



November 23rd 2023

**TO: The Right Worshipful the Mayor and Members  
of Lisburn & Castlereagh City Council**

A meeting **of Lisburn & Castlereagh City Council** will be held on **Tuesday, 28th November 2023 at 7:00 pm** in the Council Chamber and remote locations for the transaction of the business on the undernoted agenda.

For those Members attending this meeting remotely, the Zoom details are included in the Outlook invitation that has been issued.

A hot buffet will be available in the Members' Suite from 5.45 pm for those Members who have confirmed in advance.

**DAVID BURNS**  
**CHIEF EXECUTIVE**  
**LISBURN & CASTLEREAGH CITY COUNCIL**

# Agenda

## 1.0 BUSINESS OF THE RIGHT WORSHIPFUL THE MAYOR

📄 *Mayor and Deputy Mayor Engagements for Council Meeting November 2023.pdf*

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## 2.0 APOLOGIES

## 3.0 DECLARATIONS OF MEMBERS' INTERESTS

- (i) conflict of interest on any matter before the meeting (Members to confirm the specific item)
- (ii) pecuniary or non-pecuniary interest (Member to complete disclosure of interest form)

## 4.0 COUNCIL MINUTES

### 4.1 Council Meeting - 24 October, 2023

📄 *MM 24 10 2023 Draft Minutes for Adoption.pdf*

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### 4.2 Special Council Meeting - 20 November, 2023

📄 *(S) Council-Roads 20 11 2023 Draft Minutes for Adoption V2.pdf*

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## 5.0 MATTERS ARISING

## 6.0 DEPUTATIONS

None

## 7.0 BUSINESS REQUIRED BY STATUTE

### 7.1 Signing of Legal Documents

- Lisburn and Castlereagh City Council and R Heatrick Limited t/a Skipway, 341 Tandragee Road, Portadown BT62 3RB – Contract for Collection, transportation, recycling and/or recovery of waste wood from Council Household Recycling Centres (Ref: T22/23-076)
- Lisburn and Castlereagh City Council and Bryson Recycling, Belfast Road, Central Park, Mallusk, Newtownabbey BT36 4FS – Contract for the provision of a kerbside sort service for the collection and recycling of dry recyclables and food waste from households within the Lisburn & Castlereagh City Council area (Ref: STA23/24-010)

## 8.0 ADOPTION OF MINUTES OF COMMITTEES

|            |   |                                  |
|------------|---|----------------------------------|
| <b>8.1</b> | <b>Environment and Sustainability Committee - 1 November, 2023</b><br><a href="#">ESC 01.11.2023 Draft Minutes for Adoption.pdf</a>                               | <b>Page 34</b>                   |
| <b>8.2</b> | <b>Regeneration and Growth Committee - 2 November, 2023</b><br><a href="#">RGC 02 11 2023 Draft Minutes for Adoption.pdf</a>                                      | <b>Page 44</b>                   |
| <b>8.3</b> | <b>Communities and Wellbeing Committee - 7 November, 2023</b><br><a href="#">CWC 071123 draft minutes for adoption.pdf</a>  | <b>Page 50</b>                   |
| <b>8.4</b> | <b>Corporate Services Committee - 8 November, 2023</b><br><a href="#">CSC 08 11 2023 DRAFT minute for adoption.pdf</a>  | <b>Page 54</b>                   |
| <b>8.5</b> | <b>Planning Committee - 2 and 9 October, 2023</b><br><a href="#">PC 02.10.2023 - Ratified Minutes.pdf</a><br><a href="#">PC 09.10.2023 - Ratified Minutes.pdf</a> | <b>Page 61</b><br><b>Page 65</b> |

## **9.0 REPORT FROM CHIEF EXECUTIVE**

|            |  |                |
|------------|--|----------------|
| <b>9.1</b> | <b>Hardship Grant Programme 2023/24 - Delegated Authority to December Meeting of the Communities and Wellbeing Committee</b><br><a href="#">Hardship Grant Programme Delegated Authority.pdf</a> | <b>Page 71</b> |
|------------|--|----------------|

## **10.0 REPORTS FROM MEMBERS ON BOARDS**

None

## **11.0 REPORTS ON DECISIONS SUBJECT TO THE RECONSIDERATION PROCEDURE**

None

## **12.0 NOTICES OF MOTION**

|             |   |                |
|-------------|---|----------------|
| <b>12.1</b> | <b>No.1 on the subject of Childcare in the name of Alderman M Guy</b><br><a href="#">No.1 Childcare.pdf</a> | <b>Page 73</b> |
|-------------|---|----------------|

## **13.0 CONFIDENTIAL BUSINESS**

|             |   |  |
|-------------|---|--|
| <b>13.1</b> | <b>Requirement to Enter into a Section 76 Planning Agreement for Planning</b> |  |
|-------------|---|--|

## **Application LA05/2022/0830/F**

Confidential due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information).

📄 *Item 1 Confd - Section 76 Report.pdf*

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📄 *Section 76 Agreement - Moira Road Lisburn - FINAL - Copy.pdf*

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## **14.0 ANY OTHER BUSINESS**

## **MAYOR'S ENGAGEMENTS FOR FULL COUNCIL MEETING**

### **Tuesday 24<sup>th</sup> October**

Mayor to attend official opening of new canning line at Coca Cola on Knockmore Plant

Mayor to attend Duck Race at Park View Special School

### **Thursday 26<sup>th</sup> October**

Mayor to open event at Lagan Valley Island for Department for Business and Trade 'Made in UK' Roadshow

Mayor to attend Poppy Appeal Launch, Lisburn RBL

Mayor to host reception to acknowledge the service of local veterans within the LCCC area

Mayor to host reception for Carryduff GAC to recognise club success

### **Friday 27<sup>th</sup> October**

Mayor to attend St Patrick's Academy Prize Day

Mayor to attend Anahilt Community Quiz

Mayor to attend Halloween Fireworks Display, Dromara Community Group

### **Saturday 28<sup>th</sup> October**

Mayor to attend Poppy Appeal Launch, Royal Hillsborough RBL

Mayor to unveil new notice board in Dromara

Mayor to attend the Grand Opening of Epic Dental in Bridge Street, Lisburn

### **Sunday 29<sup>th</sup> October**

Mayor to attend service to mark 100 years of Lisburn War Memorial, Castle Street

### **Thursday 2<sup>nd</sup> November**

Mayor to attend opening of Drumlough Orange Hall

### **Saturday 4<sup>th</sup> November**

Mayor to attend Dromara Local Committee Coffee Morning in aid of Cancer Research

Mayor to attend wreath laying by local Dromara Historical Group

Mayor to attend Christmas Fayre, Hill Hall Regeneration Group

Mayor to attend RBL Festival of Remembrance, Waterfront Hall

**Tuesday 7<sup>th</sup> November**

Mayor to visit local resident on her 100<sup>th</sup> birthday

**Thursday 9<sup>th</sup> October**

Mayor to join workshop with schools for Remembrance Day Project

Mayor to attend Ballymacash Neighbourhood Craft Class, Remembrance Talk

Mayor to visit pupils from Anahilt Primary School taking part in Remembrance Project

Mayor to visit pupils from Carr Primary School taking part in Remembrance Project

Mayor to attend USPCA charity store official opening in Lisburn

Mayor to attend NI Chamber of Commerce President's Banquet, Waterfront hall

**Friday 10<sup>th</sup> November**

Mayor to attend Ulster University Political Roadshow, Lagan Valley Island

Mayor to attend Resurgam AGM, Laganview Enterprise Centre

Mayor to assist with Lisburn RBL Poppy Appeal collection at Tesco Lisburn

**Saturday 11<sup>th</sup> November**

Mayor to attend Deramore Community Association fundraiser for Air Ambulance NI

**Sunday 12<sup>th</sup> November**

Mayor to attend wreath laying, Hilden War Memorial

Mayor to attend Remembrance Sunday in Lisburn

Mayor to attend Ballybeen City Mission Remembrance Service

**Tuesday 14<sup>th</sup> November**

Mayor to host reception for Jessica Robinson in acknowledgement of her achievement of a world record for swimming the English Channel

**Friday 17<sup>th</sup> November**

Mayor to officially open 'Mud Ireland' new store in Moira

Mayor to attend assembly at Ballinderry Primary School

Mayor to attend Draynes Farm LCCC Sports Awards, La Mon Hotel

**Saturday 18<sup>th</sup> November**

Mayor to visit Moira Planters for Volunteer of the Month Initiative

**DEPUTY MAYOR'S ENGAGEMENTS FOR FULL COUNCIL****Tuesday 24<sup>th</sup> October**

Deputy Mayor to attend opening of new canning line at Coca Cola at Knockmore Plant

**Friday 3<sup>rd</sup> November**

Deputy Mayor to attend Gala Ball for Loch Mór Dál gCais Hurling Club 10th Anniversary, Devenish Arms

**Wednesday 15<sup>th</sup> November**

Deputy Mayor to Host Community Engagement event for Sports Clubs, Lagan Valley Island

**Friday 17<sup>th</sup> November**

Deputy Mayor to attend Draynes Farm LCCC Sports Awards, La Mon

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of the Monthly Meeting of Council held in the Council Chamber and Remote Locations on Tuesday 24 October, 2023 at 7:00 pm****PRESENT IN CHAMBER:**

The Right Worshipful the Mayor  
Councillor A Gowan

Deputy Mayor  
Councillor G McCleave

Aldermen J Baird, M Gregg, A Grehan, M Guy, H Legge,  
S P Porter, S Skillen and J Tinsley

Councillors D Bassett, R T Beckett, P Burke, S Burns,  
R Carlin, P Catney, D J Craig, K Dickson, N Eaton,  
A P Ewing, A Givan, G Hynds, C Kemp, P Kennedy,  
J Lavery BEM, S Lowry, C McCready, U Mackin,  
A Martin, T Mitchell, G Thompson and Hon N Trimble

**PRESENT IN REMOTE LOCATION:**

Councillors J Gallen and N Parker

**IN ATTENDANCE:**

Lisburn & Castlereagh City Council

Chief Executive  
Director of Communities and Wellbeing  
Director of Finance & Corporate Services  
Director of Organisation Development and Innovation  
Director of Regeneration & Growth  
Acting Director of Environmental Services  
Member Services Officers (BS & EW)  
Technician  
IT Officer

Mr D Roberts, Mayor's Chaplain

**Commencement of the Meeting**

At the commencement of the meeting, The Right Worshipful the Mayor, Councillor A Gowan, welcomed those present to the October meeting of Council which was being live streamed to enable members of the public to hear and see the proceedings. He pointed out that, should the meeting go into committee to consider confidential business, any members of the press and the public in attendance would be required to leave the Council Chamber for the duration of those matters.

The Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting following which the Chief Executive outlined the evacuation procedures in the case of an emergency.



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### Commencement of the Meeting (Cont'd)

The Right Worshipful the Mayor requested that all mobile phones be put on silent or switched off for the duration of the meeting and pointed out that, in accordance with the Council's Standing Orders, whilst the meeting was being live-streamed, unauthorised recording was not permitted.

### Prayers

At this point The Right Worshipful the Mayor advised of the undernoted of bereavements since the last meeting of Council:

- Jenny Allison, Project Support Officer, Programmes Office within Economic Development Unit, on the death of her mother, Brenda Kathleen Hunter
- James Bingham, PCSP Officer, on the death of his mother, May (Maisie) Bingham

The Right Worshipful the Mayor, Councillor A Gowan, welcomed his Chaplain, Mr D Roberts, to the meeting. Mr Roberts gave an address followed by prayer during which he too remembered the above-mentioned bereaved families.

Aldermen A Grehan and S P Porter entered the meeting at 7.06 pm.

At this point, The Right Worshipful the Mayor thanked Mr Roberts for his attendance and he left the meeting (7.14 pm).

## 1. Business of The Right Worshipful the Mayor

### 1.1 Mayor's Engagements (00:13:44)

The Council noted a number of engagements attended by The Right Worshipful the Mayor, Councillor A Gowan, and the Deputy Mayor, Councillor G McCleave, since the previous meeting of Council.

The Right Worshipful the Mayor put on record his thanks to those organisations and community groups who had hosted fundraising events during the past number of weeks for his Mayoral charity, Cancer Fund for Children. He acknowledged the tremendous efforts of all concerned and also expressed thanks and appreciation to those people who had turned out on the day to support these events.

## 2. Apologies (00:14:18)

It was agreed to accept apologies for non-attendance at the meeting on behalf of Aldermen A G Ewart MBE and O Gawith, and Councillors B Higginson, A McIntyre, M McKeever and R McLernon.

Alderman J Tinsley advised Members that Councillor Higginson had undergone surgery in recent days and asked Members to keep Councillor Higginson in their thoughts and prayers at this time.

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3. Declarations of Interest (00:15:03)

There were no declarations of interest.

4. Council Minutes

4.1 Meeting of Council held on 26 September 2023 (00:15:40)

Proposed by Alderman J Tinsley

Seconded by Councillor U Mackin

4.2 Special Meeting of Council held on 16 September 2023 (00:16:06)

Proposed by Councillor A Givan

Seconded by Alderman A Grehan

5. Matters Arising (00:16:35)

There were no matters arising from the minutes of the meeting of Council held on 26 September 2023 nor the minutes of the Special meeting of Council held on 16 October 2023.

6. Deputations (00:14:33)

There were no deputations.

7. Business Required by Statute

(i) Signing of Legal Documents (00:16:57)

It was proposed by Alderman J Tinsley, seconded by Councillor N Trimble, and agreed that the following legal documents be signed at the meeting:

- Lisburn and Castlereagh City Council and Ballymacash Sports Academy Ltd, The Bluebell Sports Complex, 10a Rushmore Drive, Lisburn BT28 2HN – Letter of Offer to Ballymacash Sports Academy Ltd – Community Investment Fund
- Lisburn and Castlereagh City Council and the Department for Infrastructure (“The Department”) of Clarence Court, 10-18 Adelaide Street, Belfast BT2 8GB – Agency Agreement for the provision of Off-Street Parking Enforcement and a Penalty Charge Notice Processing Service
- Lisburn and Castlereagh City Council and Graham Asset Management, 20 Wildflower Way, Belfast BT1 6TA – T23/24-002 – Contract for Tender for Winter Services Provision to Council Facilities

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(i) Signing of Legal Documents (Cont'd)

- Lisburn and Castlereagh City Council and iPower Solutions Ltd, Carnmoney House, Edgewater Road, Belfast BT3 9JQ – T22/23-014 – Contract for Tender for Provision of Demand Side Operator to Provide Demand Response Income for Lagan Valley Island Civic Centre
- Lisburn and Castlereagh City Council and Advanced Overwatch Ltd, 1<sup>st</sup> Floor, Beresford House, 2 Beresford Road, Coleraine BT52 1GE – T22/23-065 – Contract for Tender for Planned Preventive Maintenance Inspections of CCTV
- Lisburn and Castlereagh City Council and SL Contracts, 25 Lany Road, Moira BT67 0NZ and Mervyn Kirk Excavations and Groundworks, 3 The Nursery, Inishmore, Killyleagh BT30 9UQ and Civco Ltd, 25a Hillside Road, Maghera BT46 5SD – T23/24-001 – Contract for AT1 – Building Maintenance and Minor Works
- Lisburn and Castlereagh City Council and Avenue Recycling Ltd, 1 Advantage Way, Ballygomartin Road, Belfast BT13 3LZ – Contract for Collection, transportation and recycling of scrap metals from Council Household Recycling Centres (Ref T22/23-075)

8. Adoption of Minutes of Committees**Communities & Wellbeing Committee****3 October 2023**

(00:17:21)

Proposed by Councillor R McLernon

Seconded by Councillor A Martin

Adopted subject to item 5.1 (page 406) 2024 Lisburn Half Marathon, 10K and Fun Run being referred back to Committee for further consideration, at the request of Councillors T Mitchell and N Trimble.

Matters Arising

During discussion on the above matter Councillor Mitchell reiterated the health and safety concerns he had raised at Committee in connection with the proposed new route for this event, in particular the width of the path along the greenway and also traffic issues along the Blaris Road and the potential for problems for emergency vehicles accessing the area in a medical emergency.

Councillor N Trimble also wished to put on record his concerns relating to his perceived health and safety issues regarding the proposed new route, and mentioned in particular the barriers that were in place at the Sprucefield Park and Ride facility which he felt were an unnecessary risk. Councillor Trimble requested that his opposition to the recommendation to approve the proposed new route for the 2024 Lisburn Half Marathon, 10K and Fun Run be recorded.

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Matters Arising (Cont'd)

The Director of Leisure & Community Wellbeing responded to the comments raised by Members and advised that health and safety considerations were captured in risk assessments and the event management plan which would also be presented to the Safety Advisory Group. She offered to meet with the Members concerned to discuss their concerns further.

The Chairman of the Communities and Wellbeing Committee agreed to this matter being referred back to Committee.

In view of the papers for that Committee having been approved for issue it was noted that this matter would be on the agenda for the December meeting and that meanwhile the Director would undertake to meet with the Members concerned.

**Environmental & Sustainability Committee****4 October 2023**

(00:23:17)

Proposed by Councillor C McCready

Seconded by Councillor R Carlin

**Regeneration & Growth Committee****5 October 2023**

(00:23:53)

Proposed by Councillor J Laverty

Seconded by Councillor T Mitchell

**Corporate Services Committee****13 September 2023**

(00:24:25)

Councillor A P Ewing, Vice Chairperson, referred to the undernoted two items of business which had been subject to the Call-In procedure and which had been deemed to be inadmissible and accordingly the minutes pertaining to these two items of business were before the Council for ratification, namely;

- 6.1 Royal British Legion Festival of Remembrance 2023  
Belfast Waterfront Hall 4<sup>th</sup> November 2023, and
- 6.2 Anniversary of the Greenfinches

The minutes at items 6.1 and 6.2 were proposed by Councillor A P Ewing and seconded by Councillor C Kemp.

**Corporate Services Committee****11 October 2023**

(00:24:53)

Proposed by Councillor A P Ewing

Seconded by Councillor C Kemp

Adopted subject to Councillor S Lowry's name being removed at item 7.1.

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**Planning Committee**

(00:25:58)

The minutes of the Planning Committee meeting of 4 September 2023 had been circulated for noting only as these minutes had been agreed at the subsequent meeting of the Planning Committee on 2 October, 2023. It was proposed by Alderman M Gregg, seconded by Councillor U Mackin, and agreed that their contents be noted.

9. Report from Chief Executive (00:26:57)

There were no reports for consideration.

10. Reports from Members on Boards (00:27:02)

There were no reports from Members on Boards.

11. Reports on Decisions Subject to the Reconsideration Procedure (00:27:07)

There were no reports on decisions subject to the reconsideration procedure.

12. Notices of Motion12.1 Re-Prioritisation of the A1 Dual Carriageway (00:27:15)

A copy of the following Notice of Motion in the name of Councillor G Thompson had been circulated to Members with the notice convening the meeting:

“Between 2002 and 2019 there has been 661 collisions and 41 people killed on the A1 Dual Carriageway (Source: SISRA/DfI). Despite a Public Inquiry and previous Ministerial Approval, phase 2 of the A1 upgrade has been recently categorised as a Tier 3 project, with no commitment on completion, despite years of campaigning from the public and political representatives.

This Council recognises the urgent need for A1 infrastructure upgrades and the strong public support for improvements.

In order to protect lives on one of our busiest roads, this Council recognises the Phase 2 upgrades as a top priority infrastructure project and requests urgent budget reallocation to support project delivery.

This Council commits to:

- writing to the Chief Executive of Newry, Mourne and Down District Council and Armagh City, Banbridge and Craigavon Borough Council asking Council Members to support urgent reprioritisation of the A1 and budget reallocation to achieve Phase 2 upgrades

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12.1 Re-Prioritisation of the A1 Dual Carriageway (Cont'd)

- writing to the Permanent Secretary of the Department for Infrastructure urging a reprioritisation of the A1, an inclusion in tier one Infrastructure projects and budget reallocation to achieve Phase 2.
- writing to the Executive and Minister for Infrastructure, when the Assembly is restored, to prioritise the A1 and urgently redirect budget to the upgrades.
- writing to the Secretary of State, urging prioritisation of the project and to engage with The Department for Infrastructure to ensure the improvements are a Tier 1 priority.”

The Notice of Motion as proposed by Councillor G Thompson, was seconded by Councillor C McCready.

(Alderman A Grehan returned to the meeting at 7.30 pm)

The Right Worshipful the Mayor advised that the Notice of Motion would be considered at the meeting that evening following which Councillor Thompson elaborated on her Notice of Motion. She highlighted a number of significant facts in support of her motion, including:

- the public have waited much too long for the upgrades to the A1 to be completed
- the A1 is the main Belfast to Dublin economic corridor carrying on average 40,000 vehicles daily and the need for road safety improvements on the A1 has never been greater
- a public inquiry into the proposed upgrade of the A1 took place in 2020 and the inspector of the enquiry, Kevin Chambers, recommended at that time that the improvement scheme should be expedited as quickly as possible in view of the number of serious accidents and fatalities on that road
- when the Newry bypass was completed in 2010 the phase 2 upgrades had already been planned yet 13 years later despite a public inquiry and previous ministerial approval we face continued delays
- Phase 2 safety improvements include the closing of all gaps in the central reservation between Hillsborough and Loughbrickland, the development of four new flyovers and prevention of right turns into 20 side roads
- the economic potential for this road has not been fully explored due to lack of investment and vision and the progression of this road would unlock economic potential for the Lisburn and Castlereagh area

In concluding Councillor Thompson stated that the benefits of the upgrade to the A1 were clear, which included: improved journey times, safer journeys for everyone and direct and indirect economic boost in sectors such as logistics, construction, tourism and manufacturing. Councillor Thompson hoped that all Members present would support her Notice of Motion that evening and show collective leadership on this issue.

Councillor C McCready having seconded the Notice of Motion also addressed the Council during which he referred to the A1 being the main thoroughfare from the

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## 12.1 Re-Prioritisation of the A1 Dual Carriageway (Cont'd)

Republic of Ireland to Lisburn and Castlereagh. Councillor McCready was also hopeful that the Council would accept this motion which, he stated, would put pressure on those with authority to ensure the upgrades to the A1 are progressed in a timely manner.

At this point The Right Worshipful the Mayor advised that an addendum to the Notice of Motion had been received in advance from Councillor R Carlin.

Councillor Carlin addressed the Council and having indicated his support to the Notice of Motion, read out the undernoted addendum, which he asked be included after the second point, namely;

“This Council also recognised the significant and detrimental impact of the British Government imposed budget cuts on vital public services here and much needed infrastructure projects such as the A1, and that the British Government needs to properly fund the Executive to allow it to deliver for communities.”

Councillor Thompson indicated her agreement to including the above addendum to her Notice of Motion.

A number of Members on behalf of their respective political parties spoke in support of the Notice of Motion.

Councillor G Thompson in summing up thanked those Members who had spoken in support of her motion.

The Notice of Motion in the name of Councillor G Thompson, seconded by Councillor C McCready and as amended by Councillor R Carlin, was put to the meeting and agreed unanimously, the resolution being as follows:

“Between 2002 and 2019 there has been 661 collisions and 41 people killed on the A1 Dual Carriageway (Source: SISRA/DfI). Despite a Public Inquiry and previous Ministerial Approval, phase 2 of the A1 upgrade has been recently categorised as a Tier 3 project, with no commitment on completion, despite years of campaigning from the public and political representatives.

This Council recognises the urgent need for A1 infrastructure upgrades and the strong public support for improvements.

This Council also recognised the significant and detrimental impact of the British Government imposed budget cuts on vital public services here and much needed infrastructure projects such as the A1, and that the British Government needs to properly fund the Executive to allow it to deliver for communities.

In order to protect lives on one of our busiest roads, this Council recognises the Phase 2 upgrades as a top priority infrastructure project and requests urgent budget reallocation to support project delivery.

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### 12.1 Re-Prioritisation of the A1 Dual Carriageway (Cont'd)

This Council commits to:

- writing to the Chief Executive of Newry, Mourne and Down District Council and Armagh City, Banbridge and Craigavon Borough Council asking Council Members to support urgent reprioritisation of the A1 and budget reallocation to achieve Phase 2 upgrades
- writing to the Permanent Secretary of the Department for Infrastructure urging a reprioritisation of the A1, an inclusion in tier one Infrastructure projects and budget reallocation to achieve Phase 2
- writing to the Executive and Minister for Infrastructure, when the Assembly is restored, to prioritise the A1 and urgently redirect budget to the upgrades
- writing to the Secretary of State, urging prioritisation of the project and to engage with The Department for Infrastructure to ensure the improvements are a Tier 1 priority.”

### 12.2 Clean Air (00:42:13)

A copy of the following Notice of Motion in the name of Councillor S Lowry had been circulated to Members with the notice convening the meeting:

“Having learned lessons of the importance of ventilation and clean indoor air for health and productivity during the Covid pandemic; and seeking to take all reasonable steps to enable use of all Council facilities by all citizens, including the vulnerable and so further inclusion; and seeking to care for the health and wellbeing of Council employees, this Council will explore the necessary requirements to signing and implementing the COVID safety pledge; to report on steps already taken to prioritise clean indoor air in Lagan Valley Island and other Council owned and occupied premises, and on what further or additional steps could be taken to improve indoor air quality for employees and service users; and to develop and promote advice that can be followed to provide clean indoor air at events supported by Lisburn & Castlereagh City Council.”

The Notice of Motion as proposed by Councillor S Lowry, was seconded by Alderman M Gregg.

The Right Worshipful the Mayor advised that, in accordance with Standing Order 16.1 (6), as the above Notice of Motion fell within the remit of the Environment & Sustainability Committee, it would be referred to that Committee for consideration.

### 12.3 Motion in Support of addressing the Cost of Living Crisis (00:43:46)

A copy of the following Notice of Motion in the name of Councillor P Burke had been circulated to Members with the notice convening the meeting:



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### 12.3 Motion in Support of addressing the Cost of Living Crisis (Cont'd)

“This Council recognises the enormous impact on workers, families, and communities of the ongoing cost of living crisis across the Lisburn & Castlereagh City Council area; further recognises that as we move into autumn and winter that people will face a greater cost burden associated with increasing need for heating and electricity; is concerned that people are being further squeezed by the consequences of inflation and interest rate rises which have led to increased mortgages and insurance costs; is deeply concerned by the imposition by the British Secretary of State of a budget which has cut millions of pounds from departmental budgets undermining public services that workers, families and the most vulnerable rely upon; and the Council will urgently write to the Secretary of State for the North to call for a reverse to these cuts and to provide real supports for those facing higher living costs.”

The Right Worshipful the Mayor advised that the Notice of Motion would be considered at the meeting that evening.

The Notice of Motion as proposed by Councillor P Burke, was seconded by Councillor C Kemp who indicated that she had put forward a proposed alteration to the Motion which had been provided to Members in advance; namely; the replacement of all of the words after “is deeply concerned by” (in line 8) with the following:

“the Fiscal Council’s report of May 2023 which found that Northern Ireland is structurally underfunded by the Treasury compared to its relative need; notes the devastating impact this underfunding is having on departmental budgets, public services and households; further notes that revenue-raising will not reverse this decline and we cannot ask people to pay more for less; and calls on the Secretary of State to provide a funding package, including a Fiscal Floor, to allow the stabilisation and transformation of public services by a restored and reformed Executive.”

Councillor P Burke, having indicated that he agreed to the above alteration, elaborated on his Notice of Motion during which he made a number of pertinent comments, including:

- the current cost of living crisis has stretched most household finances and there is no doubt that those who have the least have been disproportionately impacted
- people in the North are being hit with increases in the cost of fuel, food, energy, mortgage repayments and heat. This means those on low pay and minimum wage are at risk falling into debt and being unable to pay for basic essentials
- the British Government can and should act now to cut the cost of heating oil – to help support those people who are facing the cruel decision whether to heat their home or feed their children
- the energy giants are lining their pockets as a result of this cost of living crisis and it is time for a windfall tax on big energy corporations such as BP who are profiting greatly whilst their customers struggle to heat their homes. Proceeds of a windfall tax could be redirected to workers and families and advance

### 12.3 Motion in Support of addressing the Cost of Living Crisis (Cont'd)

- efforts to move away from fossil fuels and into renewables to power and heat homes
- the British Government needs to do more to support home owners with rising mortgage repayments by providing targeted support to those whose mortgage interest rates have risen during the past year
  - the decision by the Conservatives to impose a 3.3% real terms cut to Block grant is a cruel and callous decision particularly given the cost of living crisis at time when people are struggling
  - the latest figures from the Department of Finance show that the Executive would need an additional £2.3b beyond what was provided most recent Tory budget just to deliver same level of services as 2021-2022.

During his contribution Councillor Burke stated that since being elected he had come to realise the responsibility placed upon each and every elected representative to deliver the best services possible to all in Lisburn & Castlereagh City Council. It was essential for all to explore ways to alleviate some of that hardship. Councillor Burke proceeded to outline a particular issue that one family had approached him about concerning their Vitality membership which until recently had been £49 per month for their family membership but now that two of the children had turned 18 years of age but still in full time education, it was now £95 per month. He stated that this was one issue that elected representatives face. He was of the opinion that the Vitality Membership scheme required a review and when possible, should be proactive in seeking solutions, being innovative and finding ways to give back to people during this this cost of living crisis.

Councillor C Kemp having seconded the Notice of Motion also addressed the Council during which she reaffirmed the difficult issues faced by many families during the cost of living crisis. Councillor Kemp also highlighted:

- the current high cost of childcare
- the cuts to the budgets for the Education Authority for the transformation of Special Educational Needs which had been reduced by 50%
- the Department for Education's budget for Special Educational Needs Co-ordinators had been reduced from £22m to £11m
- the Department for Health's budget cuts to voluntary and community sectors

During her contribution Councillor Kemp commended the social supermarket initiative in Lisburn which she stated was availed of by those out of work and also those in work.

A number of Members on behalf of their respective political parties spoke in support of the Notice of Motion and highlighted a number of personal stories of constituents who had phoned or called to their offices in need. Some Members welcomed the efforts of Gavin Robinson MP who had called for a change in the Barnett formula and another Member wished to put on record their thanks to the food banks across the Council area.

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### 12.3 Motion in Support of addressing the Cost of Living Crisis (Cont'd)

Councillor P Burke thanked Members for their support to his Notice of Motion, as altered by Councillor C Kemp.

The Right Worshipful the Mayor put the Notice of Motion, as altered, to the meeting which was agreed unanimously, as follows:

“This Council recognises the enormous impact on workers, families, and communities of the ongoing cost of living crisis across the Lisburn & Castlereagh City Council area; further recognises that as we move into autumn and winter that people will face a greater cost burden associated with increasing need for heating and electricity; is concerned that people are being further squeezed by the consequences of inflation and interest rate rises which have led to increased mortgages and insurance costs; is deeply concerned by the Fiscal Council’s report of May 2023 which found that Northern Ireland is structurally underfunded by the Treasury compared to its relative need; notes the devastating impact this underfunding is having on departmental budgets, public services and households; further notes that revenue-raising will not reverse this decline and we cannot ask people to pay more for less; and calls on the Secretary of State to provide a funding package, including a Fiscal Floor, to allow the stabilisation and transformation of public services by a restored and reformed Executive.”

### 12.4 Budget Cuts to Animal Welfare (01:10:00)

A copy of the following Notice of Motion in the name of Councillor N Eaton had been circulated to Members with the notice convening the meeting:

“This Council considers the impact of cuts from DAERA to Animal Welfare in Northern Ireland from £1.25m to zero with great concern. These cuts have a high risk of negatively impacting the work done by local government in the protection of non-farmed animals in Lisburn and Castlereagh area and consequently could lead to more suffering and maltreatment of animals. The Council will urgently write to DAERA Permanent Secretary to express opposition to this decision and to urge an alternative solution to be found.

Furthermore, given the significant pressure on Animal Welfare in Northern Ireland, we ask that through the Environmental Services Committee that Officers attending the Animal Welfare Strategic Board and those from the Multi Agency Animal Welfare Forum keep both members informed of the work of these groups and provides an opportunity to contribute to this work.”

The Notice of Motion as proposed by Councillor N Eaton, was seconded by Alderman H Legge.

The Right Worshipful the Mayor advised that, in accordance with Standing Order 16.1 (6), as the above Notice of Motion fell within the remit of the Environment & Sustainability Committee, it would be referred to that Committee for consideration.

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### 13. Any Other Business

#### 13.1 December Meeting of Council (01:11:47) The Right Worshipful the Mayor, Councillor A Gowan

The Right Worshipful the Mayor, Councillor A Gowan, advised Members that the December meeting of Council would take place on Tuesday, 19<sup>th</sup> December 2023 and which would commence at the earlier start time of 6.00 pm.

#### 13.2 Annual National Cross Country Championships at Billy Neill MBE Country Park on Saturday, 21<sup>st</sup> October 2023 (01:13:06) Councillor R T Beckett

Councillor R T Beckett put on record, on behalf of the Communities and Wellbeing Committee, thanks to the all the Council staff and Officers for their efforts in connection with the annual national Cross Country Championships which had taken place on Saturday, 21<sup>st</sup> October at the Billy Neill MBE Country Park and which he said had been very well attended. Councillor Beckett referred to the health and safety concerns as a result of the forecasted storm Babet that weekend but thankfully the event had gone ahead as planned.

#### 13.3 Grand Choice Event – Castlereagh South Saturday 21 October (01:14:17) Alderman M Guy

Alderman M Guy expressed thanks and appreciation to the Officers involved in the Grand Choice event at the weekend in the Castlereagh South area which had been very well attended.

#### 13.4 St Ita's Primary School – Road Safety Concerns (01:14:44) Alderman M Guy

Alderman M Guy reported having received a telephone call that afternoon from a member of St Ita's Primary School Board of Governors who advised of the serious concerns of the school staff in connection with road safety issues for pupils crossing the Purdysburn Road. The Council, in working with the school and DfI Roads previously had been hoping to have approval in place for a pathway as an active travel route for children and would welcome the support of the Council. Alderman Guy hoped to get a meeting arranged with the school governors, relevant DEA Members and Officers in the near future to discuss how this matter could be progressed.

#### 13.5 Planning Application – Four Winds Area (01:15:34) Alderman M Guy

Alderman M Guy referred to a planning application for a large Spar within the Four Winds residential area which was being objected to by the residents. Alderman Guy stated that she had pushed for a meeting many times with planning and with colleagues from communities but to date had not been successful in securing this meeting. Alderman Guy requested the support of the Council in getting this meeting organised. Alderman Guy also referred to the complicated planning history at this location and stated that she wished the residents to have the opportunity to understand the context around this planning application.

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13.5 Planning Application – Four Winds Area (Cont'd)  
Alderman M Guy

Councillor Carlin gave an assurance that he and his party colleagues would lend their support to both these issues.

The Right Worshipful the Mayor stated that he hoped Officers would liaise with Alderman Guy as soon as possible to get both meetings arranged.

13.6 Retirement - Mr Aengus Hannaway, Housing Executive Area Manager  
(01:16:46)  
Alderman S P Porter

Alderman Porter referred to the retirement of Mr Aengus Hannaway, a former NIHE district manager for Lisburn & Castlereagh, and commended the work of Mr Hannaway who he stated had truly represented the constituents of Lisburn and Castlereagh for many years.

It was agreed at the request of Alderman S P Porter that a letter of thanks and appreciation be sent to Mr Aengus Hannaway for his efforts and commitment in his role as district manager for Lisburn & Castlereagh for many years, and also to express best wishes to Mr Hannaway on his recent retirement.

13.7 Technical Issues in Council Chamber (01:18:10)  
Councillor J Lavery BEM

Councillor J Lavery requested that Members be advised on the current situation with the PA system in the Council Chamber, in view of the on-going difficulties experienced during the meeting. Councillor Lavery referred to the substantial financial outlay in purchasing the new system and would welcome an update on how the issues would be resolved to ensure such difficulties did not happen again.

13.8 Success of Grand Choice Event (01:18:59)  
Councillor R Carlin

Councillor R Carlin expressed thanks to the PCSP Officers for their efforts in ensuring a very successful Grand Choice event in Castlereagh South on Saturday 21<sup>st</sup> October. Councillor Carlin also expressed thanks to The Right Worshipful the Mayor for having attended on the day and also those groups who participated on the day.

The Right Worshipful the Mayor also commended the success of the Grand Choice event in Castlereagh South the previous Saturday and stated that he looked forward to the outcome of the successful applicants.

13.9 Recent Issue in Council Chamber (01:20:25)  
Councillor G Hynds

Councillor G Hynds welcomed the opportunity to speak at the meeting that evening and made comment on a recent issue he had experienced at a recent Committee meeting in the Council Chamber and stated that he hoped others had reflected also on that issue.

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14. Confidential Business (01:21:04)

The Right Worshipful the Mayor, Councillor A Gowan, advised that the item to be considered under confidential business was due to: a) information relating to the financial or business affairs of any particular person (including the Council holding that information) and b) information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.

“In Committee”

It was proposed by Alderman J Tinsley, seconded by Alderman S P Porter, and agreed that the following item be considered “in committee”, in the absence of members of the press and public being present. The livestream was paused at 7.58 pm.

14.1 Requirement to enter into a Section 76 Planning Agreement for Planning Application LA05/2022/0830/F

Members had been provided with a copy of the Section 76 Agreement in respect of the above planning application. It was proposed by Alderman M Gregg, seconded by Councillor N Trimble, and agreed that the agreement be approved and signed by The Right Worshipful the Mayor and the Chief Executive, subject to an amendment, as requested by a Member. The Director of Regeneration & Growth advised that the amendment would also require to be agreed by the other party concerned and it was accepted that the agreement be approved subject to the amendment being accepted by the respective legal teams.

Resumption of Normal Business

It was proposed by Alderman S Skillen, seconded by Councillor C McCready, and agreed to come out of committee and normal business was resumed. The live stream of the meeting was recommenced at 8.26 pm.

Conclusion of Meeting

At the conclusion of the meeting, The Right Worshipful the Mayor, Councillor A Gowan, thanked those present for their attendance.

There being no further business for consideration, the meeting was terminated at 8.27 pm.

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Mayor

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of the Special Meeting of Council held in the Council Chamber, Island Civic Centre, Lisburn, and remotely, on Monday 20 November, 2023 at 6:02 pm****PRESENT IN CHAMBER:**

The Right Worshipful the Mayor  
Councillor A Gowan

Deputy Mayor, Councillor G McCleave

Alderman J Tinsley

Councillors D Bassett, P Catney, D J Craig, A P Ewing,  
A Givan, G Hynds, P Kennedy, C McCready, A McIntyre,  
U Mackin and N Parker

**PRESENT IN REMOTE LOCATION:**

Aldermen O Gawith, A Grehan and S Skillen

Councillors P Burke, S Burns, N Eaton, J Gallen,  
B Higginson, J Lavery BEM, S Lowry, T Mitchell,  
M McKeever and G Thompson

**IN ATTENDANCE**

Lisburn & Castlereagh City Council

Chief Executive (Remote)  
Director of Regeneration & Growth (Council Chamber)

Member Services Officer (BS)  
Member Services Officer (EW)  
IT Officer  
Technician

Department for Infrastructure – Roads (Eastern Division)

Des McFarlane – Divisional Roads Manager  
Colin Woods, Deputy Secretary, Transport & Road Asset  
Management  
Graeme Salmon - Network Traffic and Lighting Manager  
Joe Torney - Acting Section Engineer

**Commencement of the Meeting**

At the commencement of the meeting, The Right Worshipful the Mayor, Councillor A Gowan, welcomed those present to the Special Meeting of Council. For the purpose of the livestream the Member Services Officer read out the names of those Members in attendance at the meeting.

The Right Worshipful the Mayor stated that, whilst the meeting was being live streamed, unauthorised recording was not permitted, as per the Council's Standing Order 8.5.

Commencement of the Meeting (Cont'd)

The Right Worshipful the Mayor asked that mobile phones be turned off or put on silent for the duration of the meeting. The Director of Regeneration & Growth outlined the evacuation procedures in the case of an emergency.

Councillor G Hynds entered the meeting at 6.04 pm.

1. Apologies (00:03:25)

Apologies for non-attendance at the special meeting were accepted and recorded on behalf of Aldermen M Gregg, M Guy and S P Porter and Councillors R T Beckett, K Dickson, A Martin and Hon. N Trimble.

2. Declarations of Interest (00:04:18)

There were no Declarations of Interest.

3. Deputations3.1 Department for Infrastructure, Roads (Eastern Division) – Annual Report 2023 (00:04:46)

The Right Worshipful the Mayor, Councillor A Gowan, extended a welcome to representatives of Department for Infrastructure, Roads (Eastern Division): Des McFarlane (Divisional Roads Manager), Colin Woods (Deputy Secretary Transport and Road Asset Management), Graeme Salmon (Network Traffic and Lighting Manager) and Joe Torney (Acting Section Engineer) who were in attendance to present the 2023 Annual Report, a copy of which had previously been circulated. A copy of responses to pre-submitted Members' questions to the Department had also been circulated in advance.

At the outset Mr McFarlane provided Members with an update in regard to the undernoted major projects and other issues.

Royal Hillsborough Signage

Six large signs on the A1 dual carriageway had been updated the previous weekend to include Royal Hillsborough text and advised that it was the intention to bring forward a programme to replace a number of other signs on a yearly basis initially concentrating on remaining signs on the A1 and adjacent roads subject to availability of resource and finance.

The previous week the Department's Permanent Secretary had met with representatives from Royal Hillsborough and District Committee to discuss a number of issues including the possibility of introducing a weight restriction for traffic in the village, the Hillsborough public realm scheme and provision of pedestrian crossings. At this meeting a video had been shown to demonstrate the extent of the traffic situation in village and the Permanent Secretary had expressed his empathy in relation to the traffic difficulties that



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### Royal Hillsborough Signage (Cont'd)

the people in Hillsborough were experiencing. The committee had been advised that an external consultant had been briefed to carry out a study in relation to movement of heavy vehicle in the village and also in terms of potential impact of additional traffic on any alternative routes should a weight restriction be introduced. The locations of the pedestrian crossings had also been discussed.

Alderman O Gawith joined the meeting at 6.09 pm.

### Eastern Transport Plan to 2035

The Eastern Transport Plan had been publicly launched on 4 September 2023 and the engagement survey had closed on 30 October with over 500 responses having been received and which would be reviewed and reported on in due course. Mr McFarlane advised that at a glance there appeared to be much positive support of the proposals and guiding principles of the Transport Plan.

As part of the launch, the Eastern Transport Plan team had presented the launch material to Lisburn & Castlereagh City Council at an engagement session on 25 September 2023.

### Belfast Rapid Transit (Glider) Phase 2

Work on the Outline Business Case for the extension to the Glider routes had been progressing however there was currently a shortfall in funding for this project. The Department was considering options on how to progress options in line with Minister's announcement in October 2022 and works had been carried out to assess the feasibility of extending routes to Glengormley and Carryduff. Consideration as to how these routes could pass through the City Centre was also being considered and additional technical guidance was being sought by the Department.

### Work at Prince William and Ballymacash Road

This was a developer-led scheme and the developer's representative had reported that work should be completed by May 2024. The team at Eastern Division continued to work with the Developer's representative to minimise disruptions alongside required road safety issues.

### North Lisburn Feeder Road Phase 3 (on the B101 north of Lady Wallace Avenue to tie in with Pond Park Road above Old Park Road)

This was a developer-led scheme being carried out by North Lisburn Development Consortium Limited. A legal agreement between DfI Roads and the Consortium was complete which secured the final part of land to enable the new road construction. All other lands required for construction had been transferred by the Consortium to DfI Roads.

Alderman A Grehan joined the meeting at 6.13 pm.

### Staffing and Resource Issues

Mr McFarlane discussed the on-going difficult financial position that DfI Roads faced currently. He also drew attention to the difficult staff resource position which, he stated, affected the Department's ability to deliver essential maintenance and development work in the district and also explained why the team cannot respond as quickly as it would like.

Mr McFarlane elaborated on the current extent of vacancies across the Division as outlined in the report. He also discussed the significant increase in workload due to other major initiatives such as the Eastern Transport Plan, the Belfast Rapid Transit/Glider, on-going support for active travel initiatives, development of the Titanic Quarter/Queens Island master plan and development of the Casement Stadium.

Mr Woods also addressed the Council and elaborated on some of the points raised. He emphasised that the Department continues to operate under a significantly constrained budget position and staff pressures. Within TRAM Group alone in the Department there were about 450 vacant posts but only 38 of these were currently funded.

Mr McFarlane was hopeful that the Council appreciated the pressure his staff were under and requested Members to make use of the online reporting system rather than emailing the Division directly. He explained that the online reporting system ensured that the issues were passed to the appropriate person as quickly as possible.

### Presentation of the 2023 Annual DfI (Eastern Division) Report

Mr McFarlane provided a comprehensive overview of the principal aspects of the 2023 annual report to Lisburn & Castlereagh City Council, as circulated.

A number of significant points were noted including the following:

- DfI Roads were operating at a significant budget reduction this financial year compared to the previous year.
- the policy on grass cutting had changed this year to a focus on road safety and protection of wildlife and promoting biodiversity. The aim was to carry out a single cut along roadside verges and siteline grass twice per year between April – October on heavier trafficked roads and once per year on other roads.
- the number of planning consultations responded to within target was 51% in 2022/2023. Mr McFarlane said that this figure had increased to approximately 79% this year between April and the end of September.
- McKinstry Road/Derriaghy Road/The Cutts. Mr Salmon in providing a detailed update in regard to this major improvement scheme at the above location advised of the commencement of the tender process. His team had been working hard behind scenes for many years to come forward with a suitable scheme and also to get a funding package in place to take this scheme forward. Mr Salmon discussed the extensive improvements to the junction

Presentation of the 2023 Annual Dfl (Eastern Division) Report (Cont'd)

and also the planned replanting of native trees. He stated that the scheme would take around eight months but assured that it would be taken forward as quickly as possible and would include a number of active travel aspects with enhanced safety which would link into a number of future proposals.

- Phase 2 of the A1 Upgrade - Mr McFarlane advised that the phase 2 upgrade works would be taken forward by Southern Division who would continue towards preparation of these works prior to the key decision on procurement.

Councillor T Mitchell left the meeting at 6.40 pm and Councillor J Gallen left the meeting at 6.52 pm.

Question and Answer Session

The Right Worshipful the Mayor Councillor A Gowan, thanked the Departmental officials for their presentation and invited Members to submit questions. A summary of the additional questions raised at the meeting and the respective responses were as follows:

Alderman J Tinsley

- requested an update on Maghaberry crossing which he stated had been on-going for a number of years and asked in particular in relation to the appointment of a new contractor. Mr Salmon stated that it was still the case that the contractor was not yet in place but assured that it was near the end of that process. He also advised that construction works would take approximately 4-6 weeks.
- enquired about the vesting of one last piece of land at the scheme at Prince William Road/North Lisburn/Pond Park Road. Mr McFarlane advised that this was a developer-led scheme and that work on the Prince William Road/North Lisburn Feeder/Pond Park Road was being carried out by a private consortium. The relevant legal agreement was in place and Dfl Roads, through its vesting powers, was in the process of securing that final piece of land to enable work to commence. All other lands had been transferred by the Consortium.
- flooding under the A26 Bridge at Moira. Alderman Tinsley described the extent of the damage to verges on the Lisnabilla Road which was used as a diversion route during the recent flooding on the A26. Alderman Tinsley enquired if it would be possible to have a sign erected to state larger vehicles only could pass through the flooding on the A26. He also enquired if a one-way system would be a better option if/when diversions were required. Mr McFarlane advised that this was an issue for the PSNI. He also was of the opinion that it would be difficult to sign it appropriately and felt that this type of operation would require to be manned and it was often the case that diverted roads become affected as these roads often cannot cope with the level of diverted traffic. Mr Salmon stated that if time permitted a one-way plan could be considered but stressed that Dfl Roads needed to understand exactly what was going on in that instant.

- cleaning of gullies – the issue being that leaves gather between the gullies which block again quickly and asked if jet cleaning was an option in such cases. Mr Woods advised that there would not be sufficient resources to do this additional cleaning and explained that jet cleaning would be carried out where possible on those issues that had been highlighted to DfI Roads in advance.

Deputy Mayor, Councillor G McCleave

- the Cutts Improvement Scheme – the Deputy Mayor welcomed the announcement about the commencement of the tender process and the funding package being in place for the major works at the Cutts. He enquired about the provision of cycle paths going from the lights to the roundabout and the McDonald's fast food outlet or on to Boomers Road. Mr Salmon advised that cycle paths would be in place the full length of the scheme on both sides of the road and that there were proposals to extend the cycle path to Lagmore Avenue with resurfacing and widening of the footpaths for shared use. Once completed this would be a good link for the primary school, and improved and enhanced facilities for all.

The Chief Executive joined the meeting at 6.48 pm

- enquired about where the reduction in speed limit would commence at the Cutts, ie. from the traffic lights to the roundabout or further on up Boomers road. Mr Salmon advised that the reduction from 40 mph to 30 mph as part of the roundabout scheme would be extended to Wilmore Road junction to Boomers Way, and likely to include McKinstry Road towards Lisburn as there was already a 40 mph at Queensway. Discussions on these issues were on-going with the PSNI.
- requested an update on the pedestrian crossing at St Alloysius Primary School on the Ballinderry road. Mr Salmon advised that this project was at the preliminary design stage. He made a number of comments about safety issues for pupils crossing this busy road and emphasised that in the absence of a crossing patrol person at this location, the new pedestrian crossing would be only part of the solution. He stated that he had reinforced with the schools their need to be proactive in getting a crossing patrol person re-instated. Mr Salmon reported that a letter drop to the residents adjacent to the scheme had been progressed which had asked for comments and also advising of the offer of an informal meeting with residents and the schools in the next number of weeks. The aim was to come forward with the best scheme possible to suit the needs of the schools and residents.
- requested an update on the timeframe for the Crumlin to Glenavy footpath (part of which was within Eastern Division). Mr Salmon advised that this was a particularly long scheme and that our active travel team had advised that this was at the design stage currently.

Alderman J Tinsley left the meeting at 6.53 pm.

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- requested an update in relation to Rock Road speed reduction. Mr Salmon advised that discussions with PSNI were still ongoing on this matter and assured that as soon as these discussions are concluded a member of his team would come back to the Deputy Mayor. In relation to the issue of a footpath at Rock Road Mr Salmon advised that this project had been referred Development section (included minor works section) and stated that he had asked them to look at this again and to come back to the Deputy Mayor directly.

#### Councillor D J Craig

- expressed thanks to DfI Roads in regard to the upgrade to the Cutts/ McKinstry Road junction which, he stated, had been lobbied for over the past 10 years. He very much welcomed the news that work was about to start and in this regard paid a special tribute to the efforts of the late former Councillor Margaret Tolerton along with the efforts of Oakwood Integrated primary school and Sir Jeffrey Donaldson MP who had first raised the dangers of this junction.
- blocked gullies – there was an obvious pattern to the occurrence of blocked gullies at Lambeg Road under the railway bridge and another at Railway Cottage. Several houses had flooded recently due to the blocked gullies due to leaves gathering. Councillor Craig asked if there was any form of engineering solution that could improve these gullies and which would prevent them from blocking. He stated that another gully that blocked often was on the Lambeg Road, and enquired if wider grills may be an option. He stated that despite the best efforts of local residents this problem continued. Mr McFarlane stated that he was not aware of any engineering solution but that Mr Torney would investigate the gullies in question to ensure that everything was working correctly. Mr Torney also indicated that a site inspection was the best course of action in the first instance.

#### Councillor P Catney

- welcomed the announcement on the programme of works which was about to commence at the Cutts. As a cyclist himself he welcomed the active travel plans within the programme of works and enquired if a date had been confirmed as to when these works would start. Mr Salmon stated that the start date depended on the procurement process. The aim was to start work as soon as possible. He also referred to the number of trees that required to be removed at the end of the nesting season. The commitment had been made to commence as quickly as possible. He gave an assurance that the Department would work with the contractor to ensure the scheme progressed as quickly as possible. It was hoped that the works would be complete in eight months but it could be 10 months depending on weather conditions at the time.
- requested an update on the feasibility study for a pedestrian crossing at St Coleman's Primary School. Mr Salmon advised that his team had been working on the design and that there had been some technical issues which were being worked on. He undertook to keep Councillor Catney informed.

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Councillors P Catney and D J Craig left the meeting at 7.07 pm.

#### Alderman S Skillen

- parking at Brooklands Primary School – Alderman Skillen asked if DfI Roads could look at this again as she was concerned someone would be seriously injured or killed at this location. Mr Salmon acknowledged that this was a very difficult situation due to the high density of housing stated that the needs of the school and the needs of residents required to be considered side by side. He mentioned the one-way system that had been introduced and undertook to contact Brooklands Primary School again in regard to the issues raised.
- tree that had pushed up a pavement in Lismore Drive, Ballybeen. Alderman Skillen asked if DfI Roads could look into this matter as apparently NIHE had asked if DfI Roads could open up this pavement. Mr McFarlane stated that his team would deal with tree root issues from time to time but was not familiar with this particular issue in Lismore Drive.
- speed of traffic along Dunlady Road which was causing problems for drivers turning left or right coming out of Lambert. Alderman Skillen asked if this issue could also be revisited.
- street light that was out behind 6 Karen Walk (at numbers 22 and 23). Alderman Skillen asked if this could be looked at. Alderman Skillen acknowledged that another issue of a faulty street light which she had reported via the DfI Roads' online system had been attended to promptly. Mr McFarlane advised that the matter in Karen Walk would be looked into.
- massive pot hole on the Upper Newtownards Road at Carrowreagh Road – Alderman Skillen enquired how do DfI weigh up what pot holes are prioritised for repair (ie. is it related to depth of pole hole or numbers of cars being damaged). Mr McFarlane asked that all pot holes be reported via the on-line reporting system. He stated that whilst there was a reduced level of service there was a priority approach to ensure roads were in as good condition as possible and that the Department could not deviate from that approach. Mr McFarlane also emphasised the importance of any roads affected by water to be reported as quickly as possible.

Councillor A P Ewing left the meeting at 7.14 pm.

#### Councillor U Mackin

- emphasised the urgent need for flooding issues to be addressed. He stated that his area of Downshire East had been particularly affected by flooding as it was predominantly a rural area. He expressed concern that gullies were blocking easily due to large amounts of overgrowth. He referred to Dromara being a focal point currently due to particularly severe flooding which resulted in dwellings and shops flooded three times in three months. He stated that he did not see any gullies being cleared by DfI Roads during that period which, in his opinion, was not good enough. Councillor Mackin also referred to the inter-

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agency group that the Council had agreed be established and the difficulty in getting DfI Roads on board.

- issue of blocked gullies on the A24 Carryduff Road at the junction at Carr Road. He stated that of the 21 gullies, 15 were blocked, three were partially blocked and only three were clear. He stated that this was not good enough as this was an arterial route.
- issue of the poor condition of the road surface at Ballymagarrick Road at the junction at Upper Mealough Road and sought clarification on the response provided to his question that had been submitted in advance. He stated that he was unsure if the response to his question or the response in the report was correct response.
- raised pot holes on the Magheradartin Road particularly between house numbers 15 to 53. Councillor Mackin also stated that it was not possible to see the road from the verges after the heavy flooding and a week after heavy rain the flooding was still there today.
- areas of concern along the A49. Councillor Mackin acknowledge that a scheme was in place which was now at the design stage but emphasised that people were being severely hurt due to the dangers on this road and stated that a wall had been taken out a few times.
- junctions at Crossan Road, Lisnastrean Road, Ballymacbrennan. Councillor Mackin acknowledged that an improvement scheme had been identified over a year ago after many years. He was concerned that it would take many more years to be completed which he stated was frustrating and appealed to DfI Roads to endeavour to progress this scheme as quickly as possible.
- dangerous junction at the new development on the Saintfield Road. Councillor Mackin stated that the problem was cars coming down in the wrong lane and that this was a traffic management problem. He also mentioned that this road layout was eventually signed off by DfI Roads despite Roads having recommended refusal.
- Saintfield Road access to Barbour Playing Fields. Councillor Mackin referred to the large numbers of children coming to/from Largymore Primary School every day and expressed concern that there was no pedestrian crossing. This road was particularly busy due to heavy traffic travelling to/from Plantation Road, Merlyn Road, Thaxton Village and Ballentine Village and also the Largymore link. Councillor Mackin requested that this matter be re-visited.

Councillor N Eaton left the meeting at 7.25 pm

The Right Worshipful the Mayor, Councillor A Gowan

- echoed the sentiments expressed on the flooding matters raised by Councillor U Mackin. He said it was regrettable that there had been no response from the statutory bodies and that the cleaning of gullies was a basic function.

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- highlighted the Ballycrune Road which, under the recovery fund, one section had been repaired however on having received correspondence from a resident this week who complained about the quality of the repairs, enquired what inspections were made to the standard of repairs.

Mr Woods, in response, discussed the limited service provision since 2014 due to the lack of budget which meant that DfI Roads could not be as responsive as it would like to be. This year the allocation for repairs and essential maintenance work was £27m which was well below the £55m required for this work. Mr McFarlane concurred with the capacity issues raised by Mr Woods and acknowledged that many of the issues raised were flooding related. He advised that he was not aware that the Council had attempted to set up a meeting with themselves and Rivers Agency, and assured that he would look into this matter. He also stated that it was important to understand the cause of the flooding in the first instance. Mr McFarlane explained that repair work was required to be completed to a certain standard but there were also occasions when it would be necessary to carry out temporary repairs.

In regard to the flooding issues in Dromara Mr Torney emphasised that it was important to understand that it was the responsibility of NI Water to de-silt lines in the system and stated NI Water had been emailed about this and undertook to follow up again on seeking a response from NI Water. Councillor U Mackin advised that the Council's Chief Executive had written to the Chief Executive of NI Water and also to DfI Roads on this matter.

In regard to the re-surfacing of the Ballynagarrick Road, Mr Torney advised that this road was included in the 2023/2024 programme for re-surfacing for DfI Lisburn and Castlereagh Section Office.

#### Councillor D Bassett

- Mealough Road, Carryduff, behind Lets Go Hydro. Councillor Bassett expressed concern that the hedgerows were very run down and deteriorated. Also the middle part of the road was coming away and there were numerous pot holes particularly at Upper Mealough Road. The contractor had filled the pot holes in with stones but due to the number of vehicles on that road the pot holes were as deep, if not worse. Councillor Bassett whilst acknowledging that these issues were due to budgetary constraints and staffing issues stated that these repair works were scheduled for resurfacing and asked if DfI Roads could give him a timeframe on when these roads would be resurfaced. He advised that a lot of constituents had been contacting him about this particular issue as they had suffered damage to springs, tyres, etc, and that this was especially difficult during the current cost-of-living crisis. In response Mr Torney confirmed that resurfacing on Mealough Road was included in the 2023/2024 programme for re-surfacing for DfI Lisburn and Castlereagh Section Office with the details included in the response to the pre-meeting questions.
- Ballynahinch Road, Carryduff from Cyril Johnston's down to the junction at the shopping centre and the GP surgery. Councillor Bassett thanked DfI Roads for their response to his previously submitted question and enquired if there was a date confirmed for that project, and if not asked DfI Roads to forward this information to him. In relation to Ballynahinch Road towards the Shopping



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Centre Mr Torney stated that this was a difficult scheme as the majority of the Scheme would likely be completed using overnight closures. It was not appropriate to lay asphalt at night during the winter months due to inconsistent road temperatures. He stated that March 2024 may be a possible start date.

- thanked the DfI Road officials for their response to the incident in Barronscourt Mews which involved a child having come off their bike due to a loose kerb. Councillor Bassett explained that he had phoned DfI couple of hours after that incident had happened and had followed up every week. He also advised that from May to early October there had been a number of similar incidents. He understood there were budget requirements but expressed concern that the repair work had not yet been completed. Mr Torney advised that his officials would need to go back to look at the specifics and asked if Councillor Bassett could provide him with an email address in order that he could respond to him directly.
- salt boxes and grit boxes – Councillor Bassett stated that he had phoned in a request in August for salt boxes at Winchester, Carryduff, having had a similar request last year declined. His same request had been declined again due to gradient. He explained that residents often have to go to the Muskett to avail of salt and asked if it would be possible to have at least one installed in that development. Mr McFarlane advised that if the area in question had been assessed twice and found that it had not met the standard, it would not be examined again. It was important to target the areas in greatest need.

The Deputy Mayor, Councillor G McCleave, left the meeting at 7.42 pm.

#### Councillor A Givan

- filter lanes in two areas in Lisburn: heading down the Grosvenor road (facing Halford's garage) at the left turn onto Hillsborough Road heading towards the hospital. Councillor A Givan expressed concern in regard to the two lanes which go into one lane as soon as you turn right and that this was an extremely busy junction.

The other junction of concern was at Sprucefield roundabout where traffic are coming off the motorway often at speed and have to merge with traffic from the roundabout who are travelling to the M&S/shopping centre or wanting to take the left lane to go into Lisburn. Councillor Givan was concerned that there were no signs to warn visitors and suggested that a sign may be useful to indicate merge alternatively, if appropriate.

In relation to the Grosvenor Road issue, Mr Salmon stated that whilst it would be ideal to have just one lane turning into Grosvenor Road the options were limited. He undertook to look at the road markings at this location. He also advised that right lane traffic always goes into the left lane and that it would not be possible to merge in turn. He also undertook to consider if there were any additional road markings that would be beneficial at the lane issue at Sprucefield roundabout.

The Chief Executive left the meeting at 7.44 pm and Councillor D Bassett left the meeting at 7.53 pm.

- A6 Culcavy Road Bridge – Councillor Givan expressed concern that this bridge had been damaged four years ago and had never been repaired. He welcomed the fact that this was scheduled for repair. He enquired about the Department's policy regarding repairs to damaged roads, etc. Mr McFarlane undertook to have the damage inspected.

#### Councillor N Parker

- the Cutts Improvement scheme – Councillor N Parker welcomed the update on the works at the Cutts especially as she was being contacted by constituents about this on a daily basis. Councillor Parker enquired about the nesting season and if there were any other set backs envisaged on this scheme. She also enquired if there any options for a filter lane at this junction. Mr Salmon advised that it was not practicable for the option of a temporary filter as it was a crossroads situation. A filter would make it very unsafe for opposing traffic and therefore the solution in the plans at the Cutts is the only possible solution. He elaborated on a number of other areas to be addressed in relation to this scheme and also mentioned the lengthy procurement process. He gave an assurance that the team would progress the scheme as quickly as possible.

#### Councillor S Lowry

- advised of positive feedback in relation to the flooding issues at Ferndene, Dundonald where there had been ongoing issues due to the new development. Councillor Lowry expressed thanks to the DfI Officials for having responded quickly.
- Councillor Lowry enquired if there was any update on the delay with Lagan on the traffic light provision at the exit to Millmount and Old Mill. Several residents had been in touch complaining about the delays in getting out of the development. She also advised that similar questions were also being asked about Coopers Mill.
- Councillor Lowry also enquired about an update in relation to the one-way system around Brooklands and stated that she would be happy to attend any meetings on these matters.

Mr Salmon advised that in relation to the signals on the Comber Road there had been no delay on DfI Road's part. He stated that this piece of work was at the design stage by the developer and that only when finalised can DfI issue the licence for work to proceed. Councillor Lowry asked if there was anything the Council could do to push the developer along as it is becoming a major issue. Mr Salmon was of the opinion that there was nothing further that the Member could do but assured that Roads were meeting with the developer soon.

Councillors A Givan, B Higginson and C McCreedy left the meeting at 7.59 pm.

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Alderman A Grehan

- reduction in gully cleaning - enquired if Dfl Roads would not consider reverting to two cleanings per year as it would be likely to be more cost effective to clean twice per year Mr Woods advised that the Department continued to review engineering policy and standards. He stated that it would not be possible to have two gully cleanings per year until budget was available to obtain the necessary equipment, etc.. Alderman Grehan agreed to put her request in writing.

Councillor S Burns

- regarding Brooklands Primary School - Councillor S Burns advised of the new street light scheme which was in progress and enquired if the information and appropriate signs for the benefit of school and residents, could be in place prior to the new surface going down. Mr Torney advised that this scheme would commence in the next few weeks and undertook to look into this request and come back to Councillor Burns.
- Park Avenue, Dundonald, had flooded four times last seven weeks. Councillor Burns advised that NI Water had advised that there was a defect in the public sewer but had also asked Councillor Burns to go back to Dfl to advise that the gullies needed cleaning. Mr Torney advised that the main drainage line was the responsibility of NI Water and therefore there was no point in Dfl cleaning the gullies until NI Water de-salt the lines. Mr Torney asked if the letter in question could be sent in to Dfl Roads and that they would have a look at this issue.

Councillor J Laverty

- understanding and guidance around yellow box junctions - enquired why there was not a box junction at Robb Road moving on to Dunlady Road (intersection at Upper Newtownards Road) where he stated where there were significant problems with traffic trying to move out of Robb Road and left into Upper Newtownards Road. The left lane was a designated bus lane so basically the junction was blocked. Councillor Laverty asked the Officials if this issue been looked at previously and if so, what was the reason not to put a box junction in place.

Mr Salmon confirmed that Dfl had commenced works at Robb Road and would continue to observe the situation. He explained the purpose of yellow box junctions which served to control the flow of traffic and was of the opinion at this moment in time that there would be no benefit in a box junction at this location. Councillor Laverty reiterated the issue of the bus lane which meant that traffic did not get the opportunity to turn left and that he failed to see how a box junction was not necessary. He stated that he would like to see data that justified why a box junction was not required. Mr Salmon undertook to look at that issue again.

- Comber Road traffic lights at Old Mill – Councillor Laverty followed up on Councillor Lowry's issues at this location. He queried if this was it a different developer and wished to get a better understanding why that work was not

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happening. He stated that this was a significant development and that it was important to get a timeframe when it would get moving.

Mr Salmon confirmed that Old Mill Heights was a developer-led scheme and undertook to provide an update on that scheme for the Member.

Councillor S Lowry left the meeting at 8.12 pm and Councillor N Parker left at 8.13 pm.

### The Right Worshipful the Mayor, Councillor A Gowan

- request for a review of the speed limit in Glebe Road, Annahilt back in April 2022 - it was noted that this matter had yet to be completed. The Right Worshipful the Mayor enquired if a timescale had been confirmed for this project. He also referred to the ongoing need for a pavement at Glebe Manor to Carricknadarriff Road.

Mr Salmon apologised this has taken so long and was hopeful this would be actioned by the end of the financial year. He stated that Annahilt was not planned for imminently but undertook to provide an update to the Member on that project.

- proposed study for proposals for Royal Hillsborough – The Right Worshipful the Mayor enquired about the timescales for this study. Mr McFarlane advised that DfI Roads had briefed the consultants but had not had an initiation meeting, therefore no timeframe had been established but it was likely to be next financial year. Mr McFarlane referred to the study focusing on HGV patterns in the village and also looking at impacts on possible alternative routes for HGVs.
- Roads Recovery fund which had been reduced significantly from last year – The Right Worshipful the Mayor sought information on this budget reduction as that scheme delivered a lot of good. Mr McFarlane acknowledged that many of the budgets had been cut and also stated that rural roads benefited from other budgets and initiatives.
- Active Travel – The Right Worshipful the Mayor requested a full list of Active Travel schemes. Mr McFarlane undertook to speak to his Active Travel colleagues and reiterated that DfI Roads were operating at a massive disadvantage in terms of resources in the Division.

During the question and answer session The Right Worshipful the Mayor indicated that Members with additional queries should email their issues directly to DfI Roads.

During the question and answer session a number of Members expressed thanks and appreciation to the DfI Roads staff in regard to the work they carried out on the ground.

At the conclusion of the question and answer session the Right Worshipful the Mayor, Councillor A Gowan, thanked the DfI representatives for their presentation and also for the genuine and honest feedback. He asked that the Council's thanks be conveyed to the DfI Roads Eastern team in the section office and to all the staff across the Division.

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There being no other business for consideration the meeting concluded at 8.16 pm.

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Mayor/Chairperson

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of the Environment and Sustainability Committee held in the Council Chamber, Island Civic Centre, and remotely, on Wednesday 1 November 2023 at 6.00 pm****PRESENT IN CHAMBER:**

Councillor C McCready (Chairperson)

Aldermen J Baird, M Gregg, S Skillen and J Tinsley

Councillors R Carlin, P Catney, G Hynds, P Kennedy, A McIntyre, M McKeever and N Parker

**PRESENT IN REMOTE LOCATION:**

Councillor R Carlin (Vice-Chairperson)

Councillors J Lavery BEM, M McKeever and N Parker

**OTHER MEMBERS:**

Alderman A Grehan (Remote)

Councillors N Eaton and S Lowry (Chamber)

**IN ATTENDANCE:****In Chamber:**

Acting Director of Environmental Services (RH)

Acting Head of Service (Waste Management and Operational Services) (JK)

Acting Head of Service (Environmental Health, Risk and Emergency Planning) (SC)

Business Improvement Manager, Building Control (PMcA)

Member Services Officers (BS, BF)

**Commencement of the Meeting**

At the commencement of the meeting, the Chairperson, Councillor C McCready, welcomed those present to the meeting of the Environment and Sustainability Committee. The Chairperson advised that the meeting would be audio recorded unless the item on the agenda was to be considered under confidential business.

Councillor G Hynds entered the meeting at 6.02 pm.

At this point, the Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting. The Chairperson, Councillor C McCready, stated that, whilst the meeting was being recorded, unauthorised recording was not permitted, as per the Council's Standing Orders. He asked that mobile phones be put on silent or switched off for the duration of the meeting.

In accordance with the Protocol for Remote Meetings, the Chairperson asked that those attending via zoom to ensure that the meeting could not be seen or heard by any other person at their remote location when confidential business was being considered.

## Commencement of the Meeting (Cont'd)

Councillor M McKeever joined the meeting remotely at 6.03 pm.

The Acting Director of Environmental Services proceeded to outline the evacuation procedures in the case of an emergency.

### 1. Apologies (00:02:50)

It was agreed to accept apologies for non-attendance at the meeting on behalf of The Right Worshipful the Mayor, Councillor A Gowan, the Deputy Mayor, Councillor G McCleave, Councillors S Burns and R McLernon, and the Head of Service (Building Control & Sustainability).

### 2. Declarations of Interest (00:03:15)

There were no Declarations of Interest.

### 3. Report by the Head of Service (Building Control and Sustainability) (00:03:22)

#### 3.1 Department of Finance Consultation on a Range of Technical Issues Relating to the Building Regulations NI (00:03:36)

The Business Improvement Manager, Building Control, presented this item of business in the absence of the Head of Service (Building Control & Sustainability).

The report circulated outlined the background and key issues in connection with the above consultation and a weblink to the Department of Finance's consultation was also provided.

Further to the report on the above consultation at the October meeting of the Committee and to the subsequent granting of delegated authority by the Council at its meeting on 24 October 2023, a draft response to the above consultation for approval which focused on the Council's direct Building Regulation enforcement function had been appended to the Officer's report.

The Business Improvement Manager, Building Control, and the Acting Director of Environmental Services noted comments and questions from a Member in connection with a number of the responses to questions in the draft response. The Member also sought clarification on other comments contained in the draft response.

It was noted that the Officers would follow up with the Member concerned to provide the necessary clarification and to consider any necessary amendments to the draft response. It was agreed that an amended draft response highlighting any changes would be re-circulated to the Committee prior to the response being submitted to the Department of Finance.

### 3.1 Department of Finance Consultation on a Range of Technical Issues Relating to the Building Regulations NI (Cont'd)

A number of Members expressed thanks to the Officers for their efforts in preparing this response to the consultation.

It was proposed by Alderman M Gregg, seconded by Councillor G Hynds, and in line with delegated authority granted to the Committee, a final response be submitted to the Department of Finance by the stipulated closing date subject to any amendments being made in relation to the issues raised.

## 4. Report by the Acting Head of Service (Environmental Health, Risk and Emergency Planning)

### 4.1 Notice of Motion in the name of Councillor N Eaton on the Subject of the Impact of Animal Welfare Budget Cuts by the Department of Agriculture, Environment and Rural Affairs (DAERA) (00:15:44)

The Committee had been provided with a copy of the following Notice of Motion in the name of Councillor N Eaton, which had been referred to the Committee by Council at its meeting on 24<sup>th</sup> October 2023 for consideration:

“This Council considers the impact of cuts from DAERA to Animal Welfare in Northern Ireland from £1.25m to zero with great concern. These cuts have a high risk of negatively impacting the work done by local government in the protection of non-farmed animals in Lisburn and Castlereagh area and consequently could lead to more suffering and maltreatment of animals. The Council will urgently write to DAERA Permanent Secretary to express opposition to this decision and to urge an alternative solution to be found.

Furthermore, given the significant pressure on Animal Welfare in Northern Ireland, we ask that through the Environmental Services Committee that Officers attending the Animal Welfare Strategic Board and those from the Multi Agency Animal Welfare Forum keep both members informed of the work of these groups and provides an opportunity to contribute to this work.”

The Notice of Motion was proposed by Alderman M Gregg and seconded by Alderman S Skillen.

With the permission of the Chairperson, Councillor N Eaton elaborated on her Notice of Motion during which she highlighted a number of issues in relation to the current state of animal welfare in Northern Ireland, including:

- Animal welfare is in crisis in Northern Ireland and animal welfare officers and charities are under incredible pressure
- the Council should do what it can to support the vital services that uphold animal welfare
- there have been additional pressures caused by the Covid pandemic when the number of dog owners increased dramatically, and unethical breeders exploited this for profit and subjecting animals to poor living conditions



4.1 Notice of Motion in the name of Councillor N Eaton on the Subject of the Impact of Animal Welfare Budget Cuts by the Department of Agriculture, Environment and Rural Affairs (DAERA) (Cont'd)

- many pet owners having to give their pets away due to the impact of the current cost of living crisis causing additional pressures on animal shelters
- the increase in the number of dog attacks on people and pets which is attributable to unethical breeders and irresponsible dog ownership
- the absence of a functioning NI Assembly

In seconding the Notice of Motion, Alderman S Skillen, made a number of comments in support of the motion during which she emphasised that two Animal Welfare Officers for the entire Lisburn & Castlereagh Council area was not adequate. Councillor Skillen also welcomed the fact that Gavin Robinson MP had sent a letter to the Home Affairs Select Committee at Westminster requesting an investigation into the Barnett formula.

A number of Members spoke in support of the Notice of Motion and the Acting Director of Environmental Services responded to a number of questions and comments thereon. A Member put on record the good work by Council Officers in regard to animal welfare.

Councillor Eaton, in summing up on her Motion, expressed thanks to the Committee for their support and advised that verbal updates from Officers attending the Animal Welfare Strategic Board and those from the Multi Agency Animal Welfare Forum would be acceptable.

At this point Councillor Eaton commended the efforts of the Council's Animal Welfare Officers during the past few days in relation to the severe flooding in a field in which horses were kept, these efforts demonstrating the dedication of the Council Officers.

The Chairperson, Councillor C McCready, put the Notice of Motion to the meeting and it was agreed unanimously that the Notice of Motion on the subject of Animal Welfare be approved as proposed by Alderman M Gregg and seconded by Alderman S Skillen.

4.2 Notice of Motion in the name of Councillor S Lowry on the Subject of Clean Air (00:37:40)

The Committee had been provided with a copy of the following Notice of Motion in the name of Councillor S Lowry, which had been referred to the Committee by Council at its meeting on 24<sup>th</sup> October 2023 for consideration:

“Having learned lessons of the importance of ventilation and clean indoor air for health and productivity during the Covid pandemic; and seeking to take all reasonable steps to enable use of all Council facilities by all citizens, including the vulnerable and so further inclusion; and seeking to care for the health and wellbeing of Council employees, this Council will explore the necessary requirements to signing and implementing the COVID safety pledge; to report on steps already taken to prioritise clean indoor air in Lagan Valley Island and other Council owned and occupied premises, and on what further or additional steps could be taken to improve indoor air quality for

4.2 Notice of Motion in the name of Councillor S Lowry on the Subject of Clean Air (Cont'd)

employees and service users; and to develop and promote advice that can be followed to provide clean indoor air at events supported by Lisburn & Castlereagh City Council.”

With the permission of the Chairperson, Councillor S Lowry elaborated on her Notice of Motion.

At the outset Councillor Lowry thanked Rebecca Davies who had assisted and provided guidance on her Notice of Motion, and also her party colleague, Councillor Jenna Maghie, who had successfully brought this Notice of Motion before Belfast City Council.

Councillor Lowry proceeded to highlight a number of issues in support of her Notice of Motion, including:

- the difficulties experienced by a local family whose daughter suffered from long Covid
- this Notice of Motion was much wider than the Covid Pandemic – it was about clean indoor air and inclusion
- many people suffer from conditions such as allergies, respiratory infections, asthma and other immunosuppressing diseases and it was important that residents and visitors know that they can come to the Council's premises to attend conferences and other events safely.
- people spend 90% of our time indoors
- the Covid Safety pledge has been signed up to by a number of authorities in England and also by Belfast City Council
- research has shown that the Covid Safety pledge had lowered absences in schools and workplaces, and by signing up to the Covid Safety pledge would benefit Council staff and ultimately continuity in services to our ratepayers
- by reporting on what we have done in our Council properties gives the Council the opportunity to highlight what steps have been taken in relation to indoor clean air and also the opportunity to lead the way on this important matter.

The Notice of Motion was proposed by Alderman M Gregg and seconded by Councillor P Kennedy.

Alderman M Gregg, as the proposer of the Motion, made a number of points in support of the Notice of Motion. He discussed the Motion as having the health of the most vulnerable people at its core, and the fact that many of the Council's residents were suffering from long Covid and other respiratory diseases, many of whom were children. Many of the residents were still fearful of using Council facilities and that this Motion was seeking to change that. He stated that the Motion was also about protecting the health of our staff and that he looked forward to reports on the feasibility of this Motion being presented to Committee.

The Acting Director responded to questions from the Committee in connection with a number of practicalities that required to be considered, for example in relation to the monitoring air quality levels, advised that Officers would be required to investigate a number of issues relating to the Motion, including cost issues.

#### 4.2 Notice of Motion in the name of Councillor S Lowry on the Subject of Clean Air (Cont'd)

The Business Improvement Manager, Building Control, also made a number of comments in relation to building regulations.

The Chairperson invited Councillor Lowry to sum up on her motion. Councillor Lowry expressed thanks to the Committee for their support and reiterated that this was an opportunity for the Council to lead the way and to improve the health of staff and the community.

The Chairperson, Councillor C McCreedy, put the Notice of Motion to the meeting and it was agreed unanimously that the Notice of Motion on the subject of clean air be approved, as proposed by Alderman M Gregg and seconded by Councillor P Kennedy.

At this point the Chairperson welcomed Councillor N Eaton and Councillor S Lowry to the Environment & Sustainability Committee meeting and thanked them for their attendance.

#### 4.3 Christmas Eve Trading Hours for Large Retailers (00:56:57)

The Committee considered a report setting out the background and key issues in connection with Christmas Eve Trading Hours for Large Retailers.

It was proposed by Councillor G Hynds, seconded by Alderman M Gregg, and agreed to recommend that in order to support local businesses the relaxation of Sunday Trading hours be relaxed for large retailers from 12.00 noon on Sunday, 24<sup>th</sup> December 2023.

Councillor Hynds paid tribute to the efforts of retail staff on the run up to Christmas.

#### 4.4 Update on Dog Fouling Initiatives including DNA Testing to Support the Prevention of Dog Fouling (00:59:14)

Further to the decision of the Committee in September 2023 that a report be tabled at a future meeting to revisit the feasibility of DNA testing to support the prevention of dog fouling and to update Members on current dog fouling initiatives, the Committee had been furnished with:

- a) a detailed report on DNA testing and
- b) a report outlining a range of innovative and engaging initiatives to effectively reduce dog fouling across the Council area.

The Acting Head of Service (Environmental Health, Risk and Emergency Planning) outlined the key issues therein and responded to a number of comments and questions from the Committee in regard to issues arising from the appended reports.

#### 4.4 Update on Dog Fouling Initiatives including DNA Testing to Support the Prevention of Dog Fouling (Cont'd)

The issue of bag dispensers not being replenished in certain areas was raised by a Member and the Head of Service undertook to issue a reminder to those responsible across the Council area to endeavour to refill their dispensers. She also asked Members to inform her of any areas that were particularly prone to having empty bag dispensers.

Also, in response to other concerns raised the Head of Service agreed to lobby the relevant Government Department on the issue of dog licence fees and Dog Control fixed penalties being set by councils directly.

In regard to the text messaging initiative which sent messages to registered dog owners to remind them that their dog licence was due for renewal shortly, the Head of Service undertook to look into the possibility of an email address being used for anyone who didn't have a mobile phone.

Councillor P Catney left the meeting at 7.12 pm.

It was proposed by Alderman M Gregg, seconded by Alderman S Skillen, and agreed to recommend that:

- a) the Committee note the recent initiatives being undertaken by the Dog Control Service in order to reduce dog fouling throughout the City;
- b) the DNA testing of dogs for the purposes of preventing dog fouling be not progressed, and
- c) Officers lobby the relevant Government Department on the issue of dog licence fees and Dog Control fixed penalties being set by councils directly.

#### 5. Any Other Business

##### 5.1 December Meeting of the Environment & Sustainability Committee - Earlier Start Time (01:15:00) The Chairperson, Councillor C McCready

Chairperson advised that in order to facilitate a community Christmas Tree Switch-On event, the meeting of the Environment and Sustainability Committee scheduled to take place on Wednesday, 6th December would commence at the earlier time of 5.30 pm.

##### 5.2 HRC Reports (01:15:44) Alderman S Skillen

Alderman S Skillen having proposed at the Environment & Sustainability Committee in June 2023 that a report be brought to the Committee in the Autumn time in connection with the Dundonald HRC, advised that in the absence of such a report she had spoken with the Head of Service on this matter. Alderman Skillen requested that this report be brought to the Committee in the Springtime.

5.2 HRC Reports (Cont'd)  
Alderman S Skillen

It was noted that the Deputy Mayor, Councillor G McCleave, had made a similar proposal at that time in regard to The Cutts HRC and in this regard requested that two separate reports be prepared as they were on individual issues.

5.3 Community Resilience Groups (01:16:27)  
Alderman S Skillen

Alderman S Skillen having referred to the recent severe flooding in her DEA (Dundonald) requested that consideration be given to the establishment of community resilience groups in each of the DEAs effected to include statutory agencies such as Department for Infrastructure, Rivers Agency and community representatives.

The Acting Head of Service (Environmental Health, Risk and Emergency Planning) referred to the establishment of a Community Resilience Group in Dromara following a flooding incident a number of months ago which was being developed as a pilot project and advised that there were plans to establish community resilience groups in other areas. The Acting Head of Service undertook to update the Committee on the development of these groups in due course.

Comments were noted from the Acting Director of Environmental Services in regard to the importance of the community having an important role to play in as it was the community representatives who were often the first responders in such incidents.

Alderman S Skillen referred to difficulties that had been experienced with the various agencies during the recent flooding incidents and emphasised the importance of the statutory agencies working together and providing appropriate advice and support when necessary.

5.4 Free Off-Street Car Parking on Saturdays in December and January  
Alderman J Tinsley (01:19:33)

As part of the Council's support to local retailers it was proposed by Alderman J Tinsley that the Council offers free off-street car parking in Lisburn on each Saturday in December 2023 and January 2024.

The Acting Head of Service (Environmental Health, Risk and Emergency Planning) reminded the Committee that in November 2022 the Council had agreed (as recommended by the then Environmental Services Committee) that free off-street car parking on Saturdays in December be approved as an annual concession.

In view of the above Alderman Tinsley amended his proposal that the Council offers free off-street car parking on each Saturday in January in 2024. Alderman Skillen seconded this proposal.

5.4 Free Off-Street Car Parking on Saturdays in December and January  
(Cont'd)  
Alderman J Tinsley

A discussion ensued during which the Acting Director of Environmental Services responded to a number of comments and questions from the Committee in connection with Alderman Tinsley's proposal which had budgetary implications that would require review prior to any decision being taken. He undertook to discuss the matter further with the relevant Director the following morning in order to ascertain the appropriate course of action.

Alderman Tinsley having taken account of the Acting Director's comments withdrew his proposal and the Acting Director agreed to bring a report on this matter to the Committee, if required.

5.5 Tour of HRC Sites (01:43:58)  
Councillor G Hynds

Councillor G Hynds expressed thanks to the Acting Director of Environmental Services and the Acting Head of Service (Waste Management and Operational Services) for the successful tour of the HRC sites which he stated was very beneficial for those Members who had attended.

5.6 Graffiti Incident – Seymour Street Methodist Church (01:44:25)  
Councillor G Hynds

Councillor G Hynds expressed thanks and appreciation to the Acting Heads of Service for having assisted with the incident of graffiti at Seymour Street Methodist Church which he stated had been disappointing especially as there had been an event taking place at the church for young people at that time.

5.7 Emergency Financial Assistance Scheme in the event of Flooding (01:45:08)  
Councillor A McIntyre

Councillor A McIntyre enquired if Officers could bring a report to the Committee identifying the locations and addresses that had received payment more than once from the Emergency Financial Assistance Scheme in order to have that important evidence to lobby relevant agencies in relation to flood mitigation going forward.

5.8 Litter Bins 'Bagged' pending Replacement/Repair (01:46::19)  
Alderman M Gregg

The Head of Service (Waste Management and Operational Services) responded to questions from Alderman M Gregg in connection with the processes in place to replace or repair damaged litter bins across the Council area. Alderman Gregg requested assurances that the processes and records would be improved.

Alderman J Tinsley left the meeting at 7.51 pm.

Alderman S Skillen indicated that she would email the Head of Service about one particular litter bin in her DEA.

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5.9 Free Off-Street Car Parking on Saturdays in December and January  
(Cont'd from item 5.4 above) (01:50:32)  
Councillor J Lavery

Councillor J Lavery having spoken with the Director of Regeneration & Growth advised that the matter of free off-street car parking in Lisburn on Saturdays in January would be discussed the following evening at the Regeneration & Growth Committee meeting.

There being no further business, the Chairperson thanked everyone for their attendance and the meeting concluded at 7.53 pm.

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Chairperson

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Meeting of the Regeneration and Growth Committee held remotely and in the Council Chamber, Island Civic Centre, The Island, Lisburn on Thursday 2<sup>nd</sup> November, 2023 at 6.00 pm****PRESENT IN  
THE CHAMBER:**

Councillor J Laverty BEM (Chairperson)

Councillor T Mitchell (Vice Chairperson)

Aldermen J Baird, A G Ewart MBE, M Gregg, A Grehan  
and J Tinsley

Councillors A Martin and C McCready

**PRESENT IN REMOTE  
LOCATION:**

Deputy Mayor, Councillor G McCleave

Alderman S P Porter

Councillors P Burke, J Gallen, U Mackin and N Parker

**OTHER MEMBERS:**In Chamber:

Councillor G Hynds

**IN ATTENDANCE**Chief Executive  
Director of Regeneration and Growth  
Acting Director of Environmental Services  
Head of Economic Development  
Member Services Officers (CH and EW)  
IT Officer**Commencement of Meeting**

The Chairman, Councillor J Laverty, extended a welcome to all present to the November meeting of Regeneration and Growth Committee. The Chairman advised that the meeting was being audio recorded unless the item was being considered under confidential business.

At this point in proceedings, the Member Services Officer read out the names of the Elected Members in attendance at the meeting. The Director of Regeneration and Growth outlined the evacuation procedures in the case of an emergency.

Alderman S P Porter joined the meeting remotely (6.02 pm).



1. Apologies (00:02:52)

Apologies for non-attendance at the meeting were accepted and recorded on behalf of The Right Worshipful the Mayor, Councillor A Gowan, Alderman M Guy, Councillor K Dickson and the Head of Planning and Capital Development, Mr Conor Hughes.

2. Declarations of Interest (00:03:20)

There were no Declarations of Interest.

3. Report by Head of Economic Development (00:03:37)

3.1 Labour Market Partnership Action Plan 2023/2024 (00:03:56)

Alderman J Tinsley entered the meeting (6.06 pm).

The Head of Economic Development provided an update in connection with the Labour Market Partnership (LMP) Action Plan for 2023/2024. It was reported that a number of procurement exercises had been undertaken to appoint delivery agents to manage and deliver the employability initiatives, as outlined in the 2023/24 Action Plan.

The Committee noted that one of the programmes contained in the Action Plan was a Self-Employment Support Programme for Prison Leavers, with a budget of £32,000, however the procurement exercise was unsuccessful with no responses received. It was further reported that a previous procurement exercise as part of the 2022/23 Action Plan was also unsuccessful; feedback from the potential delivery agents indicated that they did not currently have capacity to deliver the programme, due to resources being allocated to the delivery of similar UKSPF Employability and Skills programmes, until 31<sup>st</sup> March 2025.

The Head of Economic Development responded to questions arising from the report. It was proposed by Alderman J Baird, seconded by Vice Chairperson, Councillor T Mitchell, and agreed to recommend that:

- the abandonment of the Self-Employment Support Programme for Prison Leavers be approved; and
- the reallocation of funds and any additional slippage funds to the employment academies, as outlined in the Action Plan under Strategic Priority 2: Skilled Labour Supply be approved.

#### 4.0 Report of the Head of Planning and Capital Development (00:08:16)

##### 4.1 Department for Infrastructure (DfI) Consultation on Eastern Transport Plan (ETP) 2035 (00:08:33)

In the absence of the Head of Planning and Capital Development, the Committee considered a report presented by the Director of Regeneration and Growth, in connection with a consultation launched by the Department for Infrastructure (DfI), in relation to the Eastern Transport Plan (ETP) 2035, which would set the framework for making transport policy and investment decisions until 2035. It was reported that the ETP 2035 would replace the previous Belfast Metropolitan Transport Plan (BMTP), and covered five Council areas: Lisburn and Castlereagh City Council, Antrim and Newtownabbey Borough Council, Ards and North Down Borough Council, Belfast City Council and Mid and East Antrim Borough Council.

The Director outlined in detail, the approach and transport challenges alongside the ETPs draft vision, seven objectives and issues identified by the Council which required further exploration with DfI. A copy of the consultation response submitted on behalf of the Council, had been circulated to Members for information.

The Director responded to questions and comments from the Committee arising from the report. Following discussion, the Committee agreed that the consultation response to DfI outlining the Council's position on the draft vision and objectives of the ETP 2035 be noted.

The Chairman, Councillor J Lavery, advised that Any Other Business would be considered at this point in the meeting.

#### 5. Any Other Business (00:14:17)

##### 5.1 Tourism Major Events Funding Chairperson, Councillor J Lavery (00:14:32)

The Chairperson drew Members attention to the November Information and Correspondence Schedule for the Committee, which contained information regarding the next round of funding under the Tourism Major Events Funding, which had a closing date of 15th December 2023. Members were encouraged to promote the funding opportunity and were advised that the criteria was outlined within the information schedule.

5.2 Impact of Inclement Weather on Businesses  
Director of Regeneration and Growth (00:14:59)

The Director of Regeneration and Growth provided a verbal update on the impact the recent inclement weather had on local businesses, advising the Committee that the opportunity for rates relief for anyone affected by flooding would be promoted, as detailed in the criteria as set out by the department. It was reported that there had been a near miss event, however thanks to the actions of the City Centre Ranger, flooding was averted. The Director confirmed that one report had been received of a local business affected by the inclement weather, having suffered material damage to their business. It was further reported that resources relating to the Regeneration and Growth Committee were being used in support of the Council's Mutual Aid Scheme in order to assist neighbouring councils in distress.

The Chairperson, Councillor J Lavery passed on his appreciation on behalf of the Committee, to all staff efforts that had been made to lesson any impact that may have arisen as a result of the inclement weather.

5.3 Down Royal Festival of Racing  
Chairperson, Councillor J Lavery (00:17:30)

The Chairperson informed the Committee that the Down Royal Festival of Racing had been postponed and was rescheduled to take place on Friday 10<sup>th</sup> and Saturday 11<sup>th</sup> November 2023.

5.4 December Meeting of Regeneration and Growth Committee  
Chairperson, Councillor J Lavery (00:17:50)

The Chairperson advised the Committee that due to Community Christmas Switch Ons taking place on Thursday 7<sup>th</sup> December, it had been decided that the December meeting of the Regeneration and Growth Committee be brought forward by 30 minutes to 5.30pm, to accommodate attendance at those events.

6. Confidential Report from Director of Regeneration and Growth (00:18:30)

The Chairman advised that the confidential report items were confidential due to containing information relating to the financial or business affairs of any particular person or organisation (including the Council holding that information).

### “In Committee”

It was proposed by Vice Chairperson, Councillor T Mitchell, seconded by Councillor C McCready, and agreed that the Confidential Report of the Director of Regeneration and Growth be considered “in Committee” in the absence of press or members of the public. The audio recording was paused at this stage in proceedings (6.19 pm).

#### 6.1 International Trade Programme – Proposed City Trade Agreement (Redacted report to be published following completion of the initiative)

The Director of Regeneration and Growth presented this item of business. The Director and Head of Service for Economic Development responded to a number of questions and comments in relation to the report.

Further to discussion, it was proposed by Alderman A G Ewart, seconded by Alderman A Grehan and agreed to recommend that:

- the information and correspondence as outlined in the report be noted, in particular the learning points from the two virtual trade initiatives;
- the Committee not proceed with the Officer’s recommendations as outlined in the report;
- reallocation of funding to progress potential trade initiatives closer to home be approved; and
- a letter of thanks be issued.

### 7. Confidential Any Other Business

#### 7.1 Free Off-Street Car Parking on Saturdays in January 2024

Alderman A G Ewart left the meeting during this item of business (7.11 pm).  
Alderman J Tinsley left the meeting during this item of business (7.26 pm).

The Director of Regeneration and Growth provided a verbal update to the Committee on the above matter. The Committee noted that the matter of free off-street car parking in January 2024 had been raised at the previous evening’s Environment and Sustainability Committee, and that the matter had been referred for further discussion to that evening’s Regeneration & Growth Committee.

The Director outlined the background and key issues, including a straw poll feedback from city centre businesses, in connection with the provision of free car parking within Council owned off street car parks in Lisburn.

### 7.1 Free Off-Street Car Parking on Saturdays in January 2024 (Cont'd)

The Chief Executive, Director of Regeneration and Growth and Acting Director of Environmental Services responded to a number of comments and questions raised by the committee. Further to discussion, the committee noted that a report would be tabled to the December 2023 Environment and Sustainability Committee, to include statistical data, alongside feedback from local businesses, in order to ascertain the appropriate course of action.

### Resumption of Normal Business

It was proposed by Vice Chairperson, Councillor T Mitchell, seconded by Councillor C McCready, and agreed to come out of Committee and normal business was resumed.

### Conclusion of Meeting

The Chairman thanked everyone for their attendance and there being no further business for consideration the meeting was concluded at 7.34 pm.

\_\_\_\_\_  
Chairperson

## LISBURN & CASTLEREAGH CITY COUNCIL

### Minutes of the hybrid Communities and Wellbeing Committee held in the Island Civic Centre on Tuesday 7th November 2023 at 18:00

- PRESENT:** Councillor T Beckett (Chairperson)
- The Right Worshipful the Mayor, Councillor A Gowan
- Aldermen A Grehan, H Legge, and S Skillen; and  
Councillors D J Craig, J Gallen, A McIntyre,  
T Mitchell and G Thompson.
- PRESENT REMOTELY:** Councillors R Carlin, N Eaton, B Higginson and S Lowry.
- ALSO ATTENDED:** Alderman J Tinsley and Councillors G Hynds  
and A Givan (Zoom).
- IN ATTENDANCE:** Director of Leisure and Community Wellbeing  
Head of Communities  
Head of Sports Services  
Acting Head of Parks and Amenities  
Member Services Officers (BF and EW).

#### Commencement of Meeting

- Committee Meeting of 5th December

The Committee agreed that the December meeting would commence at 5:30pm to facilitate Members who wished to attend community Christmas-related events which were scheduled to take place that evening.

- Mr Gareth Lennox

The Chairperson welcomed Mr Gareth Lennox, the recently appointed Acting Head of Parks and Amenities, to his first meeting of the Committee and, on behalf of the Members, wished him well in the role.

1. Apologies

An apology was reported on behalf of Alderman S P Porter.

2. Declarations of Interest

None.

3. Report of the Director of Leisure and Community Wellbeing

- 3.1 Friends' School Lisburn – 250th Anniversary (00:02:12)

The Director reported that a request for financial support had been received from the principal of the above-mentioned school, which would be celebrating its 250th anniversary in 2024/25. She informed the Committee that the school was seeking to raise £250,000 to fund several legacy projects, which included an outdoor performance space and a health and wellbeing trail within the school grounds, together with the publication of the book to mark the anniversary.

She outlined the immense contribution which the school had made to Lisburn and the Council district throughout its history and advised that a sum of £2,500 had been identified within departmental underspends should the Committee wish to donate, specifically towards the publication of the book, under the discretionary powers provided to the Council under Part 11 (4) (b) of the Local Government Act (NI) 2014.

Moved by Councillor D J Craig,  
Seconded by Councillor A McIntyre and

Resolved – That the Committee agrees, under Part 11 (4) (b) of the Local Government Act (NI) 2014, to make a donation of £2,500 to Friends' School's 250th Anniversary Fund, it being the opinion of the Committee that the expenditure would be in the interest of and would be of direct benefit to the district and the inhabitants of the district, with the Committee being satisfied that the direct benefits accrued would be commensurate with the payment made.

### 3.2 Local Investment Plan – Projects Update (00:04:49)

The Committee noted an update in relation to the Local Investment Plan which had been provided by the Director.

The Director answered several queries regarding the staffing costs associated with the delivery of the projects, together with further detail in relation to a Christmas event in Hillsborough, in respect of which she would provide the Member with additional information regarding budgets and costs.

### 5.0 Report of the Head of Community Services

#### 5.1 PEACEPLUS Local Action Plan (00: 08:18)

Moved by Councillor T Mitchell,  
Seconded by Councillor J Gallen and

Resolved – that the Committee agrees to note the update in relation to the PEACEPLUS Partnership and agrees to recommend that the Council, at its meeting on 28th November, grants delegated authority to the Committee to approve, at its meeting on 5th December, the PEACEPLUS Local Action Plan to enable it to be submitted to the Special EU Programmes Body (SEUPB) by 14th December.

Arising from discussion, the Head of Communities informed the Committee that SEUPB had since requested that further clarity be provided in respect of 'Theme 1' of the Action Plan which might delay its submission by several weeks, but that the Committee would be updated in due course.

### 6. Any Other Business – Non-Confidential

## 6.1 Wallace High School (00:11:22)

Councillor T Mitchell reminded the Committee that Wallace High School had won the Irish Schools' All-Ireland Cup by beating Newtown from Waterford in the final in October.

In response, the Right Worshipful the Mayor indicated that appropriate arrangements would be put in place to acknowledge the achievement.

## 7. Confidential Report of the Director of Leisure & Community Wellbeing

The Chairperson advised that the reasons for confidentiality for the following matters was by virtue of the Section 6, Part 1, of the Local Government Act (2014) Northern Ireland, specifically the provisions therein as outlined within each report.

It was moved by Councillor A McIntyre, seconded by Councillor T Mitchell, and agreed that the confidential report of the Director of Leisure and Community Wellbeing be considered 'in committee', in the absence of members of the press and public.

### 7.1 Communities and Wellbeing – Pricing Schedule 2024/25

The Committee considered a report which gave an overview of the proposed departmental pricing schedule for 2024/25.

Moved by Councillor J Gallen,  
Seconded by Councillor R Carlin and

Resolved – that the Committee agrees to adopt the recommendation of the Director in relation to the proposed departmental pricing schedule for 2024/25.

## 8. Any Other Business – Confidential

### 8.1 DJ Services at Dundonald International Ice Bowl

Alderman S Skillen referred to the above-mentioned service and proposed that the Director re-examine departmental budgets with a view to identifying funding to enable the level of DJ service to be maintained until the end of the financial year. The proposal was seconded by Alderman H Legge.

Several Members suggested that it would be prudent to examine a further report in respect in overall costs associated with the proposal, together with the impact on other services, prior to taking any decision.

The original proposal in the name of Alderman S Skillen was not put to the meeting, but the Committee agreed, as an interim measure, that the present level of DJ service be maintained until the end of December, subject to the matter being re-examined in January.

## 9. Resumption of Normal Business

It was moved by Councillor A McIntyre, seconded by Councillor T Mitchell, and agreed that normal business be resumed.



The meeting ended at 18.34.

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Chairperson

CSC 08.11.2023

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Meeting of the Corporate Services Committee held remotely and in the Council Chamber, Island Civic Centre, The Island, Lisburn on Wednesday 8<sup>th</sup> November 2023 at 6.03 pm.****PRESENT IN COUNCIL CHAMBER (COMMITTEE):**

Alderman O Gawith (Chair)  
 Councillor A Ewing (Vice-Chair)  
 Aldermen A Ewart MBE, M Guy and H Legge  
 Councillors K Dickson, C Kemp and U Mackin

**PRESENT IN A REMOTE LOCATION (COMMITTEE):**

Councillors P Burke, N Eaton, A Givan and B Higginson

**OTHER MEMBERS OF COUNCIL PRESENT IN COUNCIL CHAMBER**

Alderman A Grehan  
 Councillors P Catney and G Hynds

**IN ATTENDANCE:**

Chief Executive (Remote)  
 Director of Finance & Corporate Services  
 Director of Organisation Development & Innovation  
 Director of Regeneration & Growth  
 Head of Corporate Communications & Administration  
 Head of Finance  
 Acting Head of Portfolio, IT & Commercialisation  
 Member Services Officers (RN & CH)

**Commencement of Meeting**

The Chair welcomed those present to the meeting and advised that it would be audio recorded unless the item on the agenda was to be considered under confidential business.

The names of those Elected Members who were in attendance at the meeting, both in person and on a remote basis, were read out by the Member Services Officer.

The Chair stated that unauthorised recording was not permitted, as per 8.5 of the Council's Standing Orders. The Chair also reminded everyone to ensure that mobile phones were turned off or on silent mode for the duration of the meeting.

CSC 08.11.2023

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The Director of Finance & Corporate Services proceeded to outline the evacuation procedures in the case of an emergency. Finally, the Chair asked that any Member entering or leaving the meeting alert the Member Services Officer accordingly so that this might be accurately reflected in the minutes.

Alderman M Guy entered the Chamber during the housekeeping announcements.  
(6.05 pm)

1. Apologies (00:03:13)

Apologies for non-attendance at the meeting were accepted and recorded on behalf of Councillors T Beckett and R Carlin.

2. Declarations of Interest (00:03:52)

The Chair invited Members to declare any interests they might have in relation to the business of the meeting and reminded them of the requirement that they complete Declaration of Interest forms in this regard which had been provided with the papers for the meeting and which were also available in the Chamber.

There were no Declarations of Interest.

Councillor A Ewing entered the Chamber during this item of business.  
(6.08 pm)

3. Report of Head of Corporate Communications & Administration (00:04:33)

3.1 Retention & Disposal Schedule (00:04:50)

In accordance with legislation, the Council has in place a Retention & Disposal Schedule for all manner of records held by the Council. This schedule had been the subject of a recent revision and a draft thereof was provided.

It was proposed by Alderman H Legge, seconded by Alderman M Guy and agreed to recommend that the draft Retention and Disposal Schedule for Lisburn & Castlereagh City Council be approved and be submitted to the Public Records Office of Northern Ireland for verification. In line with legislation, the schedule would then be laid before the NI Assembly.

Councillor C Kemp entered the Chamber during presentation of this item.  
(6.10 pm)

4. Any other Business – Non-Confidential (00:07:10)

No items were raised.

5. Confidential Report from Director of Finance & Corporate Services (00:07:46)

The Chair asked that - in line with Item 5.15 of the Protocol and Etiquette for attending meetings on a remote basis – those Members attending the meeting on a remote basis ensure that the meeting could neither be seen nor heard by any other person at those remote locations.

The reasons for confidentiality were as set out in the agenda, ie:-

5.1 Report on Various Tender Awards

(Confidential for reason of information relating to the financial or business affairs of any particular person (including the Council holding that information).

Redacted report to be available following ratification and signing of contracts.

5.2 Cisco Licences & Warranties

(Confidential for reason of information relating to the financial or business affairs of any particular person (including the Council holding that information).

Redacted report to be available following award of contract.

5.3 Corporate Communications & Administration  
Proposed Pricing Schedule for 2024/2025

(Confidential for reason of information relating to the financial or business affairs of any particular person (including the Council holding that information).

Redacted report to be available following completion of the Estimates' process. (February 2024)

5.4 Estimates 2024/2025 – First Draft

(Confidential for reason of information relating to the financial or business affairs of any particular person (including the Council holding that information).

Report will never become available. (Final estimates will be released.)

5.5 Quarterly Finance Reports – Quarter 2 of 2023/2024

(Confidential for reason of information relating to the financial or business affairs of any particular person (including the Council holding that information).

Redacted report to be available following ratification by Council on 28<sup>th</sup> November 2023.

5.6 Treasury Outturn Report for 2022/2023

(Confidential for reason of information relating to the financial or business affairs of any particular person (including the Council holding that information).

Report to be available following ratification by Council on 28<sup>th</sup> November 2023.

### 5.7 Treasury Outturn Report for Quarter 2 of 2023/2024

(Confidential for reason of information relating to the financial or business affairs of any particular person (including the Council holding that information).)

Report to be available following ratification by Council on 28<sup>th</sup> November 2023.

#### In Committee (00:08:30)

It was proposed by Councillor A Ewing, seconded by Alderman A Ewart and agreed that the Confidential Report of the Director be considered “in Committee”. (Recording was paused at this stage in proceedings.)

### 5.1 Report on Various Tender Awards

Presented by the Director of Regeneration & Growth.

The Director commented specifically on a number of the tenders before the Committee for consideration. The Director also responded to Members’ questions and - in relation to T23/24–005 - highlighted a potential risk.

It was proposed by Alderman A Ewart, seconded by Councillor A Ewing and agreed to recommend that – subject to correction of the typographical error in Lot 3 of T23/24-005 - the tenders awarded in regard to the undernoted contracts, together with the attendant tender reports, be noted:-

- T22/23-082 - Provision of Golf Services, Collection and Accounting for Green Fees and Ancillary Services at Aberdelghy Golf Course;
- T23/24-009 – “Pathways to Employment for Individuals with a Disability Programme”;
- T23/24-010 - Self-Employment Programme;
- T22/23-085 - Supply and Delivery of Top-Dressing Sand and Top Soil;
- T23/24-005 - Mobile Vendors to trade in Billy Neill Country Park, Moira Demesne, Hillsborough Forest & Play Area, Wallace Park, Lough Moss Playing Fields and Hydebank Playing Fields.

It was further agreed to recommend that the signing and sealing of the Tender documents be approved.

### 5.2 Cisco Licences & Warranties

The Chair, Alderman O Gawith, extended a welcome to Ms Arlene Barton and wished her all the best in her role as Acting Head of Portfolio, IT & Commercialisation.

The Acting Head presented the report on Cisco Licences & Warranties.

## 5.2 Cisco Licences & Warranties (Continued)

In addition to the narrative report, Members had been provided with the Business Case (incorporating Financial Appraisal) for the provision of Cisco Licences & Warranties for current Switches and Wireless Equipment.

It was proposed by Alderman M Guy, seconded by Alderman A Ewart and agreed to recommend that - in order to improve resilience and as a pre-requisite step in the adoption of a managed support contract that encompasses all networking equipment – the Business Case for the provision of Cisco Licences & Warranties for Current Switches and Wireless Equipment be approved.

## 5.3 Corporate Communications & Administration Proposed Pricing Schedule for 2024/2025

Presented by the Head of Corporate Communications & Administration.

It was proposed by Councillor U Mackin, seconded by Alderman H Legge and agreed to recommend that:-

- the price point increase for 2024/2025 relating to the Box Office be approved;
- the retention of existing charges for the other services as outlined in the report be approved.

## 5.4 Estimates 2024/2025 – First Draft

Presented by the Head of Finance.

Members noted the content of the following in regard to the draft Estimates for 2024/2025:-

- Narrative report;
- Report of a briefing for Members which had taken place in August 2023.

The Director of Finance & Corporate Services and the Head of Finance responded to Members' questions.

In regard to information on Judicial Review legal costs which had been sought by a Member at the previous meeting, Alderman A Grehan asked that such information be shared with all Members of the Committee, and this was agreed.

#### 5.5 Treasury Outturn Report for 2022/2023

Presented by the Head of Finance.

Members noted the content of the following:-

- Narrative report;
- 2022/2023 Outturn Treasury Management Report, detailing the Council's performance against the Prudential and Treasury Indicators approved for 2022/2023.

#### 5.6 Treasury Outturn Report for Quarter 2 of 2023/2024

Presented by the Head of Finance.

Members noted the content of the following:-

- Narrative report;
- Report on the Prudential and Treasury Indicators for April – September 2023 setting out a review of the Council's performance against the indicators approved for 2023/2024.

#### 5.7 Quarterly Finance Reports – Quarter 2 of 2023/2024

Presented by the Head of Finance.

It was proposed by Councillor K Dickson, seconded by Alderman H Legge and agreed to recommend that:-

- the information contained in the narrative report and the reports on Repairs & Renewals, Capital Expenditure and DFC Earmarked Reserves be noted;
- the release of £30,000.00 from the DFC Earmarked Reserves be approved.

The Head of Finance noted comments in relation to Tree Maintenance and LVLP Maintenance Programme as contained in the Repairs & Renewals Schedule (Q2 of 2022/2023) and advised that she would keep a watching brief on such figures in the next quarter.

#### 6. Any Other Business – Confidential

There was no other confidential business raised.

Resumption of Normal Business (00:08:39)

It was proposed by Councillor A Ewing, seconded by Councillor C Kemp and agreed to come “out of Committee”. Normal business and audio recording were resumed.

7. Any Other Business (00:08:39)

There were no further items raised.

The meeting concluded at 6.53 pm.

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MAYOR/CHAIR



PC 02.10.2023

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 2 October, 2023 at 10.00 am****PRESENT IN CHAMBER:**

Alderman M Gregg (Chairman)

Councillor U Mackin (Vice-Chairman)

Alderman J Tinsley

Councillors D Bassett, S Burns, P Catney, D J Craig, A Martin, G Thompson and N Trimble

**IN ATTENDANCE:**

Director of Regeneration and Growth  
 Head of Planning & Capital Development  
 Principal Planning Officer (RH)  
 Senior Planning Officers (RT and MB)  
 Member Services Officers

Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

**Commencement of Meeting**

At the commencement of the meeting, the Chairman, Alderman M Gregg, welcomed those present to the Planning Committee. He pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be audio recorded. He went on to outline the evacuation procedures in the case of an emergency.

1. **Apologies** (00:02:08)

It was agreed to accept an apology for non-attendance at the meeting on behalf of Alderman O Gawith.

At this point, the Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting.

Councillor N Trimble arrived to the meeting (10.04 am).

2. **Declarations of Interest** (00:03:24)

There were no declarations of interest.

3. **Minutes of Meeting of Planning Committee held on 4 September, 2023** (00:03:53)

It proposed by Alderman J Tinsley, seconded by Councillor D Bassett and agreed that the minutes of the meeting of Committee held on 4 September, 2023 be confirmed and signed.

PC 02.10.2023

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#### 4. Report from the Head of Planning & Capital Development (00:04:10)

##### 4.1 Schedule of Applications (00:04:26)

The Chairman, Alderman M Gregg, advised that a significant amount of representation had been received in respect of applications on the schedule and a number of legal points required to be addressed.

##### “In Committee”

It was proposed by Councillor U Mackin, seconded by Councillor D Bassett and agreed to go ‘into committee’ in order that legal advice could be sought. Those members of the public in attendance left the meeting (10.06 am).

Advice was provided by the Legal Advisor in respect of a number of representations received as either late objections or in support of speaking requests for this meeting. It was explained that further legal advice should be sought from Senior Counsel. Members’ comments were noted regarding the importance of reviewing procedures to ensure timely receipt of representations in the future.

##### Resumption of Normal Business

It was proposed by Councillor D Bassett, seconded by Councillor G Thompson and agreed to come out of committee and normal business was resumed (10.52 am).

The Chairman, Alderman M Gregg, stated that, on the advice of the Legal Advisor, it was necessary to postpone consideration of the schedule of applications at today’s meeting to consider the legal advice of Senior Counsel in respect of the representations received since last Friday and to provide the Committee with updated reports as required. This was proposed by Councillor P Catney, seconded by Councillor D Bassett and agreed.

The Chairman, Alderman M Gregg, advised that the schedule of applications would be considered at a reconvened meeting of the Planning Committee on Monday, 9 October 2023 at 3.00 pm.

##### Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for a comfort break at this point (10.53 am).

##### Resumption of Meeting

The meeting was resumed at 11.02 am.

##### 4.2 Statutory Performance Indicators – July and August 2023 (00:06:23)

Councillor P Catney left the meeting at 11.05 am.

PC 02.10.2023

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#### 4.2 Statutory Performance Indicators – July and August 2023 (Contd)

Members were provided with a copy of statutory performance indicators for July and August 2023. It was proposed by Councillor D Bassett, seconded by Councillor D J Craig and agreed that these be noted.

Arising from discussion, the Head of Planning & Capital Development agreed that notification would be sent to agents advising that the Local Development Plan had been adopted. This would be on a wider scale of circulation than was previously the case when agents were advised about the publication of the Direction for the emerging Plan.

The Head of Planning & Capital Development also took on board comments made about the planning application validation process and explained that, as part of the overall improvement of the planning system, the Department for Infrastructure had given a commitment that validation checklists would be implemented on a statutory basis. Until that was the case, this matter remained an issue in terms of the Council's performance statistics.

#### 4.3 Northern Ireland Annual Statistics – Annual Statistical Bulletin (April 2022 – March 2023) (00:18:26)

Members were provided with a copy of the Northern Ireland Annual Statistical Bulletin, as well as an analysis of the bulletin relative to Lisburn & Castlereagh City Council. It was proposed by Alderman J Tinsley, seconded by Councillor D Bassett and agreed that this information be noted.

Comments were made about the fact that renewable energy statistics included only applications for wind turbines and it would be preferable if statistics included applications for all types of renewable energy. The Head of Planning & Capital Development explained that a group had been formed following the publication of the Public Accounts Committee Report and the Review of Planning by the Northern Ireland Audit Office. That group had been tasked to provide a new set of performance indicators to the Department for consideration.

#### 4.4 Review of Scheme of Delegation (00:25:10)

Members were provided with a copy of a final draft of the Scheme of Delegation. It was proposed by Councillor G Thompson, seconded by Councillor D Bassett and agreed to note that this would be issued to the Department for Infrastructure for approval, subject to agreement at the Corporate Services Committee.

#### 4.5 Notification by Telecommunication Operator(s) of Intention to Utilise Permitted Development Rights (00:26:20)

It was proposed by Councillor D J Craig, seconded by Councillor D Bassett and agreed to note from the report, information regarding notification by telecommunication operators to utilise Permitted Development Rights at various locations.

Following discussion during which concerns were raised regarding the erection of poles, it was agreed that the Head of Planning & Capital Development write to the

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4.5 Notification by Telecommunication Operator(s) of Intention to Utilise Permitted Development Rights (Contd)

Department requesting that telecommunications companies be encouraged to share existing infrastructure to avoid unnecessary duplication of equipment. He advised that he would raise this matter at a forthcoming meeting of the Strategic Planning Group and write to the Department thereafter. He also stated that, as this was a regional issue, there required to be a wider discussion as to the need to update the general permitted development regulations in line with, and to take account of, current technology; although he pointed out that any change would be a matter for the Department to review.

The Head of Planning & Capital Development further agreed to (a) advise Councillor Bassett if the new telecommunications apparatus to be installed at Old Dundonald Road, Belfast, was a 5g mast pole; and (b) give consideration to the request that Members be provided with maps indicating the proposed locations of telecommunications apparatus as part of the normal reports to Committee.

5. Any Other Business (00:37:38)

5.1 January Committee Meeting (00:37:46)

The Chairman, Alderman M Gregg, advised that, as the normal date of the January meeting of the Planning Committee fell on a bank holiday, the Committee would meet on Monday, 8 January, 2024.

Conclusion of the Meeting

At the conclusion of the meeting, the Chairman, Alderman M Gregg, thanked those present for their attendance and reminded Members that the next meeting of the Committee would take place on Monday, 9 October at 3.00 pm.

There being no further business, the meeting was terminated at 11.34 am.

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Chairman/Mayor

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 9 October, 2023 at 3.00 pm****PRESENT IN CHAMBER:**

Alderman M Gregg (Chairman)

Councillor U Mackin (Vice-Chairman)

Aldermen O Gawith and J Tinsley

Councillors S Burns, P Catney, D J Craig, A Martin, G Thompson and N Trimble

**IN ATTENDANCE:**

Director of Regeneration and Growth  
 Head of Planning & Capital Development  
 Principal Planning Officer (RH)  
 Senior Planning Officers (RT and MB)  
 Member Services Officers

Mr B Martyn (Cleaver Fulton Rankin) – Legal Advisor

**Commencement of Meeting**

At the commencement of the meeting, the Chairman, Alderman M Gregg, welcomed those present to the Planning Committee. He pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be audio recorded. He went on to outline the evacuation procedures in the case of an emergency.

Alderman J Tinsley arrived to the meeting at 3.02 pm.

1. **Apologies** (00:02:14)

It was agreed to accept an apology for non-attendance at the meeting on behalf of Councillor D Bassett. It was also noted that Councillor G Thompson would be arriving late.

At this point, the Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting.

2. **Declarations of Interest** (00:03:39)

There were no declarations of interest.

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### 3. Report from the Head of Planning & Capital Development (00:04:16)

#### 3.1 Schedule of Applications (00:04:21)

The Chairman, Alderman M Gregg, advised that there was one major application and three local applications on the schedule for consideration at the meeting. He advised that application LA05/2022/0807/O had been withdrawn in its entirety by the agent.

##### 3.1.1 Applications to be Determined (00:04:44)

The Legal Advisor, Mr B Martyn, highlighted paragraphs 43-46 of the Protocol for the Operation of the Lisburn & Castlereagh City Council Planning Committee which, he advised, needed to be borne in mind when determinations were being made.

- (i) LA05/2020/0545/F – Demolition of 25 Carrowreagh Road and erection of 62 dwellings and 4 apartments, garages, open space with equipped children’s play, landscaping, access arrangements and other associated site works at lands immediately adjacent to and north of 104-120 Millreagh Avenue and to the rear of 2-18 (evens) Millreagh Grove, Dundonald (00:06:30)

Councillor G Thompson arrived to the meeting during consideration of this application (3.38 pm).

The Senior Planning Officer (RT) presented the above application as outlined within the circulated report.

The Committee received Mr S McKee, who was accompanied by Mr M Hardy and Mr S Villiers, in order to speak in support of the application. A number of Members’ queries were responded to.

A number of Members’ queries were responded to by Planning Officers.

#### Debate

There were no comments made at this point.

#### Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to approve the application. Not having been present for this entire item, Councillor G Thompson did not participate in the vote.

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- (ii) LA05/2022/0861/F – Erection of 38 dwellings (including a change of house type to sites 89-119 of planning approval LA05/2017/1153/F with associated car parking, detached garages, landscaping and access arrangements and associated site works at lands 300 metres to the south east of 206 Millmount Road and 1-8 Millmount Chase, Dundonald  
(00:52:40)

Councillor N Trimble arrived to the meeting during consideration of this application (4.18 pm).

The Senior Planning Officer (MB) presented the above application as outlined within the circulated report.

The Committee received Mr S McKee, who was accompanied by Mr M Hardy and Mr S Villiers, in order to speak in support of the application. A number of Members' queries were responded to.

A number of Members' queries were responded to by Planning Officers.

#### Debate

During debate, the Chairman, Alderman M Gregg, stated that he had difficulty in supporting future housing provision when roadworks required under a previous application by the same applicant had been delayed for one reason or another. He accepted that there was a delay on behalf of DfI Roads but stated that this was a risk to be taken by the developer, not a risk for the Council. However, Alderman Gregg supported the recommendation of the Planning Officers but urged that Officers find a way to enforce conditions on this and other applications.

#### Vote

Councillor G Thompson requested that a recorded vote be taken.

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to approve the application. Not having been present for this entire item, Councillor N Trimble did not participate in the vote.

#### Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for a comfort break at this point (4.34 pm).

#### Resumption of Meeting

The meeting was resumed at 4.50 pm.

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- (iii) LA05/2021/0738/O – Replacement dwelling opposite and 80m south west of 149 Hillsborough Road, Dromara (01:32:03)

The Principal Planning Officer (RH) presented the above application as outlined within the circulated report. She clarified that this was an outline application, not a full application as referred to in paragraph 14 of the report.

The Committee received Mr A McCreedy, who was accompanied by Mr A Stephens, in order to speak in support of the application. A number of Members' queries were responded to.

A number of Members' queries were responded to by Planning Officers.

It was proposed by Councillor G Thompson, seconded by Councillor A Martin and, on a vote being taken, agreed that this application be deferred for a site visit to take place, the voting being 8 in favour and 2 against.

#### Adjournment of Meeting

The Chairman, Alderman M Gregg, declared the meeting adjourned for dinner (5.30 pm).

#### Resumption of Meeting

The Chairman, Alderman M Gregg, declared the meeting resumed (6.00 pm).

- (iv) LA05/2022/0807/O – Proposed dwelling and garage at lands 20m east of 123a Saintfield Road, Lisburn (00:04:35)

As advised earlier in the meeting by the Chairman, Alderman M Gregg, this application had been withdrawn in its entirety by the agent.

- (v) LA05/2021/0913/O – Dwelling and garage between 10 and 14 Drennan Road, Lisburn (02:13:54)

The Principal Planning Officer (RH) presented the above application as outlined within the circulated report.

The Committee received Mr A McCreedy, who was accompanied by Mr A Stephens, in order to speak in support of the application. A number of Members' queries were responded to.

A number of Members' queries were responded to by Planning Officers.



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- (v) LA05/2021/0913/O – Dwelling and garage between 10 and 14 Drennan Road, Lisburn (Contd)

### Debate

During debate:

- Alderman O Gawith, Alderman J Tinsley and Councillor P Catney commented that, unfortunate as this case was, they were in support of the recommendation of the Planning Officer to refuse planning permission;
- Councillor N Trimble stated that he was not in support of the recommendation of the Planning Officer. He considered the tests of COU6 had been met and, as this was an outline application, he believed there was scope to have a design that could meet with COU15 and16. Whilst he accepted that the application did not meet CTY8, had he considered it prior to the new policies being implemented, he believed it would have met with that policy; and
- the Chairman, Alderman M Gregg, stated that he was in support of the recommendation of the Planning Officer to refuse this application. He considered that, had the application been presented to Committee prior to the new policies being implemented, it would not have been approved due to reasons of prominence and the absence of a continuous built-up frontage.

### Vote

At the request of Councillor G Thompson, a recorded vote was carried out. The voting in respect of the Planning Officer's recommendation to refuse this application was as follows:

In favour: Councillor S Burns, Councillor P Catney, Councillor D J Craig, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson and the Chairman, Alderman M Gregg **(9)**

Against: Councillor N Trimble **(1)**

The Chairman, Alderman M Gregg, declared that the Planning Officer's recommendation to refuse the application was 'carried'.

## 4. Any Other Business (03:03:16)

### 4.1 Recorded Votes – Amendment to Standing Orders Councillor G Thompson

It was proposed by Councillor G Thompson and seconded by Councillor P Catney that the Corporate Services Committee be requested to consider an amendment to Standing Orders that, in the interest of openness and transparency, all votes at Planning Committee meetings be 'recorded'. This proposal was agreed on a vote being taken, the voting being 9 in favour and 1 against.

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Conclusion of the Meeting

At the conclusion of the meeting, the Chairman, Alderman M Gregg, thanked those present for their attendance.

There being no further business, the meeting was terminated at 6.57 pm.

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Chairman/Mayor



|                     |                  |
|---------------------|------------------|
| <b>Committee:</b>   | Full Council     |
| <b>Date:</b>        | 28 November 2023 |
| <b>Report from:</b> | Chief Executive  |

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|------------------|---|
| <b>Item for:</b> | Decision  |
| <b>Subject:</b>  | Hardship Grant Programme 2023/24 – Delegated Authority to December Meeting of the Communities & Wellbeing Committee |

|     |   |     |
|-----|---|-----|
| 1.0 | <b><u>Background and Key Issues</u></b>   |     |
| 1.1 | A Hardship Grant Programme was launched by Council on Tuesday 10 October and closed on Friday 3 November. The funding for this programme has been made available by the Department for Communities to provide financial support to the most vulnerable across the council area. |     |
| 1.2 | The Communities team has assessed all applications and a paper detailing the outcomes is scheduled to be considered at the December meeting of the Communities & Wellbeing Committee.   |     |
| 1.3 | In considering the applications and details of some of the programmes, it is evident that a number of the organisations have plans to utilise the financial assistance in advance of and over the Christmas and New Year period.  |     |
| 1.4 | To ensure that the successful groups are provided with the financial assistance to enable them to pursue their specific programme, delegated authority is requested from Council to the December meeting of the Communities & Wellbeing Committee.                              |     |
| 2.0 | <b><u>Recommendation</u></b>  |     |
|     | It is recommended that Council agrees delegated authority to the December meeting of the Communities & Wellbeing Committee in respect of the award of the Hardship Grant Programme 2023/24.   |     |
| 3.0 | <b><u>Finance and Resource Implications</u></b>   |     |
|     | Approximately £147,878 from DfC Hardship Fund   |     |
| 4.0 | <b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>  |     |
| 4.1 | Has an equality and good relations screening been carried out?  | Yes |
| 4.2 | Brief summary of the key issues identified and proposed mitigating actions <b><u>or</u></b> rationale why the screening was not carried out   |     |

|     |   |     |
|-----|---|-----|
|     |   |     |
| 4.3 | Has a Rural Needs Impact Assessment (RNIA) been completed?  | Yes |
| 4.4 | Brief summary of the key issues identified and proposed mitigating actions <u>or</u> rationale why the screening was not carried out. |     |

**Appendices:**

# Alliance

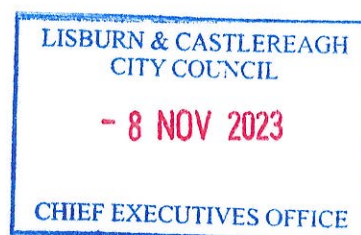
## NOTICE OF MOTION:

*That this Council recognises childcare as a vital social and economic infrastructure, a crucial form of early intervention, early education, an anti-poverty tool, and a means by which to improve productivity and gender equality in the labour market across Lisburn and Castlereagh; believes childcare should be child-centred, high quality and accessible to all children; and commits to reviewing how the Council and community planning partners can support childcare provision in the area, including reviewing whether holiday/wider schemes supported by the Council can be expanded.*

Signed: Ald Michelle Guy



8<sup>th</sup> Nov 2023



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|---------------------|------------------|
| <b>Committee:</b>   | Council Meeting  |
| <b>Date:</b>        | 28 November 2023 |
| <b>Report from:</b> | Chief Executive  |

## CONFIDENTIAL REPORT

|  |  |
|--|--|
| <b>Reason why the report is confidential:</b>        | Information relating to the financial or business affairs of any particular person (including the Council) |
| <b>When will the report become available:</b>        |  |
| <b>When will a redacted report become available:</b> | <i>After the agreement is signed and sealed</i>  |
| <b>The report will never become available:</b>       |  |

|                  |  |
|------------------|--|
| <b>Item for:</b> | Decision   |
| <b>Subject:</b>  | Requirement to enter into a Section 76 planning agreement for planning applications LA05/2022/0830/F |

|            |  |
|------------|--|
| <b>1.0</b> | <p><b><u>Background</u></b></p> <ol style="list-style-type: none"> <li>1. Section 76 (1) of the Planning Act (Northern Ireland) 2011 (the Act) provides that any person with an estate in land may enter into an agreement with the relevant authority to: <ul style="list-style-type: none"> <li>- Facilitate or restrict the development or use of land in any specified way;</li> <li>- Require specified operations or activities to be carried out in, on, under or over land;</li> <li>- Require the land to be used in a specified way;</li> <li>- Require a sum or sums to be paid to the planning authority or to a Northern Ireland government department on specified date/dates or periodically.</li> </ul> </li> <li>2. It was resolved at a meeting of the Planning Committee on 07 August 2023 to grant planning permission for the erection of a mixed use development comprised of 38 dwelling houses and 53 apartments (91 residential units in total), 6 Class B2 industrial/employment units (1,098 square Metres in total) with service yard; 3 flexible work spaces/ Wi-Fi hubs (300 square Metres in total); 2 take away coffee pod units; private, communal and public space, landscaping, cycle and car parking, ramped access and stairs to proposed rail halt, NIE sub-stations, associated site works and infrastructure and access arrangements from Moira Road.</li> <li>3. The recommendation was subject to the developer entering into a Section 76 Planning Agreement to restrict part of the land for the use of affordable housing and to require a new connection to be made to the proposed West Lisburn Rail Halt.</li> <li>4. A draft Agreement was presented to Full Council for endorsement on 24 October 2023.</li> </ol> |
|------------|--|

5. At the meeting, Members asked that alternative wording be sought for the clause at paragraph 2.2 of Schedule 1 of the Agreement.

### **Key Issues**

1. The clause at paragraph 2.2 of Schedule 1 previously reads as follows:

*To use reasonable endeavours to enforce all covenants and conditions on the part of the Public Transport Provider contained within the Public Transport Agreement to achieve the construction of the Lisburn West New Rail Halt Ramp and Stairs.*

2. It has been amended in consultation with the planning applicant who is also in agreement with the proposed change which reads as follows:

*To use all reasonable but commercially prudent endeavours to enforce all covenants and conditions on the part of the Public Transport Provider contained within the Public Transport Agreement to achieve the construction of the Lisburn West New Rail Halt Ramp and Stairs.*

3. The Chair of the Planning Committee was consulted on the 16 November 2023 that the amended wording has no implications for the Planning decision.
4. The balance of the clauses (as described in the report of 24 October 2023) remain unaltered and this is the only change to the Agreement.
5. A copy of the Agreement as redrafted is attached (**see Appendix**) and is also to be entered into under Article 8 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002 and Section 79 of the Local Government Act (Northern Ireland) 2014 and all other enabling powers must also accord with the Strategic Planning Policy Statement for Northern Ireland.
6. Under the Planning Act (NI) 2011 the Agreement must be sealed by the Council under the Council's constitution. The signing of legal documents and the affixing of the corporate seal is delegated to the Chief Executive.

### **2.0 Recommendation**

It is recommended that the Council consider proposed amendments to clause 2.2 as outlined above at paragraph 3 and that approval be granted for the signing and sealing of this Agreement by the Mayor and Chief Executive.

### **3.0 Finance and Resource Implications**

In accordance with the miscellaneous provisions set out at section 6 of the agreement:

The Developers shall pay to the Council on completion of this Deed the legal costs of the Council incurred in the negotiation, preparation and execution of this Deed.

The Developers shall pay to the Council on completion of this Deed a fee of five thousand pounds (£5000.00) as a contribution towards the Council's costs of monitoring the implementation of this Deed.

|            |  |     |
|------------|--|-----|
| <b>4.0</b> | <b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b>   |     |
| 4.1        | Has an equality and good relations screening been carried out?   | N/A |
| 4.2        | This a legal agreement necessary for a planning decision. The policies that informed the decision have been subject to EQIA screening  |     |
| 4.3        | Has a Rural Needs Impact Assessment (RNIA) been completed?   | N/A |
| 4.4        | This a legal agreement necessary for a planning decision. The policies that informed the decision have been subject to RNIA screening. |     |

|                    |  |
|--------------------|--|
| <b>Appendices:</b> | <b>APPENDIX 1CONF D – Section 76 Agreement</b> |
|--------------------|--|



Dated this                      day of                      2023

**Planning Obligation under Section 76 of the Planning Act (Northern Ireland) 2011**

**relating to**

**Planning Application LA05/2022/0830/F**

**re**

**Lands at Moira Road Lisburn**

**between**

**LISBURN AND CASTLEREAGH CITY COUNCIL**

**and**

**JOHN THOMPSON & SONS LIMITED**

**and**

**THOMPSON LACUNA LIMITED**



- a) Social Rented Housing;
- b) Intermediate Housing for sale; or
- c) Intermediate Housing for Rent.

**Affordable Housing Unit(s)** shall be construed accordingly.

**Certificate of Completion:** confirmation from the Owner's architect that the Property, or the relevant part thereof, is capable of being used for the purpose for which Planning Permission has been granted.

**Commencement of Development:** the carrying out of any material operation in relation to the Development as defined by section 63(2) of the Planning Act but disregarding for the purposes of this Agreement and for no other purpose, the following operations: demolition works; site clearance; excavation works; ground investigations; site or soil investigations; temporary access construction works; diversion of services and installation of services for construction purposes only; archaeological investigation; remedial action in respect of any contamination; interim landscaping; erection of any fences and hoardings around the Property and noise attenuation works for the erection of hoardings and fences and the relocation of any NIE substation and any works associated exclusively with the same. **Commence** and **Commences** shall be construed accordingly.

**Completion:** the date of practical completion of the Development or any part thereof.

**Development:** the development of the Property authorised by the Planning Permission under reference LA05/2022/0830/F.

**Intermediate Housing:** means those Residential Units which shall be co-ownership, shared ownership or Intermediate Housing for Rent or such other product to be agreed in writing by the Council. Intermediate Housing means housing that is made available at a cost lower than private market rent but higher than social rented housing rent, usually at a set percentage below prevailing local market rents and usually only made available to prospective tenants based on the household's total income or the proportion of the total income likely to be spent on housing costs. **Intermediate Housing Unit(s)** shall be construed accordingly.

**Intermediate Housing for Rent:** means housing delivered by a Registered Housing Association that is made available at a cost lower than private market rent but higher than social rented housing rent, usually at a set percentage below prevailing local market rent and usually only made available to prospective tenants based on the household's total income or the proportion of the total income likely to be spent on housing costs.

**Lisburn West New Rail Halt:** the new rail halt to be constructed by the Public Transport Provider as shown indicatively on the plans attached at Annex A.

**Lisburn West New Rail Halt Ramp and Stairs:** the new ramp and stairs to be constructed on the Property to connect the Property to Lisburn West New Rail Halt as shown indicatively on the plans attached at Annex A.

**Monitoring Fee:** Five Thousand Pounds (£5,000.00) exclusive of VAT being the fee payable to the Council towards its reasonable and proper costs in monitoring compliance with this Agreement.

**NIHE:** Northern Ireland Housing Executive.

**Occupation:** actual occupation of any Residential Unit at the Development but shall not include occupation for the purposes of construction or fitting out or for marketing purposes or for any substation leases granted to NIE. **Occupy** and **Occupied** shall be construed accordingly.

**Occupation Date:** the first date upon which any part of the Development is Occupied.

**Planning Act:** Planning Act (Northern Ireland) 2011.

**Planning Application:** the application for demolition of existing buildings/structures and erection of mixed use development comprising 38 no. dwelling houses and 53 no. apartments (91 no. units in total), 6 no. Class B2 industrial/employment units (total 1,098 sq. metres) with service yard, 3 no. flexible work spaces/ Wi-Fi hubs (total 300 sq. metres), 2 no. take away coffee pod units, private, communal and public space, landscaping, cycle and car parking, ramped access and stairs to proposed rail halt, NIE substations, associated site works and infrastructure and access arrangements from Moira Road.

**Planning Permission:** the planning permission to be granted subject to conditions by the Council in respect of the Planning Application.

**Property:** lands at Moira Road Lisburn shown edged red on the plans attached at Annex A.

**Public Transport Agreement:** means the agreement to be entered into between the Owner (1) and the Public Transport Provider (2) governing the following matters:

- (a) the construction of the Lisburn West New Rail Halt Ramp and Stairs;
- (b) the payment of the Ramp and Stairs Payment; and
- (c) the transfer of the land upon which the Lisburn West New Rail Halt Ramp and Stairs are to be built by the Owner to the Public Transport Provider (or as it shall direct).

**Public Transport Fund Account:** a separate designated deposit account in the name of the Owner established for the sole purpose of administering the Ramp and Stairs Payment in accordance with the Public Transport Agreement.

**Public Transport Provider:** Translink of 22 Great Victoria Street Belfast BT2 7LX.

**Ramp and Stairs Payment:** the maximum sum of Three Hundred and Fifty Thousand Pounds (£350,000) in respect of the cost of construction of the Lisburn West New Rail Halt Ramp and Stairs to be paid by the Owner in accordance with the Public Transport Agreement.

**Registered Housing Association:** a housing association registered with and regulated by the Department for Communities as a social housing provider. **Registered Housing Associations** shall be construed accordingly.

**Residential Unit:** each self-contained residential unit within the Development.

**Social Rented Housing:** those Residential Units to be provided at an affordable rent by a Registered Housing Association made available to households in housing need and offered in accordance with the common selection scheme administered by NIHE which prioritises households living in unsuitable or insecure accommodation. **Social Rented Housing Unit(s)** shall be construed accordingly.

**VAT:** value added tax chargeable under the Value Added Tax Act 1994 and any similar replacement tax and any similar additional tax.

**Working Day:** any day which is not a Saturday, a Sunday, a bank holiday or a public holiday in Northern Ireland.

- 1.1 Clause headings shall not affect the interpretation of this Agreement.
- 1.2 A **person** includes a natural person, corporate or incorporated body (whether or not having separate legal personality).
- 1.3 A reference to a **company** shall include any company, corporation or other body corporate, wherever and however incorporated or established.
- 1.4 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.5 Unless the context otherwise requires, a reference to one gender shall include a reference to other genders.
- 1.6 A reference to any party shall include that party's personal representatives, successors in title, assigns, or any other persons deriving title, including reversionary title, in respect of the Property and in the case of the Council the successors to its respective statutory functions.
- 1.7 Unless the context otherwise requires, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 1.8 Unless the context otherwise requires, a reference to a statute or statutory provision shall include any subordinate legislation made from time to time under that statute or statutory provision.
- 1.9 A reference to **writing** or **written** excludes fax and email.
- 1.10 A reference to **this Agreement** or to any other agreement or document referred to in this Agreement is a reference to this Agreement or such other agreement or document as varied and novated (in each case, other than in breach of the provisions of this Agreement) from time to time.
- 1.11 References to clauses and Schedules are to the clauses and Schedules of this Agreement.
- 1.12 An obligation on a party not to do something includes an obligation not to allow that thing to be done.
- 1.13 Any words following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.14 Where an obligation falls to be performed by more than one person, the obligation can be enforced against every person so bound jointly and against each of them individually.

1.15 Any references to **Owner** shall include the **Developer**.

## 2. STATUTORY PROVISIONS

2.1 This Agreement constitutes a planning agreement for the purposes of section 76 of the Planning Act, and any other enabling powers.

2.2 The covenants, restrictions and obligations contained in this Agreement are planning obligations for the purposes of section 76 of the Planning Act and are entered into by the Owner with the intention that they bind the interest held by the Owner and its successors and assigns in the Property.

2.3 Insofar as any of the covenants, restrictions and obligations contained in this Agreement are not planning obligations for the purposes of section 76 of the Planning Act they are entered into freely by each of the Owner and the Council by virtue of Article 8 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002, Article 79 of the Local Government Act (Northern Ireland) 2014 and all other enabling powers with the intention that they bind the respective interests held by those persons in the Property and their respective successors and assigns.

2.4 The Council is the Relevant Authority as defined in the Planning Act and a Local Planning Authority by which the covenants, restrictions and requirements imposed upon the Owner under this Agreement are enforceable in accordance with section 76 of the Planning Act.

2.5 This Agreement shall not be enforceable against any tenant, lessee or similar occupier of the Development including any utility provider after the transfer or lease of apparatus to it/them.

## 3. CONDITIONALITY

This Agreement shall come into effect on the date hereof with the exception of the covenants, undertakings and obligations contained within the Schedules hereto which shall bind the Property and every part of it upon the date of issue of the Planning Permission. The Council may agree to suspend the obligations within this Agreement upon receipt of pre-action protocol correspondence or judicial review proceedings being instituted in respect of the Planning Permission.

## 4. OWNERSHIP

Until the covenants, restrictions and obligations in Schedule 1 have been complied with, the Owner will give to the Council within 10 Working Days, the following details of any conveyance, transfer, lease, assignment, mortgage or other disposition entered into in respect of all or any part of the Property:

(a) the name and address of the person to whom the disposition was made;  
and

(b) the nature and extent of the interest disposed of.

## **5. COVENANTS BY THE OWNER**

The Owner covenants with the Council to observe and perform the covenants, restrictions and obligations contained in Schedule 1 on behalf of itself and its successors in title and all persons claiming through or under it so as to bind each and every part of the Development and the Property.

## **6. COVENANTS BY THE COUNCIL**

6.1 The Council covenants with the Owner to observe and perform the covenants, restrictions and obligations contained in Schedule 2 on behalf of itself and its successors in title and all persons claiming through or under it.

6.2 Pursuant to the execution of this Agreement the Council shall grant the Planning Permission save that the Council shall not be in breach of this Agreement if it shall be prevented from issuing the Planning Permission by a court order, such grant not to be unreasonably withheld or delayed.

## **7. RELEASE**

No person or party shall be liable for any breach of a covenant, restriction or obligation contained in this Agreement after parting with all of its interest in the Property or the relevant part thereof as the case may be in respect of which the relevant covenant, restriction or obligation exists, except in respect of any breach subsisting prior to parting with such interest for which that person or party was responsible prior to parting with such interest.

## **8. DETERMINATION OF AGREEMENT**

The obligations in this Agreement, shall cease to have effect if before the Commencement of Development, the Planning Permission:

(a) expires;

(b) is varied or revoked other than at the request of the Owner; or

(c) is quashed following a successful legal challenge.

## **9. STATUTORY CHARGE**

This Agreement is registrable as a statutory charge in accordance with section 76 and section 245 of the Planning Act and shall be registered on the statutory charges register by the Council but shall not be registered against the title to the Property.

## **10. REASONABLENESS**

Any approval, consent, direction, authority, agreement or action to be given by the Council under this Agreement shall not be unreasonably withheld or delayed.

## **11. CANCELLATION OF ENTRIES**

11.1 On the written request of the Owner or its successors in title at any time after each or all of the obligations contained in Schedule 1 have been satisfactorily performed or otherwise discharged or if this Agreement is determined pursuant to clause 8 the Council will issue a written confirmation of such performance

and will within 10 Working Days of receipt of such written request lodge the appropriate application to cancel all entries made in the statutory charges register in respect of this Agreement and furnish a copy of this application to the Owner's solicitors.

- 11.2 On the application of the Owner at any time after the date of this Agreement to modify or discharge this Agreement, save for the circumstances arising in 11.1 above, then the Council will within 10 Working Days of receipt of such application publicise notice of the application in accordance with the Planning (Modification and Discharge of Planning Agreements) Regulations (Northern Ireland) 2015 and shall determine the application, and cancel any entry on the statutory charges register in respect of this Agreement, as soon as reasonably practicable thereafter.

## **12. DISPUTES**

Without prejudice to the powers of enforcement of this Agreement open to the Council under Section 76 of the Planning Act should it so choose to use at the Council's absolute discretion and save where the Owner or the Council have been granted leave by a court to seek injunctive relief, any dispute, controversy or claim arising out of or relating to this Agreement, including any question regarding its breach, existence, validity or termination or the legal relationships established by this Agreement, may be resolved by arbitration in accordance with the Arbitration Act 1996. It is agreed that:

- 12.1 the tribunal shall consist of one arbitrator appointed jointly by the parties to the dispute;
- 12.2 in default of the parties' agreement as to the arbitrator, the arbitrator shall be appointed on any party's request by the President for the time being of the Royal Institution of Chartered Surveyors;
- 12.3 the costs of the arbitration shall be payable by the parties in the proportions determined by the arbitrator (or if the arbitrator makes no direction, then equally); and
- 12.4 the seat of the arbitration shall be Belfast.

## **13. NO FETTER OF DISCRETION**

Nothing (contained or implied) in this Agreement shall fetter or restrict the Council's statutory rights, powers, discretions and responsibilities, including without limitation, the right of the Council to seek injunctive relief. In particular, nothing in this Agreement shall fetter the powers of the Council under the Planning Act relating to its determination of any planning application lodged in the future relating to the Development and for the avoidance of doubt in the event of any conflict between this clause and clause 15, this clause shall prevail.

## **14. WAIVER**

- 14.1 No failure or delay by the Council to exercise any right or remedy provided under this Agreement or by law shall constitute a waiver of that or any other right or remedy. No single or partial exercise of such right or remedy shall prevent or restrict the further exercise of that or any other right or remedy.



- 14.2 No waiver (whether express or implied) by the Council or the Owner of any breach or default in performing or observing any of the obligations, covenants, terms or conditions of this Agreement shall constitute a continuing waiver and no such waiver shall prevent the Council or the Owner from enforcing any of the relevant obligations, terms or conditions or for acting upon any subsequent breach or default.

## 15. FUTURE PERMISSIONS

Nothing in this Agreement shall prohibit or limit the right to develop any part of the Property in accordance with any planning permission (other than the Planning Permission or modification, variation or amendment thereof) granted after the date of the Planning Permission.

## 16. NOTICES

- 16.1 Any notice to be given under this Agreement must be in writing and must be:
- (a) delivered by hand; or
  - (b) sent by pre-paid first class post or other next Working Day delivery service.
- 16.2 Any notice to be given under this Agreement must be sent to the relevant party as follows:
- (a) to the Council at the address appearing on page 1 marked for the attention of The Head of Service – Planning & Capital Development;
  - (b) to the Owner at the address appearing on page 1 marked for the attention of Anthony Best;
- or as otherwise specified by the relevant party by notice in writing to each other party.
- 16.3 Any notice or other communication given in accordance with clause 16.1 and clause 16.2 will be deemed to have been received:
- (a) if delivered by hand, on signature of a delivery receipt provided that if delivery occurs before 9.00 am on a Working Day, the notice will be deemed to have been received at 9.00 am on that day, and if delivery occurs after 5.00 pm on a Working Day, or on a day which is not a Working Day, the notice will be deemed to have been received at 9.00 am on the next Working Day; or
  - (b) if sent by pre-paid first class post or other next Working Day delivery service, at 9.00 am on the second Working Day after posting.
- 16.4 A notice given under this Agreement shall not be validly given if sent by fax or email.
- 16.5 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution.

**17. THIRD PARTY RIGHTS**

A person who is not a party to this Agreement shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Agreement.

**18. VALUE ADDED TAX**

18.1 Each amount stated to be payable by the Council or the Owner to the other under or pursuant to this Agreement is exclusive of VAT (if any).

18.2 If any VAT is at any time chargeable on any supply made by the Council or the Owner under or pursuant to this Agreement, the party making the payment shall pay the other an amount equal to that VAT as additional consideration on receipt of a valid VAT invoice.

**19. GOVERNING LAW**

This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of Northern Ireland.

**20. VALIDITY AND ENFORCEABILITY**

If any clause in this Agreement is found to be invalid, illegal or unenforceable then such invalidity, illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of this Agreement.

This Agreement has been executed as a deed and is delivered and subject to clause 3 takes effect on the date stated at the beginning of it.

The **COMMON SEAL**  
of the Council was affixed  
in the presence of:-

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive

Executed as a deed by  
**JOHN THOMPSON & SONS LIMITED**  
acting by a director in the presence of:

\_\_\_\_\_  
Director

\_\_\_\_\_  
SIGNATURE OF WITNESS

NAME:  
ADDRESS:  
OCCUPATION:

Executed as a deed by  
**THOMPSON LACUNA LIMITED**  
acting by a director in the presence of:

\_\_\_\_\_  
Director

\_\_\_\_\_  
SIGNATURE OF WITNESS

NAME:  
ADDRESS:  
OCCUPATION:

## **Schedule 1 COVENANTS BY THE OWNER**

The Owner covenants with the Council as follows:

### **1. AFFORDABLE HOUSING**

A minimum of twenty per cent. (20%) of the Residential Units at the Property shall be Affordable Housing Units and for the avoidance of doubt this will be no less than nineteen (19) Affordable Housing Units.

### **2. LISBURN WEST NEW RAIL HALT**

- 2.1 Prior to the date of Occupation of the forty-seventh (47<sup>th</sup>) Residential Unit the Owner shall enter into the Public Transport Agreement with the Public Transport Provider in a form to be approved in writing by the Council.
- 2.2 To use reasonable endeavours to enforce all covenants and conditions on the part of the Public Transport Provider contained within the Public Transport Agreement to achieve the construction of the Lisburn West New Rail Halt Ramp and Stairs.
- 2.3 On or prior to the date of Occupation of the ninety-first (91<sup>st</sup>) Residential Unit at the Development the Owner shall deposit the Ramp and Stairs Payment into the Public Transport Fund Account.
- 2.4 To transfer the unencumbered title to the land upon which the Lisburn West New Rail Halt Ramp and Stairs are to be built to the Public Transport Provider (or as it shall direct) in accordance with the terms of the Public Transport Agreement.

### **3. NOTIFICATION**

To notify the Council of any of the following:

- 3.1 any disposal of the Owner's interest in the Property and of the name and address of the new owner and the date of disposal, together with a copy of the deed of disposition within 10 Working Days of the date of disposal;
- 3.2 the Commencement of Development at least 10 Working Days prior to Commencement of Development;
- 3.3 Completion and to provide the Council with a Certificate of Completion within 10 Working Days of its issue; and
- 3.4 within 10 Working Days of its occurrence, all of:
  - 3.4.1 the Occupation Date;
  - 3.4.2 the date of Occupation of the forty-seventh (47<sup>th</sup>) Residential Unit; and
  - 3.4.3 the date of Occupation of the ninety-first (91<sup>st</sup>) Residential Unit at the Development.

### **4. MONITORING FEE**

- 4.1 On or before the date of Commencement of Development the Owner shall pay to the Council the Monitoring Fee for the purposes of monitoring compliance with this Agreement.
- 4.2 Commencement of Development shall not occur until the Monitoring Fee has been paid.

## **5. COUNCIL'S COSTS**

The Owner shall pay the Council's reasonable and proper legal costs (including those of counsel), together with all disbursements incurred in connection with advice to the Council relating to this agreement and the drafting, preparation, negotiation, completion and registration of this Agreement.

**Schedule 2**  
**COVENANTS BY THE COUNCIL**

**1. ASSISTANCE**

The Council will lend all reasonable assistance to the Owner in discharging its obligations in Schedule 1.



**Annex A  
Plans**