young Writers programme. Interest in arts for wellbeing.
Literature	Catherine Charley	Historical author with extensive literary and educational experience and founder member of Ards Community Arts Network.
Performance	Martin McDowell	Freelance Theatre Director and Production Manager/facilitator. Box Office Manager. Researcher for BBC.
Performance	<i>Vacant Post</i>	
Community Arts	Dympna Curran	Professional Felt Maker and Creative Peninsula Member. Extensive experience delivering workshops for the Community. Owner Cuan Crafts, Portaferry. Trained Counsellor. Interest in arts for wellbeing.
Community Arts	Fo Cullen	Theatre & Film/TV actress. Based at SERC/Lyric Theatre. Workshop facilitator. Partnership working with ND Museum, youth advocacy.

Two positions remain vacant for a representative in visual arts and a representative in performance-based arts (music). Officers will endeavour to attract applications for these posts in the coming months.

RECOMMENDATION

It is recommended that the Council approves the ten recommended applicants detailed above are appointed to the Arts and Heritage Advisory Panel for a term to run concurrent with the Council's term of office as stated in the Panel's Constitution.

ITEM 13**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Community and Wellbeing
Date of Meeting	31 July 2019
Responsible Director	Director of Community and Wellbeing
Responsible Head of Service	Head of Leisure and Amenities
Date of Report	14 June 2019
File Reference	SD109
Legislation	Recreation and Youth Services Order (1986)
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Ards and North Down Sports Forum Grants
Attachments	Appendix1 Sports Forum Applications for Noting and Approving June 2019 Appendix 2 Unsuccessful Sports Forum Grants June 2019

Members will be aware that on the 26th August 2015 Council delegated authority to the Ards and North Down Sports Forum, in order to allow it to administer sports grants funding on behalf of the Council. £35,000 had been allocated within the 2019/2020 revenue budget for this purpose.

The Council further authorised the Forum under delegated powers to award grants of up to £250. Grants above £250 still require Council approval. In addition, the Council requested that regular updates are reported to members.

During June 2019, the Forum received a total of 44 grant applications; 28 of which were for Travel and Accommodation, 2 of which were for Equipment, 2 of which were for Events, 8 of which were for Discretionary, 4 of which were for Gold Cards. A summary of the applications are detailed in the attached Appendix 1 June 2019.

Unclassified

A total of 1 of the applications failed to meet the specified criteria. The reasons for the unsuccessful application is detailed on the attached Appendix 2, Unsuccessful Sports Forum Grants June 2019.

For information, the annual budget and spend to date on grant categories is as follows:

June 2019	Annual Budget	Funding Awarded June 2019	Remaining Budget
Travel and Accommodation*	£14,500	£2,890	£8833.89
Coaching	£5000	£0	£4208.75
Equipment*	£9,000	£1000	£7155.20
Events*	£4,000	£1900	£100
Seeding	£500	£0	£500
Anniversary	£1,000	£0	£1000
Discretionary*	£1,000	£500	£500
Gold Cards Issued during the period June 2019 is 6			

* The proposed remaining budget for Travel & Accommodation of **£8833.89** is based on a proposed award of £2,890 as listed in Appendix 1(A) with withdrawn costs of £50. The proposed remaining budget for Equipment of **£7155.20** is based on a proposed award of £1000 as outlined in Appendix 1(B). The proposed remaining budget for Events of **£100** is based on an award of £1,900 as outlined in Appendix 1(D). The proposed remaining budget for Discretionary of **£500** is based on an award of £500.

RECOMMENDATION

It is recommended that Council approves the attached applications for financial assistance for sporting purposes valued at above £250, and that the applications approved by the forum (valued at below £250) are noted.

Appendix 1 – June 2019

(A)Traveling and Accommodation (for noting)

Name	Type of Grant	Representing	Sport	Competition	Location	Date(s) of Competition	Amount requested	Amount Recommended	Notes
1.Tori Connolly	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£306	£100	Max Award for Travel within Great Britain
2. Erin Branigan	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£269.68	£100	Max Award for Travel within Great Britain
3. Sophie Corbridge	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£225.48	£100	Max Award for Travel within Great Britain
4. Anna Dobbin	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£349.98	£100	Max Award for Travel within Great Britain
5. Emma Houston	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£258.96	£100	Max Award for Travel within Great Britain
6.Grace Kennedy	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£263.98	£100	Max Award for Travel within Great Britain
7.Georgia Pollock	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£140.94	£100	Max Award for Travel within Great Britain

Appendix 1 – June 2019

Name	Type of Grant	Representing	Sport	Competition	Location	Date(s) of Competition	Amount requested	Amount Recommended	Notes
8. Hollie Aiken	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£193.96	£100	Max Award for Travel within Great Britain
9.Sara Zoltan	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£330.94	£100	Max Award for Travel within Great Britain
10. Lexie Flaherty	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£228.94	£100	Max Award for Travel within Great Britain
11. Ashten Adair	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£215.98	£100	Max Award for Travel within Great Britain
12. Jessica Glover	Travel/Accommodation	N. Ireland	Gymnastics	British NDP Championships	Stoke on Trent	18 th and 19 th May 2019	£219.29	£100	Max Award for Travel within Great Britain
13. Elsa McAllum	Travel/Accommodation	N. Ireland	Tetrathlon	Royal Windsor Horse Show	Windsor	11 th and 12 th May 2019	£337	£100	Max Award for Travel within Great Britain
14. Soul be Courtney	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£154	£100	Max Award for Travel within Great Britain

Appendix 1 – June 2019

Name	Type of Grant	Representing	Sport	Competition	Location	Date(s) of Competition	Amount requested	Amount Recommended	Notes
15. Cullen Courtney	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£154	£100	Max Award for Travel within Great Britain
16. Abbey Wallace	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£391.38	£100	Max Award for Travel within Great Britain
17. Luke Stirling	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£384.10	£100	Max Award for Travel within Great Britain
18. Ryan Stirling	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£384.10	£100	Max Award for Travel within Great Britain
19. Codi Fisher	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£138	£100	Max Award for Travel within Great Britain
20. Cheryl McCullough	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£138	£100	Max Award for Travel within Great Britain
21. Lucas McCullough	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£138	£100	Max Award for Travel within Great Britain
22. Abigail McCullough	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£138	£100	Max Award for Travel within Great Britain
23. Dean Pritchard	Travel/Accommodation	N. Ireland	Taekwondo	Pan AM Mexican Cup 2019	Mexico	18 th May 2019	£817.77	£150	Max Award for Travel outside of Europe
24. Claire McLarnon	Travel/Accommodation	Ireland	Weightlifting	British Senior Championships 2019	Coventry	9 th June 2019	£106.51	£100	Max Award for Travel within Great Britain

Appendix 1 – June 2019

Name	Type of Grant	Representing	Sport	Competition	Location	Date(s) of Competition	Amount requested	Amount Recommended	Notes
25. Bryn Dickson	Travel/Accommodation	Ireland	Inline Hockey	World Roller Games	Barcelona	25 th June – 5 th July 2019	£900	£120	Max Award for Travel within Europe
26. Lauren McGlennon	Travel/Accommodation	N. Ireland	Tetrathlon	Royal Windsor Horse Show	Windsor	11 th and 12 th May 2019	£337	£100	Max Award for Travel within Great Britain
27. Ellie McKibbin	Travel/Accommodation	Ireland	Swimming	European Youth Olympics	Azerbaijan	21 st -27 th July 2019	£400	£120	Max Award for Travel within Europe
28. Molly McKibben	Travel/Accommodation	N. Ireland	Taekwondo	Chang Ung Cup	Glasgow	2 nd June 2019	£313.48	£100	Max Award for Travel within Great Britain

Total:

£2890

Appendix 1 – June 2019

(B) Equipment Grants (for approving)

Club	Type of Grant	Description of Project	Funding Description	Amount Requested	Proposed amount	Notes
29. Royal North of Ireland Yacht Club	Equipment Grant	Equipment to support development of new sections and for training	Water rescue man over-board Dummy	£853.02	£853.02	Reflects application
Total:					£853.02	

(B) Equipment Grants (for noting)

Club	Type of Grant	Description of Project	Funding Description	Amount Requested	Proposed amount	Notes
30. Royal North of Ireland Yacht Club	Equipment Grant	Equipment to help host events	Rangefinder	£154.50	£146.98	Reached funding limit
Total:					£146.98	

Appendix 1 – June 2019

(D) Event Grants (for approving)

Club	Type of Grant	Description of project	Number of Participants	Funding Description	Date of Event(s)	Amount requested	Proposed amount	Notes
31. North Down Hockey Club	Event Grant	Youth Summer Schemes	80-100 Children	Pitch Hire and Event Equipment	22 nd – 26 th July 2019 5-9 th August 2019 22 +24 th July 2019 5 th + 7 th July 2019	£900 pitch hire £100 Hockey Balls	£900	Cannot fund Balls unless seeding application.
32. North Down Cricket Club	Event Grant	1 st Class Cricket Match	100+	Grounds preparation: £1000 Toilet hire: £3000 Materials for grounds prep: £1000	28 th – 30 th May 2019	£5000	£1000	Max award for Event Grant

Total:

£1900

Appendix 1 – June 2019

(E) Discretionary Grants (for noting)

Name	Type of Grant	Representing	Sport	Competition	Location	Date(s) of Competition	Recommended	Notes
33. Emma Douglas	Discretionary Award for Travel/Accommodation	N. Ireland	Gymnastics	British NDP Regional Team Final	Birmingham	8 th and 9 th June 2019	£100	Max Award for Travel within Great Britain
34. Ashten Adair	Discretionary Award for Travel/Accommodation	N. Ireland	Gymnastics	British NDP Regional Team Final	Birmingham	8 th and 9 th June 2019	£100	Max Award for Travel within Great Britain
35. Becca Dean	Discretionary Award for Travel/Accommodation	N. Ireland	Gymnastics	British NDP Regional Team Final	Birmingham	8 th and 9 th June 2019	£100	Max Award for Travel within Great Britain
36. Faye Ryans	Discretionary Award for Travel/Accommodation	N. Ireland	Gymnastics	British NDP Regional Team Final	Birmingham	8 th and 9 th June 2019	£100	Max Award for Travel within Great Britain
37. Mason McCreery	Discretionary Award for Travel/Accommodation	Ulster U12 Boys	Athletics	All Ireland's Children's Games	Tullamore	29 th June 2019	£50	Max Award for Travel within Ireland
38. Freya Boyce	Discretionary Award for Travel/Accommodation	Ulster U12s	Athletics	All Ireland's Children's Games	Tullamore	29 th June 2019	£50	Max Award for Travel within Ireland

Total:

£500

Appendix 1 – June 2019

Gold Card Grants

(No cost to Council or Northern Community Leisure Trust to provide access to facilities)

Name	Type of Grant	Training Venue	Representing	Competition	Location	Date(s) of Competition	Selection Letter Provided	Recommended
39. Jenny Keery	Discretionary Award for Gold Card	Senior Transplant Sport GB	Athletics	World Transplant Games	England	17 th -24 th August 19	Yes	Awarded until 17 th August 2019
40. Karen Keery	Discretionary Award for Gold Card	Senior Transplant Sport GB	Athletics	World Transplant Games	England	17 th -24 th August 19	Yes	Awarded until 17 th August 2019
41. David Shaw	Gold Card	Aurora	Ireland – American Football	International Match vs Belgian Barbarians	Belgium	7 th September 2019	Yes	Yes – until 7 th September 2019.
42. Jonah Heron	Gold Card	ABMWLC	N.I U16s/17s – Football	Match vs Bulgaria	Bulgaria	10 th -17 th April 2019	Yes	Unsuccessful – See appendix 2
43. Claire McClarnon	Gold Card	ABMWLC	Ireland – Weightlifting	IWF World Masters	Canada	22 nd August 2019	Yes	Yes – until 22 nd August 2019
44. Megan Asheroft	Gold Card	ABMWLC	N. Ireland – Netball	U21 European Championships	Scotland	9 th -11 th October 2020	Yes	Yes – until 9 th October 2020

Unsuccessful Sports Forum Applications June 2019

During June 2019, 1 application submitted failed to meet the specified criteria.

1. Jonah Heron – applied for a Gold Card through the Ards and North Down Sports Forum Grant Scheme. Unfortunately, this application failed to meet the specified criteria for a Gold Card. For Gold Card applications, we require a selection letter for a future event outlining the athlete's qualification/selection for that specific event. Jonah's application was received on 14th May which was for the UEFA Development Tournament which took place between 10th – 17th April 2019 in Bulgaria and it is therefore for an event which has already passed and deemed to be retrospective. For Gold Card applications, we require a selection letter for a future event which the athlete is currently in training for.

ITEM 14**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Community and Wellbeing
Responsible Head of Service	Head of Environmental Health Protection and Development.
Date of Report	19 July 2019
File Reference	
Legislation	Caravans Act (NI) 1963
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Caravan Sites
Attachments	2019 Proposed Model Conditions.

Background

The Council currently licences 24 holiday caravan parks and 2 residential caravan parks in the Borough. Model licence conditions are set by the Department for Infrastructure and are enforced by Council.

The Model site licence conditions for Caravan sites have not been updated for some time. The conditions relating to holiday sites have not been updated since 1992 and residential sites since 1994. The Department for Infrastructure have embarked on a review of the model licence conditions and in doing so intend to combine the requirements for holiday and residential caravan sites and make the requirements consistent with the Design Guide for Travellers sites (which is being reviewed in a parallel exercise by the Department for Communities) and the Northern Ireland Fire and Rescue Service (NIFRS) 'Fire Safety Guide for Caravan Site Operators'.

The consultation deadline is 31st July 2019. The Department has been advised of the Councils meeting date and agreed to an extension to the deadline to facilitate Councils consideration.

RECOMMENDATION

It is recommended that Council responds as per the following document to the consultation on the 2019 Model Caravan Site Licence Conditions.

Consultation on New Model Licence Conditions for Caravan Sites

Ards and North Down Borough Council welcomes the opportunity to comment on the review and update of the Model Licence Conditions for Caravan Sites 1992 and Model Licence Conditions Residential Caravan Sites 1994.

We believe the updated conditions clarify the position in relation to the application of Model Licence Conditions to all types of caravan sites, including Traveller or Roma sites, which is welcomed, given the focus and recommendations of the NIHRC 'Out of Sight, Out of Mind: Traveller' accommodation in NI' investigation report.

The report recommended "*the review of the legal and policy framework concerning site licence. This should include the development of a model site licence setting out the minimum standard of provision and safety requirements for each type of travellers' site in NI along with enforcement powers for any breach*"

We recognise the benefit of the parallel review and consultation of the 'Design Guide for Travellers' sites in NI' by the Department for Communities. It is imperative that there is consistency and compatibility with the terminology and approach contained in both documents and the recent Northern Ireland Fire and Rescue Service (NIFRS) 'Fire Safety Guide for Caravan Site Operators'.

It is understood the scope of the Design Guide is to be considered in the development of new Traveller sites and for Traveller sites that have to be substantially redeveloped.

Ards and North Down Borough Council welcomes the amalgamation of the current Model Licence Conditions for holiday caravan sites, residential sites and Traveller sites into one document, creating clarity and ease of reference however this broad brush to regulatory enforcement is viewed with caution. For this Council the amended Model Licence Conditions may present challenges to enforcement in relation to applying amended conditions to existing residential and holiday sites. Conditions that are likely to be particularly challenging in this regard are those in relation to physical arrangements such as spacing or road widths, etc.

The omission of the condition relating to disabled persons is noted. Ards and North Down Borough Council seek clarification regarding any equality screening or equality impact assessment that has been completed that led to this omission.

In the opening paragraphs of the draft Model Licence Conditions 2019-page 13 para.13, the reference to allowing '*reasonable period of time*' after any site licence alteration for compliance with the revised conditions requires to be quantified.

Page 13, para 14 refers to councils undertaking a risk assessment to consider all possible factors in relation to the prosecution. This is a wide-ranging statement and we would request that it be amended, to clarify that Council's enforcement activities, including investigations and prosecutions, are conducted in accordance with each Councils Enforcement Policy and all decisions to prosecute take account of The Public Prosecution Service Code for Prosecutors.

Detailed comments are provided in Appendix 1 attached and are referred to as per the numbering in the New Model Licence Conditions 2019.

APPENDIX 1

1. The Boundaries and Plan of the Site

(ii) *'no caravan or combustible structure...within 3 metres of the boundary of the site'*. The draft Design Guide (pg. 21 para 34) states this is an essential fire prevention measure as does the Welsh Government Model Standards for Caravan Sites in Wales, referenced in the Welsh Guidance 'Designing Gypsy and Travellers Sites, The NIFRS Guide (pg. 11, pt1) also states a *'clear space of 3m should be maintained'*.

The explanatory notes of the draft Model Conditions 2019 weaken this by suggesting it is merely for privacy and may not be necessary. The guidance in relation to this should be consistent with complementary guidance.

Ards and North Down Borough Council require clarification and definition of 'combustible structure'. E.g. is this to include wooden decking, wooden summer/playhouses, wooden pergolas, wooden/plastic storage units. This is a persistent problem and enforcement issue with caravan site owners within the existing regime

(iii) We are of the opinion that submitted plans to be of *'suitable quality'* is subjective and open to interpretation. Greater clarity and detail is required e.g. scale drawings, numbering of caravans/pitches and detailing exactly what is required to be shown on the plan i.e. roads, fire points, services etc.

2. Density and Spacing Between Caravans

Ards and North Down Borough Council welcomes the amalgamation of separation distances and density of caravans from previous Model Licence Conditions

The 1994 Model Conditions state that 'A garage or shed over 30 square meters in area will be subject to Building Control'. This condition has now been omitted. We think it should be retained.

The 1992 Model Condition stating not to store exposed gas bottles or cylinders within the separation boundary of an adjoining unit has been omitted. This requirement provided clarity similar to that given in the NIFRS Guide (page, 16, para 4.12) and should be retained.

LPG storage should be taken into account in ensuring the prescribed spacing between caravans.

The Council seeks clarification of the definition of 'structures' on page 17, para.10, which are of combustible construction that requires sufficient time to be replaced in order to comply with separation distances and what would be deemed a sufficient timeframe for the relocation/replacement of such structures. An emerging risk on caravan sites is the erection of wooden decking enveloping caravans/mobile homes and wooden fencing erected within the separation distances to enclose pitches for which further clarity is sought. While there is a proposed condition in relation to awnings, which are not to be of the type that incorporates sleeping accommodation, no reference is made to tents. We would welcome the inclusion of a condition that prohibits the placing of tents, gazebos and other like structures in separation spaces, and that tents should only be permitted on an allocated touring pitch.

The NIFRS Guide permits picket type fences no higher than 1m and higher if non-combustible. The draft Design Guide for Travellers' Sites in NI stipulates differing requirements, 1.2 metres and 1.8 metres are deemed as acceptable in certain situations (page 23, para 48). The Council requests clarification regarding the omission in the draft New Model Conditions regarding the erection of fences around or near to individual caravans.

As such this review is an opportunity to promote consistency on sites and prevent the spread of fire by removing, in a manageable phased way, combustibles, particularly wood from separation spaces or individual sites and the model licence conditions should specify that any fencing or other structures provided should be non-combustible.

Ards and North Down Borough Council is of the opinion that the enforcement of prescriptive spacing is significantly weakened by the consideration of residents' enjoyment and costs to the site owner, as referred to on Page 17 Para.13

3. Roads

Ards and North Down Borough Council requests an explanation for the omission regarding distance of a caravan standing to a road. The NIFRS Guide stipulates no more than 50m from a fire service access road and the draft Design Guide for Travellers' Sites states within 45m (Page 25, para 61)

We welcome the concise conditions for roads however request consistency regarding widths with the other guides such as the draft Design Guide for Travellers' Sites (page 24, para 56).

4. Lighting

We welcome the specific addition of lighting requirements and suggest this should extend to external lighting to be provided on communal/amenity buildings to ensure safe access as detailed in draft The Design Guide for Travellers' sites.

5. Bases

Ards and North Down Borough Council highlight that some sites may have difficulty in complying with 'The base *must extend over the whole area occupied by the unit...*' as caravans are increasing in size. We suggest this should be a recommendation rather than requirement.

6. Maintenance of Common Areas, including Grass, Vegetation and Trees

There should be consistency of language used regarding the term's footpath and pavement. The phrase 'officer responsible for trees' should be replaced with 'take advice from a suitably qualified individual'.

7. Supply & Storage of Gas

Ards and North Down Borough Council are of the view that the general safety requirements stipulated in the Liquid Petroleum Gas Association (LPGA) guidance should be applied to all sites regardless of permanency of use. This would include both the storage of gas in compounds for retail sale on holiday parks and storage at individual caravans. Specific requirements such as restricting numbers of cylinders at caravans and location on each pitch would be appropriate to include in Model Licence Conditions to promote and facilitate consistent enforcement.

8. Electrical Installations

Ards and North Down Borough Council requests clarification on whether the examination of the electrical installation within a caravan is required for caravans located on all sites i.e. Holiday, residential and travellers' caravan sites. This was not a requirement of the previous model licence conditions and the requirement in relation to the electrical installation "within" a caravan would not be considered to be enforceable as inspecting officers could not reasonably be expected to be responsible for enforcing the internal maintenance of individual caravans.

Ards and North Down Borough Council notes the omission of the frequency of electrical testing. We are of the opinion this may weaken the requirement and some site operators may avoid maintenance and testing. Frequency for the testing of electrical infrastructure on the sites should be specified in the model conditions.

The permitted height of cable overhangs should be dealt with primarily at the planning stage and we recommend underground cabling for new sites.

9. Water Supply

Ards and North Down Borough Council welcomes the inclusion of the requirement that it is the responsibility of the site owner to ensure the quality of workmanship being carried out on water supplies.

The reference to 'wholesome' water supply has been omitted from the draft model conditions. Ards and North Down Borough Council would welcome consistency with the draft Design Guide for Travellers' sites (pg. 36, para 109 & 111) in relation to the

inclusion that there must be a potable *mains* water supply and outside taps with internal isolation valves and suitable backflow protection for the security of the water supply.

With reference to the explanatory notes page 22 para 47 & page 23 para55: Ards and North Down Borough Council would welcome consistency in language used regarding “may wish to advise” and “should alert” NI Water regarding issues or areas of concern

10. Drainage and Sanitation

A correction is required that approval should be sought from NIEA for the satisfactory provision for foul and wastewater drainage, not the Council.

The 1992 Model Condition requirement to provide ‘*properly designed disposal points for the contents of chemical closets etc...*’ has been omitted we would recommend the inclusion of this requirement particularly for holiday touring sites and potentially Traveller sites.

With reference to paragraph (v) the provision of water closets to at least the scale of 1 WC and 1 urinal per 5 caravans or less for men and 2 WCs per 15 caravans or less for women is required. This provision should be per 15 caravans or less for both men and women.

11. Refuse and Storage and Disposal

Ards and North Down Borough Council requests the retention of the requirement to provide the facility to enable the communal bin storage area to be hosed down with clean water. This has been removed from the new model conditions. Ards and North Down Borough Council are of the opinion that the facility to clean a waste storage area is a necessity to prevent public health issues on sites.

The Department might consider introducing a site licence condition to require site operators to provide facilities for recycling waste.

12. Parking

Ards and North Down Borough Council welcome the removal of the reference to only one car permitted to be parked between pitches as it is common for at least two car families at sites.

Ards and North Down Borough Council requests clarification in relation to the parking within the separation distances. Parking refers to parking of private cars, jet skis and boats between adjoining caravan at a minimum distance of 3m from the adjoining caravan. Condition 2. Density and Spacing Between Caravans indicates that there should be 6m space between adjoining caravans. When considering the requirements of both conditions, where private cars, jet skis and boats are parked between adjoining caravans, the minimum distance between the caravans must be 6m plus the width of the private cars, jet skis or boats. This would present a

compliance issue and is unlikely to be achievable without major re-organisation for the majority of existing sites in this Borough.

Furthermore, the NIFRS Guide has a differing interpretation, as Figure 1, pg12 indicates parking of cars are permitted within the 6m separation so long as there is a minimum distance of 3m from the adjoining caravan. The draft Design Guide for Travellers' sites concurs albeit without reference to the 3m minimum separation distance.

When considering the spacing requirements for holiday sites, where the minimum spacing distance between any 2 caravans should not be less than 5m, this again presents a compliance issue for existing sites, as it would not be possible to park a car (approximately 2.1m x 4.7m) and maintain a minimum distance of 3m from the adjacent caravan. Additionally, in current circumstances verandas are common, and where the separation distance between the veranda and the adjacent caravan is already reduced to 3.5m no cars would be able to park in compliance with this Condition. This would not be likely to be acceptable to site users and owners and would create enforcement difficulties for the Council.

13. Communal Recreation Space

Ards and North Down Borough Council were satisfied with the original wording of the 1993 & 1994 Model Conditions in relation to recreational space. In the interests of the safety of children, we would also welcome the inclusion of other safety measures as detailed in the draft Design Guide for Travellers sites that relate to proximity to roads, ability to supervise, and warning signs. (page 26 para 64).

14. Notices and Information

Ards and North Down Borough Council welcomes in the explanatory notes, the reference to discussion of suitable arrangements for display of notices and information on Travellers sites in relation to those detailed in (ii) & (iii).

15. Emergency Telephone

The consideration of the use of mobile phone networks is a welcome addition. However, Ards and North Down Borough Council would disagree with explanatory note on page 25, para 68, stating that the council should decide whether an emergency telephone is required. The onus should be placed on the site operators to provide evidence that adequate mobile phone reception is available on a range of networks.

16. Flooding

The specific addition of flooding risk awareness is welcome.

17. Fire Safety Measures

Ards and North Down Borough Council would suggest stronger wording in relation to the frequency of testing/maintaining firefighting equipment such as fire extinguishers.

We would be concerned that some site operators may discontinue the practice of yearly testing regimes for firefighting equipment and smoke alarms. The explanatory notes page 27, para 84 weaken this requirement by merely "*suggesting*" and annual check

The Council would welcome a stipulation that an annual check should be mandatory.

Model Licence Conditions 2019

**Caravans Act (Northern Ireland) 1963
Section 5**



Department for

Infrastructure

An Roinn

Bonneagair

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Introduction

1. The use of land as a caravan site is controlled by relevant planning legislation, whereas the physical standards and layout, amenities and other standards within the site are controlled by a site licence issued by local councils under the Caravans Act (Northern Ireland) 1963 (“the 1963 Act”). Section 5 of the 1963 Act enables councils to set licence conditions.
2. Under section 5(7) of the 1963 Act the Department may from time to time specify model conditions with respect to the lay-out and the provision of facilities, services and equipment for caravan sites or particular types of caravan site; and that, in deciding what (if any) conditions to attach to a site licence, the council shall have regard to any conditions so specified.
3. These conditions revise and update the Model Licence Conditions for Caravan Sites 1992 and Model Licence Conditions Residential Caravan Sites 1994 and apply to all caravan sites:
 - permanent residential caravan sites;
 - holiday caravan sites;
 - touring caravan sites; and
 - Traveller or Roma sites.
4. This review has been prompted by the Northern Ireland Human Rights Commission (NIHRC) ‘Out of Sight, Out of Mind: Travellers’ Accommodation in NI’ investigation report published on 6 March 2018. The report made a number of recommendations for public authorities including that the Department should:

“review the legal and policy framework concerning site licences. This should include the development of a model site licence setting out the minimum standard of provision and safety requirements for each type of Travellers site in NI, along with enforcement powers for any breach.”
5. While addressing the report’s recommendation the Department has also taken the opportunity to amalgamate the current Model Licence Conditions for holiday caravan sites as well as residential caravan sites into one document, creating greater clarity and ease of reference for councils and stakeholders. In parallel

and in response to a recommendation by NIHRC, the Department for Communities has completed its review of the Design Guide for Travellers' Accommodation 2019, and will be consulting shortly. The Design Guide is intended to support the provision of appropriate, cost effective sites for Travellers living in Northern Ireland.

6. Although the conditions remain largely unchanged there are some key revisions regarding emergency telephones and fire safety measures.
7. These conditions should be considered when:-
 - applying licence conditions to new sites;
 - applying licence conditions to sites that have been substantially redeveloped; or
 - renewing or reviewing a current licence.
8. Where current licence conditions are adequate in serving their purpose, the council do not need to apply new conditions.
9. Where it is appropriate to amend an existing condition or apply a new condition to a licence the council must be able to justify its reasons for doing so, having regard to all the relevant circumstances of the site. In deciding whether to apply a new condition the council must have regard to the benefit that the condition will achieve and the interests of both residents and site owners (including the cost of complying with the new or altered condition) and should consult the site licence holder on the proposed variations. They may also wish to consult with residents or a Residents' Association, where appropriate.
10. The model conditions represent those standards normally to be expected as a matter of good practice on caravan sites. They should be applied with due regard to the particular circumstances of the relevant site, including its physical character, any relevant services, facilities or other amenities that are available within or in the locality of the site and other applicable conditions.
11. The council should also consider the Northern Ireland Fire and Rescue Service guidance¹ and the Department for Communities Design Guide for Travellers

¹ "NIFRS Fire Safety Guide for Caravan Site Operators", available via NIFRS website at www.nifrs.org

when applying conditions on a site licence.

12. The explanatory note to this document provides advice on the application and enforcement of the model conditions when considering attaching conditions to licences.

13. Councils should allow a reasonable period of time after any site licence alteration for compliance with the revised conditions, unless the reason for making the alteration is to address a matter requiring immediate attention.

14. When considering taking enforcement action councils should undertake a risk assessment to take into account all possible factors in relation to the prosecution.

15. This document should be referred to as Model Licence Conditions 2019.

Interpretation

16. In the model conditions any references to “site” includes a park home site (including a mobile home site) and to “caravan” includes a mobile or park home.

17. In this document the term “site owner” is referred to throughout, as normally that person would be the licence holder.

THE MODEL CONDITIONS

1. The Boundaries and Plan of the Site

- (i) The boundaries of the site from any adjoining land should be clearly marked by a man made or natural feature.
- (ii) No caravan or combustible structure should be positioned within 3 metres of the boundary of the site.
- (iii) A plan of the site should be supplied to the council upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the council.
- (iv) The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and should be of suitable quality.

2. Density and Spacing Between Caravans

- (i) Subject to the following variations the minimum spacing distance between any two caravans should not be less than 6 metres in permanent residential caravan sites, touring caravan sites and Traveller or Roma sites. On holiday caravan sites the minimum spacing should not be less than 5 metres between caravans made of aluminum or 6 metres between those made of plywood or similar skin. Where there is a mixture of holiday caravans of aluminum and plywood the separation distance should be 6 metres.
- (ii) The point of measurement of porches, awnings etc. is the exterior cladding of the caravan, excluding the draw bar. The distance from any part of a caravan to any part of a road within the site should not be less than 2 metres.
- (iii) Porches may protrude 1 metre into the 5 or 6 metres space and should be of the open type.
- (iv) Where awnings are used, the distance between any part of the awning and an adjoining caravan should not be less than 3 metres. They should not be of the type which incorporates sleeping accommodation and they should not face each other or touch.

- (v) Eaves, drainpipes and bay windows may extend into the 5 or 6 metre space provided the total distance between the extremities of 2 adjacent units is not less than 4.5 metres in a 5 metre space, or 5.25 metres in a 6 metre space.
- (vi) Where there are ramps for disabled, verandahs or stairs extending from the unit, there should be 4.5 metres (3.5 metres on holiday caravan site which has holiday caravans only) clear space between them and such items should not face each other in any space. If they are enclosed, they should normally be considered as part of the unit and, as such, should not intrude into the 5 or 6 metres space.
- (vii) A garage, a shed or covered storage space should be permitted between units only if it is of substantially non-combustible construction (including non-combustible roof) and sufficient space is maintained around each unit so as not to prejudice means of escape in case of fires. Windows in such structures should not face towards the unit on either side. Car ports and covered walkways should in no circumstances be allowed within the 5 or 6 metres space. For cars and boats between units see paragraph 12.
- (viii) The density should be consistent with safety standards and health and amenity requirements. The gross density should not exceed:-
- 50 caravans per hectare in permanent residential caravan sites and Traveller or Roma sites
 - 60 caravans per hectare in holiday caravan sites; and
 - 75 caravans per hectare in touring caravan sites;
- calculated on the basis of the usable area (i.e. excluding lakes, roads, communal services and other areas unsuitable for the siting of caravans) rather than the total site area.

3. Roads, Footpaths, Pavements, Gateways and Overhead Cables

- (i) Roads and footpaths should be designed to provide adequate access for emergency vehicles.
- (ii) Emergency vehicle routes within the site should be kept clear of obstruction at all times.
- (iii) New roads should be constructed and laid of suitable bitumen macadem or concrete with a suitable compacted base.
- (iv) All roads should have adequate surface water/storm drainage.

- (v) New two way roads should not be less than 3.7 metres wide, or if they are designed for and used by one way traffic, not less than 3 metres wide.
- (vi) One-way systems should be clearly signposted.
- (vii) Where existing two way roads are not 3.7 metres wide, passing places should be provided where practical.
- (viii) Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.
- (ix) Roads and footpaths should be maintained in a good condition.
- (x) Cable overhangs must meet the statutory requirements.
- (xi) Every caravan should be connected to a road by a footpath with a hard surface.
- (xii) Where practicable, communal footpaths and pavements should not be less than 0.9 metres wide.

4. Lighting

- (i) Taking into account the needs and characteristics of a particular site, roads, communal footpaths and pavements should be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness.

5. Bases

- (i) Every unit must stand on a concrete base or hard-standing.²
- (ii) The base must extend over the whole area occupied by the unit, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard standings must be constructed to the industry guidance, current at the time of siting, taking into account local conditions.

6. Maintenance of Common Areas, including Grass, Vegetation and Trees

- (i) Every part of the site to which the public have access should be kept in a clean and tidy condition.
- (ii) Every road, communal footpath and pavement on the site should be

² Councils should refer to paragraph 25 in the Explanatory Notes in respect of holiday/touring sites.

maintained in a good condition, good repair and clear of rubbish.

- (iii) Grass and vegetation should be cut and removed at frequent and regular intervals.
- (iv) Trees within the site should (subject to the necessary consents) be maintained.
- (v) Any cuttings, litter or waste should be removed from the immediate surrounds of a pitch.

7. Supply & Storage of Gas etc.

- (i) Gas (including natural gas) and oil installations, and the storage of supplies should meet current statutory requirements, relevant Standards and Codes of Practice.
- (ii) Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.

8. Electrical Installations

- (i) On the site an electricity network of adequate capacity should be installed to meet safely all reasonable demands of the caravans and other facilities and services within it.
- (ii) The electrical network installations are subject to regulation under current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements.
- (iii) Any work on electrical installations and appliances should be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.
- (iv) Any work on the electrical network within the site should be done by a competent person fully conversant with the appropriate statutory requirements.

9. Water Supply

- (i) All pitches on the site should be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
- (ii) All new water supplies should be in accordance with all current legislation, regulations and relevant British Standards.

- (iii) All repairs and improvements to water supplies and installations should be carried out to conform with current legislation and British Standards.
- (iv) Work on water supplies and installations should be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current relevant legislation and British Standards.

10. Drainage and Sanitation

- (i) Surface water drainage should be provided where appropriate to avoid standing pools of water.
- (ii) There should be satisfactory provision for foul and waste water drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the council.
- (iii) All drainage and sanitation provision should be in accordance with all current legislation and British Standards.
- (iv) Work on drains and sewers should be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British Standards.
- (v) For caravans without their own water supply and water closets, clean and properly maintained communal toilet blocks should be provided, with adequate supplies of water, to at least the following scales:-
 - Men: 1 WC and 1 urinal per 5 caravans or less;
 - Women: 2 WCs per 15 caravans or less;
 - 1 wash basin for each 2 WCs (or urinals).
- (vi) Toilet blocks should be sited conveniently so that all site occupants may have reasonable access to one by means of a road or footpath.
- (vii) On holiday and touring caravan sites, where laundry facilities are not available, at least one deep sink with adequate supplies of hot and cold water should be provided.

11. Refuse Storage & Disposal

- (i) Where communal refuse bins are provided these should be housed within a properly constructed bin store.
- (ii) All refuse disposal should be in accordance with all current legislation and regulations.

12. Parking

- (i) Private cars, jet skis and boats may be parked between adjoining caravans provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan.
- (ii) Fuel tanks for motor boats should be disconnected and stored in a shaded area, not below a caravan.
- (iii) Suitably surfaced parking spaces should be provided to meet the requirements of residents and their visitors.

13. Communal Recreation Space

- (i) On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site should be allocated for recreational purposes, unless in the council's opinion there are adequate recreational facilities within a close proximity to the site.

14. Notices and Information³

- (i) The name and address of the site should be displayed on a sign in a prominent position at the entrances to the site together with the current name, address and telephone number of the licence holder and manager and emergency contact details.
- (ii) In addition, the following should be available for inspection in a prominent place on the site:-
 - a copy of the current site licence
 - a copy of the most recent periodic electrical inspection report.
 - a copy of the site owner's certificate of public liability insurance.
 - a copy of the local flood warning system and evacuation procedures, if appropriate.
 - a copy of the fire risk assessment made for the site (if required by the NIFRS Caravan Sites Operators Guide).
- (iii) A current plan of the site with roads and pitches marked on it should also be prominently displayed at the entrances.
- (iv) All notices should be suitably protected from the weather and from direct

³ Councils should refer to paragraph 67 in the Explanatory Notes when applying Conditions 14(ii) and (iii) in respect of NIHE sites.

sunlight, preferably in area lit by artificial light.

15. Emergency Telephone

- (i) An emergency telephone for calling the emergency services is only required if mobile phone reception in the area is poor.
- (ii) If provided, the telephone should be immediately accessible and a notice by the telephone should include the name, address and postcode of the site.

16. Flooding

- (i) The site owner should establish whether the site is at risk from flooding by referring to the Department for Infrastructure's Flood Maps.
- (ii) Where there is risk from flooding the site owner should consult the Department for Infrastructure (Rivers) for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take.

17. Fire Safety Measures⁴

Fire Points

- (i) These points should be located so that no caravan or site building is more than 30 metres from a fire point. Equipment provided at a fire point should be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment

- (ii) All fire hydrants should conform to the current British Standard.
- (iii) Access to hydrants and other water supplies should not be obstructed or obscured.

Fire Warning

- (iv) A suitable means of raising the alarm in the event of a fire should be provided at each fire point on permanent residential caravan sites, holiday caravan sites and touring caravan sites.

⁴ Councils should consider the "NIFRS Fire Safety Guide for Caravan Site Operators", available via NIFRS website at www.nifrs.org. See paragraph 75 of explanatory notes.

Maintenance and Testing of Fire Fighting Equipment

- (v) All alarm and firefighting equipment should be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of, the licensing authority or the Fire and Rescue Service.
- (vi) A record should be kept of all testing and remedial action taken.
- (vii) All equipment susceptible to damage by frost should be suitably protected.

Fire Notices

- (viii) A clearly written and conspicuous notice should be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

“On discovering a fire:

- I. Ensure the caravan or site building involved is evacuated.
- II. Raise the alarm.
- III. Call the fire brigade (the nearest phone is sited at).”

In applying the conditions above in respect of fire safety measures the council should refer to NIFRS Fire Safety Guide for Caravan Site Operators. As regards to Traveller/Roma sites the guidance emphasises that in the event of a fire the occupier should Get Out, Get the Fire and Rescue Service Out, and Stay Out and therefore the provision of fire points, fire fighting equipment or a fire warning is not recommended.

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MODEL LICENCE CONDITIONS – EXPLANATORY NOTES

Introduction

1. These explanatory notes are designed to be read in conjunction with Model Licence Conditions 2019 in Northern Ireland (“the conditions”) and are intended to offer guidance on the application and enforcement of the conditions for councils.
2. The Model Licence Conditions as laid out represent what would normally be expected as a matter of good practice on such sites. They should be applied with due regard to the particular circumstances of each case, including the physical character of the site, any facilities or services that may already be available within convenient reach and other local conditions.
3. It is recognised that not all sites will easily be able to meet the Model Licence Conditions in every case due to their particular characteristics, but a council will need to be able to justify any decision not to have regard to the Model Licence Conditions in setting a licence condition.
4. The Model Licence Conditions are not intended to be the “ideal”; councils may in the circumstances set more demanding ones if it is appropriate and can be justified.
5. There will be some licence conditions which require inter and cross agency input and advice from other teams within the council and outside organisations, such as the Health and Safety Executive Northern Ireland, the Northern Ireland Fire and Rescue Service, Northern Ireland Water and the Northern Ireland Environment Agency. It is important for all parties concerned with sites that effective lines of communication are established to ensure that any problems are identified and resolved as early as possible.
6. Disability Discrimination legislation applies to sites and this should be borne in mind when framing licence conditions and considering possible enforcement action. Guidance can be found at www.nidirect.gov.uk and this can also help councils in their consideration of licence conditions. Further guidance can also be found on the Equality Commission's website at <https://www.equalityni.org>.

Legal background

7. Under the 1963 Act, most privately owned sites must be licensed by the council, unless exempted under the 1963 Act⁵. A licence will be granted unless the applicant does not have relevant planning permission to operate the site or has had a licence revoked in the last three years.⁶
8. The council may attach conditions to the licence, but these can only relate to the physical use of the site and its management⁷. The Department for Infrastructure may issue Model Licence Conditions which the council must have regard to in deciding what conditions to attach to a licence⁸. The council may from time to time alter a site licence condition (either of its own volition or upon the application of the licence holder)⁹.
9. A licence holder may appeal against the imposition of a condition in a licence or any proposed alteration to a condition or a refusal to alter a condition¹⁰.
10. It is an offence to breach a licence condition and on summary conviction the offender can currently be fined up to £2,500¹¹. Where a condition requires works to the site to be carried out and these are not done either within the time specified or to the satisfaction of the council, the council may carry out the works itself and recover from the licence holder any expenses it has reasonably incurred in doing so¹².
11. The council may apply to the court to have a licence revoked if the licence holder has been convicted on two or more occasions of breaches of licence conditions¹³.
12. The council is required, under section 22 of the Act, to maintain an accurate register of the site licences in their area. Given the number of different types of sites that councils may deal with, it is recommended that the register

⁵ Section 2 and Schedule to the 1963 Act set out in which circumstances a site licence is not required.

⁶ Section 3 (3) and (6).

⁷ Section 5 (1) to (6). For restriction see *Mixnam's Properties v Chertsey UDC A.C. 735*.

⁸ Section 5 (7).

⁹ Section 8.

¹⁰ Sections 7 and 8 (2).

¹¹ Section 9 (1). The maximum penalty on summary conviction is a fine not exceeding level 4 on the standard scale.

¹² Section 9 (4).

¹³ Section 9 (2).

shows what type of site each is, be it holiday, residential, mixed use or Traveller. It is recommended as a minimum the information the site register has is:

- Name and address of site (if available the Geographic Information Service mapping code should also be logged)
- Name of the licence holder, the site owner (if different) and any person managing the site on behalf of either of those persons
- Type of site
- The number of pitches
- The licence conditions (if any)

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The Boundaries and Plan of the Site

1. The boundary should clearly define the limit of the site owner's responsibility. The boundary should be suitably marked and properly maintained. This boundary could be formed of a fence, hedge, wall or natural feature or any other suitable structure (or any combination of these) or it may in whole, or part, be formed by an appropriate natural feature, such as a river or a wood. It would not normally be appropriate for that natural feature to simply include an open field.
2. Plans of the site should be provided to the council at the site owners' expense.
3. It is best practice for copies of the plan to be made available to the emergency services.
4. The 3 metre separation distance inside the boundary serves the purpose of ensuring privacy from whatever is on the other side of the boundary, such as a road, and other developments, such as houses etc. This may not be necessary given the particular characteristics of the site.
5. The 3 metre separation distance measurement should be taken from the caravan wall.

Density and Spacing Between Caravans

6. The 5 or 6 metre separation distance is required for two reasons:
 - Health and safety considerations; and
 - Privacy from neighbouring caravans.
7. Health and safety matters, such as the positioning of gas bottles, etc. should also be taken into account.
8. For the purposes of calculating the distance between the caravans, the point from which measurements are taken is the exterior cladding of the relevant caravan. Eaves, drainpipes, gutters, sills, threshold, door canopies and bay windows should be discounted.

9. Porches should not render the home incapable of being moved, which means they should be demountable.
10. If structures, other than garages, are on pitches within the separation distance and are of a combustible construction, then the council should consider allowing sufficient time for them to be replaced with an acceptable non combustible model.
11. At no time should a garage constructed of combustible material be allowed in the separation distance.

Enforcement

12. In considering the enforcement of the separation distance the council should refer to the Northern Ireland Fire and Rescue Service guidance. It should also seek the views and take account of representations from the site owner and affected residents before taking any steps to enforce this condition, where practicable.
13. Before the council undertakes any enforcement action it should consider the benefit of the works against the potential impact on the residents' enjoyment of their caravans and the cost to the site owner.

Roads, Footpaths, Pavements, Gateways and Overhead Cables

14. Roads should be constructed of bitumen macadam or concrete with suitable compacted base. However, sites with roads constructed of tarmac should not be required to automatically upgrade their roads. The roads should only be required to be upgraded as and when they begin to fall into disrepair.
15. Some larger sites may have traffic calming measures such as speed humps on their roads. Though not specifically covered in this standard, it will be worth ensuring that any legal requirements applying to un-adopted roads are met. Guidance and assistance can be found on the Department for Infrastructure website, www.infrastructure-ni.gov.uk.
16. Gateways, roads and turnings should have enough clearance to allow safe entry for emergency vehicles and new units on lorries. The widths and heights

given are based on the maximum sizes of emergency vehicles that may regularly attend incidents on sites.

17. In determining the permitted height of cable overhangs the council must take into account the current statutory requirements. Those applying as at the date of this guidance are found in the Electricity Safety Quality and Continuity Regulations (Northern Ireland) 2012 SR 2012/381 (ESQCR). These regulations provide that, in general, cables should not overhang a road at a height of less than 5.8 metres for lines not exceeding 33KV.

18. The Technical Specification (TS) published by the Energy Networks Association (ENA) [“ENA TS 43-8”](#) specifies that where:

- The overhead line follows a route along a hedgerow, fences, boundary walls or similar features, the minimum clearance in these circumstances is 4 metres.
- The overhead line crosses a driveway with an access width of no more than 2.5 metres (and the driveway is defined by gateposts or similar features), the minimum clearance is 4.3 metres.

Further advice on minimum clearances is available from the Health and Safety Executive Northern Ireland.

19. It is good practice that all overhead lines on sites should be fully insulated and where a cable is within easy reach of a property; it must be so and protected from interference.

20. Where the site owner generates their own electricity, the council should require the site owner to comply with regulation 3 of the ESQCR and in considering any enforcement action in relation to cables must consult with the HSENI.

21. Communal path widths should normally be 0.9 metres in respect of new sites or sites that are undergoing substantial redevelopment (including expansion to part of the site); otherwise paths of not less than 0.75 metres should be accepted where they already exist.

Lighting

22. The lighting provided for communal paths and roads should be adequate to allow safe movement around the site during the hours of darkness. Many sites use low lighters rather than traditional street lamps and these work well as long as they are well maintained and plants/vegetation are not allowed to grow around them and stop them emitting light effectively. The lighting must be fit for purpose i.e. to allow vehicles and pedestrians to navigate around the site between dusk and dawn.

Bases

23. It is important to note that the construction, maintenance and repair of the concrete base are the responsibility of the site owner. New bases should be laid as a minimum in accordance with the current industry guidelines.

24. Particular attention should be paid to the terrain of the site before a base is laid, which may mean a thicker base is needed. The base should be sufficient to handle the load placed upon it by the caravan and its contents.

25. On holiday caravan sites and touring caravan sites hard standings may not be necessary if the caravans are removed during the winter or if the ground on which they are situated is firm and safe in poor weather conditions.

Enforcement

26. When considering any enforcement action, the council should also seek the views and take account of representations from the site owner and affected residents before taking any steps to enforce this standard, where practicable.

27. Before the council undertakes any enforcement action it should consider the benefit of the works against the potential impact on the residents' enjoyment of their homes and the cost to the site owner.

28. Where a caravan has to be removed in order to facilitate works to the base the council should normally, if it is feasible and if it is the resident's wish, require the site owner to reinstate, at his own expense, the caravan on the original pitch on completion of the works.

Maintenance of Common Areas, including Grass, Vegetation and Trees

29. Cut grass and vegetation should be removed from the site as soon as practicable. Bonfires should not be used as a means of disposal. Vegetation is often used for sight screening but should be kept at a reasonable height.
30. Trees on the site will normally be the responsibility of the site owner. Where trees are in need of care and maintenance the council should, before any action is taken, liaise with the officer responsible for trees at the council to ensure that all statutory and other requirements are complied with.
31. The common parts of the site (including roads, paths and pavements) must be kept free of any rubbish and maintained in a clean and tidy condition. The council may wish to consider whether appropriate receptacles for litter need to be provided in such areas. In any case the site owner should be required to make arrangement for the regular collection of routine rubbish from the site. They should also be required to make arrangements for the prompt disposal of waste and other materials which accumulate on the site during any works etc. Secure non combustible facilities should be provided on the site for the proper storage of rubbish and waste prior to its removal and disposal off the site.

Supply and Storage of Gas etc.

32. The Health and Safety Executive Northern Ireland ("HSENI") website, www.hseni.gov.uk, provides details and information about the various legislative requirements and contacts if further information is needed. In addition the trade body for LPG suppliers, uk LPG, www.uklpg.org, also has information which may be of use.
33. Anyone being employed by a site owner to carry out work on gas (including natural gas) or oil installations should be suitably qualified to do the work. The [HSENI](#) pages contain details of various certification schemes which may apply.

Enforcement

34. In considering whether to take enforcement action for a breach of site licence conditions officers should liaise with the HSENI to ensure any action taken by the authority is not in conflict with any action the HSENI is proposing to take.

35. Council officials who identify areas of concern on sites should always consult the HSENI about the problem(s).
36. All new installations must be to the current regulations and maintained at that standard.

Electrical Installations

37. The electrical installations on the site will be a distributor's network either belonging to the regional electricity network operator or the owner of the site. The Department for Economy's website: www.economy-ni.gov.uk contains information on legislation regarding the electricity supply in Northern Ireland.
38. A suitably qualified person for the purpose of carrying out work on electrical installations and appliances, including maintenance and inspections, includes a professionally qualified electrical engineer, a member of the Electrical Contractors Association, a contractor approved by the National Inspection Council for Electrical Installations Contracting, or a qualified person acting on behalf of the above.
39. It may be necessary to ensure the electricity distribution network complies with ESQCR, in which case such work should only be undertaken by a competent person familiar with those Regulations.
40. All new installations must meet the requirements of the current regulations and maintained at that standard.

Enforcement

41. In considering whether to take enforcement action for a breach of site licence conditions, officers should liaise with the HSENI to ensure any action taken by the authority is not in conflict with any action the HSENI are proposing to take.
42. Council officials who identify significant areas of concern with site electrical networks and installations should always consult the HSENI about the problem(s).

Water Supply

43. The Utility Regulator lays down service standards for Northern Ireland Water ("NI Water") and details can be found on its website at www.uregni.gov.uk. In addition,

there are various schemes for suitably qualified persons and authorities should check to see that those undertaking works are qualified. The main scheme is run by NIC certification and details can be found about the scheme at www.niceic.com

44. Where the water supply is wholly or partially supplied from a private water supply such a supply should be registered with the Drinking Water Inspectorate before use. Further information can be obtained from <https://www.daera-ni.gov.uk/articles/private-water-supplies> .

45. On any site of two or more caravans the site owner must consult with NI Water in respect of installing a water supply to the site.

Enforcement

46. With the majority of well-established sites enforcement of this section will need to be carefully handled, as most sites will have long established water systems. As with gas and electricity above, there may be a case for dual enforcement if an offence is identified. Consultation with NI Water and the Drinking Water Inspectorate for Northern Ireland within the Department of Agriculture, Environment and Rural Affairs is essential.

47. As with the previous sections, council officers who identify an issue with water supply on a particular site may wish to advise NI Water and the Drinking Water Inspectorate for Northern Ireland of the problem.

48. All new installations must be to the current regulations and maintained at the appropriate standard.

Drainage and Sanitation

49. As with water supplies, provision of sewerage facilities is overseen by the Utility Regulator.

50. It is important that all drains and sewers are well maintained and are connected to the appropriate system. If left unchecked, there can be consequences for the health of residents, along with those who live near the site.

51. Where the proposed site is serving multiple caravans, those constructing must consider the requirements of Article 161 of the Water and Sewerage Services

(Northern Ireland) Order 2006, as amended, with regards the construction and adoption of sewers serving two or more units.

52. It should be noted that the environmental quality of drainage is regulated by the Northern Ireland Environment Agency, with whom the council must consult about any problems.

53. Where appropriate, particular consideration should be given to the needs of disabled people in the provision made for water points, toilets, washing points and showers.

Enforcement

54. In considering whether to take enforcement action for a breach of site licence conditions officers should liaise with NI Water and the Northern Ireland Environment Agency to ensure any action taken by the council is not in conflict with any action NI Water or the Northern Ireland Environment Agency are proposing to take.

55. Council officials who identify areas of concern on sites should alert NI Water and the Northern Ireland Environment Agency to the possible defects.

56. All new installations must be to the current regulations and maintained at that standard.

Refuse Storage and Disposal

57. If communal bins are provided they should be housed within a properly constructed bin store. Liaison with colleagues who deal with refuse collection matters will help in ensuring that the bins provided by the site owner (in the case of communal bins) are acceptable to the council in pursuance of its collection of rubbish from them.

58. The site owner should be required to discuss with the council arrangements for the separation of waste for the purpose of recycling it, and required to provide the necessary receptacles etc. on the site.

Parking

59. Parking needs will vary considerably between individual caravan sites. Parking

requirements should reflect the reasonable needs of the residents, having regard to the size and layout of the site, the number of units, the occupation criteria of the site and the availability of public transport in the immediate vicinity.

60. Provision of parking spaces on new sites or those undergoing redevelopment or extension should be consistent with local planning policies.

Communal Recreation Space

61. This standard should only be applied if the council is satisfied that it is both practicable to provide recreation space on the site and there is insufficient recreation space off the site in the near locality.

62. It will only be practicable to provide such space on the site if there is sufficient open space which is available and it is possible to safely use that space for recreation. The standard requires the council to consider the need for recreation space; it does not require it to consider the need for recreation facilities, although the council may consider that need as part of a licence condition. The larger the site the more recreation space or spaces may be needed. On small sites there may be no need for space at all. In deciding whether it is practicable to provide the space the council should also consider the site layout, the availability of private open spaces (e.g. within the pitch), the availability of other amenities on the site (e.g. club houses) and the age and number of residents on the site.

63. On site recreation space may be considered unnecessary if there is sufficient suitable space available off site within close (walking) distance of it. The space must, however, be freely accessible by the public, such as a municipal park, commons land, and greens or any part of the countryside to which the public have a right to walk.

Notices and Information

64. It is important that all notices are protected from the weather and are prominently displayed, either on a board, in an office open to the public, or other places on the site which the residents have free and reasonable access to.

65. The notices must include the most recent site licence, and the contact details of the site manager, and if different the licence holder. This should include an out of

hours contact number for emergencies, and if available an e-mail address.

66. The site owner is also required to make available certain information for inspection by residents in a prominent position on the site. That could be the site office provided it is open at reasonable times, a community room which every resident is entitled to use and which is also open at reasonable times or a notice board located at the entrance to or in a central part of the site.

67. The council should discuss and agree a suitable arrangement in respect of the display of notices and information required by Conditions 14(ii) and (iii) with the NIHE, regarding the sites provided for Travellers.

Emergency Telephone

68. The council should decide whether an emergency telephone for calling the emergency services is required, taking account of the individual characteristics of each site including appropriate availability of mobile phone coverage and reception.

Flooding

69. It is important that if a site is in an area susceptible to flooding, procedures are in place to ensure that all those on the site are alerted quickly, and that they are aware of any evacuation procedures that may be in place. A notice should be prominently displayed with all relevant information.

70. The site should be included in any emergency arrangement plans held by councils.

71. Sites should consider surface water flood risk and how to mitigate any such risk. For those located within the inundation area of a Controlled Reservoir it would be advisable to have an evacuation plan in place.

72. Advice on flood risks is available from the Department for Infrastructure website: www.infrastructure-ni.gov.uk

73. It is important in those parts of the country where flooding is an issue that councils have effective liaison with the Department for Infrastructure Rivers Office for their area, as well as relevant officials across their own council. NI Water should also be

contacted.

Fire Safety Measures

74. The Northern Ireland Fire and Rescue Service website: www.nifrs.org contains a range of helpful information on fire safety and the requirements of The Fire and Rescue Services (Northern Ireland) Order 2006. This includes links to fire safety guides including a specific guide relating to fire safety for caravan site operators.

75. In applying any conditions relating to fire safety measures, the council should consider the recommendations made in the Northern Ireland Fire and Rescue Service guidance. For example at Traveller or Roma sites, NIFRS recommends that during meetings and site visits it should be emphasised that in the event of a fire the occupier should Get Out, Get the Fire and Rescue Service Out, and Stay Out, and therefore the provision of fire points, fire fighting equipment or a fire warning is not recommended.

76. The Fire and Rescue Service has a duty to provide fire safety advice to those who ask for it, although it will not carry out risk assessments.

Fire Fighting Equipment

77. Where fire points are advised in the NIFRS Fire Safety Guide for Caravan Site Operators they should be visible at all times and marked in a way that makes it obvious as to what they are. They will need to be kept clear of any obstructions at all times should they be needed in the event that a fire breaks out.

78. As of the date of publication of this document current guidance by the Northern Ireland Fire and Rescue Service is that a fire hydrant should be installed within 100m of any caravan standing and be capable of providing a flow rate of at least 1,500 litres per minute. Where a fire hydrant is not provided, or where the flow rate is insufficient, an alternative water supply may be acceptable, such as lake, pond, river, canal or a holding tank, provided it is capable of providing at least 45,000 litres of water at all times of the year, and to which access, space and a hard standing is available for a fire appliance.

79. The positioning of mains connected hydrants is the responsibility of NI Water, and any queries as to whether a site has a hydrant should be directed to them. The

positioning of the hydrants should be recorded on the site map, which will assist the emergency service in locating them in the event of an emergency.

80. The site operator may decide, for additional protection, to install other measures such as water standpipes and hose reels at each fire point. Where these are provided, the water pressure and flow should be sufficient to project a jet of water approximately 5m. The hose reel should be a minimum length of 30m and comply with the current British Standard.

81. Fire Extinguishers should only be used if there is not enough water pressure for a hose reel. Where provided, extinguishers should comply with the current British Standard.

82. The previous Model Licence Condition in respect of an emergency telephone has been modified. An emergency telephone for calling the emergency services is only required if mobile phone reception is poor. On touring caravan sites, site owners are encouraged to provide details of the nearest available telephone for contacting the emergency services on the fire notice.

Fire Warning

83. The means of raising the alarm in the event of a fire should be appropriate to the size and layout of the site. If you are unsure of which form of raising the alarm is the most suitable to the site, then refer to the NIFRS Fire Safety Guide for Caravan Site Operators.

Maintenance and Testing of Fire Fighting Equipment

84. It is important that all fire warning systems and firefighting equipment are regularly inspected and maintained. The suggestion is that these checks should be carried out on an annual basis. All testing and maintenance should be carried out by a person suitably qualified to do the work. Records should be kept of any testing and when the most recent inspections were carried out. The record of all tests and inspections should be kept on the site for inspection.

Fire Notices

85. The fire action notice should be displayed on a notice board, and at other suitable points around the site. The full address of the site, including the postcode should be included. Suggested text is available in the NIFRS Fire Safety Guide for Caravan Site Operators.

Enforcement

86. The main enforcer in respect of fire safety is the Northern Ireland Fire and Rescue Service.

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ITEM 15**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Environment
Responsible Head of Service	Building Control, Licensing and Neighbourhood Environment
Date of Report	09 July 2019
File Reference	LR 100
Legislation	The Local Government (Miscellaneous Provisions) (NI) Order 1985
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Grant of Entertainment Licences
Attachments	

Applications have been received for the grant of entertainment licence as follows:

1. McKee Clock Outdoor Concert

Applicant: **Open House Festival, 2 Queens Parade, Bangor**

Venue: McKee Clock, Arena, Bangor

Day and hours of use: 25 August 2019 between the hours of 4.00pm and 10.00pm.

Type of Entertainment: Outdoor musical event.

2. The Old Auction Rooms

Applicant: **Open House Festival, 2 Queens Parade, Bangor**

Venue: Old Auction Rooms, 18 Gray's Hill, Bangor

Day and hours of use: Monday to Sunday on 14 unspecified days in the next 12 months.

Type of Entertainment: Music, singing and dancing

3. The Bull and Claw, Frances Street, Donaghadee

Applicant: Fraser Greenhill, Croft Road, Hollywood

Days and Hours: Monday to Sunday during the permitted hours when alcohol may be served on these premises under the Licensing (NI) Order 1996

Type of entertainment: Indoor dancing, singing and music

RECOMMENDATION

The applications are ***recommended*** for approval subject to the following:

- 1 The applications being completed satisfactorily with all the Council's requirements being met; and
- 2 The PSNI, Northern Ireland Fire and Rescue Service or members of the public not objecting to the issue of the licence.
- 3 The applicant foregoing his right to appear before and be heard by the Council.

ITEM 16**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	18 July 2019
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	Northern Ireland Water – Infrastructure Investment Proposals - Request for Deputation
Attachments	

In June 2019 Council agreed to a request from NI Water to make a deputation to Ards and North Down Borough Council. The matter was then referred to the Corporate Services Committee in October 2019 (due to there being two earlier deputations agreed for the September meeting).

Des Brown, Head of Business Engagement Northern Ireland Water has requested that the deputation is allowed to address full Council in August 2019 due to the seriousness of this issue.

He goes on to state “*NI Water has been warning for some time that cuts in funding would eventually start impacting on delivery of service. The level of funding made available to NI Water from Government for the period 2015 to 2021 was not sufficient for Northern Ireland’s water and sewer infrastructure. To date, further cuts to our funding mean projects have not been, and will not be, delivered. This means work on new water mains or upgrading wastewater treatment plants needed to connect new houses to the sewerage system has not been done. While NI Water has been able to protect and maintain safe, clean drinking water, sewage issues identified have had to be left largely unaddressed.*

Northern Ireland has increasing significant capacity issues with its sewer infrastructure. Currently there is no more sewer capacity available in 55 towns across Northern Ireland and a further 21 are within 10% of their capacity. As a result NI Water may not be able to allow new connections to the sewer network in Belfast, Ballymena, Antrim, Ballyclare, Larne, Dungannon, Cookstown, Magherafelt, Coleraine, City of Derry, Limavady, Omagh, Enniskillen, Newry, Warrenpoint, Lurgan, Armagh, Banbridge, Bangor and Newtownards just to name a few.

NI Water is currently preparing its Business Plan for the period April 2021 to March 2027, known as PC21. All projects within the plan are subject to prioritisation and the availability of adequate funding. We have identified a requirement that is in the region of ca £2.5 billion to maintain safe, clean drinking water and address the main issues with sewer networks. If the funding made available to NI Water for the 2021 to 2027 period remains similar to current levels, an increasing number of sewage issues will not be resolved. We would greatly appreciate the support of Councils as we progress our PC21 Business Plan”.

RECOMMENDATION

It is recommended that Council considers if they wish the Northern Ireland Water deputation to address the full council meeting in August 2019 or continue with its original decision to hear it at the Corporate Services Committee in October 2019.

ITEM 17**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	25 June 2019
File Reference	DS 15
Legislation	Local Government Act (NI) 2014
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Review and Update of Standing Orders
Attachments	Appendix I - Review of Standing Orders Version 5 - June 2019 Appendix II - Draft Standing Orders

As members will recall, the Councils' Standing Orders were last reviewed in October 2017 and version 4 produced. Since then no Council decisions have been taken to amend them.

It was agreed that a comprehensive review of the Standing Orders be undertaken at this point, following the conclusion of the first term of the new Council.

The recommended amendments are detailed in Appendix I. The report details the current wording and the suggested amendment/addition or deletion. Also attached at Appendix II is the Draft Standing Orders, encompassing the recommended changes marked in orange.

Members are reminded that, in line with Standing Order 28.2, "*Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand*

Unclassified

adjourned be referred without discussion to the next ordinary meeting of the Council and any resultant amendment will be ratified at an ordinary meeting of the Council.”

RECOMMENDATION

It is recommended that the Council accepts the proposed changes as detailed in Appendix I. (The Standing Orders will be stood down for one month and the report considered at the Council meeting in August 2019.)

STANDING ORDERS

VERSION 5
JUNE 2019



Ards and
North Down
Borough Council



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Introduction

In accordance with Section 37 of the Local Government Act (Northern Ireland) 2014, Councils are required to make Standing Orders for the regulation of the proceedings and business of the Council. A Council's Standing Orders will include elements that the Act states they must include, elements that the Regulations state must be included and other elements which a Council may consider should be included. The Standing Orders provide a robust, clear and accountable framework to demonstrate how it will conduct meetings and transact business at those meetings.

Section 38 of the Act provides the Department with an enabling power to make Regulations about Standing Orders.

The proposed Regulations will make more detailed provision in relation to:

- decisions that will require a qualified majority vote;
- the operation of the process for the reconsideration of a decision;
- the timescales in which the appointment of a Councillor to hold a position of responsibility must take place; and
- the procedure for appointing members to Committees, where the Council wishes to appoint more than one Committee at a time.

Statutory Provisions

For information, convenience and completeness, provisions of the Local Government Act (Northern Ireland) 2014 have been cited in these Standing Orders.

It is considered correct that actual Standing Orders should make no reference to statutory provisions as such provisions cannot be part of Standing Orders.

Glossary of Terms

"2014 Act" means the Local Government Act (Northern Ireland) 2014

"2014 Executive Arrangements Regulations" means the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014

"2014 Standing Orders Regulations" means the Local Government (Standing Orders) Regulations (Northern Ireland) 2014

"call-in" means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act.

In Standing Order 23

"2000 Act" means the Political Parties, Elections and Referendums Act 2000; "member" means Councillor;

"nominating officer" in relation to a Party, means

(a) the person registered under the 2000 Act as the Party's nominating officers; or

(b) a member of the Council nominated under the 2000 Act for the purposes of Schedule 1 to the 2014 Act; and

"party" means a party registered under the 2000 Act in the Northern Ireland register (within the meaning of that Act).

The Council's Planning Committee is managed using the Protocol for the Operation of Ards and North Down Borough Council Planning Committee. (Annex 1) This should be read in conjunction with the Standing Orders and is not intended to replace them.

'Working days' excludes Public or Bank holidays, a Saturday or a Sunday.

The deadline in respect of call-in is 5.00 pm.

The deadline for Notice of Motions is 11.59 pm.

It should be noted that, in the case of a quorum, 1/4 of the Council/Committee membership should be in attendance (six for Planning Committee). If the figure arrived at is not a whole number, the figure must be rounded up to the next whole number.

Presiding Chairperson means the Elected Member chairing the Council or Committee Meeting.

1. Annual and Monthly Meetings

- (1) In every year that is not a local election year the Council shall hold an Annual meeting on the first Wednesday in the month of June, unless the Council otherwise decides.
- (2) In any year which is a local government election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix at the offices of the Council or at such other place as the Department may direct.
- (3) A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the last Wednesday of every month. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.
- (4) Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. When the day of a meeting falls on one of these days, the meeting shall be held on the next available date instead.

2. Time and place of meetings

The Annual Meeting shall be held at 11.00am and other meetings of the Council shall be held at 7.00pm at an agreed location in the Borough.

Council and Committee meetings are scheduled to last a maximum of two hours. After two hours a 15 minute break will be taken. Following the break, the meeting should continue for a maximum time of two hours. The Presiding Chairperson may exercise a level of discretion in this regard giving consideration to the importance of business to be considered and lateness of the hour.

3. Convening Special Meetings

- (1) The Mayor of the Council may call a meeting of the Council at any time giving 5 working days' notice.
- (2) The Mayor may call a meeting of the Council if a requisition for such a meeting, signed by eight members, is presented to them; and if they refuse to call a meeting on such a requisition or if, without so refusing they do not call a meeting within the period of five working days from the date of the service of the requisition on them, the eight members may, on that refusal or on the expiration of that period forthwith, call a meeting of the Council.



4. Notice and Summons of Meetings

Three working days at least before a meeting of the Council or, a Committee:

- (1) Notice of the time and place of the intended meeting shall be published at the offices of the Council. Where the meeting is called by Councillors, the notice shall be signed by them and shall specify the business proposed to be transacted thereat;
- (2) A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Chief Executive shall be issued electronically to members via email. Want of service of this summons shall not affect the validity of a meeting;
- (3) Except in the case of business required by statute, or where in the opinion of the Presiding Chairperson of the meeting the business should be considered by the meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a Committee or Sub-Committee other than that specified in the summons relating thereto;
- (4) Any Other Notified Business (AONB) cannot be considered at Council meetings or the Planning Committee but may be considered at all other Committee meetings. AONB must be submitted in writing to Democratic Services not later than 4 pm one working day prior to the meeting. This should also be copied to the Chairperson and Director of the relevant Committee. AONB should be of an urgent nature and usually for information and can be accepted or denied at the discretion of the Chair. It should not be a matter that should be raised as a Notice of Motion.
- (5) Council and Committee Agendas and reports which are being considered publically will be uploaded onto the Council website by 10.00 am on the date of the meeting.

5. Chair to be taken

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with.

6. Chairperson of Meeting

- (1) At a meeting of the Council, the Mayor of the Council, if present, shall preside.
- (2) If the Mayor is absent from a meeting of the Council, the Deputy Mayor, if present, shall preside.
- (3) If both the Mayor and Deputy Mayor are absent from a meeting of the Council, the members present shall nominate a member to preside in their absence.
- (4) If discussion arises on the allocation of the position of Presiding Chairperson, the Chief Executive shall exercise the powers of the Presiding Chairperson to assist in the regulation of that discussion.
- (5) Any power of the Mayor in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.
- (6) It should be noted that the same principles (1) to (5) above would apply to the Chair and Vice Chair of Committees.

7. Quorum

- (1) No business shall be transacted at a meeting of the Council and its Committees unless at least one-quarter of the Council/Committee membership is present. No business shall be transacted at a meeting of the Planning Committee unless a minimum of six Councillors are present.
- (2) If during a meeting, the person presiding, after the number of members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within fifteen minutes, they shall declare the meeting adjourned.
- (3) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(2) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.
- (4) REMOVE THIS PARAGRAPH Where more than one-quarter of the members become disqualified at the same time then, until the number of members in office is increased to not less than three-quarters of the whole number of members, the quorum of the Council shall be determined by reference to the number of members remaining qualified instead of by reference to the whole number of members.

8. Admission to meetings

- (1) Subject to the provisions of this Standing Order, every meeting of the Council shall be open to the public and press.
- (2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 10; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety.
- (3) The admission of the public and press is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.
- (4) At all times during which a meeting of the Council is open to the public, the Council shall, so far as is practicable, cause to be made available to duly accredited representatives of newspapers attending for the purpose of reporting proceedings at the meeting reasonable facilities for taking reports of these proceedings.
- (5) Taking photographs of proceedings or the use of any other means by Elected Members, members of the public or the press to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.
- (6) The use of social media by Councillors, members of the public or journalists shall be permitted, during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

9. Record of attendances at meetings

The names of the members present at a meeting of the Council shall be recorded by the minute taker. If a member is not present for the full duration of a meeting the minutes shall record when he or she enters and/or leaves the meeting.



10. Exclusion of the public and press

- (1) The public and press shall be excluded from a meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.
- (2) The Council may by resolution exclude the public and press from a meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the meeting.
- (3) The Presiding Chairperson may at any time during the proceedings, if they think it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public and press.
- (4) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public and press shall be re-admitted and the Presiding Chairperson may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.
- (5) The Council, having excluded the public and press, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.
- (6) If the Council, with the public and press excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.
- (7) When the Council, having transacted business with the public and press excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

11. Attendance of Elected Members at Committees

Any Elected Member may attend a Committee meeting of which he/she is not a member, but may not take a Council seat within the main meeting area and instead should sit in the public gallery. If the public and press are excluded from the meeting the member is not required to leave the room but rather be bound by the restrictions imposed at that part of the meeting.

12. Deputations

- (1) Deputations, from any source, shall only be admitted to address the Council provided the Chief Executive has received seven working day's notice of the intended deputation and a statement of its objective, and subject to the agreement of the Council.
- (2) In the case of an emergency, Deputations, from any source, shall only be admitted to address the Council provided the Chief Executive has received one working day's notice of the intended deputation and a statement of its objective, and subject to the agreement of the Mayor.
- (3) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed 10 minutes followed by a maximum 15 minutes question and answer session.
- (4) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council will decline to accept another deputation on the same issue from the same individual or group for a period of six months.
- (5) No further discussion or proposals beyond questions shall take place at a Council or Committee meeting until after the deputation has withdrawn. Any subsequent proposal made should be limited to a request for officers to bring back a report on the matters raised by the deputation.

13. Order of Business

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- a) Apologies;
- b) declaration of members' interests;
- c) Mayor's Remarks;
- d) confirmation of the Minutes of the last stated meeting and of all adjourned meetings and special meetings held since the last stated meeting;
- e) matters arising;
- f) adoption of the minutes of the proceedings of any Committees and consideration of reports, if any, from such Committees;
- g) requests for deputations;
- h) business required by statute to be transacted at the meeting;
- i) reports on decisions/recommendations subject to the reconsideration procedure;
- j) correspondence;
- k) sealing of documents, and
- l) consideration of motions of which due notice has been given, in the order in which they have been received.



14. Minutes of the Council

14.1 Keeping of; as evidence; etc.

- (1) Minutes of the proceedings of a meeting of the Council, or of a Committee or sub-Committee, shall be drawn up and entered in a bound book kept for that purpose.
- (2) No discussion shall take place upon the previous month's Council Minutes except upon their accuracy or matters for information.
- (3) Any minute purporting to be signed as mentioned in sub-paragraph (1) shall be received in evidence without further proof.
- (4) Until the contrary is proved, a meeting of the Council or of a Committee or Sub-Committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a Committee or Sub-Committee, the Committee or Sub-Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

[Paragraphs 10(2) and 10(3) of Schedule 5 to the 2014 Act applies].

14.2 Signing of

The Minutes of a meeting of the Council shall be signed at the next ensuing meeting of the Council by the Mayor, if approved by the meeting at which they fall to be signed.

[Paragraph 10(1) of Schedule 5 to the 2014 Act applies].

15. Submission of Minutes

- (1) In order to give sufficient time for the preparation of the minutes and for their consideration by the members of the council, minutes of meetings of a Committee held later than five working days before the meeting of Council shall not be submitted to that meeting. This may be dis-applied where a Committee considers the matter to be of extreme urgency and records such a decision in it's minutes.
- (2) It shall be the duty of a Committee, through the Presiding Chairperson or their representative, when its minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

16. Minutes of Committees

- (1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of Committees with reference to any matter within the remit of a Committee which does not appear on the minutes submitted to the meeting of the Council.
- (2) Any matter in the minutes of a Committee on which a request for reconsideration, under Section 41 of the 2014 Act, has been lodged with the Chief Executive of the Council shall be identified, and may not be the subject of discussion at that meeting.

17. Motions

- (1) Every motion shall be relevant to at least one of the following:
 - i) in relation to which the Council:
 - a) has power or duties;
 - b) is not prevented from taking action on by other legislation;
 - ii) which directly affects the local government district or its residents; and
 - iii) for which the Council is legally competent.
- (2) The decision of the Mayor as to the relevancy of a motion shall be final.

17.1 On notice

- (1) Notice of every motion, other than a motion which under Standing Order 17.2 may be moved without notice, shall be given in writing, signed by the member or members of the Council giving the notice, to the Chief Executive not later than at least five working days before the next meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than five working days before the meeting.
- (2) A motion shall be rejected if, in the opinion of the Chief Executive (having taken advice), the wording or nature of the motion is considered unlawful, improper or irrelevant.
- (3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every member of the Council.
- (4) Notices of motion shall be entered by the Chief Executive in their proper place upon the Summons Paper in the order in which they are received.
- (5) If a motion set out in the Summons is not moved by a member who gave notice it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice. Should the proposer wish for the motion to be heard in his/her absence, consent must be indicated in writing to the Presiding Chairperson of the Council/committee, nominating who will propose the Motion.
- (6) If the subject matter of any motion of which notice has been properly given comes within the remit of any Committee it shall, upon being moved and seconded, stand referred without discussion to that Committee, or to such other Committee as the Council may determine, for consideration and report. The Presiding Chairperson may, if they consider it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.
- (7) If a notice of motion fails to be considered at a meeting of the Council/relevant Committee, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Chief Executive by the member concerned not later than five working days, at least, before the Council meeting.
- (8) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.
- (9) A member or members who sign and submit a motion which is then accepted as valid may propose or second the motion at any Committee it is referred to of which they are not a member, and shall have speaking but no voting rights on the same basis of other Committee members when the motion is being considered.
- (10) Where the Presiding Chairperson of a committee is bringing forward a motion, then he/she must relinquish the Chair and permit the Vice Chair to conduct the meeting during the moving of said motion. This is not applicable to the Mayor at a Council meeting.



18. Amendments

- (1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:
 - a) to amend the proposal; or
 - b) that the Council do now adjourn; or
 - c) that the debate be adjourned; or
 - d) that the question be now put; or
 - e) that the Council do proceed to the next business.

18.1 To amend the Proposal

- (1) An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.
- (2) An amendment to a Motion shall be either:
 - a) to refer a subject of debate to a Committee or to an officer for consideration or re-consideration;
 - b) to leave out words;
 - c) to leave out words and insert or add others; or
 - d) to insert or add words

But such omission, insertion or addition of words shall not have the effect of directly negating the Motion before the Council. **This does not apply to Council meetings when ratifying Committee recommendations, as Council may agree to negativise a Committee decision or send it back to the Committee for further consideration.**

- (3) When an amendment upon an original proposal has been moved, the question to be put shall be "That the amendment be made". Where any amendment is agreed, the question to be put shall be "That the proposal, as amended, be agreed". Where any amendment is rejected the question of the substantive proposal shall be put.

18.2 That the Council Do Now Adjourn

- (1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the Council do now adjourn". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.
- (2) In the event of the proposal for the adjournment being carried, the Presiding Chairperson shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.
- (3) A second proposal "that the Council do now adjourn" shall not be made within half-an-hour unless, in the opinion of the Presiding Chairperson, the circumstances are materially altered.

183 That the Debate be Adjourned

- (1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move “that the debate be adjourned”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) Before putting to the meeting a proposal “that the debate be adjourned”, the Presiding Chairperson shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.
- (3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.
- (4) On resuming an adjourned debate, the member who moved its adjournment shall be entitled to speak first. A second proposal “that the debate be adjourned” shall not be made within half-an- hour. A member shall not move or second more than one proposal for the adjournment of the same debate.

184 That the Question Be Now Put

- (1) Any member who has not already spoken to the proposal or amendment then under debate may move “that the question be now put”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) If the Presiding Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, they shall put the proposal “that the question be now put” to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.
- (3) A second proposal “that the question be now put” shall not be made on the discussion of the same question within half-an-hour.
- (4) A member shall not move or second more than one proposal “that the question be now put” on the discussion of the same question.

185 That the Council Do Now Proceed to the Next Business

- (1) Any member of the Council who has not already spoken to any proposal or amendment then under debate may move, “that the Council do proceed to the next business”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.
- (2) If the Presiding Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, they shall put the proposal “that the Council do proceed to the next business” to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.
- (3) When a proposal is carried “that the Council do proceed to the next business”, the question under discussion shall be considered as dropped.
- (4) A second proposal “that the Council do proceed to the next business” shall not be made on the same question within half-an-hour.
- (5) A member shall not move or second more than one proposal “that the Council do proceed to the next business” on the discussion of the same question.



19. Amendments to Regulatory Decisions

- (1) No amendment may be moved to a minute which is a Regulatory Decision.
- (2) For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority [or those powers specified in Executive Arrangements Regulations]; or any application for which the Council is the licensing authority.

20. Rules of Debate

20.1 Motions and amendments to be reduced to writing and seconded

- (1) A Motion or Amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 17.1, it shall be put into writing before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if they then declare their intention to do so, reserve their speech until a later period of the debate.

20.2 Alteration of motion

- (1) A Member may alter a motion of which they have given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (3) Only alterations which could be made as an amendment may be made.

20.3 Withdrawal of motion

- (1) A Member may withdraw a motion of which they have given notice under Standing Order 17.1 at any time after the meeting has commenced provided that they have not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may withdraw any other motions which they have moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- (3) No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

20.4 Mode of address

For meetings of Council, Committees and Sub-Committees the established mode of address for Members is to stand (if able to do so) when addressing the Presiding Chairperson. While a Member is speaking, the other members shall remain seated unless rising to a point of order or in personal explanation. A member shall direct their speech to the question under discussion or to a personal explanation or to a point of order.

20.5 Precedence in speaking

Whenever two or more members indicate their intention to speak at the same time, the Presiding Chairperson shall decide who has precedence.

20.6 Place of member speaking

A member when addressing the Presiding Chairperson shall stand in the place allocated to them in the Council Chamber.

20.7 Member called to order

If any member, while speaking, be called to order, shall resume their seat and shall not rise again to address the Council until the Presiding Chairperson has disposed of the question of order.

20.8 Definition of point of order

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or provision and the way in which they consider it has been broken.

20.9 Member may raise a point of order

A member may raise a point of order and shall be entitled to be heard immediately.

20.10 Ruling of Presiding Chairperson on point of order

The ruling of the Presiding Chairperson on a point of order shall not be open to discussion.

20.11 Member to speak to motion

A member who speaks shall direct their speech strictly to the Motion under discussion, or an amendment thereof.

20.12 Member shall not speak more than once

A member who has spoken on any Motion shall not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another member;
- b) if the Motion has been amended since they last spoke, to move a further amendment;
- c) if their first speech was on an amendment moved by another Member to speak on the main issue whether or not the amendment on which they spoke was carried;
- d) in the exercise of a right to reply given by Standing Order 20.19;
- e) on a point of order.

20.13 Duration of speeches

Except with the permission of the Council, a member, in introducing a Motion, shall not speak for more than ten minutes and in replying, for more than five minutes. Other speakers shall be allowed one interaction which will last no longer than five minutes.



20.14 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Presiding Chairperson, be addressed by any person who is not either a member of the Council or the Chief Executive/Officer of the Council.

20.15 Only one amendment may be moved and discussed at a time

- (1) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (2) If an amendment is not carried, other amendments to the original motion may be moved.
- (3) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

20.16 When a motion is under debate no other motion shall be moved

When a Motion is under debate no other Motion shall be moved except the following:

- a) to amend the motion;
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) that the question be now put;
- f) that a Member be not further heard;
- g) by the Presiding Chairperson under Standing Order 26.4, that a Member do leave the meeting.

20.17 Presiding Chairperson rising during debate

Whenever the Presiding Chairperson rises or otherwise calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

20.18 Presiding Chairperson not to receive motion for direct negative

The Presiding Chairperson shall not receive a Motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

20.19 Mover's right of reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on their amendment.

21. Voting

21.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those members present and voting. A tied vote, where the Presiding Chairperson does not wish to use his/her casting vote, shall be declared not carried.

21.2 Presiding Chairperson's casting vote

If there are equal numbers of votes for and against, the Presiding Chairperson will have a second or casting vote.

21.3 Qualified majority [Mandatory]

A qualified majority shall be required in relation to a Council's decision on—

- (a) the adoption of executive arrangements or prescribed arrangements as the Council's form of governance (Section 19 of the 2014 Act);
- (b) the method, other than d'Hondt, to be adopted for filling positions of responsibility (Schedule 1 of the 2014 Act);
- (c) the method, other than Quota Greatest Remainder, to be adopted for appointing Councillors to Committees (Schedule 2 of the 2014 Act);
- (d) the exercise of the general power of competence in accordance with Section 79 of the 2014 Act;
- (e) a call-in made in accordance with Section 41(1) (b) of the 2014 Act; and
- (f) the suspension of Standing Orders.

21.4 Show of hands

Unless a recorded vote is demanded under Standing Order 21.5, the Presiding Chairperson will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

21.5 Recorded vote

If, before a vote is called, any member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a vote taken on a show of hands.

21.6 Single Transferable Vote (STV)

A vote using the STV method shall be deployed where there are more prescribed nominations for a fixed number of positions.



22. Call-in Process [Mandatory]

- (1) In respect of those decisions to which this standing order applies, a decision of the Council must be reconsidered if a requisition is presented to the Chief Executive of the Council signed by at least 15 % of the members of the Council.
- (2) A requisition may only be presented on either or both of the following grounds;
 - (a) That the decision was not arrived at after a proper consideration of the relevant facts and issues
 - (b) That the decision would disproportionately affect adversely any section of the inhabitants of the district.
- (3) Any request for Call-in must be made within five working days of receipt of the decision log for the meeting at which the relevant decision was taken.

Call-in Protocol attached at Annex 2.

- (4) In respect of 2(b) above the Chief Executive of the Council will obtain the opinion of a practising solicitor or barrister.
- (5) A qualified majority will be required in relation to a Council's decision on a call-in made in accordance with Standing Order 2(b).
- (6) Those decisions exempted from call in by the department will not be subject to this standing order.
- (7) The following decisions shall not be subject to call-in:
 - (a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism, or
 - (b) a decision where an unreasonable delay could be prejudicial to the Council's or the public's interests.
- (8) No decision shall be subject to call-in more than once for each of the reasons specified in Section 41 (1) of the 2014 Act.

Full mandatory section in respect of Call-in attached at Annex 3.

23. Positions of responsibility, etc. – TimeLimits [Mandatory]

- (1) Subject to sub-paragraph (2) of this standing order, in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) of Schedule 1 to the 2014 Act, the period specified for—
 - (a) the nominating officer to select a position of responsibility and the term for which it shall be held; and
 - (b) the person nominated to accept the selected position shall be 15 minutes.
- (2) An extension to the period specified in sub-paragraph (1) of this standing order may be granted subject to the approval of the Council. Such an extension may be requested by—
 - (a) the nominating officer;
 - (b) the person nominated to hold the selected position; or
 - (c) another member.

24. Appointment of more than one Committee [Mandatory]

- (1) Where the Council appoints more than one Committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent members of the Council, it shall agree—
 - (a) the number of Committees to be appointed; and
 - (b) the number of Councillors that shall constitute the membership of each Committee.
- (2) The total number of places to which a nominating officer of a party may nominate Councillors who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.
- (3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act shall be exercised in such manner as to ensure that—
 - (a) all members of a Committee are not nominated by the same nominating officer;
 - (b) a nominating officer of a party may nominate Councillors who stood in the name of that party to fill the majority of places on a Committee, if the majority of Councillors stood in the name of that party; and
 - (c) subject to (a) and (b), the number of Councillors nominated by each nominating officer of a party, in so far as is reasonably practicable, bear the same proportion to the number of places on that Committee as is borne by the number of members who stood in the name of that party.
- (4) Nominations made in accordance with sub-paragraph (3) of this standing order shall take into account any positions of responsibility on a Committee held by a Councillor who stood in the name of a party.



25. Rescission of a Preceding Resolution

- (1) No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a member unless the notice thereof given in pursuance of Standing Order 17.1 bears the names of at least 15% of the members of the Council.
- (2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.
- (3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee [or a Call-in]

26. Members' conduct

26.1 Speaking through the Chair

When a member speaks at the Council they must stand (if able to do so) and address the meeting through the Presiding Chairperson. If more than one member wishes to speak, the Presiding Chairperson will ask one to speak and will allow the other members to speak in turn.

26.2 Presiding Chairperson standing

When the Presiding Chairperson stands during a debate, any member speaking at the time must stop and retake their seat. The meeting must be silent.

26.3 Member not to be heard further

If at a meeting any member of the Council, misconducts himself/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, the Presiding Chairperson or any other member may move "that the member named be not further heard". The Motion, if seconded, shall be put and determined without discussion.

26.4 Member to leave the meeting

If the member named continues to behave improperly after such a motion is carried, the Presiding Chairperson or any other member may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

26.5 General disturbance

When the Presiding Chairperson is of the opinion that the due and orderly dispatch of business is impossible, they in addition to any other powers vested in them may, without question put, adjourn the meeting of the Council for such period as they in their discretion shall consider expedient.

26.6 Conduct during the meeting

Members must have due regard to the provisions of the Northern Ireland Local Government Code of Conduct for Councillors in relation to their conduct during the whole proceedings of a meeting of Council or Committee.

27. Disturbance by public

27.1 Removal of member of the public

If a member of the public interrupts proceedings, the Presiding Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting room.

27.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Presiding Chairperson may call for that part to be cleared.

28. Suspension and amendment of Standing Orders

28.1 Suspension

A member may move a motion for the suspension of one or more of these Council Standing Orders. A motion under this Standing Order shall require the support of a qualified majority vote within the meaning of Section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The minutes of the meeting must record the reason for the suspension. Mandatory Standing Orders may not be suspended by a Council. **Non-mandatory Standing Orders may not be suspended by a Committee unless there is delegated powers in place to do so.**

28.2 Amendment

Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned be referred without discussion to the next ordinary meeting of the Council and any resultant amendment will be ratified at an ordinary meeting of the Council.

29. Interpretation of Standing Orders

The ruling of the **Presiding** Chairperson as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.



ANNEX 2

Call-in Protocol

Call-in Protocol

It is recommended that a decision log (cleared by the relevant Director) be issued within five working days of a Committee meeting.

In respect of decisions made by Council, it is recommended that a decision log (cleared by the Chief Executive) be issued within five working days. This would include:-

- Any amended Committee decisions
- Any Notice of Motion debated at the Council meeting
- Any reports upon which decisions are taken

In all cases, the Call-in timeframe would commence upon receipt of the relevant correspondence as outlined. This process will impact upon the actioning of decisions following Council meetings, to allow for the call-in period to be completed.

A Call-in of a decision must be received by the Chief Executive within five working days of receipt of a decision log, and no later than 5.00pm on that day. The following process would then apply:-

Requests for Call-in for procedural reasons

If, at 5.00pm on the fifth working day following the provision of the relevant correspondence at least 6 Members have requested a decision which is subject to Call In to be reconsidered (on procedural grounds) and have stated on their request the reasons why this should be the case, the Chief Executive shall within 1 working day of that date confirm that the request has the support of the minimum number of Members required and that those Members have stated the reason why the particular decision should be reconsidered. If any Call In request from a Member has not highlighted on their request why the decision should be reconsidered and have not redressed that omission upon being advised of such by the Chief Executive within the Call In period, then the Chief Executive will deem that request to be inadmissible.

If a decision is properly Called In by at least 6 members then a meeting of an Ad Hoc Committee comprising the Chairs and Vice Chairs of the 5 Standing Committees will be convened to consider if the Call In request is a valid one. That Ad Hoc Committee will be entitled to:

1. Decide that the request is valid and refer the decision back to the Committee which made it for reconsideration. In which case the decision will not be up for ratification at the Council meeting;
2. Decide that the request is not valid and, in the case of a decision taken under a Committee's delegated authority, decide that the decision should be implemented or
3. Decide that the request is not valid and, in the case of a decision for ratification by the Council, refer the decision to the Council.

Requests for Call-in on grounds of Community Impact

Any request for Call In of a decision on Community Impact Grounds must state in the reasons given as to why the decision should be called in:

1. The community that would be affected by the decision; and
2. The nature and extent of the disproportionate adverse impact

After the expiry of the five working days following the provision of the relevant correspondence, if the minimum required number of Members (6) have properly called in a decision and given the required evidence then the Chief Executive will within one working day seek the opinion of a practising solicitor or barrister.



Where the legal opinion confirms that the call in has merit, the Chief Executive will:

1. Circulate the legal opinion to all Members;and
2. Include the decision in question on the agenda for the next available meeting of the Council at which any decision will be required to be taken by a qualified majority (80%) of Members present and voting.

Where the legal opinion indicates that the call in does not have merit, the Chief Executive will:

1. Circulate the legal opinion to all Members;and
2. Make arrangements for the decision to be implemented (where the original Committee making the decision had delegated powers) or tabled for ratification at the Council meeting on the usual simple majority system.



ANNEX 3

Mandatory Section in respect of Call-in

Extract from The Local Government (Standing Orders) Regulations (Northern Ireland) 2015 – Call-in

Decisions subject to call-in

3. (1) The following decisions may be subject to call-in and in such manner as is specified in these standing orders—
 - (a) a decision of the council; (b) a decision of the executive;
 - (c) an executive decision taken under joint arrangements in accordance with section 26 of the 2014 Act; (d) a key decision taken by an officer of the council;
 - (e) a decision taken by a committee under delegated authority in accordance with section 7 of the 2014 Act; and
 - (f) a decision taken by a committee to make a recommendation for ratification by the council.
- (2) The following decisions shall not be subject to call-in—
 - (a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism;
 - (b) a decision which is deemed to be a case of special urgency in accordance with regulation 24 of the Executive Arrangements Regulations;
 - (c) a decision where an unreasonable delay could be prejudicial to the council's or the public's interests;
 - (d) a decision taken by an officer of the council which is not a key decision;
 - (e) a decision by the executive which serves only to note a report from or the actions of an officer; (f) a decision which is required to be taken by a special resolution.
- (3) No decision may be subject to call-in more than once for each of the grounds specified in section 41(1) of the 2014 Act.

Call-in procedure

4. (1) A call-in must be submitted in writing to the clerk by 10am on the fifth working day following—
 - (a) in the case of a decision of the council, the date of the council meeting at which the decision was taken;
 - (b) in the case of a decision of a committee, the date on which the decision to which the call-in relates was published.
- (2) If a call-in is received after the relevant period specified in sub-paragraph (1), it must be deemed inadmissible.
- (3) A call-in shall—
 - (a) specify the reasons why a decision should be reconsidered; and
 - (b) subject to sub-paragraph (6), be deemed to be inadmissible if the reasons are not specified.
- (4) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, members must in the reasons specified under sub-paragraph (3)(a) specify—
 - (a) the section of the inhabitants of the district that would be affected by the decision; and (b) the nature and extent of the disproportionate adverse impact.
- (5) Within one working day of receipt of a call-in, the clerk must confirm that—
 - (a) it has the support of 15 per cent of the members of council; and
 - (b) the reasons for the call-in have been specified.



- (6) Where the reasons have not been specified on the requisition, the clerk must notify the members making the requisition that it must be considered inadmissible if reasons are not specified in writing within the specified period.
- (7) Within two working days of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act, the clerk must seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act.
- (8) When the legal opinion obtained in accordance with section 41(2) of the 2014 Act is received, the clerk must—
 - (a) furnish the opinion to the members; and
 - (b) include the decision on the agenda for the next available meeting of the council for reconsideration, at which it must be taken by a qualified majority.

The call-in process: committee arrangements

5. (1) For the purposes of reconsideration of a decision pursuant to a call-in, the minutes of a committee which record a decision—
 - (a) taken under delegated authority; or
 - (b) for referral for ratification by the councilmust be published within five working days of the conclusion of the meeting. The date on which the minutes were published must be regarded as the relevant date for the purposes of a call-in.
- (2) If a call-in is not received within the period specified in paragraph 4(1)—
 - (a) a decision to which sub-paragraph (1)(a) applies must be implemented; or
 - (b) a decision to which sub-paragraph (1)(b) applies must be tabled for ratification by the council.
- (3) The tabling for ratification of a decision to which sub-paragraph (1)(b) applies, or the implementation of a decision to which sub-paragraph (1)(a) applies, must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.
- (4) If a call-in is made in accordance with paragraph 4(3) and section 41(1)(a) of the 2014 Act, the council must appoint an ad hoc committee of the council, the membership of which will be—
 - (a) the chairpersons of all committees of the council; and
 - (b) the deputy chairpersons of all committees of the council to consider the process adopted by the decision-making committee.
- (5) The chairperson and deputy chairperson of the committee which was responsible for the decision which is the subject of the call-in must not have voting rights at a meeting of the committee appointed in accordance with sub-paragraph (4).
- (6) The members of the ad hoc committee who are present shall choose a member to preside at the meeting.
- (7) The members who submitted the call-in, or a member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the chairperson, address the meeting, but must not have voting rights, unless they are voting members of the ad hoc committee.
- (8) A committee appointed in accordance with sub-paragraph (4) may—
 - (a) refer the decision back to the decision maker;
 - (b) in the case of a decision taken under delegated authority, support the decision; or
 - (c) in the case of a decision requiring ratification by the council, refer the decision to the council.

- (9) Where a decision has been supported in accordance with sub-paragraph (8), that decision must—
- (a) be approved;
 - (b) be inserted in the Register of Decisions; and
 - (c) become operative from the date of the meeting at which the committee appointed in accordance with sub-paragraph (4) confirmed support for the decision.

The call-in process: council decisions

6. (1) If a call-in is not received within the period specified in paragraph 4(1) in respect of a decision, that decision may be implemented after that period expires.
- (2) The implementation of a decision must be postponed until the decision has been reconsidered.
- (3) The clerk must place a call-in on the agenda for the next meeting of the council.

The call-in process: executive arrangements

7. (1) A proper officer must, within two working days of the production of a statement in accordance with regulations 25 and 26 of the Executive Arrangements Regulations, submit to the council a notice detailing the decision(s) recorded in the statement.
- (2) The notice prepared in accordance with sub-paragraph (1) must specify—
- (a) those decisions that are not subject to call-in;
 - (b) the period for receipt of a call-in; and
 - (c) the overview and scrutiny committee, as determined by a proper officer, that will consider a call-in in accordance with section 41(1)(a) of the 2014 Act.
- (3) If a call-in is not received in respect of a decision, that decision may be implemented after that period expires.
- (4) If a call-in is received which specifies that the decision was not taken in accordance with the budget or policy framework agreed by the council, the call-in must be referred to the council for decision.
- (5) The implementation of a decision must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.
- (6) Subject to sub-paragraph (4) the clerk must place a call-in on the agenda of the overview and scrutiny committee specified in the notice prepared in accordance with sub-paragraph (2).
- (7) The overview and scrutiny committee must meet within 5 working days of receipt of the call-in.
- (8) More than one call-in may be considered at a meeting of an overview and scrutiny committee.
- (9) Subject to sub-paragraph (10), the consideration of a matter under sub-paragraph (5) by an overview and scrutiny committee may be adjourned, provided that—
- (a) the chairperson presiding at the meeting; and
 - (b) the chairperson of the executive agree a date for the resumption of consideration of the call-in request.
- (10) A meeting convened in accordance with sub-paragraph (6) may only be adjourned under sub-paragraph (9) in order to—
- (a) allow for additional information to be obtained; or
 - (b) permit additional witnesses to attend.



- (11) The members who submitted the call-in, or a member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the chairperson, address the meeting, but must not have voting rights, unless they are members of the overview and scrutiny committee.
- (12) In response to a call-in made in accordance with section 41(1)(a) of the 2014 Act, an overview and scrutiny committee may—
 - (a) support the decision; or
 - (b) refer the decision, along with the recommendation of the overview and scrutiny committee, back to the decision maker
- (13) Where a decision has been supported in accordance with sub-paragraph (11), that decision must—
 - (a) be approved;
 - (b) be inserted in the Register of Decisions; and
 - (c) become operative from the date of the meeting at which the overview and scrutiny committee confirmed support for the decision.
- (14) Where a decision has been referred back to a decision maker in accordance with sub-paragraph (12)(b), the decision maker must—
 - (a) consider the recommendation of the overview and scrutiny committee; and
 - (b) reconsider the original decision.

Ards and North Down Borough Council Standing Orders July 2019

Review of Standing Orders – Version 5 – July 2019

The Standing Orders were last reviewed in October 2017 (Version 4).

Version 5 details the following changes:-

Version 4 Standing Order No. Currently Reads	Suggested Change/Addition for Version 5
<p>2 – Time and place of meetings</p> <p>Council and Committee meetings are scheduled to last a maximum of two hours. If a meeting lasts more than two hours there will be an adjournment of up to 15 minutes at the discretion of the Chairperson who will take account of the remaining business to be considered by the Council/Committee.</p>	<p>Suggested change:-</p> <p>Council and Committee meetings are scheduled to last a maximum of two hours. After two hours a 15 minute break will be taken. Following the break the meeting should continue for a maximum time of two hours. The Presiding Chairperson may exercise a level of discretion in this regard giving consideration to the importance of business to be considered and lateness of the hour.</p>
<p>3 – Convening Special Meetings</p> <p>(1) The Mayor of the Council may call a meeting of the Council at any time.</p> <p>(2) The Mayor may call a meeting of the Council if a requisition for such a meeting, signed by five members or one fifth of the whole number of members, whichever is greater, is presented to them; and; if they refuse to call a meeting on such a requisition or if, without so refusing they do not call a meeting within the period of seven days from the date of the service of the requisition on them, any five members or one fifth of the whole number of members, whichever is the greater, may on that refusal or on the expiration of that period forthwith call a meeting of the Council.</p>	<p>Suggested change</p> <p>(1) The Mayor of the Council may call a meeting of the Council at any time giving 5 working days' notice.</p> <p>(2) The Mayor may call a meeting of the Council if a requisition for such a meeting, signed by eight members, is presented to them; and; if they refuse to call a meeting on such a requisition or if, without so refusing they do not call a meeting within the period of five working days from the date of the service of the requisition on them, the eight members may, on that refusal or on the expiration of that period forthwith, call a meeting of the Council.</p>

Ards and North Down Borough Council Standing Orders July 2019

Version 4 Standing Order No. Currently Reads	Suggested Change/Addition for Version 5
<p>4 – Notice and Summons of Meetings</p> <p>First Sentence</p> <p>Five days at least before a meeting of the Council or, a Committee:</p> <p>(2)</p> <p>A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Chief Executive shall be left at, or sent by ordinary post, to the usual place of residence of every Councillor, or issued electronically to members via email. Want of service of this summons shall not affect the validity of a meeting;</p> <p>(4)</p> <p>When the standing orders were reviewed in October 2017 Any Other Business was changed to Any Other Notified Business with items being notified in writing to Democratic Services no later than one day prior to the meeting (however this was not detailed in the standing orders).</p>	<p>Suggested change:-</p> <p>First Sentence</p> <p>Three working days at least before a meeting of the Council or, a Committee:</p> <p>(2)</p> <p>A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Chief Executive shall be issued electronically to members via email. Want of service of this summons shall not affect the validity of a meeting;</p> <p>(4) Suggested Addition</p> <p>Any Other Notified Business (AONB) cannot be considered at Council meetings or the Planning Committee but may be considered at all other Committee meetings. AONB must be submitted in writing to Democratic Services no later than 4pm one working day prior to the meeting. This should also be copied to the Chairperson and Director of the relevant Committee. AONB should be of an urgent nature and usually for information and can be accepted or denied at the discretion of the Chair. It should not be a matter that should be raised as a Notice of Motion.</p> <p>(5) Council and Committee Agendas and reports which are being considered publically will be uploaded onto the Council website by 10.00am on the date of the meeting.</p>
<p>6 – Chairperson of Meeting</p>	<p>Suggested Addition</p>

Ards and North Down Borough Council Standing Orders July 2019

Version 4 Standing Order No. Currently Reads	Suggested Change/Addition for Version 5
	(6) It should be noted that the same principles (1) to (5) above would apply to the Chair and Vice Chair of Committees.
<p>7 (1) – Quorum</p> <p>Subject to sub-paragraph 7.4, no business shall be transacted at a meeting of the Council and its Committees until at least one-quarter of the whole number of Councillors are present. No business shall be transacted at a meeting of the Planning Committee unless at least 50% of the whole number of Councillors are present.</p> <p>(4) Where more than one-quarter of the members become disqualified at the same time then, until the number of members in office is increased to not less than three-quarters of the whole number of members, the quorum of the Council shall be determined by reference to the number of members remaining qualified instead of by reference to the whole number of members.</p>	<p>Suggested change</p> <p>No business shall be transacted at a meeting of the Council and its Committees unless at least one-quarter of the Council/Committee membership is present.</p> <p>No business shall be transacted at a meeting of the Planning Committee unless a minimum of six Councillors are present.</p> <p>Remove (4) – It is recommended that this point be deleted.</p>
<p>8. Admission to Meetings</p> <p>8.5 Taking photographs of proceedings or the use of any other means by members, members of the public or the press to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.</p>	<p>Suggested change</p> <p>8.5 Taking photographs of proceedings or the use of any other means by elected members, members of the public or the press to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.</p>
<p>11 – Attendance of Members at Committees</p>	<p>Suggested change:</p>

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Version 4 Standing Order No. Currently Reads	Suggested Change/Addition for Version 5
<p>Any member may attend a Committee meeting of which he/she is not a member, but may not take a Council seat within the main meeting area. If the public and press are excluded from the meeting the member is not required to leave the room.</p>	<p>11 – Attendance of Elected Members at Committees</p> <p>Any elected member may attend a Committee meeting of which he/she is not a member, but may not take a Council seat within the main meeting area and instead should sit in the public gallery. If the public and press are excluded from the meeting the member is not required to leave the room but rather be bound by the restrictions imposed at that part of the meeting.</p>
<p>12 (1) and 12 (2) – Deputations</p> <p>Deputations.... provided the Clerk...</p> <p>12 (5)</p> <p>No further discussion or proposals shall take place at a committee meeting until after the deputation has withdrawn.</p>	<p>Suggested change</p> <p>Deputations... provided the Chief Executive...</p> <p>Suggested addition to 12 (5)</p> <p>No further discussion or proposals beyond questions shall take place at a Council or Committee meeting until after the deputation has withdrawn. Any subsequent proposal made should be limited to a request for officers to bring back a report on the matters raised by the deputation.</p>
<p>14.1 (2) - Minutes of the Council – Keeping of; as evidence; etc.</p> <p>No discussion shall take place upon the Minutes expect upon their accuracy.</p>	<p>Suggested change</p> <p>No discussion shall take place upon the previous month's Council Minutes except upon their accuracy or matters for information.</p>
<p>15 (1) - Submission of Minutes</p> <p>In order to give sufficient time for the printing of the minutes and for their perusal by the members of the council, minutes of meetings of a Committee held later than seven clear days before</p>	<p>Suggested change</p> <p>In order to give sufficient time for the preparation of the minutes and for their consideration by the members of the council, minutes of meetings of a Committee held later than five working</p>

Ards and North Down Borough Council Standing Orders July 2019

Version 4 Standing Order No. Currently Reads	Suggested Change/Addition for Version 5
the meeting of Council shall not be submitted to that meeting.....	days before the meeting of Council shall not be submitted to that meeting.....
16 (2) – Minutes of Committees Any matter in the minutes.... with the Clerk of the Council....	Suggested change Any matter in the minutes.... with the Chief Executive....
17 (1) i Motions Every motion shall be relevant to some matter:	Suggested change Every motion shall be relevant to at least one of the following:
17.1(1) On notice (1) Notice of every motion, other than a motion which under Standing Order 16.2 may be moved without notice, shall be given in writing, signed by the member or members of the Council giving the notice, to the Chief Executive not later than at least seven clear days before the next meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than seven clear days before the meeting.	Suggested change (1) Notice of every motion, other than a motion which under Standing Order 17.2 may be moved without notice, shall be given in writing, signed by the member or members of the Council giving the notice, to the Chief Executive not later than at least five working days before the next meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than five working days before the meeting.
17.1 (5) If a motion set out in the Summons is not moved either by a member who gave notice, or by some other member on their behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.	17.1 (5) If a motion set out in the Summons is not moved by a member who gave notice it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice. Should the proposer wish for the motion to be heard in his/her absence, consent must be indicated in writing to the Presiding Chairperson of the Council/committee, nominating who will propose the Motion.

Ards and North Down Borough Council Standing Orders July 2019

Version 4 Standing Order No. Currently Reads	Suggested Change/Addition for Version 5
<p>17.1 (7)</p> <p>If a notice of motion fails to be considered at a meeting of the Council, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Chief Executive by the member concerned not later than seven clear days, at least, before the Council meeting.</p>	<p>17.1 (7)</p> <p>If a notice of motion fails to be considered at a meeting of the Council/relevant Committee, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Chief Executive by the member concerned not later than five working days, at least, before the Council meeting.</p>
<p>17.1 (10)</p>	<p>17.1 (10) – Suggested Addition to Section 17</p> <p>Where the Presiding Chairperson of a Committee is bringing forward a motion, then he/she must relinquish the Chair and permit the Vice Chair to conduct the meeting during the moving of said motion. This is not applicable to the Mayor at a Council meeting.</p>
<p>18.1 (2) – That the Council do now adjourn</p> <p>But such omission, insertion or addition of words shall not have the effect of directly negating the Motion before the Council.</p>	<p>Suggested addition</p> <p>This does not apply to Council meetings when ratifying Committee recommendations as Council may agree to negativise a Committee decision or send it back to the Committee for further consideration.</p>
<p>20.1 Motions and amendments to be reduced to writing and seconded</p>	<p>Suggested change</p>

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Version 4 Standing Order No. Currently Reads	Suggested Change/Addition for Version 5
Reference is made to Standing Order 16.1	Reference should be made to Standing Order 17.1
20.3 (1) – Withdrawal of Motion Reference is made to Standing Order 16.1.	Suggested change Reference should be made to Standing Order 17.1.
20.4 – Mode of address For meetings of Council/Sub-Committees the established mode of address is to stand (if able to do so) when addressing the Mayor or Committee chairperson....	Suggested change For meetings of Council, Committees and Sub-Committees the established mode of address for Members is to stand (if able to do so) when addressing the Presiding Chairperson. While a Member is speaking, the other members shall remain seated unless rising to a point of order
20.14 – Addressing the Council The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not either a member of the Council or the Chief Executive of the Council.	Suggested change The Council during its sitting, shall not, unless with the consent of the Presiding Chairperson, be addressed by any person who is not either a member of the Council or the Chief Executive/Officer of the Council.
21.1 Voting - Majority	Suggested addition to Section 21.1 Add to end of paragraph: A tied vote, where the Presiding Chairperson does not wish to use his/her casting vote, shall be declared not carried.
21.5 Recorded Vote If, before a vote is called, any member present at the meeting demands it, the names for and against the motion or	Suggested amendment If, before a vote is called, any member present at the meeting demands it, the names for and against the motion or

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Version 4 Standing Order No. Currently Reads	Suggested Change/Addition for Version 5
amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.	amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a vote taken on a show of hands.
21.6 STV STV An STV vote shall be required in relation to a Council decision on overprescribed nominations for a fixed number of positions.	Suggested addition Single Transferable Vote (STV) A vote using the STV method shall be deployed where there are more prescribed nominations for a fixed number of positions.
28.1 Suspension	Suggested deletion Final Sentence – remove the words 'Mandatory and'.
Glossary of Terms	Addition 'Working days' excludes Public or Bank holidays, a Saturday or a Sunday. The deadline in respect of call-in is 5.00pm The deadline for Notice of Motions is 11.59pm. It should be noted that, in the case of a quorum, $\frac{1}{4}$ of the Council/Committee membership should be in attendance (six for Planning Committee). If the figure arrived at is not a whole number, the figure must be rounded up to the next whole number. Presiding Chairperson means the Elected Member chairing the Council or Committee Meeting.

ITEM 18**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council Meeting
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	02 July 2019
File Reference	EQ 33
Legislation	Section 75 The Northern Ireland Act 1998; Disability Discrimination Act 1995 and Disability Discrimination (NI) Order 2006
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Quarterly Report on Equality and Good Relations (Section 75 of The N.I. Act 1998) 1 April 2019 – 30 June 2019
Attachments	N/A

Within the Council's Equality Scheme, a progress report must be submitted on a quarterly basis to Council to ensure the Council's obligations to meet its equality and good relations duties and responsibilities, as identified in Section 75 of The Northern Ireland Act 1998, are continuously monitored.

This report lists the actions of Council officers to meet the statutory duties since 1 April 2019.

Consultative Panel

The external Ards and North Down Borough Council Consultative Panel on Equality and Good Relations met on 16 April 2019 for a focused consultation on the Equality Impact Assessment (EQIA) on Operation Lion plaques. A 12-week public consultation exercise on the EQIA which is entitled 'Ards and North Down Borough

Council's response to a request to locate Ulster Scots Agency Operation Lion plaques at Bangor and Donaghadee Harbours' closed on 24 May 2019.

The focused consultation was facilitated by Dr John Kremer. Members of the panel were encouraged to engage with representatives of the Ulster Scots Agency who had accepted an invitation to attend the session. The meeting was useful as the Ulster Scots Agency representatives had the opportunity to explain the background to the plaques, the significance of this anniversary and the selected wording on the plaques. They brought a plaque with them for those in attendance to see the size and wording in context.

The outcome of the discussion will be included in the final EQIA. The Council, at its meeting in May 2019, agreed to defer consideration of the EQIA to enable training on Section 75 to be delivered to Elected Members on 13 August, commencing at 5.45 pm, venue to be confirmed.

To demonstrate support and appreciation for volunteers on the Consultative Panel on Equality and Good Relations, the Mayor, Councillor Richard Smart hosted a coffee morning for them on 29 April 2019 in the Mayors Parlour.

Screening of Council policies

Council officers continue to screen council policies as an integral part of the policy development process. Completed screening forms are scrutinised by council officers at the Internal Screening Panel on Section 75, Rural Needs, GDPR and Sustainability. The Internal Screening Panel met on 8 May 2019 to consider seven completed screening forms. The outcome of the meeting will be shared with the Consultative Panel at the next challenge workshop.

Quarterly Consultations

The Council has a requirement within the Equality Scheme to publish the outcome of screened policies quarterly. The quarterly report was uploaded onto the Council's website on 2 April 2019 as is required by the Equality Commission for Northern Ireland (ECNI). The most recent quarterly screening consultation was circulated on 2 July 2019 and will include five policy outcomes.

Equality Action Plan

The Compliance Officer (Equality and Safeguarding) reported to the ECNI on 31 March 2019, as required, on the outstanding and completed actions in the Council's Action Plan. The Action Plan was the subject of scrutiny by the Internal Screening Group and discussed with the Consultative Panel at their recent meetings. A report proposing a Working Group of Elected Members and relevant council officers to take forward the outstanding actions which relate to Cultural Identity will be considered by the Council at its meeting in July 2019.

Training initiatives for employees and Elected Members

The breadth of needs of our customers across the Council is demonstrated on a daily basis. To ensure employees are equipped to identify the specific needs of customers and assist them in addressing the issues raised four training programmes were offered to employees on Dementia Awareness, Meeting the Needs of the Trans Community, Mental Health First Aid and BSL Awareness. These were well attended, and further courses have been requested by employees on BSL Signing and Awareness of those with a Visual Impairment.

Disability Forum

The Disability Forum met on 27 June 2019. At the meeting the Senior Professional and Technical Officer (Planning), updated the members on the Local Development Plan and Preferred Options Paper to encourage engagement in the consultation. The Diversity Champions and Mental Health champions are members of this Forum and Councillor Eddie Thompson was appointed Chairman for the year. Matters raised by those in attendance included social isolation for those with a disability and their carers, reporting of faults and concerns to Road Service and the need to ensure foot paths and street furniture are designed for all users as a shared space. At the meeting members received an update on the Inclusive beach at Groomsport. The next meeting of the Disability Forum will be held in September 2019, the date to be confirmed.

Diversity Champions and Mental Health Champions

An induction event was delivered to the Mental Health, Diversity and Age Champions on 25 June with officers from Good Relations, Employee Health and Wellbeing, Community Planning and Equality outlining how their respective roles complemented the work of the Champions. Discussions were focused on ensuring that meaningful service improvements were identified and delivered for the diverse range of internal and external customers.

Meetings to discuss reductions across the Borough for individuals who require access to transport services of Disability Action or Down Community Transport

Concerns in relation to the increasing social isolation for so many across the Borough had been highlighted throughout the previous year. Discussions at the Disability Forum and the induction event for Elected Member Champions both concluded that all opportunities should be taken to raise concerns with relevant partners.

AccessAble

The annual review of all premises and facilities was completed on 17 May 2019. Updated information has been added to the Council's website. A number of initiatives were also agreed, including provision of information on Changing Places facilities across the Borough, provision of a link to the range of accessible beaches in the province and how to book the equipment at Groomsport beach as well as improved links on the Council's tourism website. An article was included in the Borough Magazine to raise awareness of this invaluable source of information. Improvements have also been made to the Council's website that include linking to other relevant websites with information for users. Elected Members should contact the Compliance Officer (Equality and Safeguarding) for more information.

Disability Action Plan

The Compliance Officer (Equality and Safeguarding) continues to work to deliver the Disability Action Plan. Following scrutiny by the Internal and External Consultative Panels, the annual review has been included in the annual report to the Equality Commission for the period ending 31 March 2019.

Complaints

To date there have been no complaints recorded in relation to Section 75 or the Council's disability duties. However, a complaint was received from a resident who is disabled and was unable to book tickets for and make arrangements to accommodate their needs at the Snow Patrol concert. Their complaint was referred to the organisers of the event. Another resident complained that there was no access along the coastal path for users of mobility scooters and prams. It was explained that the Council is working to improve access but that not all the land is the responsibility of the Council.

Inclusive beach at Groomsport

The facilities at the toilet block have been completed and the ramp for access to the beach has also been completed. The standard of work and finishes within the toilet facilities and the changing places has been complimented. The Mae Murray Foundation will manage the bookings for the sand-based equipment and mobility matting requests. These will be facilitated as a core part of the work of the Community Safety Team. The availability of the information on both the Council website linked to AccessAble and the Mae Murray Foundation will raise the profile of the facilities available and booking arrangements for the available equipment.

Community Planning

The Community Planning Manager and Compliance Officer (Equality and Safeguarding) continue to work together to ensure the actions and initiatives being developed across the Council towards being an Age Friendly Borough do not duplicate other good practice and relevant partners are encouraged to work together. Working with the Thematic Groups, Age Friendly Alliance and Dementia Friendly Locality Steering Group has enabled duplication to be identified, avoided and enabled actions of the Council to be included within the Community Plan. This partnership working also enables the social isolation and community transport concerns to be addressed by a range of partners within the Borough and beyond.

Dementia Friendly Initiative

This initiative continues to be delivered across the range of Council services in many formats including through the Age Friendly Local Dementia Friendly Development Steering Group of which the Compliance Officer (Equality and Safeguarding) is a member. The officer is linking and coordinating these initiatives to ensure positive actions are delivered across the range of Council services. The Museum is working to become Dementia Friendly and have a dementia café and the Arts section has introduced Friendly Fridays in the Ards Arts Centre.

Safeguarding Steering Group

The Council's Safeguarding Steering Group met on 9 May 2019 to hear a presentation on Signs of Safety which provided an insight into the importance of certain information when making a referral. The next meeting will be held on 12 November 2019 where the discussion topic will be Adverse Childhood Experiences (ACEs). It is important to ensure Council employees and elected members are aware of their responsibility to report any safeguarding concerns through the Designated Officers.

Safeguarding

From 1 April 2019, 13 incidents have been formally recorded and appropriate referrals made. Eight were in relation to children and young people and five in relation to adults. Safeguarding awareness training was delivered to 14 employees from the Community Safety Team on 26 June 2019. The summer scheme staff from Ards Blair Mayne Wellbeing and Leisure Complex attended training on their responsibilities in service delivery in relation to S75, Disability legislation and safeguarding on 13 June 2019. Awareness training on the needs of children with autism was also delivered by the National Autistic Society Northern Ireland.

Adult Safeguarding Annual Report

The Council has a responsibility to prepare an Adult Safeguarding Champion Position Report annually. This is the first year the report has been produced and was the subject of a report to the Corporate Services Committee in June 2019.

SBNI Neglect Training

Training was delivered on 12 April 2019 to eight employees to help them identify safeguarding issues, including neglect, when in direct or indirect contact with individuals. It is important that safeguarding is recognised as everyone's responsibility and all concerns are recorded and dealt with in a timely and appropriate manner.

IMTAC Reports of March 2019 and car parking advice

Ards and North Down Borough Council work closely with IMTAC (The Inclusive Mobility and Transport Advisory Committee). During the period of this report they produced a detailed report on issues that adversely affect users of public transport with a disability and on good practice. Council relevant issues are being addressed and include improved community transport in the evenings and at weekends to address social isolation and loneliness. Advice was also provided to Council officers on best practice for marking accessible parking places.

September 2019 – Bangor Carers

Following an initiative that started in schools in the Bangor area, a breadth of statutory, voluntary, community, businesses and church groups have come together to promote the value of more personal contact and reduce detrimental effects on mental health by reducing screen time. The Council will support the initiative, entitled 'Bangor Cares', by encouraging visits to its parks and museum, the Walled Garden and leisure facilities as well as promoting the development of new skills and interests. Although this initiative is initially in Bangor the impact is expected to be much wider as it begins conversations in the lead up to World Mental Health Day, 10 October 2019.

Carers Event June 2019

An event was held on 12 June 2019 for registered carers on the South Eastern Health and Social Care Trust database from within the Borough. This annual Carers Week event is held in partnership with the Trust to demonstrate the support of both organisations for those who are unpaid carers of family members. The Mayor, Alderman Bill Keery, welcomed and expressed his support for those present and paid tribute to their commitment. The 43 carers who attended were delighted to

have time to themselves and to receive a tour and learn some of the history of the Town Hall.

Young Carers

Planning has begun to have a joint event with the Trust for young carers in October 2019 during the school holidays. The event will be held in Ards Blair Mayne Wellbeing and Leisure Complex with attendees having an opportunity to participate in a range of the activities the complex has to offer.

It Takes Allsorts October 2019

The events this year will be held on 15 October 2019 (morning) and 17 October 2019 (afternoon) in Londonderry Park Pavilion, Newtownards. Information on the events, the speakers and the registration arrangements will be made available to all employees and elected members from early August. This very popular event introduces employees and elected members to some of the diverse needs of our customers and assists in the design of services to meet these needs. This year we are extending a limited number of places to members of community groups to encourage partnership learning.

Census Day 2021

The Compliance Officer (Equality and Safeguarding) attended a seminar on the census 2021 on 10 June 2019 in Belfast to learn of the changes to the data collection from 2011 census, enabling an understanding of relevant data that will be available following the analysis. Reliable and relevant data is essential for meaningful screening of all policies when considering adverse and potential adverse impact.

RECOMMENDATION

It is recommended that this report is noted.

ITEM 19**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	17 July 2019
File Reference	DIR/ADM4
Legislation	N/A
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	NILGA Regional Programme for Elected Member Development 2019/20
Attachments	NILGA Letter and enclosure of 20 June 2019 NILGA Regional Programme, August 2019 to May 2020

Members are asked to consider nominations to the following accredited NILGA Elected Member Development Programmes commencing in the Autumn 2019;

Programme	No. of Nominations per Council	Maximum Total Cost Per Participant
Local Planning Programme (ILM endorsed award) 7 afternoons plus a study trip	2 (potential for more spaces)	£473
Leadership Programme (ILM Level 7 award) Over 5 months, venues/times to be agreed	Demand driven	£1,251

Full details are set out in the attached correspondence.

Unclassified

RECOMMENDATION

It is recommended that Council approve nominations to both the NILGA Local Planning and Leadership programmes.

Mr Stephen Reid
Chief Executive
Ards and North Down Borough Council
Townhall
The Castle
Bangor
BT20 4BT

20th June 2019

Dear Stephen

Re: NILGA Regional Programme for Elected Member Development 2019/20

As you may know, NILGA has developed an all council Regional Programme Programme of Elected Member Development 2019/20, complementing your Council's specific training, designed to provide the local government sector's elected members with a co-ordinated toolkit of learning, suited to today's responsibilities and challenge. This builds on the NILGA delivered - nationally accredited Charter initiative, has been co-designed by councils' elected member development groups, councils' member services and human resource officials, and the NILGA Regional Working Group.

As part of this, accredited provision is available to elected members related to (i) Planning and (ii) Leadership.

(i) The NILGA Local Planning Programme is an ILM (endorsed award), 7 Module Programme, commencing on the 27th September 2019 and will convene once every month as follows:

Module	Title	Time	Date	Venue
Module 1	Understanding Plan Making and the Role of Councillors	2-4.30pm	27 th September 2019	Antrim Civic Centre
Module 2	How Local Development Planning is Linked to Community Planning and Regeneration Activities	2-4.30pm	25 th October 2019	Antrim Civic Centre
Module 3	Understanding the Local Development Plan Process from Draft Stage to Adoption	2-4.30pm,	29 th November 2019	Antrim Civic Centre
Module 4	Understanding Development Management: The Planning Process and the Role of	2-4.30pm,	21 st January 2020	Antrim Civic Centre

	Councillors, Planning			
Module 5	Understanding the Statutory Appeal System and Best Practice	2-4.30pm	21 st February 2020	Antrim Civic Centre
Module 6	The Statutory Enforcement Process and the Role of the Planning Committee and other Councillors	2-4.30pm	20 th March 2020	Antrim Civic Centre
	Study Trip		5 th March 2020	Scotland
Module 7	Maladministration Charges to the Ombudsmen and the Judicial Review of Planning Decisions	2-4.30pm	21 st April 2020	Antrim Civic Centre

NILGA seeks two core nominations from each council with scope to include a further eight members. Can you please put forward at the earliest possible full council meeting during the summer months to seek your core nominations (together with any additional potential participants) by the 31st of August 2019.

- (ii) NILGA is delivering an **ILM Level 7, Six Module Accredited Leadership Programme** for elected members which will consider leadership models and theoretical / practical approaches set within the context of place shaping (community planning, local development planning, regeneration, local economic development and performance improvement). The Leadership Programme will commence on the 14th November 2019 and run each month up until April 2020, venue and times to be agreed with participants. There is greater flexibility in terms of numbers and we are therefore open to any number of nominations based on your own determinations, which we ask you seek at the earliest possible full council meeting during the summer months.

Please note in both cases, there are costs per participant associated with this type of provision and I have attached an indicative costs model to assist in your consideration of participation, based upon the pilots completed before the 2nd May 2019 elections.

Thanking you in anticipation of your continued positive approach and nominations for participation on the accredited Provision. Please feel free to contact my colleague Fiona Douglas (f.douglas@nilga.org) or myself if you or a senior colleague wish to discuss further.

Yours sincerely,



Derek McCallan
Chief Executive

CC. Samantha Rea

NILGA Accredited Learning Provision 2019/20 - Indicative Costs

NILGA Local Planning Leadership Programme 2019/20		
	30 Participants (Per Participant Cost)	20 Participants (Per Participant Cost)
Programme Cost	£215	£323
Accreditation Cost	£150	£150
Total Cost	£365	£473

NILGA Leadership Programme 2019/20		
	20 Participants (Per Participant Cost)	15 Participants (Per Participant Cost)
Programme Cost	£730	£973
Accreditation Cost	£278	£278
Total Cost	£1008	£1251

Please note that these are total costs required per participant from each Council

Regional
Programme for
Elected Member
Development
2019/20



1 Bradford Court, Castlereagh, Belfast, BT8 6RB

t: +44 (0) 28 9079 8972

@NILGA

www.nilga.org

17th May 2019

ITEM 20**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	18 July 2019
File Reference	
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	Northern Ireland Local Government Code of Conduct for Councillors
Attachments	Letter from Department for Communities

On 27 June 2019 the Chief Executive wrote to Tracy Meharg, Permanent Secretary Department for Communities (DfC) advising her that he had received letters of protest from three councillors regarding the requirement to confirm that they had read, and agreed to abide by, a Code which has been reviewed and to which there are recommendations for change awaiting approval by DfC. It should be noted, however, that the three Councillors had signed the acceptance declaration.

The response from the Permanent Secretary is attached, which states that the current Councillors' Code, which was approved by the Northern Ireland Assembly on 27th May 2014, continues to apply until such time when the Assembly is sitting again and the revised Code has been laid before, and approved, by the Assembly.

RECOMMENDATION

It is recommended that the contents of the letter from the Permanent Secretary, DfC, are noted.



Department for
Communities

www.communities-ni.gov.uk

**From: Tracy Meharg
Permanent Secretary**

**Level 9
Causeway Exchange
1-7 Bedford Street
BELFAST
BT2 7EG**

**Telephone: 028 90 823301
E-mail: tracy.meharg@communities-ni.gov.uk
Our Ref: PSC 0793.19
Date: 19 July 2019**

Mr Stephen Reid
Chief Executive Ards and North Down Borough Council
Town Hall
The Castle
Bangor
BT20 4BT

Via email: stephen.reid@ardsandnorthdown.gov.uk

Dear Stephen,

NORTHERN IRELAND LOCAL GOVERNMENT CODE OF CONDUCT

Thank you for your letter of 27 June 2019 regarding those letters of protest submitted to you by some of your councillors.

I have received a number of similar letters from other councils. As you know, councillors are required to sign a Declaration of Acceptance of Office where they agree that they have read and will abide by the Councillors' Code.

The letters of protest advised Chief Executives, that members considered that:

- they should not have to confirm that they have read and agree to abide by a Code which has been reviewed and to which there are recommendations for change awaiting approval by the Department for Communities;
- they are, in effect, being asked to give consent to complying with rules which central Government has already accepted as being outdated; and
- the NI Local Government Commissioner for Standards has not engaged meaningfully and constructively with the National Association of Councillors on how their office conducts its operations.

The latter issue is a matter for the NI Local Government Commissioner for Standards, however, the issues about the Code of Conduct are for my Department to deal with. I met with the Commissioner recently and she advised that she would address the issues raised in the letters submitted to Chief Executives regarding her Office.

I thought it might be helpful if I provided an update on a revised Code.

Review of the current Councillors' Code

The current Councillors' Code which was approved by the Assembly on 27th May 2014, was introduced as part of the Ethical Standards Framework under the new governance arrangements introduced by the Local Government Act (Northern Ireland) 2014 (the 2014 Act).

Following concerns raised by some councillors regarding Part 8 of the Councillors' Code (decision-making), the then Minister of the Environment appointed an independent Review Working Group, to consider those concerns and, in addition, to consider the (then recent) changes made to the Principles set out in the MLA Code of Conduct with a view to identifying whether Part 3 (Principles) of the current Councillors' Code should be amended in line with the MLA Code.

The independent Review Group conducted information gathering events from November 2015 to April 2016 and heard the concerns put forward by interested parties. The Review Group submitted its report to the then Minister who agreed that a revised Councillors' Code, amended in line with the Review Group's recommendations, should be issued for consultation.

The revised Councillors' Code was issued for consultation together with a copy of the Review Group's Report from 21 December 2016 to 28 February 2017. The consultation document advised that, while it sought views on the revised Councillors' Code, comments on points raised by the Review Group as "Emerging Issues" (i.e. Training, Advice to Councillors and Procedures) which were outside of the Review Group's remit would be considered by the Department as part of any future review of the Ethical Standards Framework in councils.

In summary, the changes proposed by the consultation were for the Councillors' Code to reflect the changes made to the MLA Code regarding the Principles of Conduct and for clarification to be given on when the rules on decision-making in Part 8 of the Code should apply i.e.

- that Rules 8.1(a) to (h) would apply to all council decisions, and
- that Rules 8.1(i) to (l) would apply, in addition to Rules 8.1(a) to (h), to quasi-judicial decisions (e.g. planning and licensing etc.), decisions on making appointments and the awarding of contracts.

The current position

The Department has collated the responses to the consultation and has prepared a Departmental Response to the submitted comments. These will be put forward for consideration by the Minister for Communities, when appointed.

I can understand that, having consulted on proposals for a revised Councillors' Code, there would have been an expectation within local government that this would have been brought forward as soon as possible after the close of the consultation. However, the Department cannot progress the revised Code at this time. Section 53 of the 2014 Act states that the Department must not issue a revised Councillors' Code unless it has been laid in draft before, and approved by, the Assembly (sub-section (7) of

section 53). The current Councillors' Code, which was approved by the Northern Ireland Assembly on 27 May 2014, will therefore continue to apply.

I acknowledge that councillors have some concerns about certain aspects of the Councillors' Code. At a recent meeting of the Central-Local Government Political Forum (28 June 2019), Forum members raised a number of issues with Louise Warde Hunter, Deputy Secretary of the Department's Housing, Urban Regeneration and Local Government Group and a useful discussion followed. I would like this dialogue to continue and have asked my officials to liaise with the National Association of Councillors and the Northern Ireland Local Government Association so that they can air any concerns councillors may have regarding the Councillors' Code.

Way forward

The Department is in the early stages of conducting a 3 year review and evaluation programme of local government legislation. The first year will consider council governance arrangements, and the wider review of the Ethical Standards Framework will form part of this work. The Department has established a Working Group of council officers and Departmental officials as part of the initial phase of this work to scope out any issues which have arisen from the practical application of the 2014 Act. Following this, the Department will engage with councillors, local government representative bodies and other key stakeholders to seek views on the current legislative framework. The recommendations that the Code of Conduct Review Group made on 'Emerging Issues' in their April 2016 report, will be considered during the wider review of the Ethical Standards Framework in councils and the Department will seek the valuable insights that councillors, councils and local government representative bodies can provide. The Department's intention, in carrying out the review, is to put recommendations to an incoming Minister, for consideration, at the earliest opportunity.

In the interim we are keen to share the progress of this review with councils and councillors on an ongoing basis through positive engagement with the local government sector.

I hope this information clarifies the standing of the current Councillors' Code and the Department's intention to work with councils to bring forward suitable policies which complement the work of councils.

Councillors may also wish to view the information and guidance available from the Local Government Commissioner for Standards (the Commissioner):

- guidance on the Councillors' Code,
- information on how it deals with complaints that a councillor may have breached the Councillors' Code,
- the procedures to be followed, and
- information leaflets about the service which the Commissioner's Office provides.

Advice is also available through "[The Guidance on the Use of Social Media](#)", produced by the Commissioner and the "[Conflicts of Interests – A Good Practice Guide](#)",

produced by the Northern Ireland Audit Office. In addition DFI Planning Policy Division has produced "[Guidance on the application of the Councillors' Code of Conduct with regard to Planning matters](#)".

I would be grateful if you could bring the content of this letter to the attention of your councillors for their information. A copy of this letter has also been sent to the Local Government Commissioner for Standards, the Northern Ireland Local Government Association and the National Association of Councillors – NI Region.

I do hope you find this helpful. If you require any further information my officials would be happy to assist: Julie Broadway julie.broadway@communities-ni.gov.uk (Tel: 028 9082 3349) or Mylene Ferguson mylene.ferguson@communities-ni.gov.uk (Tel: 028 9082 3350).

Yours sincerely,

Tracy Meharg

**TRACY MEHARG
PERMANENT SECRETARY**

ITEM 21

Ards and North Down Borough Council

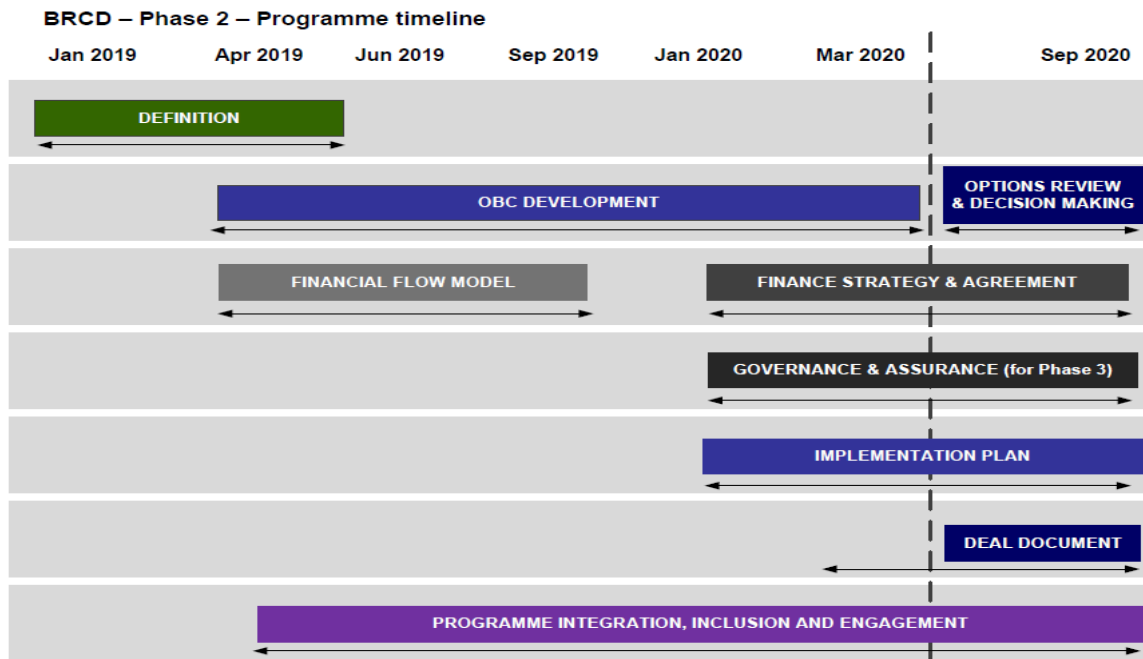
Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Regeneration, Development and Planning
Responsible Head of Service	
Date of Report	18 July 2019
File Reference	RDP22
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Belfast Region City Deal Update
Attachments	

1 Background

Members will be aware that the UK Government, the NICS and BRCD partners signed the 'Heads of Terms' for the Belfast Region City Deal (BRCD) at the end of March 2019. This is a tripartite agreement, which follows significant work by the BRCD partners to secure c£1billion investment into the region, with the aim to create 20,000 jobs:

£350 million from Treasury against the Digital and Innovation workstream, £350 million from the NI Executive against the Infrastructure, Regeneration and Tourism workstream and £150 million from Councils and Universities, with the aspiration to secure private sector investment on top of this.

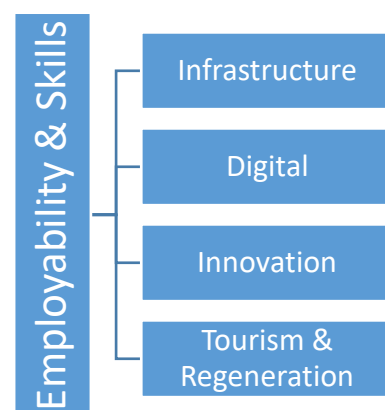
The signing of the Heads of Terms represents the completion of Phase 1 of the BRCD. Phase 2, Delivery Development, requires the development of Outline Business Cases for all projects which, if approved, will ultimately secure the funding before moving into Phase 3, the Implementation and Financial Plan.



The partners have significant work to undertake both in terms of the completion of individual project OBCs as well as the agreement of the Phase 3 plans and Programme. To support this a central Programme Office has been set up, the costs of which will be shared by the Council partners. An Executive Board has also been established. Membership of this includes the 6 Chief Executives, 2 University Vice Chancellors, Chief Executive of the Belfast Metropolitan College, the SRO for the Deal and 2 senior officials from NICS. The Executive Board is responsible for ensuring the delivery of the BRCD programme in accordance with the requirements of the Heads of Terms.

Advisory Boards for each of the main workstreams have also been established. These include:

- Infrastructure Advisory Board – led by DfI;
- Tourism and Regeneration Advisory Board – Chaired by Stephen Reid;
- Employability and Skills Advisory Board – led by Belfast MET;
- Digital Advisory Board – currently being scoped;
- Innovation Advisory Board – led by the Universities.



A Joint Council Forum made up of Members of the constituent Councils, will also be established. It will have an oversight and leadership role and full Terms of Reference for the Forum will be brought back to a future Council meeting.

A Finance Directors Group has been set up to oversee the finance and funding plan, as has a Communication and Engagement Group to agree a joint communication plan.

Individual partners will retain responsibility for decision-making in relation to their own financial commitments. OBCs will require sign off by the project owner, in our case Council, before being considered and agreed by the BRCD Advisory Board, Executive Board and the individual Government Department responsible for the match funding. It is important, therefore, to have DfC, DfE and Tourism NI involved in the development of our OBCs. Private sector collaboration is also a key principle.

2 Project Update

2.1 Digital Update

The Bable organisation from Germany (along with experts from the Fraunhofer Society) have been brought on board by Belfast City Council on behalf of the partners to support the development of the digital strands. Officers are working closely with Bable to ensure the Borough benefits from any agreed Digital project. This includes the development of a potential Innovation Hub within the Borough, with an OBC for this currently being scoped.

2.2 Innovation Update

This is led by the two Universities, which are also fully funding the development costs for the OBCs. Officers have requested a meeting with the two universities to gain a better understanding of how our businesses can benefit from these projects.

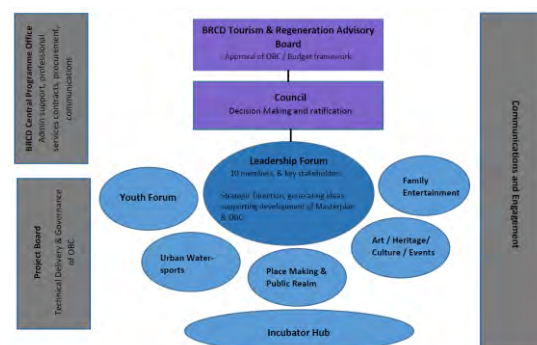
2.3 Tourism & Regeneration Update

Council has two key projects under this workstream, the Bangor Waterfront Regeneration project and Whitespots Country Park. A number of working groups, as agreed by Council, have been established to take the projects forward with the final outcome being the development of an approved OBC within the next year.

Bangor Coastal Masterplan

Covering a 2.2 mile stretch of prime waterfront land, *our agreed Vision is ‘to seamlessly connect the waterfront to the rest of the town and, in so doing, provide a unique range of opportunities for residents and visitors to have their lives and businesses enriched by a mix of public spaces, creative events, activities, attractions and experiences that speak of local stories to a global audience, encouraging year-round and repeat visits.*

The Leadership Group and various Working Groups have met during June/July, with a series of site visits and idea generation workshops planned during August.

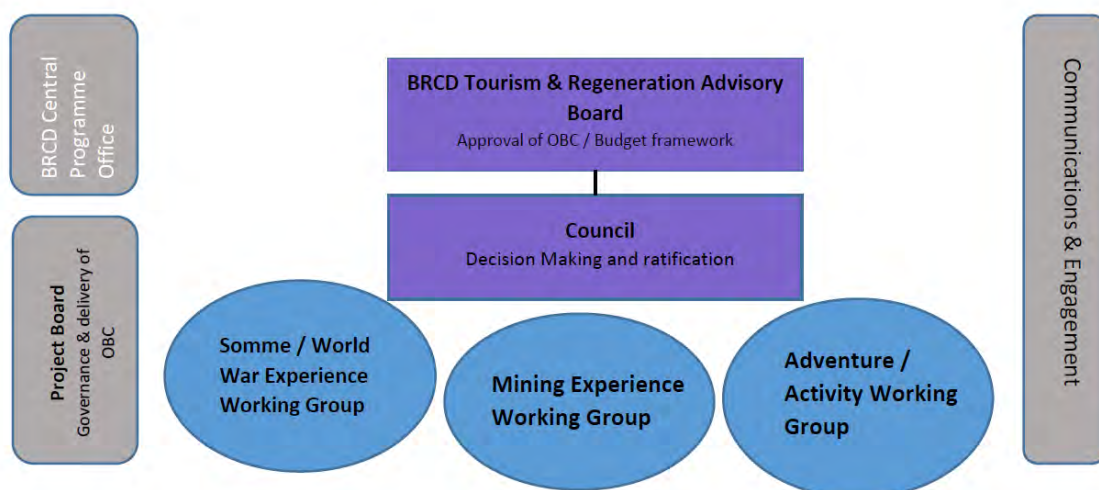


As agreed the Council has procured a multi-discipline team to develop a Masterplan for the Bangor Waterfront and associated OBC's. This was procured using ESPO, which is a public sector owned professional buying organisation, specialising in providing a wide range of goods and services to the public sector for over 35 years. ESPO's frameworks are free to access and easy to use. Using an ESPO framework ensures that the buying process is fully compliant with EU and UK procurement legislation and all suppliers listed on their frameworks have been assessed during the procurement process for their financial stability, track record, experience and professional ability and framework terms and conditions have been pre-agreed by ESPO to ensure that they are fair and transparent.

Framework 664 for Consultancy Services, lot 8g Regeneration and Regional Development was used as this was the category recommended by them that best suited our needs. All the companies on the lot were invited to participate in a mini competition, with four companies showing an interest and three final submissions received. Aecom are the successful company and have put together a strong team covering a range of disciplines including; masterplanning, transport, sustainability, maritime and coastal engineering, energy and environmental, economists and tourism specialists. The team includes Wayne Hemingway Design, known for their passion on bringing seaside towns back to life, commercial experts Savills, economic analysts Jettora, who developed the Strategic Outline Case and Andrew Emery a waterfront tourism specialist involved in the regeneration of Bournemouth. The total tendered costs for this work is c£280,000. This is split across two financial years and includes a number of identified projects and milestones.

Whitespots Country Park

The Vision is to create a new Country Park which includes a number of distinctive visitor experiences linked by a series of Greenways. Supported and chaired by Strategic Investment Board the Working Groups have been established and a number of studies are being commissioned to support the development of the OBC.



RECOMMENDATION

It is recommended that Council notes this report.

ITEM 21.1.**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	23 July 2019
File Reference	LP390
Legislation	Section 96 of the Local Government (Northern Ireland) Act 1972
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>
Subject	Request from City of Belfast Grand Black Chapter to use Spafield car park for Demonstration on Saturday 31 st August 2019
Attachments	Minute dated 12 March 2019 and map

Background

The Council has previously acceded to the request from the City of Belfast Grand Black Chapter (the 'Chapter') to use Ballymenoch Park (the 'Park'), Holywood for their annual Demonstration on the last Saturday in August. Attached to this report is a copy of the minute of the Council's decision.

Current position and Request

Due to recent bad weather, sections of the Park have become water logged. Given concerns over the suitability of the Park, the Chapter have now requested the use of an alternative site and they have identified Spafield car park as a suitable location for assembly and dispersal (as shown on the attached map).

Internal consultation

The request has been the subject of internal consultation. The Leisure section advised that SERCO should be consulted as this may cause issues with parking for those using the Spafield pitch. SERCO has agreed that, if approval is given, it will contact those using the pitch on this date to inform them that the carpark will be closed.

In addition, it was also suggested that the Chapter consults with local traders given that the car park will be closed on a normal business day.

Recommendation

It is therefore recommended that the Council accedes to the request subject to the organisers agreeing to the original conditions (contained in the attached Minute) and to the additional condition that the Chapter consults with local traders in relation to the closure of the car park.

14. REQUEST TO USE BALLYMENOCH PARK ON SATURDAY 31 AUGUST 2019 (LP390)
(Appendix VIII)

PREVIOUSLY CIRCULATED:- Report from the Director of Organisational Development and Administration and attaching site map stating that the Council had received a request from Mr Cunningham on behalf of the City of Belfast Grand Black Chapter to use Ballymenoch Park, Holywood for the annual Last Saturday Demonstration.

The outline plan was as follows:

Arrival from 10.15am
Platform Proceedings 11am
Outward Parade 11.30am
Return Parade 4pm

They intended to place a small platform, toilets and a maximum of 3 trading stalls in the grounds (if permitted).

Council officers had been consulted and had requested a site visit with the organisers to agree the areas of use. It was also noted that the organiser would need to hire portable portaloos and make arrangements to litter pick and remove all waste from the area after the event.

The request conformed with the Council's Use of Council Land Policy and permission would be subject to the following:

1. The organisers meeting with Council officers to agree the designated areas of use, and
2. Agreeing to the following conditions:
 - XXXVIII. Paying the relevant fee for traders as per the Councils current policy. (£30 for up to 3 traders, and £10 per trader after this)
 - XXXIX. A bond of £500.00 had to be paid prior to the event, which would be refunded following a satisfactory inspection of the area by a Council officer after the event has left the site.
 - XL. Providing a risk assessment and event management plan.
 - XLI. Displaying public notices for at least two weeks before the event to notify the public that said event was due to take place in the area. Signage to be agreed in advance with appropriate Council officer.
 - XLII. Public notices had to be removed after the event within seven days.
 - XLIII. Providing appropriate welfare facilities at own cost. Number to be agreed with appropriate Council officer in advance.
 - XLIV. Providing evidence of relevant insurances and fully indemnifying the Council against all risks associated with the use of land or property.

- XLV. Making good any damage caused during the to the satisfaction of Council officers. Should the Council have to undertake remedial works the costs would be recovered from the organiser.
- XLVI. Putting in place protective measures for areas where important natural heritage was present.
- XLVII. Arranging for the collection and subsequent removal of all litter and other debris from the main event and adjacent areas during the event, as well as once the event had concluded, however, should the Council have to do any additional cleaning the costs would be recovered from the organiser.
- XLVIII. Arranging for the prompt removal of any items used in connection with the event.
- XLIX. Putting in place plans to limit any negative impact on the public using the land at the same time as the event.
 - L. Obtaining and providing evidence of permits/licences/registrations and approvals.
 - LI. Indemnifying the Council against all claims which may result from the event or use of the area, and to provide the Council with a copy of the relevant insurance policy.
 - LII. Ensuring that only the designated area, or areas specified by Council officers were used for the event.
 - LIII. Ensuring that adequate marshals were placed throughout the designated area to ensure that members of the public were not endangered by the event.
 - LIV. Where electrical supplies were being used, this had to be agreed in advance with Council officers. Additional costs may apply depending on the services required.
 - LV. No petrol generators were to be used.
 - LVI. Provide the Council with a list of any suppliers/food providers for the event at least six weeks in advance of the event taking place.

RECOMMENDED that the Council accedes to the request subject to the organisers agreeing to the conditions detailed above.

AGREED TO RECOMMEND, on the proposal of Councillor McIlveen, seconded by Alderman Carson, that the recommendation be adopted.

ITEM 24

Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Council
Date of Meeting	31 July 2019
Responsible Director	Director of Organisational Development and Administration
Responsible Head of Service	Head of Administration
Date of Report	25 July 2019
File Reference	CG 12172
Legislation	Local Government Act (NI) 2014
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/>
Subject	Notices of Motion
Attachments	Notices of Motion - Status Report

Please find attached a Status Report in respect of Notices of Motion.

This is a standing item on the Council agenda each month and its aim is to keep members updated on the outcome of motions. Please note that as each motion is dealt with it will be removed from the report.

RECOMMENDATION

It is recommended that the Council notes the report.

NOTICE OF MOTIONS UPDATE – JULY 2019

TO BE POPULATED BY DEMOCRATIC SERVICES							
DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
31/05/15	Permanent recognition of Rory McIlroy in Holywood	Councillor Muir	24/06/15	Corporate Services 13.10.15	Agreed	Ongoing	
2/3/18	Online community directory	Councillor Douglas	Council – March 2018	Community & Wellbeing – April 2018 - deferred	Agreed to bring back report	September 2019	
21/3/18	Accessible green space – Town Park in Newtownards	Councillor Smart & Councillor Kennedy	Council – April 2018	Community & Wellbeing – May 2018		Referred to Corporate Committee to coordinate to deal first with Ards FC (report to go to CC in September 2019)	

TO BE POPULATED BY DEMOCRATIC SERVICES

DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
19/7/18	Appropriate signage at Movilla Cemetery	Councillor McIlveen	Council – August 2018	Community & Wellbeing – October 2018	Agreed	Referred to Corporate Committee - ongoing	
21/8/18	Memorial to 8 people killed at 1936 TT Race	Councillor Kennedy	Council – August 2018	Corporate - Oct 18 Deferred to November 2018	Agreed	October 2019	
10/1/19	Disabled access to Cloughey beach	Councillors Adair, Edmund & Thompson	Council – January 2019	Environment Committee		September 2019	
21/1/19	Shelter at slipway in Donaghadee	Councillor Brooks and Councillor Smith	Council – January 2019	Environment Committee		September 2019	
22/1/19	Climate breakdown	Councillor Woods and Councillor McKee	Council – January 2019	Environment Committee		September 2019	
16/4/19	Safe pedestrian access at recycling centres	Councillor Brooks and	Council – April 2019	Environment Committee – June 2019	Agreed	September 2019	

TO BE POPULATED BY DEMOCRATIC SERVICES

DATE RECEIVED	NOTICE	SUBMITTED BY	COUNCIL MEETING DATE	COMMITTEE REFERRED TO	OUTCOME OF COMMITTEE WHERE NOM DEBATED	MONTH IT WILL BE REPORTED BACK TO COMMITTEE	OTHER ACTION TO BE TAKEN
		Councillor Smith					
15/6/19	Silver Poppy's for WW2 Surviving Veterans	Councillor Martin	Council – June 2019	Heard at Council	Agreed	N/A	
18/6/19	Community Consultation on Upgrade of Skipperstone Playpark	Alderman Irvine	Council – June 2019	Community & Wellbeing Committee – September 2019			
18/6/19	Council maintenance of Gibson's Lane from Balloo Road to Willowbrook Road, Bangor	Alderman Irvine	Council – June 2019	Community & Wellbeing Committee – September 2019			