

# ITEM 6

## ARDS AND NORTH DOWN BOROUGH COUNCIL

A meeting of the Ards and North Down Borough Council was held in the Town Hall, The Castle, Bangor on Wednesday, 22 February 2017 commencing at 7.00pm.

### PRESENT:

**In the Chair:** The Mayor (Alderman Girvan)

**Please note amendment at the Council meeting dated 29 March 2017**

**Aldermen:**

Carson	Irvine (7.35pm)
Gibson	Keery
Graham (7.10pm)	McDowell
Henry	

**Councillors:**

Adair	Kennedy
Allen	Leslie
Armstrong-Cotter	Martin
Barry	McAlpine
Boyle	McClellan
Brooks	McIlveen
Cathcart	Menagh
Chambers	Muir
Cooper	Robinson
Cummings	Smart
Douglas	T Smith
Dunne	Thompson
Edmund	Walker
Ferguson	Wilson
	Woods

**Officers:** Chief Executive (S Reid), Director of Organisational Development and Administration (W Monson), Director of Environment (D Lindsay), Director of Community and Wellbeing (G Bannister), Interim Director of Finance and Performance (J Pentland), Director of Regeneration, Development and Planning (C Mahon), Head of Administration (A Martin), Democratic Services Manager (J Wilson) and Democratic Services Officer (E Brown)

### **1. PRAYER**

The Mayor (Alderman Girvan) welcomed everyone to the meeting and invited the Chief Executive to commence the meeting by reading the Council prayer.

**NOTED.**

**2. APOLOGIES**

Apologies for inability to attend were received from Councillor Gilmour. Apologies for lateness were received from Aldermen Graham and Irvine.

**NOTED.**

**3. DECLARATIONS OF INTEREST**

Councillor McAlpine declared an interest in Item 20 – Portaferry Market House Update.

Councillor Muir declared an interest in Items 17.1 and 17.3 – Notices of Motion about the Smart Pass Equality Campaign.

**4. MAYOR'S BUSINESS**

The Mayor (Alderman Girvan) advised Members that Alderman Fletcher had recently been in hospital after experiencing a period of ill health. His wife had since advised the Mayor that he was now recovering. The Mayor requested that a card be sent to Alderman Fletcher to wish him well, on behalf of all Members.

**AGREED.**

**5. MAYOR AND DEPUTY MAYOR ENGAGEMENTS FOR THE MONTH**

PREVIOUSLY CIRCULATED:- Copy of the Mayor and Deputy Mayor Engagements for the month of February 2017.

The Mayor remarked that she continued to be very busy attending engagements.

**NOTED.**

**6. MINUTES OF COUNCIL MEETING HELD ON 25 JANUARY 2017**

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Proposed by Councillor Thompson, seconded by Alderman Gibson, that the minutes be agreed as a correct record.

**RESOLVED that the minutes be signed as a correct record.**

**7. MINUTES OF SPECIAL COUNCIL MEETING HELD ON 14 FEBRUARY 2017**

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Proposed by Councillor Robinson, seconded by Councillor Douglas, that the minutes be agreed as a correct record.

**RESOLVED that the minutes be signed as a correct record.**

## **8. MINUTES OF COMMITTEES**

### **8.1 Environment Committee dated 1 February 2017**

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

### **8.2 Regeneration and Development Committee dated 2 February 2017**

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

**RESOLVED, on the proposal of Councillor Adair, seconded by Councillor Cummings, that the minutes be adopted.**

### **8.3 Planning Committee dated 7 February 2017**

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

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

### **8.4 Corporate Services Committee dated 14 February 2017**

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

**RESOLVED, on the proposal of Councillor McIlveen, seconded by Councillor Chambers, that the minutes be adopted.**

(Alderman Graham entered the meeting at this stage – 7.10pm)

### **8.5 Community and Wellbeing Committee dated 15 February 2017**

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

**RESOLVED, on the proposal of Councillor Dunne, seconded by Councillor Woods, that the minutes be adopted.**

## **9. REQUESTS FOR DEPUTATION (FILE: DS8)**

### **9.1 Ballyhalbert Community Association**

PREVIOUSLY CIRCULATED:- Correspondence from Ballyhalbert Community Association requesting to make a deputation on the work of the Association and its priorities moving forward.

**RESOLVED, on the proposal of Councillor Boyle, seconded by Councillor Edmund, that the deputation be heard by the Regeneration and Development Committee.**

### **9.2 Northern Ireland Housing Executive**

PREVIOUSLY CIRCULATED:- Correspondence from Northern Ireland Housing Executive advising that it was currently compiling the Housing Investment Plans for all council areas; and requesting confirmation of a date for the Housing Executive to present the Ards and North Down Investment Plan.

**RESOLVED, on the proposal of Councillor Smart, seconded by Alderman Smith, that the deputation be heard by the Corporate Services Committee.**

## **10. CONSULTATION DOCUMENTS (FILE: DS7 PTIII)**

### **10.1 Access to Healthcare for Women in Northern Ireland – Private Members Bill**

PREVIOUSLY CIRCULATED:- Correspondence from the Northern Ireland Assembly seeking the Council's views on a proposal to introduce legislation to protect access to healthcare for women in Northern Ireland by introducing a safe access zone around sexual and reproductive healthcare services.

**RESOLVED, on the proposal of Councillor Woods, seconded by Councillor Barry, that the correspondence be noted.**

### **10.2 The Reformed IFR Policy Document and Guide for Patients and Service Users**

PREVIOUSLY CIRCULATED:- Copy of the above consultation document from the Department of Health.

**RESOLVED, on the proposal of Councillor Chambers, seconded by Alderman Henry, that the consultation document be noted.**

### **10.3 DAERA Knowledge Framework (Education Strategy)**

PREVIOUSLY CIRCULATED:- Copy of the above consultation document from the Department of Agriculture, Environment and Rural Affairs.

**RESOLVED, on the proposal of Councillor Thompson, seconded by Councillor Barry, that the consultation document be noted.**

#### **10.4 Draft Adoption and Children Bill**

PREVIOUSLY CIRCULATED:- Copy of the above consultation document from the Department of Health.

**RESOLVED, on the proposal of Councillor Douglas, seconded by Councillor Adair, that the consultation document be noted.**

### **11. CONFERENCES, INVITATIONS ETC (FILE: DS11 PART 2)**

#### **11.1 Agenda NI – Three Scenarios for Leaving the European Union**

PREVIOUSLY CIRCULATED:- Correspondence from Agenda NI detailing the above event to be held on 30 March 2017.

**RESOLVED, on the proposal of Alderman Carson, seconded by Councillor Muir, that the correspondence be noted.**

#### **11.2 The Consumer Council – Consumer Parliament Event**

PREVIOUSLY CIRCULATED:- Correspondence from The Consumer Council detailing the above event to be held on 24 March 2017.

**RESOLVED, on the proposal of Alderman Carson, seconded by Alderman Henry, that the correspondence be noted.**

### **12. PEACE IV (FILE: 142040)**

PREVIOUSLY CIRCULATED:- Report dated 10 February 2017 from the Director of Community and Wellbeing stating that the Special European Union Programmes Body (SEUPB) had awarded Ards and North Down Borough Council a total of approximately £3.3 million of PEACE IV funding. A Draft Letter of Offer (LOO) had been received and a final and formal LOO would be issued in due course. All PEACE IV funding had to be spent by March 2019.

It had previously been reported to Members that the Council's Draft LOO had contained a number of "pre-conditions" of grant and "project implementation" conditions. A response had been submitted to SEUPB in relation to the "pre-conditions" of grant by the deadline of 14 February 2017 and a second deadline of 21 March 2017, had been set for further information on "project implementation" conditions before "permission to start" would be granted.

Although the PEACE IV Programme had been officially launched by SEUPB, a PEACE IV Communications Plan would not be initiated until the Council was in receipt of a final LOO and "permission to start" had been granted. Officers were currently working with other Council Departments, to draw up a consultation plan, for further community engagement and consultation, which would be required for a

number of projects. Further community engagement and consultation would be initiated once “permission to start” had been granted.

The PEACE IV Partnership, which had delegated powers to implement the programme, had agreed how the approved projects, which were detailed in the Ards and North Down PEACE Plan, would be delivered (Table 1).

**Table 1: Delivery Mechanisms**

CYP1	Capacity Building and Youth Leadership Programme	Public Tender
CYP2	Youth Shelters	ANDBC – Direct Delivery
CYP3	Early Intervention Programme	Public Tender
CYP4	Primary Schools (Out of School) Active Diversity and Good Relations Programme	Public Tender
CYP5	Community Based Sports and Good Relations Programme	Public Tender
SSS1	Shared Spaces and Services	ANDBC - Direct Delivery
BPR1	Personal Development and Training	Public Tender
BPR 2	Open Dialogue	ANDBC - Direct Delivery
BPR3	Connecting Communities	ANDBC - Direct Delivery
BPR4a	Cross Community Intercultural Theatre Programme	ANDBC - Direct Delivery
BPR4b	Cross Border Intercultural Puppetry	ANDBC - Direct Delivery
BPR4c	Genealogy and Story Telling	ANDBC - Direct Delivery
BPR4d	Musical Traditions	ANDBC - Direct Delivery
BPR4e	Celebration of our Minority Communities	ANDBC - Direct Delivery
BPR 4f	Community Based Arts Programme	Public Tender

Further details of each of the approved projects would be reported to the Council, once SEUPB had granted “permission to start” and tender documentation had been approved.

At the PEACE IV meeting on 9 February 2017, the Partnership had adopted a Partnership Agreement, which set out how the Partnership would be governed and how conflicts of interest would be managed. The Partnership Agreement was also subject to approval by SEUPB as part of the “pre-conditions” of grant.

RECOMMENDED that the report be noted.

**RESOLVED, on the proposal of Alderman Carson, seconded by Councillor Robinson, that the recommendation be adopted.**

(Councillor Ferguson left the meeting at this stage – 7.14pm)

### **13. REQUEST FOR USE OF CAR PARKING SPACES TO SITE A FUNFAIR (FILE: 140143)** (Appendix I)

PREVIOUSLY CIRCULATED:- Report dated 15 February 2017 from the Director of Organisational Development and Administration stating that the Council had

received the attached letter from Mohan's Funfairs applying to use a car park (60 car parking spaces) in the centre of Bangor over the Easter holidays.

In previous years that funfair had been situated at the Abbey Street entrance to Castle Park. Unfortunately, that site was currently not available due to the ongoing works by NI Water to upgrade the pumping station there.

The Corporate Leadership Team had considered the request and was unable to recommend approval to the Council as, over the Easter holidays, car parking was at a premium in the town centre and it was considered that a reduction of 60 spaces would cause significant issues for both traders and residents/shoppers. The McKee clock Arena (the only other potential site) was already committed to an alternative use for the Easter Weekend events.

**RECOMMENDED** that the application from Mohan's Funfairs to use 60 car parking spaces in a carpark in the centre of Bangor over the Easter period be declined for the reasons set out in this report.

Councillor Cathcart stated that he felt torn about the situation as whilst he welcomed the funfair visiting the town he did not welcome the reduction in car park spaces. He further stated that the previous site for the funfair at the Abbey Street entrance to Castle Park had been ideal, given that it increased footfall along Abbey Street. He advised that he had spoken to the Director of Organisational Development and Administration earlier that day about alternative options and he sought an update on the matter from the Director.

In response, the Director of Organisational Development and Administration confirmed that she had spoken to the funfair organiser about possible alternatives. She reported that the organiser was very specific about which sites it would consider; those being the carpark opposite the train station and a site along the seafront i.e. Queen's Parade or Quay Street. Furthermore, she had suggested the organiser contacted local schools and the college in respect of potential alternative sites, however the organiser had made it clear that they were only interested in the aforementioned sites near the train station and seafront.

Councillor Cathcart asked whether the funfair would be willing to return to Bangor in 2018 if their request was not granted this year. The Director advised that the applicant had not indicated their plans for the following year.

Councillor Woods enquired if a compromise could be reached such as allowing a restricted fair, so that part of the Abbey Street site could still be made available. The Director responded that she had not discussed that option with the applicant but it was unlikely due to the space available.

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

(Councillor Ferguson returned to the meeting at this stage – 7.16pm)

## 14. TRANSFERS OF RIGHTS OF BURIAL

The following transfer applications were received:-

Name	Transferred to	Cemetery	Section	No
E McCormick	G Poots	Movilla	50	75
E McCormick	M Magee	Movilla	50	76
B Gilpin	S Johnston	Grave Plot Number MX 5371		

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

**THAT** the above Transfers be approved.

## 15. SEALING DOCUMENTS

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

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

- a) Lease of Premises at John Street, Newtownards
- b) Licence Agreement – Licence to Peninsula Healthy Living Partnership Limited
- c) Ice Cream Vending Licence– John Gibson of Herbie’s Ices for Bank’s Lane, Ballyholme
- d) Ice Cream Vending Licence – John Gibson of Herbie’s Ices for Ward Park, Bangor
- e) Ice Cream Vending Licence – Robin Adair of Tigger’s Ices for Harbour Road, Groomsport
- f) Ice Cream Vending Licence – Robert Neill of Carousel Ices for Seapark, Holywood
- g) Grant of Right of Burials Nos 12239 - 12280

## 16. NOTICES OF MOTION STATUS REPORT

(Appendix II)

PREVIOUSLY CIRCULATED: - Report dated 16 February 2017 from the Director of Organisational Development and Administration attaching a Status Report in respect of Notice of Motions.

This was a standing item on the Council agenda each month and its aim was to keep Members updated on the outcome of motions. It was noted that as each motion was dealt with it would be removed from the report.

RECOMMENDED that the report be noted.



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

(Councillor Muir declared an interest and left the meeting at this stage – 7.18pm)

## **17. NOTICES OF MOTION**

### **17.1 Notice of Motion submitted by Councillor Boyle**

"That this Council notes the recent establishment of the Smart Pass Equality Campaign, and endorses its call for the full fare concessionary travel pass to be issued to all people who are unable to drive for medical reasons.

It further agrees to write to the Minister for Infrastructure along with the Minister for Finance urging them to implement this extension as soon as possible."

**RESOLVED, on the proposal of Councillor Boyle, seconded by Councillor Barry, that the Notice of Motion be referred to the Corporate Services Committee.**

### **17.2 Notice of Motion submitted by Councillor Martin**

"Council notes the recent decision by the High Court to grant preemptive rights to a third party regarding the purchase of Portavo Reservoir. It notes that this judgement is a disappointing decision for both this Council and NIW. It further writes to Northern Ireland Water and the Minister for Infrastructure Chris Hazzard to ascertain whether they intend to appeal the decision. Finally, Council reaffirms its expression of interest in acquiring Portavo for the residents of the Borough subject to a favourable economic appraisal."

**RESOLVED, on the proposal of Councillor Martin, seconded by Councillor Cathcart, that the Notice of Motion be referred to the Community and Wellbeing Committee.**

### **17.3 Notice of Motion submitted by Councillor Robinson**

"This council notes the recent establishment of the Smart Pass Equality Campaign, endorses its call for the full fare concessionary travel pass to be issued to all people who are unable to drive for medical reasons, and will write to the Minister for Infrastructure and the Minister for Finance, urging them to implement this extension as soon as possible."

Councillor Robinson withdrew her notice of motion, given its similarity to the one submitted by Councillor Boyle at Item 17.1.

**NOTED.**

(Councillor Muir returned to the meeting at this stage – 7.20pm)

**17.4 Notice of Motion submitted by Councillor McClean**

“That this Council expresses shock that the outgoing Executive, and specifically the Ministers for Education and Communities, managed only to allocate 6% of the budget earmarked in the Fresh Start Agreement for shared projects; notes that this money is now likely to be returned to Her Majesty's Treasury and lost to Northern Ireland; and expresses its anger that this money is being lost at the same time as cuts are being made to Outdoor Education Centres and home-to -school transport, all while school budgets remain in a state of turmoil. That, furthermore, Council writes to said Ministers to convey this, inviting them to address Council on the matter.”

**RESOLVED, on the proposal of Councillor McClean, seconded by Councillor Chambers, that the Notice of Motion be referred to the Corporate Services Committee.**

**17.5 Notice of Motion submitted by Councillor Muir**

“That this Council agrees to write to Royal Mail requesting they reconsider the decision not to replace Post Box at Station Road, Craigavad.”

**RESOLVED, on the proposal of Councillor Muir, seconded by Councillor Barry, that the Notice of Motion be referred to the Corporate Services Committee.**

**EXCLUSION OF PUBLIC/PRESS**

**AGREED, on the proposal of Councillor Barry, seconded by Councillor Douglas, that the public/press be excluded during the discussion of the undernoted items of confidential business.**

**18. AWARD OF INTERNAL AUDIT SERVICES TENDER (FILE: 700093) (Appendix III)**

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

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

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

**19. REPLACEMENT ARDS LEISURE FACILITY – PROPOSAL TO CHANGE ROOF SPECIFICATION AS PART OF VALUE ENGINEERING EXERCISE (FILE: PCU 24D)**

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

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

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

(Councillor McAlpine declared an interest and left the meeting at this stage – 7.25pm)

## **20. PORTAFERRY MARKET HOUSE - UPDATE (FILE: PCU 17)**

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

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

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

(Councillor McAlpine returned to the meeting at this stage – 7.25pm)

## **ORDER OF BUSINESS**

With the exception of the Chief Executive, Director of Organisational Development and Administration, Democratic Services Manager and Democratic Services Officer, all staff withdrew from the meeting during the discussion of Item 21 - 7.30pm.

## **21. STAFFING MATTER**

**\*\*\*STAFF IN CONFIDENCE\*\*\***

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

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

(Staff returned to the meeting at this stage – 7.39pm)

## **22. CALL-IN REPORT (FILE: CW74) (Appendix IV)**

**\*\*\*LEGAL IN CONFIDENCE\*\*\***

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

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

## **RE-ADMITTANCE OF PUBLIC/PRESS**

**AGREED, on the proposal of Alderman Carson, seconded by Alderman Keery, that the public/press be re-admitted to the meeting.**

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

### **Circulated for Information**

- (a) Education Authority - Quarterly Equality Screening Report Oct - Dec 2016 (Copy attached)
- (b) The William Keown Trust Newsletter (Copy attached)
- (c) Post Office – Comber Post Office (Letter attached)
- (d) SONI – North South Interconnector Project (Letter attached)
- (e) Transport NI – Disabled Persons Parking – Blenheim Drive, Newtownards (Letter attached)
- (f) Transport NI – Disabled Persons Parking – Elm Drive, Newtownards (Letter attached)
- (g) Transport NI – Disabled Persons Parking – Killinchy Street, Comber (Letter attached)
- (h) Transport NI – Disabled Persons Parking – John Street Lane, Newtownards (Letter attached)
- (i) Department for Infrastructure – Proposed Traffic Calming – Park Drive, Bangor (Letter attached)
- (j) NI Courts and Tribunals Service – Increase in Court Fees from 1 April 2017 (Letter attached)
- (k) Department of Health Public Appointment – Safeguarding Board for NI (SBNI 1/169) (Copy information attached)

**NOTED.**

### **TERMINATION OF MEETING**

The meeting terminated at 8.36pm.