



March 25th, 2025

**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, 25th March 2025** at **7:00 pm** in the Council Chamber for the transaction of the business on the undernoted agenda.

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

# Agenda

## 1.0 BUSINESS OF THE RIGHT WORSHIPFUL THE MAYOR

*For Noting*

📄 *Mayor and Deputy Mayor Engagements for Council March 2025.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)

📄 *Disclosure of Interests form Sept 24.pdf*

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## 4.0 COUNCIL MINUTES

### 4.1 Meeting of Council - 25 February, 2025

*For Approval*

📄 *MM 25 02 2025 Draft Minutes for Adoption.pdf*

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## 5.0 MATTERS ARISING

## 6.0 DEPUTATIONS

*For Information*

- 6.1 To receive representatives from Fibrus regarding its response to emergency, business continuity and resilience for reinstatement of broadband post Storm Eowyn

## 7.0 BUSINESS REQUIRED BY STATUTE

### 7.1 Signing of Legal Documents

*For Decision*

Lisburn and Castlereagh City Council and Cobra Specialist Security Services Ltd, Unit C6, Knockmore Hill Business Park, 9 Ferguson Drive, Lisburn BT28 2EX – Deed of Variation relating to T21/22-037 Lock and Unlock, Key Holding and Alarm Response Service for Council Facilities – Lot 2 – Open/Close with Visual Inspection, Litter Lift and Disposal including Toilet Cleaning







Lisburn and Castlereagh City Council and AECOM Limited, 10<sup>th</sup> Floor, The Clarence West Building, 2 Clarence Street West, Belfast BT2 7GP – Letter of Appointment – T24/25-034 The Appointment of an Integrated Consultancy Team to produce an Outline Business Case (OBC) for the Delivery of an Environmental

## Improvement Scheme in Carryduff Town Centre

Lisburn and Castlereagh City Council and Perfect Circle JV Limited, Halford House, Charles Street, Leicester LE1 1HA – Delivery Agreement in respect of Full Business Case and Addendum to Outline Business Case for Destination Royal Hillsborough

### **8.0 ADOPTION OF MINUTES OF COMMITTEES**

*For Approval*

- |            |   |                |
|------------|---|----------------|
| <b>8.1</b> | <b>Communities and Wellbeing Committee - 4 March, 2025</b>  |                |
|            | <a href="#"> CWC 04 03 2025 DRAFT Minute for Adoption.pdf</a>      | <i>Page 17</i> |
| <b>8.2</b> | <b>Environment and Sustainability Committee - 5 March, 2025</b>   |                |
|            | <a href="#"> ESC 05.03.2025 Draft Minutes for Adoption.pdf</a>     | <i>Page 28</i> |
| <b>8.3</b> | <b>Regeneration and Growth Committee - 6 March, 2025</b>  |                |
|            | <a href="#"> RGC 06 03 2025 Draft Minutes for Adoption.pdf</a>   | <i>Page 34</i> |
| <b>8.4</b> | <b>Corporate Services Committee - 12 March, 2025</b>  |                |
|            | <a href="#"> CSC 12 03 2025 DRAFT Minute for adoption.pdf</a>    | <i>Page 42</i> |
| <b>8.5</b> | <b>Governance and Audit Committee - 13 March, 2025</b>  |                |
|            | <a href="#"> G A 13.03.2025 Draft Minutes for Adoption.pdf</a>   | <i>Page 50</i> |
| <b>8.6</b> | <b>Planning Committee - 3 February, 2025 (FOR NOTING)</b>   |                |
|            | <a href="#"> PC 03.02.2025 - Ratified Minutes FOR NOTING.pdf</a> | <i>Page 55</i> |

### **9.0 REPORT FROM CHIEF EXECUTIVE**

None

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

None

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

None

## 12.0 NOTICES OF MOTION

*For Decision*

### 12.1 No.1 on the subject of Hilden Mill in the name of Councillor G Hynds

 *NOM1 - Hilden Mill.pdf*

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### 12.2 No.2 on the subject of Role of Dogs in the name of Councillor A P Ewing

 *NOM2 - Role of Dogs.pdf*

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## 13.0 CONFIDENTIAL BUSINESS

All items are confidential due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information)

### 13.1 Requirement to Enter into a Modified Section 76 Planning Agreement for Planning Application LA05/2023/0953/F

*For Decision*

### 13.2 Requirement to Enter into a Section 76 Planning Agreement for Planning Application LA05/2021/0033/F

*For Decision*

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### 13.3 Requirement to Enter into a Section 76 Planning Agreement for Planning Application LA05/2022/0562/F

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## 14.0 ANY OTHER BUSINESS

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

### **Sunday 23<sup>rd</sup> February**

Mayor to attend 50th Anniversary Celebration Weekend, Thanksgiving Service with 1st Royal Hillsborough Boys Brigade, Hillsborough Presbyterian Church

### **Tuesday 25<sup>th</sup> February**

Mayor to attend Northern Ireland Braille and Beyond Event to celebrate and honour 200 years of Braille, Lisburn Library

### **Wednesday 26<sup>th</sup> February**

Mayor to open RNIB's Technology Fair 2025, Lagan Valley Island

Mayor to meet with Lucy Best and Caolan McConville to wish them success as part of the Special Olympics Ireland team heading to the Special Olympics Winter Games in Turin, Italy

### **Thursday 27<sup>th</sup> February**

Mayor to welcome Minister Lyons to the Landlord Registry Scheme Launch Event, Lagan Valley Island

### **Friday 28<sup>th</sup> February**

Mayor to attend Empower 2 Transform Project Graduation Ceremony with the Lisburn YMCA, SERC Lisburn

Mayor to host reception for the Breda Cadets, winners of the ABF The Soldiers' Charity UK Revision Cadet Challenge for the 2nd year in a row, Lagan Valley Island

### **Sunday 2<sup>nd</sup> March**

Mayor to attend the celebration of the renovation of the Ballinderry Moravian Church

### **Wednesday 5<sup>th</sup> March**

Mayor to attend Fusion Theatre's Sound of Music, Lagan Valley Island

### **Friday 7<sup>th</sup> March**

Mayor to visit Killowen Primary School to meet with their school council

Mayor to attend International Women's Day 2025 event, Irish Linen Centre

**Saturday 8<sup>th</sup> March**

Mayor to attend Gala Night Lagan Festival, Speech, Drama & Music Festival, Crowne Plaza, Belfast

**Monday 10<sup>th</sup> March**

Mayor to host flag raising ceremony for Commonwealth Day, Lagan Valley Island

**Tuesday 11<sup>th</sup> March**

Mayor to welcome everyone attending LCCC International Women's Day event, Lagan Valley Island

Mayor & Cllr Craig to host reception for Derriaghy Football Club on winning the Steel & Sons Cup, Lagan Valley Island

**Wednesday 12<sup>th</sup> March**

Mayor to attend LCCC Environmental Youth Speak Competition, Lagan Valley Island

Mayor to attend Shine-A-Light for CalebsCauseNI Event, Stormont

**Thursday 13<sup>th</sup> March**

Mayor to host the Probus Club for the Launch of their 50<sup>th</sup> Anniversary Book, Lagan Valley Island

Mayor to host, Mayor's Community Awards, La Mon Hotel

**Saturday 15<sup>th</sup> March**

Mayor to attend Irish Dancing event as part of Irish Language Week, Lagan Valley Island

Mayor to attend the Annual Orange Community Awards Ceremony, Lagan Valley Island

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

Deputy Mayor to attend Crewe Utd's FC Annual Dinner, Maldron Hotel, Belfast International Airport

LISBURN & CASTLEREAGH CITY COUNCIL

MEMBERS DISCLOSURE OF INTERESTS

1. Pecuniary Interests

The Northern Ireland Local Government Code of Conduct for Councillors under Section 6 requires you to declare at the relevant meeting any pecuniary interest that you may have in any matter coming before any meeting of your Council.

Pecuniary (or financial) interests are those where the decision to be taken could financially benefit or financially disadvantage either you or a member of your close family. A member of your close family is defined as at least your spouse, live-in partner, parent, child, brother, sister and the spouses of any of these. Members may wish to be more prudent by extending that list to include grandparents, uncles, aunts, nephews, nieces or even close friends.

This information will be recorded in a Statutory Register. On such matters **you must not speak or vote**. Subject to the provisions of Sections 6.5 to 6.11 of the Code, if such a matter is to be discussed by your Council, **you must withdraw from the meeting whilst that matter is being discussed**.

2. Private or Personal Non-Pecuniary Interests

In addition you must also declare any significant private or personal non-pecuniary interest in a matter arising at a Council meeting (please see also Sections 5.2 and 5.6 and 5.8 of the Code).

Significant private or personal non-pecuniary (membership) interests are those which do not financially benefit or financially disadvantage you or a member of your close family directly, but nonetheless, so significant that could be considered as being likely to influence your decision.

Subject to the provisions of Sections 6.5 to 6.11 of the Code, you must declare this interest as soon as it becomes apparent and **you must withdraw from any Council meeting (including committee or sub-committee meetings) when this matter is being discussed**.

In respect of each of these, please complete the form below as necessary.

Pecuniary Interests

Meeting (Council or Committee - please specify and name):

\_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Item(s) in which you must declare an interest (please specify item number from report):

\_\_\_\_\_

Nature of Pecuniary Interest:

**Private or Personal Non-Pecuniary Interests**

Meeting (Council or Committee - please specify and name):

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Date of Meeting: \_\_\_\_\_

Item(s) in which you must declare an interest (please specify item number from report):

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Nature of Private or Personal Non-Pecuniary Interest:

Name:

Address:

Signed:

Date:

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*If you have any queries please contact David Burns, Chief Executive,  
Lisburn & Castlereagh City Council*

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**LISBURN & CASTLEREAGH CITY COUNCIL**

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**Minutes of the Meeting of Council held in the Council Chamber Lagan Valley Island and Remote Locations on Tuesday 25 February, 2025 at 7:02 pm****PRESENT**

The Right Worshipful the Mayor  
Councillor K Dickson

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

Councillors R T Beckett, S Burns, P Catney, D J Craig,  
N Eaton, A P Ewing, A Givan, A Gowan, J Harpur,  
B Higginson, C Kemp, J Lavery BEM, S Lowry, D Lynch,  
U Mackin, A Martin, G McCleave, C McCready, M McKeever,  
R McLernon, T Mitchell and G Thompson

**REMOTE:**

Deputy Mayor, Councillor R Carlin  
Aldermen O Gawith and S Skillen, and Councillors D Bassett,  
J Gallen, G Hynds and Hon N Trimble

**IN ATTENDANCE:**

Lisburn & Castlereagh City Council

Chief Executive  
Director of Leisure & Community Wellbeing  
Director of Organisation Development and Innovation  
Director of Regeneration and Growth  
Director of Environmental Services (Acting)  
Head of Finance  
Corporate Communications Manager  
Member Services Officers (BS, EW)  
IT Officer  
Technician

**Commencement of the Meeting**

At the commencement of the meeting, the Right Worshipful the Mayor, Councillor K Dickson, welcomed those present to the February 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 Chief Executive outlined the evacuation procedures in the case of an emergency.

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.

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## Commencement of the Meeting (Cont'd)

The Right Worshipful the Mayor remembered Councillor Nicola Parker on the death of her step-father, Mr Robert Beattie, in recent days.

Alderman J Tinsley informed the Council of the passing of a former Member of the Lisburn Borough Council, Rev William Beattie, and asked that the Beattie family be remembered in thoughts and prayers.

The Right Worshipful the Mayor extended a welcome to the newly appointed Corporate Communications Manager, Eoin Jennings, who had commenced employment recently with the Council, and stated that he looked forward to working with Eoin in the near future.

## Prayers

The Right Worshipful the Mayor welcomed his Chaplain, Rev Stephen Reain-Adair to the meeting. Rev Reain-Adair gave an address and said a prayer during which he too remembered the bereaved families mentioned by the Mayor, following which Rev Reain-Adair left the meeting.

## 1. Business of The Right Worshipful the Mayor

### 1.1 Mayor's Engagements

The Council noted a number of engagements attended by The Right Worshipful the Mayor, Councillor K Dickson, and the Deputy Mayor, since the previous meeting of Council.

At this point, The Right Worshipful the Mayor, Councillor K Dickson, referred to his ongoing project with local eco-schools. A short video of a recent visit by the Mayor to Carr Primary School in Lisburn was played, which showed some of the pupils from the school's eco-club in discussion with the Mayor about plans to have chickens and/or ducks in their eco garden. The Mayor thanked the staff and pupils of Carr Primary School for facilitating his visit.

## 2. Apologies

It was agreed to accept apologies for non-attendance at the meeting on behalf of Alderman S P Porter, Councillors P Kennedy and N Parker, and the Director of Finance & Corporate Services.

## 3. Declarations of Interest

At the outset the Right Worshipful the Mayor referred to a recent discussion at a Committee meeting earlier in the month on the protocol for declaration of Members' interests and in order to provide clarity around this protocol made a number of points.

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### 3. Declarations of Interest (Cont'd)

The Mayor reminded Members of the report that had been published last year by the Assistant Commissioner for Standards which had arisen from a previous case of this Council. In that report it had stated clearly that Members should first declare any conflict of interest at the beginning of the meeting or before the item is discussed and that the Member(s) should leave the meeting during the discussion of that item for both pecuniary and significant non-pecuniary interests. The report also stated that there was an onus on other Members of the Committee to voice their concern and to challenge other Members if they deem it necessary if they are aware of a conflict another Member might have and which that Member has not declared.

The Right Worshipful the Mayor emphasised that the onus on maintaining the ethics and standards of this Council falls on all Members of Council.

The following non-pecuniary declarations of interest were declared in respect of item 8.1 Adoption of Communities & Wellbeing Committee Minutes of 4 February 2025

- Alderman S Skillen in respect of membership of: a) Ballybeen Improvement Group, b) Pride of Ballybeen and c) Dundonald Purple Vine which are listed as seeking funding under the Community Festivals Fund (CWC Minute item 4.2 refers), and
- Councillor A Gowan, – in view of family members attending Annahilt Primary School and Friends School Lisburn and having assisted Dromara Connect and Annahilt WI in their applications for funding under the Community Support Grant Fund (CWC Minute item 4.1 refers).

### 4. Council Minutes

#### 4.1 Meeting of Council – 28 January 2025

It was proposed by Alderman James Tinsley, seconded by Alderman A Grehan, and agreed that the minutes of the meeting of Council held on 28 January 2025 be confirmed and signed.

#### 4.2 Special Meeting of Council – 6 February 2025

It was proposed by Alderman J Tinsley, seconded by Alderman A Grehan, and agreed that the minutes of the Special meeting of Council held on 6 February 2025 be confirmed and signed.

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## 5. Matters Arising

### 5.1 Council Meeting held on 28 January 2025

#### Follow Up on Actions from Special Council Meeting to Receive DfI Roads (Eastern Division) – 18 November, 2024

Further to the issues raised at the previous meeting of Council, Councillor J Lavery expressed dissatisfaction that there still had been no updates on the number of queries that had been raised with DfI Roads at the special meeting of Council on 18 November, 2024, including the issue he, himself, had raised in connection with Brookfield Special School. Councillor Lavery thanked the Director for his recent efforts in following up on any response from DfI Roads.

Councillor C McCreedy also spoke on this matter and wished to be associated with the sentiments expressed by Councillor J Lavery.

It was agreed on a proposal by Councillor J Lavery, seconded by Councillor C McCreedy that:

- DfI Roads (Eastern Division) be requested to present themselves to the Council again to explain why there has been no reply to the Council's queries and to give an assurance that this would not happen again, and
- the Council writes to the Minister for Infrastructure conveying the Council's dissatisfaction in this matter and seeking clarity on why this Council had not received any correspondence back on all the issues raised, in particular the issue of the functionality about the online portal which was meant to be working for all Elected Members across Northern Ireland.

## 6. Deputations

There were no deputations.

## 7. Business Required by Statute

### (i) Signing of Legal Documents

It was proposed by Alderman J Baird, seconded by Alderman M Gregg, and agreed that the following legal document be signed at the meeting:

- Lisburn and Castlereagh City Council and Claraghlea Ltd, 156 St Dymphna's Road, Dromore BT78 3LY – Letter of Appointment for Programme of Minor Works for 10 Vacant Shopfronts in Lisburn City Centre (T24/24-035)
- Lisburn and Castlereagh City Council and Gibson Quarries (Banbridge) Ltd, 1 Kilmacrew Road, Banbridge BT32 4ES – Contract for Annual Tender Schedule – AT3 Supply/Delivery/Laying of Quarry and Bituminous Bound Materials and Associated Items – 1<sup>st</sup> December – 30<sup>th</sup> November 2027 (T24/25-019)

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

- Lisburn and Castlereagh City Council and John McQuillan (Contracts) Ltd, 11 Ballinderry Road, Lisburn BT28 2SA – Contract for Annual Tender Schedule – AT3 Supply/Delivery/Laying of Quarry and Bituminous Bound Materials and Associated Items – 1<sup>st</sup> December – 30<sup>th</sup> November 2027 (T24/25-019)
- Lisburn and Castlereagh City Council and Northstone (NI) Limited Materials Division, Croaghan Quarry, Shinny Road, Coleraine BT51 4PS – Contract for Annual Tender Schedule – AT3 Supply/Delivery/Laying of Quarry and Bituminous Bound Materials and Associated Items – 1<sup>st</sup> December – 30<sup>th</sup> November 2027 (T24/25-019)
- Lisburn and Castlereagh City Council and Devity Contract Services Ltd, 40 Devesky Road, Carrickmore BT79 9BU – Contract for Hydebank Pavilion Refurbishment and Toilet Provision (T23/24-024)
- Lisburn and Castlereagh City Council and Atkinsrealis, The Vantage, 32-36 Great Victoria Street, Belfast BT2 7BA – Contract for the provision of Professional Services for Hamilton's Shed Staff Accommodation Project
- Lisburn and Castlereagh City Council and BHSF, 13<sup>th</sup> Floor, 54 Hagley Road, Birmingham B16 8PE – Contract for Occupational Health Services 2024 (T24/25-018)

8. Adoption of Minutes of Committees**Communities & Wellbeing Committee****4 February 2025**

Proposed by Councillor D J Craig

Seconded by Alderman H Legge

Matters ArisingLocal PEACEPLUS Action Plan: Theme 1 Regeneration\Transformation Match Funded Projects

Chairperson, Councillor D J Craig, advised that as this matter had been raised at a previous meeting under Confidential Business he would wish to seek a further update later in the meeting during Confidential Business.

**Environment & Sustainability Committee****5 February 2025**

Proposed by Councillor P Catney

Seconded by Alderman Tinsley

In proposing the minutes of the committee Cllr Catney, Chairperson, referred to item 4.6, relating to a proposal to procure an additional four vehicles, and advised that this could not be progressed on the assumption of a previous business case. It was noted that in line with the Council's financial regulations and good governance, officers would present a new business case to the Environment and Sustainability Committee on 5<sup>th</sup> March 2025.

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## Matters Arising

### Item 4.6 Page 69

#### Fleet Strategy

At the request of Alderman J Tinsley and following questions and concerns raised by Alderman M Gregg on this matter, the Chief Executive provided an update on the procurement of four new RCVs. He confirmed that the four vehicles had been ordered and that there had been no unnecessary delay during the procurement process.

#### Remote Attendance by Members

Alderman A Grehan referred to a recent request by a Member that, until the necessary software was in place to allow Members on Zoom to be displayed on a screen in the Council Chamber, the names of those attending remotely would be read out. Alderman Grehan requested that the names be read out at this point in the meeting.

The Chief Executive advised that those Members on Zoom had been displayed on the screens up until the start of the meeting that evening. He also updated Members on the progress to date in relation to the purchase of the above-mentioned software.

The Right Worshipful the Mayor then read out the names of the seven Members who were in attendance remotely.

Alderman A G Ewart proposed that a technician be made available to attend all Committee meetings until the new software was in place in order that the names of those attending remotely could be displayed on screen, similar to the arrangement at Council meetings.

The Chief Executive explained the technical difficulties of Alderman Ewart's proposal, including the lack of budget and staff resources. He also indicated that these issues tied in with the recent Notice of Motion on the subject of Transparency that had been considered and agreed at the Corporate Services Committee this month, and that financial costings were being prepared currently. The Chief Executive advised that a report would come back to Members for consideration in terms of the motion's wider proposal.

The Chief Executive responded to a number of further comments by Alderman Ewart and provided further clarification in relation to Alderman Ewart's proposal. The Chief Executive undertook to discuss the matter further with the Director of Finance & Corporate Services and Alderman Ewart off line.

Alderman Ewart withdrew his proposal.

**Corporate Services Committee**  
Proposed by Councillor N Trimble  
Seconded by Councillor N Eaton

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**Regeneration & Growth Committee**

Proposed by Alderman A Grehan

Seconded by Alderman A G Ewart

**Planning Committee (for Noting)**

6 January 2025

The minutes of the Planning Committee meeting of 6 January 2025 had been circulated for noting as these minutes had been agreed at the subsequent meeting of the Planning Committee on 3 February 2025. It was proposed by Alderman M Gregg, seconded by Councillor S Burns, and agreed that their contents be noted.

9. Report from Chief Executive

There were no reports from the Chief Executive.

10. Reports from Members on Boards

There were no reports from Members on Boards.

11. Reports on Decisions Subject to the Reconsideration Procedure

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

12. Notices of Motion

There were no Notices of Motion for consideration.

13. Confidential Business

There was no confidential business for consideration.

14. Any Other Business14.1 Belfast Rapid Transit Phase 2  
Councillor J Harpur

Further to the Minister's announcement earlier that day about the next steps for Phase 2 of the Belfast Rapid Transit project Councillor Harpur expressed disappointment that the plans to extend the new Glider service to Carryduff had been dropped and that once again Carryduff had been left out. Councillor Harpur referred to the increased demand for improved public transport links in Carryduff.

Councillor Harpur stated that despite clear evidence and repeated calls from residents the Glider service was not being extended to one of the fastest growing communities in the region. He emphasised that questions must be asked on what

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14.1 Belfast Rapid Transit Phase 2 (Cont'd)  
Councillor J Harpur

measures DfI would bring forward to address this shortfall. Carryduff need clear commitments on alternative improvements such as enhanced bus services, active travel investment and better connectivity across Castlereagh South. Councillor Harpur stated that this tied directly in with the wider Active Travel plan and if the government are serious about reducing car dependency the infrastructure that makes walking cycling and public transport must be realistic options.

Councillor B Higginson concurred with the sentiments raised by Councillor J Harpur.

It was proposed by Councillor J Harpur, seconded by Councillor B Higginson and agreed that the Council writes to the Minister for Infrastructure to seek clarity on what measures would be introduced to make sure Carryduff gets the transport investment it needs. Councillor Harpur emphasised that the people in Carryduff deserve answers and that the Department must be clear on how they intend to deliver real transport solutions for this area now and in the future.

The Deputy Mayor, Councillor R Carlin, and Councillor J Gallen having made specific comments on this matter also spoke in support of Councillor Harpur's proposal.

14.2 Development of Land deemed Protected  
Councillor J Lavery

Councillor J Lavery advised that he had been notified earlier that day by a number of residents from the Castlereagh East DEA about work taking place on a portion of land deemed protected between Millmount and Ballyoran House and Old Mill Grove. It was noted that this land had been proposed previously for development but because of its protected status the application had fallen.

Councillor Lavery advised that there had been work on-going to clear hedgerows and trees and enquired as to a) who had authorised this work, b) the reasons for the work being carried out and c) who owns this land. Councillor Lavery requested that the Director of Regeneration & Growth provide this information to the six elected Members representing Castlereagh East, and also to give assurances that an enforcement officer would be sent out to the site to review these works. Councillor Lavery also stated that these works had commenced without any consultation with the residents in the area.

Councillor J Harpur left the meeting at 7.38 pm.

Alderman M Gregg advised that he had emailed enforcement officers already on this matter and put on record his concerns in relation to these works as there are special habitats in that area. He stated that trees were being destroyed and wildlife was being disturbed and that the onus is on the person doing these works to put the land back to the way it was before.

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14.2 Development of Land deemed Protected (Cont'd)  
Councillor J Laverty

Alderman S Skillen also spoke on this matter having been contacted also by residents. She too had contacted the Planning team.

The Director of Regeneration & Growth confirmed that the Council had received a report the previous evening of the above-mentioned works to the piece of land in question. He advised that he had spoken with Councillor Laverty that afternoon and had assured him that Officers would go out first thing the following morning as a matter of urgency. The Director also advised that the relevant files had been reviewed and Officers were aware of what is permitted and what is not permitted on that site.

14.3 Litter and Dog Fouling  
Alderman A G Ewart

Alderman A G Ewart expressed concern in relation to a response to a recent Freedom of Information (FOI) request which had enquired about the number of littering and dog fouling prosecutions by the Council in the past two years. The response had stated that there had been no prosecutions.

Alderman Ewart referred to a proposal he had made three years ago that the Council employ a private company to enforce littering and dog fouling, similar to a service introduced by a neighbouring council, but that as Officers, at that time, had alternative proposals for tackling littering and dog fouling, his proposal in relation to a private company had not been proceeded with.

It was proposed by Alderman A G Ewart, seconded by Councillor U Mackin, and agreed that Officers investigate the option of a private company to tackle littering and dog fouling.

The Chief Executive by way of clarification advised that the response to the FOI request had related the Lisburn City Centre solely in the past four years and that whilst there had been no prosecutions, there had been a number of fixed penalty notices issued. The Chief Executive undertook to send the relevant information on littering and dog fouling to Alderman Ewart.

It was noted that a report on Alderman Ewart's proposal would come to the Environment and Sustainability Committee in due course.

14.4 Street Signage – Update  
Councillor C McCready

Councillor C McCready requested an update on street signage in relation to the Council's Tourism Action Plan particularly in relation to signage for toilet provision within Lisburn City Centre and the major tourism spots such as Royal Hillsborough,

The Director of Regeneration & Growth undertook to bring an update report on this matter to a future meeting of the Regeneration & Growth Committee.

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14.5 Household Recycling Centre in Dundonald and Relocation of Bring Bank Facility at DIIB  
Alderman S Skillen

Alderman S Skillen requested an update on the timescales for the feasibility study for a Household Recycling Centre in Dundonald which, she stated, she had raised with the then Environmental Services Committee in June 2023.

Alderman Skillen also requested an update on the relocation of the Bring Bank facility what was required due to the works at DIIB as she was being contacted often by local residents on this matter.

The Chief Executive and the Director of Regeneration & Growth responded to the issues raised by Alderman Skillen and undertook to come back to the Member, as well as the other Members from the Castlereagh East DEA in due course.

The Director advised that the matter of the relocation of the Bring Bank facility at DIIB had been added to the Construction Services Work Programme and that works were imminent.

14.6 Broadband Infrastructure  
Councillor A Gowan

Councillor J Harpur returned to the meeting at 7.47 pm.

Councillor A Gowan advised that following Storm Eowyn almost five weeks ago a number of constituents in Downshire East had only recently been reconnected with their broadband. It was also noted by two other Members that there were still one or two residents in that area still not re-connected.

It was agreed on a proposal by Councillor A Gowan, seconded by Alderman A McIntyre, that representatives from Fibrus and Openreach be invited to attend a meeting of this Council in order that they can engage with the Council to discuss the issues with broadband infrastructure, and to consider what would be done to ensure that such reconnection problems would not happen again.

15. Any Other Confidential Business

"In Committee"

It was proposed by Councillor A P Ewing, seconded by Councillor C McCready, and agreed that the following matter be considered "in Committee". The livestream was paused at this stage in proceedings, and any members of the press and public left the meeting.

MM 25.02.2025

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15.1 Local PEACEPLUS Action Plan: Theme 1 Regeneration\Transformation  
Match Funded Projects  
Councillor D J Craig

At the request of Councillor D J Craig, the Director of Leisure and Community Wellbeing provided a comprehensive update on the on-going issue in connection with three projects that were listed in the Council's Local Action Plan. The Director and the Chief Executive responded to a number of questions and comments from Members on this matter.

15.2 Apple Cyber Security Issue  
Councillor U Mackin

The Chief Executive responded to a question from Councillor U Mackin in connection with any implications for the Council following the recent media report that Apple had withdrawn its Advanced Data Protection service to UK users.

Resumption of Normal Business

It was proposed by Alderman M Gregg, seconded by Alderman J Baird, and agreed to come out of Committee and normal business was resumed.

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

There being no further business for consideration, the meeting was terminated at 8.07 pm.

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Mayor

CWC 04.03.2025

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Meeting of the Communities & Wellbeing Committee held remotely and in the Council Chamber, Island Civic Centre, The Island, Lisburn on Tuesday 4<sup>th</sup> March 2025 at 6.00 pm.****PRESENT IN  
COUNCIL CHAMBER  
(COMMITTEE):**

Councillor J Craig (Chair)

Aldermen A Grehan and A McIntyre

Councillors T Beckett, J Gallen, B Higginson,  
S Lowry, G McCleave, T Mitchell and G Thompson**PRESENT IN A  
REMOTE LOCATION  
(COMMITTEE)**

Alderman S Skillen

Councillors D Bassett and C Kemp

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

Councillor G Hynds

**OTHER MEMBERS  
OF COUNCIL  
PRESENT IN A  
REMOTE LOCATION**

Alderman J Tinsley

**IN ATTENDANCE:**

Director of Leisure &amp; Community Wellbeing

Head of Communities

Head of Parks &amp; Amenities

Head of Sports Services

Acting Head of Environmental Health, Risk &amp; Emergency Planning

Member Services Officers (RN &amp; EW)

The Chair welcomed all present to the meeting and reminded Members that the meeting would be audio recorded unless the item on the agenda was to be considered under confidential business. Unauthorised recording was not permitted, as per 8.5 of the Council's Standing Orders. Mobile phones were to be turned off or on silent mode for the duration of the meeting.

The Chair, Councillor Craig, referred to the recent passing of Mr Terry McAllister, the father of the Committee vice-chair, Alderman Hazel Legge. On his own behalf and that of the Committee, Councillor Craig extended deepest sympathy to Alderman Legge and her family circle and assured them that the thoughts and prayers of Members and Officers were with them at this sad time.

The Director of Leisure & Community Wellbeing outlined the evacuation procedures in the case of an emergency. 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.

1. Apologies

Apologies for non-attendance at the meeting were accepted and recorded on behalf of Alderman H Legge (Vice-Chair) and Alderman P Porter.

The Member Services Officer read out the names of those persons who were attending the meeting on a remote basis.

Councillor J Gallen entered the Council Chamber during this item. (6.03 pm)

2. Declarations of Interest

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.

The following Declarations of Interest were made:-

- Alderman A Grehan. Item 4.1.of report of Head of Communities – “VE Day Grant Funding”. (i) Member of the Board of Ballymacash Rangers Football Club and (ii) Member of the Royal British Legion. (Both are non-pecuniary interests.)
- Councillor B Higginson. Item 4.1 of report of Head of Communities – “VE Day Grant Funding”. Member of the Royal British Legion. Non-pecuniary interest.
- Councillor G Hynds. Item 4.1 of report of Head of Communities – “VE Day Grant Funding”. Committee member of Lisburn Recreation & Community Hub. Non-pecuniary interest.
- Councillor T Mitchell. Item 3.1.of report of Director of Leisure & Community Wellbeing – “Community Investment Fund Launch 2025/2026”. Shareholder in Ballymacash Sports Academy. Pecuniary interest.
- Councillor T Mitchell. Item 4.1 of report of Head of Communities – “VE Day Grant Funding”. (i) Shareholder in Ballymacash Sports Academy and (ii) Elder in Granshaw Presbyterian Church. (Both are non-pecuniary interests.)

## 2. Declarations of Interest (Continued)

- Alderman S Skillen. Item 4.1 of report of Head of Communities – “VE Day Grant Funding”. Member of Ballybeen Improvement Group. Pecuniary interest.
- Alderman S Skillen. Item 4.1 of report of Head of Communities – “VE Day Grant Funding”. (i) Member of Dundonald Purple Vine Orange Lodge 1056; (ii) Member of Ballybeen Women’s Centre; (iii) Member of Davarr Community Initiative and (iv) Member of BEACHH (Ballybeen Education & Cultural Heritage Hub). (All are non-pecuniary interests.)

Councillor C Kemp and Alderman J Tinsley joined the meeting on a remote basis during this item. (6.05 pm and 6.07 pm respectively.)

## 3. Report of Director of Leisure & Community Wellbeing

### 3.1 Community Investment Fund – Launch 2025/2026

Councillor T Mitchell left the Council Chamber in advance of this item of business. (6.08 pm)

The Director reported extensively on the Community Investment Fund in terms of its history and key issues. The Director responded to Members’ questions.

It was proposed by Alderman A Grehan, seconded by Councillor B Higginson and agreed to recommend that a further round of the Community Investment Fund be released in line with the previously agreed principles and criteria of the scheme.

Councillor T Mitchell returned to the Chamber after this item had concluded. (6.15 pm)

### 3.2 Storm Eowyn (24<sup>th</sup> January 2025) Support for Community Voluntary Sector

The Director referred to Storm Eowyn on the 24<sup>th</sup> January 2025 and to the invaluable assistance provided by the Council along with Community, Voluntary and Faith Sector organisations to those households most impacted by the storm.

Members were provided with copy of a letter dated the 27<sup>th</sup> January 2025 from the Department for Communities referring to a “Scheme of Emergency Financial Assistance” which it had activated to provide support to the Northern Ireland district councils due to the major incident declared because of Storm Eowyn.

### 3.2 Storm Eowyn (24<sup>th</sup> January 2025) Support for Community Voluntary Sector (Continued)

The Minister for Communities - with the approval of the Department of Finance, had agreed to widen the scope of the scheme to reimburse costs incurred by the Council in funding community and voluntary sector partners in line with Local Government Circular 03/2025. The criteria for the reimbursement of costs was detailed in the letter. The Director outlined the criteria for a reimbursement scheme for relevant groups and how such a scheme could be administered.

The Director responded to Members' questions, with particular reference to the level of funding and the circumstances which could be considered as exceptional when applications for funding were being considered.

It was proposed by Alderman A McIntyre, seconded by Councillor B Higginson and agreed to recommend that:-

- a reimbursement scheme be put in place for those community/voluntary/faith-based organisations who had assisted in the emergency response to Storm Eowyn;
- unless exceptional circumstances were identified, the upper limit for a claim be set at £300.00;
- the Head of Communities and the Acting Head of Environmental Health, Risk & Emergency Planning be delegated authority to approve the claims, apart from those claims which exceeded £300.00.

The Director agreed to speak off-line with Alderman S Skillen in regard to queries she had on the scheme and also any assistance that might be available to a pigeon club in the Park Avenue area of Dundonald which had been adversely affected by recent flooding in that area.

## 4. Report of Head of Communities

### 4.1 VE Day Grant Funding

Alderman A Grehan and Councillors B Higginson and T Mitchell left the Council Chamber in advance of this item of business. (6.32 pm)

Alderman S Skillen left the meeting on a remote basis in advance of this item of business. (6.32 pm)

In addition to the narrative report, Members had been provided with copy of a table of outcomes of assessment under the VE Day 80 Small Grant Fund. All applications had been deemed successful, thereby exceeding the budget set-aside by £14,525.00.

#### 4.1 VE Day Grant Funding (Continued)

At its meeting held on the 17<sup>th</sup> February 2025, the VE Day 80 Working Group had recommended that the full amounts applied for be approved so as to enable the events by the various organisations to proceed as planned.

It was proposed by Councillor T Beckett and seconded by Councillor S Lowry that:-

- the outcome of the VE Day 80 grant programme be noted;
- the recommendation of the VE Day 80 Working Group for an uplift to the overall budget by the sum of £14,525.00 to cover the grant expenditure requested be agreed and be ringfenced from current in-year Leisure & Community Wellbeing departmental underspend.

Councillor G McCleave stated that he could not support the recommendations of the report.

A recorded vote was taken, the voting being as follows:-

For the Proposal: Councillor T Beckett, Councillor J Craig, Councillor C Kemp, Councillor S Lowry, Alderman A McIntyre, Councillor G Thompson. (6)

Against the Proposal: Councillor D Bassett, Councillor G McCleave. (2)

Abstention: Councillor J Gallen. (1)

The proposal in the name of Councillor T Beckett and seconded by Councillor S Lowry was therefore declared "carried".

Councillor T Beckett commended the working group for the work being put into the VE Day commemorative programme.

Alderman A Grehan and Councillors B Higginson and T Mitchell returned to the Council Chamber after this item had concluded. (6.40 pm)

Alderman S Skillen returned to the meeting on a remote basis after this item had concluded. (6.40 pm)

#### 4.2 Department for Infrastructure Consultation – Active Travel Delivery Plan (ATDP) (Extended closing date: 31<sup>st</sup> March 2025)

The Head of Communities reported extensively on a consultation by the Department for Infrastructure entitled "Active Travel Delivery Plan (ATDP)" which had a closing date of the 28<sup>th</sup> February 2025 extended to the end of March 2025 for the Council. The ATDP sits within the DfI Eastern Transport Plan 2035 previously known as the Belfast Metropolitan Transport Plan (BMTP).

4.2 Department for Infrastructure  
Consultation – Active Travel Delivery Plan (ATDP)  
(Extended closing date: 31<sup>st</sup> March 2025) (Continued)

In her report, the Head of Communities outlined the key objectives of the ATDP Plan together with the ATDP response and also that of the Council. The Council's draft response in full was also provided to Members...

It was noted that the Council was drafting an Active Travel Strategy 2025-2040 which would aim to integrate local needs with the DfI's ATDP.

It was proposed by Councillor D Bassett, seconded by Councillor B Higginson and agreed to recommend that:-

- the Head of Communities' report on the above matter be noted;
- the draft response to the Active Travel Delivery Plan be accepted as the Council's response thereto and be submitted to the Department for Infrastructure by the extended closing date for the Council's response of the end of March 2025.

The Director confirmed that whilst cognisance would be taken of the ATFP, it would have no impact on the piece of work being carried out by the Regeneration Unit in regard to the Carryduff area.

5. Report of Acting Head of Environmental Health, Risk & Emergency Planning

5.1 Department for Communities  
"Consultation on a Draft Fuel Poverty Strategy"  
(Closing date: 6<sup>th</sup> March 2025)

In addition to the narrative report, the following items had been provided:-

- Department for Communities' consultation entitled "Consultation on a draft Fuel Poverty Strategy";
- draft response to the above-mentioned consultation.

It was proposed by Councillor T Mitchell, seconded by Councillor D Bassett and agreed to recommend that the draft response to the "Consultation on a Draft Fuel Poverty Strategy" be accepted as the Council's response thereto and be submitted to the Department for Communities by the stipulated closing date of the 6<sup>th</sup> March 2025.

5.2 Public Health Agency  
Consultation on PHA Corporate Plan 2025-2030  
(Closing date: 28<sup>th</sup> February 2025)

In addition to the narrative report, the following items had been provided:-

- Public Health Agency – Corporate Plan 2025-2030;
- draft response to the above-mentioned consultation which had already been submitted to the PHA with a proviso that there could be amendments thereto.

It was proposed by Councillor B Higginson, seconded by Councillor J Gallen and agreed to recommend that the draft response to the Public Health Agency's consultation on its Corporate Plan for 2025-2030 be accepted as the Council's response thereto and that the PHA be advised that the Council had no further amendments to the response already submitted.

6. Report of Head of Parks & Amenities

6.1 Requests for Use of Council parks and open spaces

In addition to the narrative report, copies of applications from the undernoted organisations in regard to the use of Council parks and open spaces had been provided, together with the Equality screening document:-

Organisation	Facility Requested	Purpose of use	Date & Time
Lisburn Baptist Church	Wallace Park (Band Stand)	Easter Morning Service	20 <sup>th</sup> April 2025 (8.30 am – 9.00 am)
Railway Street and Sloan Street Presbyterian Churches	Wallace Park (Band Stand)	Service of Christian worship	20 <sup>th</sup> April 2025 (6.30 am – 7.30 am)
Moira Community Multi Denominational Church	Moira Demesne	Easter Sunday Dawn Service	20 <sup>th</sup> April 2025 (7.00 am – 7.30 am)
Moira Presbyterian Church	Moira Demesne	Easter "story trail"	18 <sup>th</sup> – 20 <sup>th</sup> April 2025
Lisburn District Scouts	Wallace Park	Fun Day for Scouts	27 <sup>th</sup> April 2025 (2.00 pm – 5.00 pm)
Lisburn Feile	Wallace Park	Lisburn Feile Family Intergenerational Fun Day	25 <sup>th</sup> July 2025 (12 noon – 5.00 pm)

It was proposed by Councillor T Mitchell, seconded by Alderman A McIntyre and agreed to recommend that - subject to engagement with the Safety Advisory Group and compliance with the usual booking requirements such as the provision of adequate insurance cover and the necessary risk assessments:-

## 6.1 Requests for Use of Council parks and open spaces (Continued)

- the requests referred to above for the use of Council parks and open spaces be acceded to;
- the Bye-Laws be set aside so as to enable the above-mentioned events to progress;
- infrastructure support be provided if so required.

## 7. Any Other Business – Non-Confidential

### 7.1 Access to Billy Neill Park Alderman S Skillen

Alderman S Skillen referred to a Masterplan for the Billy Neill Park area on which there was a commitment. However in advance of a consultation on the full Masterplan, Alderman Skillen asked that a consultation take place for the provision of an access to the Billy Neill Park that would be convenient for the residents of the Coopers Mill, Millmount and Greengraves Gate housing developments.

Alderman Skillen so proposed that a consultation be undertaken on the provision of an access to the Billy Neill Park that would be convenient for the residents of the Coopers Mill, Millmount and Greengraves Gate housing developments, such a consultation being in advance of that in regard to the Masterplan for the area. This proposal was seconded by Councillor S Lowry and agreed.

The Director updated Members on the situation with regard to the Masterplan and noted the Chair's comments about the provision of an indicative timescale.

### 7.2 Ice Hockey Stars – Zachary & Ethan McClure Councillor S Lowry

Councillor S Lowry referred to two teenage brothers – Zachary and Ethan McClure – from her DEA who play ice hockey and train at the Dundonald International Ice Bowl. The brothers had been selected to represent Ireland at a forthcoming tournament in the United States of America. Councillor Lowry congratulated the brothers on this achievement and wished them all the best for the USA tournament.

Sports Services had been assisting Zachary and Ethan in terms of support funding. The Head of Sports Services advised that the brothers could also apply for a community bursary, and he agreed to pass on information about this.

7.3 Parks - Repairs  
Councillor D Bassett

Councillor D Bassett sought an update on repairs to a gate at Lough Moss and to a bench at Dundonald Park.

The Head of Parks & Amenities provided an update in regard to both matters.

7.4 Dog Fouling – Increased Patrol  
Councillor D Bassett

Councillor D Bassett asked that the presence of Dog Wardens be increased at Lough Moss, Carryduff Park, Hydebank Playing Fields and the Cairnshill area.

The Acting Head of Environmental Health, Risk & Emergency Planning noted these comments for appropriate action.

7.5 “Blue Bridge” at Hilden  
Councillor G Hynds

Councillor G Hynds appealed for pressure to be kept on the Department for Infrastructure to have remedial works carried out to the “Blue Bridge”.

The Chair advised that the Director of Regeneration & Growth would be meeting with DfI Roads Service, and it would be the intention to keep the Elected Members for the area fully informed.

7.6 “Santos Football Pitch” at Carryduff  
Councillor B Higginson

Councillor B Higginson sought an update as to when the above facility might be available for public hire.

The Head of Parks & Amenities provided an update and agreed to expedite any actions which were needed to allow the above pitch to be hired by the public. The Head of Service also noted comments that a timescale as to when the facility might be available would be appreciated.

7.7 Grass Cutting in Cemeteries  
Councillor J Craig

The Chair, Councillor J Craig, referred to complaints he had received in regard to overgrown grass in the Council’s cemeteries.

The Chair asked that the Head of Parks & Amenities accompany him on an inspection of the Council’s cemeteries in terms of the need to have the grass cutting attended to. The Head of Parks & Amenities was happy to facilitate this visit with Councillor Craig.

7.7 Grass Cutting in Cemeteries (Continued)  
Councillor J Craig

The Director was hopeful that there would be sufficient manpower in place to attend to the grass cutting for the duration of the grass cutting season.

The Acting Head of Environmental Health, Risk & Emergency Planning; and the persons seated in the press and public gallery left the Council Chamber.  
 (7.09 pm)

8. Confidential Report from Director of Leisure & Community Wellbeing

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

8.1 Portmore and Aghalee Cemeteries and Associated Ruins – Repairs to Business Case

(Confidential for reason of information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the Council or a Government Department and employees of, or office holders under, the Council.)

Redacted report to be available in December 2025.

In Committee

It was proposed by Councillor B Higginson, seconded by Councillor T Mitchell and agreed that the Confidential Report of the Director be considered “in Committee”. (Recording was paused at this stage in proceedings, and any members of the press and public left the meeting.) (7.09 pm)

8.1 Portmore and Aghalee Graveyards and Associated Ruins – Repairs to Business Case

Presented by the Head of Parks & Amenities who responded to Members’ questions.

In addition to the narrative report, the Business Case had been provided.

It was proposed by Councillor T Beckett, seconded by Alderman A McIntyre and agreed to recommend that:-

- the report on the Portmore and Aghalee Graveyards be noted;
- the Business Case for the “Restoration and Wall Stabilisation to Church Ruins at Aghalee and Portmore Graveyards” be approved; and
- Option 2 as contained in the Business Case be accepted and be progressed to a tender process.

Alderman A McIntyre asked that the provision of information boards at Council graveyards of historical significance be explored.

9. Any Other Business – Confidential

9.1 Changing pavilions at Aghalee and Seycon Park  
Councillor T Beckett

In response to comments from Councillor T Beckett, the Head of Parks & Amenities updated Members on the schedule for development of new changing pavilions at Aghalee and Seycon Park.

9.2 3G pitch at Lough Moss  
Councillor J Gallen

The Head of Sports Services responded to comments from Councillor J Gallen about 3G pitch provision at Lough Moss and also the provision of additional equipment at that location. The Head of Sports Services also noted comments from Councillor Gallen about the accumulation of water adjacent to a ramp at Lough Moss.

Resumption of Normal Business

It was proposed by Alderman A McIntyre, seconded by Councillor S Lowry and agreed to come “out of Committee”. Normal business and the audio recording were resumed.

10. Any Other Business

Dealt with under Item 7.

The meeting concluded at 7.20 pm.

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MAYOR/CHAIR

**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Meeting of the Environment and Sustainability Committee held in the Council Chamber, Island Civic Centre, on Wednesday, 5 March 2025 at 6.00 pm****PRESENT IN CHAMBER:**

Councillor P Catney (Chairperson)  
 Councillor G Hynds (Vice-Chairperson)  
 Aldermen J Baird, O Gawith, A McIntyre and J Tinsley  
 Councillors S Burns, G McCleave, C McCready and M McKeever

**PRESENT IN REMOTE LOCATION:**

The Right Worshipful the Mayor, Councillor K Dickson  
 Alderman S Skillen  
 Councillor A Gowan and N Parker

**OTHER MEMBERS PRESENT IN CHAMBER**

Alderman A Grehan  
 Councillor C Kemp

**IN ATTENDANCE:**

Chief Executive  
 Director of Regeneration & Growth  
 Head of Service (Waste Management & Operational Services) (WM)  
 Acting Head of Service (Environmental Health, Risk & Emergency Planning) (SC)  
 Head of Service (Building Control & Sustainability) (CD)  
 Member Services Officers (CR, EW)

**Commencement of the Meeting**

The Chairperson, Councillor P Catney, welcomed those present to the meeting. In particular, he welcomed those seated in the public gallery and thanked them for having protested in a peaceful manner at the last 3 meetings of the Committee in respect of Max, the stray/abandoned dog.

The Chairperson advised that the meeting would be audio recorded unless the item on the agenda was to be considered under confidential business. He stated that unauthorised recording was not permitted, as per the Council's Standing Orders, and 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 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. He proceeded to outline the evacuation procedures in the case of an emergency.

1. Apologies

It was agreed to accept apologies for non-attendance at the meeting on behalf of Councillors P Kennedy and R McLernon and the Acting Director of Environmental Services.

At the request of Alderman A McIntyre, the names of those Members in attendance via Zoom were read out.

2. Declarations of Interest

There were no Declarations of Interest.

3. Report from the Acting Head of Service (Environmental Health, Risk and Emergency Planning)

3.1 Business Continuity Policy Review – January 2025 v3

Members were provided with, and noted the contents of, a revised Business Continuity Policy.

The Chairperson, Councillor P Catney, advised that Any Other Business would be considered at this point in the meeting.

4. Any Other Business (Agenda Item 5 refers)

4.1 Stray/Abandoned Dog  
Alderman S Skillen

Alderman S Skillen asked if behavioural assessment had been carried out in respect of Max, the stray/abandoned dog, and how he was doing after 94 days in kennels. The Acting Head of Service (Environmental Health, Risk and Emergency Planning) confirmed that behavioural assessments had been completed by an expert recommended by the USPCA. The outcome report on those assessments had just been received that was subject to the ongoing court case. The Acting Head of Service also advised that Max was fit, healthy and being well looked after at the kennels. He received regular visits from the dog wardens.

Councillor G Hynds asked, in terms of the Council's position, was there a way out of this before the court case took place, taking into account that any keeper of Max would assume legal responsibility with an insurance policy in place and Max no longer being the Council's responsibility. The Acting Head of Service stated that the Council was required to follow due process. It was at a stage where it had to proceed to court to get a determination on Max's breed type. Having said that, if there were discussions to be had, those could be had at a further meeting between the solicitors.

4.1 Stray/Abandoned Dog (Contd)  
Alderman S Skillen

Councillor G Hynds referred to his proposal at the last meeting that assessment reports would be released to Committee Members. That proposal had not been permitted to proceed due to the ongoing legal process. Councillor Hynds put on record a request to have sight of legal advice that had prevented his proposal going forward.

Councillor G Hynds put on record his regret that the Council was at this stage and that both the puppy and the Council had had to go through this process.

The Chairperson, Councillor P Catney, stated that he agreed with a lot of the points raised by Councillor Hynds. In his view, this was a matter of bad law and the Council should focus its attention on achieving a law that could be administered in a way that was fair to the dog. Alderman S Skillen concurred with the Chairperson's comments regarding legislation.

Councillor C Kemp, on behalf of the Alliance Party, voiced the importance of Max's wellbeing. This was an unfortunate case for everyone involved – Max, those who had taken up the cause for Max and Council staff who had carried out their duties as instructed and trained to do, but as a result had been the subject of scrutiny and criticism, quite unfairly. Elected Members had a duty to uphold the law and act in accordance with the public trust placed in them. A debate on whether dangerous dog legislation was fit for purpose or whether it needed overhauled was not a debate for this Chamber. It was not in the Council's gift to amend it. Councillor Kemp referred to the disclosure of confidential information as outlined in the Code of Conduct for Councillors and stated the Alliance Party's disappointment that confidential information provided to Members on this matter had been consistently reported in the press and appeared on social media. Councillor Kemp went on to outline the consequences of this, particularly in regard to increased costs. Whilst the Alliance Party had long campaigned for openness and transparency, it recognised that there was a necessity for certain items to be considered under confidential business and the reasons for that were outlined in the Council's Standing Orders. Councillor Kemp, on behalf of the Alliance Party, asked that the policies and procedures in relation to how legislation relating to this matter was implemented in the Council be reviewed, should a similar situation occur in the future. This should provide clarity and certainty for Officers, Members and the public for further cases in the future.

Further comments around transparency and legal costs were made by Councillor G Hynds and Alderman A Grehan.

As put forward by Councillor C Kemp, who was not a Member of the Environment and Sustainability Committee, Councillor A McIntyre proposed that the policies and procedures in relation to how legislation relating to this matter was implemented in the Council be reviewed, should a similar situation occur in the future. This was seconded by Alderman J Tinsley and unanimously agreed.

#### 4.2 Out of Hours Noise Complaints Councillor N Parker

Councillor N Parker referred to a recent incident of really loud music being played at a property past midnight and asked what the Council procedure was for dealing with out of hours noise complaints. The Acting Head of Service (Environmental Health, Risk and Emergency Planning) explained that when a noise complaint was received, the Investigating Officer would send a letter to the person making the noise to advise that a complaint had been received and a letter to the complainant to advise that that action had been taken. On many occasions, that letter was sufficient. If not, the complainant would be asked to keep a record of the noise and that would give the Officer an indication of the best time to monitor. The Council had to go through this procedure to confirm if there was a statutory noise nuisance before a Statutory Noise Nuisance Notice could be issued. The Council did not have an on-call out of hours service that complainants could call at night; however, but when out of hours complaints were received, arrangements were made for an Officer to be on-call at times when the noise was anticipated to be bad.

#### 4.3 Planning Application for Robert Stewarts Alderman A McIntyre

Alderman A McIntyre referred to the above planning application and the Acting Head of Service (Environmental Health, Risk and Emergency Planning) having previously given a timeframe in respect of monitoring of that site as part of the application. Monitoring equipment had been due for calibration in November and that had taken 6 weeks to come back. He asked if that was normally the turnaround time for calibration of equipment and further asked if there was sufficient equipment to deal with the demands for monitoring. In response, the Acting Head of Service stated that she would address this matter with Alderman McIntyre after the meeting.

#### 5. Confidential Business (Agenda Item 4.0 refers)

The Chairperson, Councillor P Catney, advised that the confidential report items would be dealt with "In Committee" due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information).

#### "In Committee"

It was proposed by Alderman J Tinsley, seconded by Alderman J Baird, and agreed that the following matters be considered "in Committee," in the absence of members of the press and public being present.

Members of the press and public seated in the public gallery left the Council Chamber (6.29 pm). Councillor C Kemp also left the meeting at this point.

- 5.1 Interim Fleet Replacement Plan  
(Report and Interim Fleet Replacement Plan will be available in April 2025;  
Capital Fleet Replacement Schedule will never be made available)

In the absence of the Acting Director of Environmental Services, this item was presented by the Head of Service (Waste Management and Operational Services).

A number of Members' queries having been responded to, it was proposed by Councillor G Hynds, seconded by Alderman J Tinsley and agreed that the Interim Fleet Replacement Plan and Fleet Replacement Schedule be approved.

Members thanked Officers for their hard work in preparing these documents.

- 5.2 Procurement of 4 New Replacement RCVs  
(Redacted report will be available in April 2025; Business Case will never be made available)

During consideration of this item of business, Councillor A Gowan left the meeting (6.50 pm), The Right Worshipful the Mayor, Councillor K Dickson, left the meeting (6.55 pm) and Councillor G McCleave left the meeting (6.58 pm).

In the absence of the Acting Director of Environmental Services, this item was presented by the Head of Service (Waste Management and Operational Services).

A number of Members' queries having been responded to, it was proposed by Alderman J Tinsley, seconded by Councillor G Hynds and agreed that approval be given to the procurement of 4 new RCVs.

Officers took note of comments made in relation to advertising on vehicles.

- 5.3 Project Initiation Request for Repairs at Altona Depot  
(Redacted report will be available in April 2026)

During consideration of this item of business, Councillor G McCleave returned to the meeting (7.02 pm).

This item was presented by the Director of Regeneration and Growth.

A number of Members' queries having been responded to, it was proposed by Alderman J Tinsley, seconded by Councillor G Hynds and agreed that approval be given to the Project Initiation Request and associated Strategic Outline Case for works at the Depot at Altona Road.

The Chairperson, Councillor P Catney, stated that any items of confidential any other business would be considered at this time.

5.4 Burial Provision  
Councillor C McCready

Officers addressed a number of queries raised by Councillor C McCready in respect of burial provision. The Acting Head of Service (Environmental Health, Risk and Emergency Planning) agreed to provide Councillor McCready with further information that he requested.

5.5 Roselawn Cemetery  
Alderman S Skillen

The Director of Regeneration and Growth addressed a planning-related query raised by Alderman S Skillen in respect of Roselawn Cemetery.

Resumption of Normal Business

It was proposed by Alderman J Baird, seconded by Councillor M McKeever and agreed to come out of Committee and normal business was resumed.

There being no further business, the meeting concluded at 7.19 pm.

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Chairperson

**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Meeting of the Regeneration & Growth Committee held in the Council Chamber, Island Civic Centre, The Island, Lisburn and in remote locations on Monday, 6 March 2025 at 6.00 pm****PRESENT IN  
THE CHAMBER:**

Alderman A Grehan (Chairperson)

Alderman A G Ewart MBE (Vice Chairperson)

The Right Worshipful the Mayor  
Councillor K Dickson

Alderman J Baird

Councillors A Gowan, J Harpur, J Lavery BEM, U Mackin,  
A Martin, C McCready, T Mitchell and N Parker**REMOTE  
ATTENDANCE:**

Councillors J Gallen and D Lynch

**OTHER MEMBER:**

Councillors G Hynds (Chamber)

**IN ATTENDANCE**Director of Regeneration & Growth  
Head of Economic Development  
Head of Planning & Capital Development  
Regeneration & Infrastructure Manager  
Member Services Officers (BS and EW)  
IT OfficerTughans Solicitors

Patrick Brown

**Commencement of Meeting**

The Chairperson, Alderman A Grehan, extended a welcome to all present at the March meeting of the Committee and reminded those present that the meeting was being audio recorded unless the item was being considered under confidential business. The Chairperson also outlined the evacuation procedures in the case of an emergency.

1. Apologies

It was agreed to accept apologies for non-attendance on behalf of Alderman M Gregg and Councillor C Kemp.

## 2. Declarations of Interest

The Chairperson, Alderman A Grehan, reminded Members that any Member who declares a conflict of interest should leave the Council Chamber for the duration of consideration of that item of business.

During the course of the meeting Councillor J Laverty declared a non-pecuniary interest in respect of item 3.1 'DfE Sub Regional Plan – LEP Guidance and Initial Proposals' in view of his membership of the Board of Inspire Business Centre, and indicated that he would be leaving the meeting when this item was being considered.

### Remote Attendance

During consideration of the following item of business and at the request of The Right Worshipful the Mayor, Councillor K Dickson, the Chairperson, Alderman A Grehan, advised of the names of those Members attending remotely.

The Chairperson requested that the matter of reading out the names of those Members attending remotely be included as standard practice until the new software was in place in the Council Chamber which would allow those attending remotely to be shown in the Chamber.

## 3.0 Report of Head of Economic Development

### 3.1 Department for the Economy (DfE) Sub Regional Plan – Local Economic Partnership Update

The Head of Economic Development's report highlighted the background and key issues in connection with the proposed membership structure and the draft Terms of reference for the Lisburn & Castlereagh City Council (LCCC) Local Economic Partnership (LEP).

Following the decision of the Committee in December 2024 to approve the addition of three additional Elected Members, an updated Terms of Reference had been prepared, a copy of which had been appended to the Officer's report. It was noted that the three Elected Members would be nominated and appointed via D'Hondt and that the nominations would remain for the duration of the current Council term.

The Head of Economic Development and the Director of Regeneration & Growth responded to questions from the Committee on issues arising out of the report, including:

- the Elected Member role on the LEP Board
- the importance of adding depth to the experience base on the partnership with SMEs being the preferred option when appointing the three businesses
- protocol around the nomination of the three Elected Members

### 3.1 Department for the Economy (DfE) Sub Regional Plan – Local Economic Partnership Update (Cont'd)

The Director assured the Committee that Officers had been following Departmental guidance on the formation of the LEP and offered to have a further discussion forum with Members to discuss the issues raised and which would allow a collective Committee position on the Partnership.

Councillor Lavery left the meeting at this point having declared an interest in this matter in view of his membership of the Board of Inspire Business Park (6.20 pm).

It was proposed by Councillor T Mitchell, seconded by Councillor U Mackin, and agreed to recommend that:

- a) the updated draft Terms of Reference be agreed, and
- b) the appointments as outlined in the Officer's report, be processed.

At this point the Director of Regeneration & Growth informed the Committee that officers still wished to work through a series of options. The Director advised that Officers would work through these options and bring forward a further report on the options to the Committee in due course.

### 3.2 Labour Market Partnership Funding Contract 2025-2027

Councillor J Lavery returned to the meeting at 6.24 pm.

The Head of Economic Development's report highlighted the background and key issues in connection with the Labour Market Partnership Contract 2025-2027, it being noted that the 3-year Strategic Action Plan had been presented to the Regional Labour Market Partnership for Northern Ireland on 23 October 2024 the purpose of which was to secure funding from the Department for Communities (DfC) for the 2025/2026 and 2026/2027 financial years.

A copy of the LMP Action Plan for 2025-2026 had been appended to the Officer's report.

The Head of Economic Development highlighted some of the key issues contained in his report. He also discussed a suggested approach should there be reduction in funding from the Department for Communities, in particular in relation to the pre-enterprise activities, which he stated, could possibly be funded through the Go Succeed Programme.

### 3.2 Labour Market Partnership Funding Contract 2025-2027 (Cont'd)

It was proposed by Alderman J Baird, seconded by Councillor N Parker, and agreed to recommend that:

- a) the Letter of Offer for funding be accepted, upon receipt; and
- b) Officers initiate delivery of the initiatives as summarised in the Action Plan, including the procurement of appropriate third parties.

## 4. Report of the Head of Planning & Capital Development

### 4.1 Updated Service Level Agreement with Regional Property Certificate Unit (RPCU)

The Head of Planning & Capital Development's report highlighted the background and key issues in connection with an updated service level agreement with Fermanagh & Omagh District Council (FODC) who operate the Regional Property Certificate Unit (RPCU) on this Council's behalf and also the 10 councils who are part of the Northern Ireland Planning Portal project.

The Head of Planning & Capital Development advised that approval was sought for the latest revision to the service level agreement which would be effective for three years from 1 January 2025 and that agreement of all the participating stakeholders was required for the agreement to have effect.

It was noted that no changes were proposed to the operation of the service but that any deviation from the projected costs assigned for the service would be shared equally amongst the Councils. It was also noted that the cost to customers of the service for processing requests would increase by £2 to £86, this being a 2.3% increase in the cost to customers which was a below inflationary uplift.

A copy of the draft service level agreement between the Regional Property Certificate Unit and the 10 councils had been furnished to the Committee.

It was proposed by Alderman J Baird, seconded by Councillor J Laverty, and agreed to recommend that as no changes are identified and the agreement remains necessary for the operation of property certificate service which is income generating, the latest revision to the Service Level Agreement be agreed.

## 5. Any Other Business

### 5.1 Carryduff Greenway Councillor J Harpur

Councillor J Harpur advised that the Carryduff Greenway Working Group had met on 20 February 2025 when the Carryduff Greenway project had been discussed. Councillor Harpur advised that the Working Group expressed disappointment that despite the on-going conversations around this project no progress had been made over the past 10 years.

The Director of Regeneration & Growth confirmed that the Carryduff Greenway project is not on the Council's agreed Work Programme. He stated that the delivery of projects led by the Regeneration & Growth Directorate was available online for Members' review.

Councillor Harpur addressed the Council again during which he reiterated his disappointment that the Carryduff Greenway project was not included in the Council's Works Programme.

The Director undertook to speak to his colleagues on the issues raised and to come back to Cllr Harpur directly.

### 5.2 Street Signage – Update Councillor C McCready

Further to the issue he had raised at the February meeting of Council, Councillor C McCready requested that the update report on street signage for toilet provision within Lisburn City Centre and the major tourism spots such as Royal Hillsborough, come forward next month.

The Director provided a verbal update to Councillor C McCready during which he advised that the tender for street signage had commenced and that Officers were in the process of awarding that tender. The Director reminded the Member that a commitment had been made that the proposed design of the street signs would be circulated to Members for approval and undertook to come back to the Committee on progress.

### 5.3 CCTV/Citywatch Councillor U Mackin

The Director of Regeneration & Growth responded to comments from Councillor U Mackin on CCTV/Citywatch and undertook to bring forward a report detailing the transitional arrangements to the Committee in the next couple of months.

5.4 Hillsborough Public Realm Scheme  
Councillor C McCready

The Director of Regeneration & Growth responded to comments from Councillor C McCready in regard to the on-going lack of engagement with the Department for Infrastructure (DfI). The director detailed the ongoing engagement with the Department.

The Head of Planning & Capital Development left the meeting at 6.42 pm.

6. Confidential Report from Director of Regeneration & Growth

The Chairperson, Alderman A Grehan, advised that confidential report was required to be considered under confidential business due to containing information:

- a) relating to the financial or business affairs of any particular person (including the Council holding that information), and
- b) in relation to which a claim to legal professional privilege could be maintained in legal proceedings

In Committee

It was proposed by Councillor C McCready, seconded by Councillor J Lavery, and agreed that the Confidential Report be considered "in Committee" in the absence of press or members of the public. The audio recording was paused at this stage in proceedings.

6.1 Lisburn Public Realm Scheme – Update  
(Report not for publication)

The Chairperson, Alderman A Grehan, extended a welcome to Mr P Brown of Tughans and the Regeneration & Infrastructure Manager and who were in attendance at the meeting for this item of business.

The Director of Regeneration & Growth's report set out a comprehensive update on the Lisburn Public Realm scheme. A number of related documents had been appended to the Director's report.

The Director and the Head of Economic Development responded to questions from a Member in connection with a key issues contained within the report.

It was proposed by Alderman A G Ewart, seconded by Alderman J Baird, and agreed to recommend that:

### 6.1 Lisburn Public Realm Scheme – Update (Cont'd)

- a) having taken into account all relevant information and material considerations, including (without limitation) the position as regards funding from DfI and DfC, the current demands on the capital programme, and all information and factors assessed within the Business Case (as circulated), that the recommendation contained within the Business Case be agreed, and
- b) the Council work with DfI and other stakeholders in respect of the Council's continuing section 75 obligations for projects that may impact this Public Realm Scheme.

## 7. Any Other Confidential Business

### 7.1 Hillsborough Public Realm Scheme – BRCD Alderman A G Ewart

The Director of Regeneration & Growth responded to a question from Alderman A G Ewart in connection with funding for the Royal Hillsborough Public Realm Scheme.

### 7.2 CityWatch/CCTV - Update Councillor J Laverty

The Director of Regeneration & Growth and the Head of Economic Development responded to comments and questions from Councillor J Laverty in regard to CityWatch/CCTV including the timeframe for the CityWatch/CCTV update report coming to the Committee.

The Chairperson, Alderman A Grehan, also made a number of comments on this matter.

The Director undertook to bring forward a detailed update report on CityWatch/CCTV to the Committee in May 2025.

### Resumption of Normal Business

It was proposed by Councillor N Parker, seconded by Councillor J Harpur, and agreed to come out of Committee and normal business was resumed.

## 8.0 Verbal Matters

### 8.1 National Association of Councillors (NI Region) Learning and Development Workshops re Councils Local Enterprise Champions

The Director of Regeneration & Growth referred to recent email correspondence that he had issued to Members of the Regeneration & Growth Committee earlier that day in connection with an opportunity by the NAC (NI Region) for Elected Members and officers from all councils to participate in four Learning and Development workshops on the subject of planning and delivering sustainable, local enterprise. The cost of the four workshops was £395 per Member.

The Director advised that nominations from this Committee were being sought through the Party Group Leader nomination protocol with one representative pertaining to each political party from within the Regeneration and Growth Committee.

It was agreed to recommend on a proposal by Councillor T Mitchell and seconded by the Right Worshipful the Mayor, Councillor K Dickson, that the cost of the attendance of those Elected Members, as nominated by their respective Party Group Leaders, at the above-mentioned learning and development workshops, be approved.

### 8.2 Invest NI Engagement Event and Breakfast Morning

The Director of Regeneration & Growth advised that arising from the establishment of the Council's Local Economic Partnership (LEP) and following recent NILGA briefings it had been requested by Members that the Council invites Invest NI Officials to host an engagement event for Members. The Director also advised that Invest NI had approached the Council in connection with the Council hosting a business breakfast event for local businesses in association with Invest NI.

It was proposed by Councillor U Mackin, seconded by Councillor N Parker, and agreed to recommend that the Committee supports the convening of the above-mentioned Invest NI events in the near future.

### Conclusion of Meeting

The Chairperson thanked everyone for their attendance and there being no further business for consideration the meeting was concluded at 7.09 pm.

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Chairperson

CSC 12.03.2025

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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 12<sup>th</sup> March 2025 at 6.03 pm.****PRESENT IN COUNCIL CHAMBER (COMMITTEE):**

Councillor The Hon N Trimble (Chair)

Aldermen A Ewart MBE, M Gregg and A Grehan

Councillors T Beckett, A Ewing, A Givan, J Harpur, B Higginson, C Kemp and J Lavery BEM

**PRESENT IN A REMOTE LOCATION (COMMITTEE)**Deputy Mayor  
Councillor R Carlin

Councillor G McCleave

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

Councillor U Mackin

**OTHER MEMBERS OF COUNCIL PRESENT IN a REMOTE LOCATION:**

Aldermen S Skillen and J Tinsley

Councillor G Hynds

**IN ATTENDANCE:**Director of Finance & Corporate Services  
Director of Organisation Development & Innovation  
Head of Assets  
Head of Corporate Communications & Administration  
Head of Human Resources & Organisation Development  
Head of Finance  
Member Services Officers (RN & EW)**Commencement of Meeting**

Due to technical difficulties, the meeting did not commence until 6.03 pm.

The Chair, Councillor N Trimble, welcomed everyone to the meeting and advised that it would be audio recorded unless the item on the agenda was to be considered under confidential business. Unauthorised recording was not permitted, as per 8.5 of the Council's Standing Orders. Mobile phones were to be turned off or on silent mode for the duration of the meeting.

In line with Members' request, a screen was now in place to allow those Members in the Chamber to see those persons attending the meeting on a remote basis. One screen showed online participants, with the other screens defaulting to the active speaker throughout the meeting. The Chair stressed the importance of those in remote attendance keeping their cameras on so as to be seen, otherwise those in the Chamber would not be aware of the remote attendance. The Chair also drew attention to the fact that messages in the Chat function would be visible.

The Director of Finance & Corporate Services outlined the evacuation procedures in the case of an emergency. Councillor G Hynds joined the meeting on a remote basis during this announcement. (6.04 pm)

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.

#### 1. Apologies

Apologies for non-attendance at the meeting were accepted and recorded on behalf of Councillor N Eaton (Vice-Chair); Alderman H Legge and Councillor D Lynch.

The Chair extended deepest sympathy to Alderman Legge on the recent passing of her father, Mr Terry McAlister. The Chair assured Alderman Legge that thoughts and prayers were with both her and her wider family circle at this time.

#### 2. Declarations of Interest

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.

Alderman S Skillen declared the following interests in respect of Item 3.1 of the report of the Head of Corporate Communications & Administration – “2025 Anniversaries Working Group – Update” (section relating to VE Day 80 Grant Fund Programme):-

- Member of Ballybeen Improvement Group. Pecuniary interest.
- Member of (i) Dundonald Purple Vine Orange Lodge 1056; (ii) Ballybeen Women's Centre; (iii) Davarr Community Initiative and (iv) BEACHH (Ballybeen Education & Cultural Heritage Hub). (All are non-pecuniary interests.)

## 2. Declarations of Interest (Continued)

Alderman M Gregg reminded Members of the changes in procedure relating to Declarations of Interest, particularly in relation to the Committee's responsibility (and not just that of the Member) and also in relation to being absent for the duration of the item in question, either by leaving the Chamber or by going into the Waiting Room if on Zoom

## 3. Report of Head of Corporate Communications & Administration

### 3.1 2025 Anniversaries Working Group – Update

Alderman S Skillen left the meeting on a remote basis at the commencement of this item. (6.09 pm)

In addition to the narrative report, copies of the undernoted items had been provided and were duly noted:-

- Minutes of meeting of the VE Day 80<sup>th</sup> Anniversary Working Group held on the 17<sup>th</sup> February 2025;
- Anniversary Programme (as of 24<sup>th</sup> February 2025), together with associated budgetary costs.

In relation to the "Period Themed Tea Dance" on the 8<sup>th</sup> May 2025, the Head of Service advised that remedial works in Market Square might necessitate the event being held in Castle Gardens.

### 3.2 Use of Lagan Valley Island Car Park – 21<sup>st</sup> April 2025 Apprentice Boys of Derry

Members were advised that – at its meeting held on the 4<sup>th</sup> June 2024 – the Communities & Wellbeing Committee had agreed the use of Wallace Park by the Apprentice Boys of Derry to support their parade on the 21<sup>st</sup> April 2025.

The location for the conclusion and dispersal of the parade had been Largymore Link. Having considered all factors, the PSNI now considered that location to be unsuitable and had recommended that the car park at Lagan Valley Island be used for the parking of the buses and the dispersal of the parade.

It was proposed by Alderman A Ewart, seconded by Councillor B Higginson and agreed to recommend that - given the timeframe, the use of Lagan Valley Island Car Park for the following be approved in principle:-

- the dispersal of the Apprentice Boys of Derry parade on the 21<sup>st</sup> April 2025;
- the parking of the associated 60-65 buses (54-seaters and minibuses);
- 10 portable toilets on site.

### 3.2 Use of Lagan Valley Island Car Park – 21<sup>st</sup> April 2025 (Continued) Apprentice Boys of Derry

The Committee noted that the approval in principle was subject to:-

- all required insurances, risk assessments and health and safety arrangements being in order;
- an assessment of the car park capacity once details of the buses (numbers and sizes) had been received.

Alderman S Skillen returned to the meeting on a remote basis after the conclusion of this item. (6.12 pm)

## 4. Report of Head of Human Resources & Organisation Development

### 4.1 Neonatal Policy

Members were advised of the introduction in Great Britain of the Neonatal Care (Leave and Pay) Bill which provides up to 12 weeks' leave and statutory pay to parents of babies requiring specialist neonatal care. This matter had also been raised at the meeting of Council on the 28<sup>th</sup> March 2023.

It was proposed by Councillor J Laverty, seconded by Councillor C Kemp to agree the draft Neonatal Policy with the amendment that, subject to no identified legal reason not to, the inclusion at section 4.3 of Foster Parents in the list of those persons eligible for Neonatal Leave if they met the eligibility criteria. It was agreed to accept the amendment and that, subject to Council approval, the policy be presented to the Council's recognised trade unions for formal consultation.

Alderman S Skillen thanked the Officers for the formulation of this policy.

### 4.2 Workforce Reports

Reports on the undernoted topics in relation to Council staff across all Departments had been provided with the report and their contents duly noted.

- Attendance Management Report for period ended 31<sup>st</sup> December 2024;
- Recruitment Reports – (i) Advert & Selection; and (ii) Appointments;
- Workforce Profile.

The Head of Service elaborated on certain parts of his report and responded to a number of questions from Members.

5. Any Other Business – Non-Confidential

No other business of a non-confidential nature was raised.

6. Confidential Report from Director of Finance & Corporate Services

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

6.1 Report on 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 by Council on the 25<sup>th</sup> March 2025 and the signing of contracts.

6.2 National Living Wage Increase Requests

(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 on the 1<sup>st</sup> April 2025.

6.3 Quarterly Finance Reports – Q3 of 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 Council ratification on the 25<sup>th</sup> March 2025.

6.4 Treasury Reports – Q3 of 2024/2025

(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 Council ratification on the 25<sup>th</sup> March 2025.

6.5 Reserves as at 31<sup>st</sup> March 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 Council ratification on the 25<sup>th</sup> March 2025.

In Committee

It was proposed by Councillor A Ewing, seconded by Councillor B Higginson and agreed that the Confidential Report of the Director be considered "in Committee". (Recording was paused at this stage in proceedings, and any members of the press and public left the meeting.) (6.23 pm)

## 6.1 Report on Tender Awards

Councillor G Hynds left the meeting on a remote basis at the commencement of this item. (6.25 pm)

Presented by the Head of Assets.

Tender Reports and a Summary of Tenders Awarded had been provided with the narrative report.

It was proposed by Alderman M Gregg, seconded by Councillor B Higginson and agreed to recommend that the tenders awarded in regard to the following contracts, together with the attendant tender reports, be noted:-

- T24/25-022: Servicing & Maintenance of Council Waste Compactor Machines, Compactor Containers and Open Containers at Council sites;
- T24/25-038: Gamified Numeracy Learning Programme;
- Provision of Agency Workers;
- T24/25-023: Supply of Marquees and Associated Equipment;
- T24/25-035: Programme of Minor Works for 10 vacant Shopfronts In Lisburn City Centre;
- T24/25-034: Appointment of an Integrated Consultancy Team to produce an Outline Business Case (OBC) for the Delivery of an Environmental Scheme in Carryduff Town Centre.

It was further agreed on the Proposal made by Alderman Gregg and seconded by Councillor Higginson to recommend that the signing and sealing of the Tender documents be approved.

The Head of Assets responded to Members' questions both in relation to some of the actual contracts referred to above and also in regard to the tendering process in general. A progress report on the new Procurement regulations would be made to the June 2025 meeting of Committee.

Alderman S Skillen left the meeting during discussion of this item. (6.27 pm)

## 6.2 National Living Wage Increase Requests

Presented by the Head of Corporate Communications & Administration.

The Head of Service had provided a comprehensive report on this matter, and the Officers responded to a number of questions thereon.

It was proposed by Alderman M Gregg, seconded by Councillor A Givan and agreed to recommend that – in order to allow for the continuity of service to be delivered - the requests for increased tender costs for the following contracts be approved as detailed in the Head of Service's report:-

## 6.2 National Living Wage Increase Requests (Continued)

- Provision of Cleaning Services at Designated Council Premises;
- Provision of CCTV/Security/Concierge Provision at Lagan Valley Island;
- Provision of Caretaker/Receptionist Service at Bradford Court.

It was agreed that a report be made to a future meeting in regard to those contracts which – over the course of the current financial year – had sought and received an increase in price over that agreed in the award of tender.

The Director of Finance & Corporate Services gave an assurance that any increases in price requested over the life of a contract were actively challenged with the contractor and that further consideration would be made in relation to contract wording.

Councillor G Hynds returned to the meeting on a remote basis during discussion of this item. (6.45 pm)

## 6.3 Quarterly Finance Reports – Q3 of 2024/2025

Presented by the Head of Finance.

Members noted the content of the following:-

- the information contained in the narrative report;
- the report on Repairs & Renewals for Q3 of 2024/2025;
- the report on Department for Communities' budgets for Q3 of 2024/2025.

In regard to the Repairs & Renewals 2024/2025 Schedule, it was agreed that future reports include narrative as to why the "Year to Date Actual" figure was greater than the "Year to Date Budget" figure in respect of significant variances.

Councillor J Harpur left the Chamber during discussion. (6.48 pm)

## 6.4 Treasury Reports – Q3 of 2024/2025

Presented by the Head of Finance.

Members noted the content of the following:-

- the information contained in the narrative report;
- the Treasury Management Report for Q3 of 2024/2025 including the Prudential and Treasury Indicators for that period, setting out a review of the Council's performance against the indicators approved for 2024/2025 up to the 31<sup>st</sup> December 2024.

It was agreed that a breakdown of External Loans be provided to a future meeting.

6.4 Treasury Reports – Q3 of 2024/2025 (Continued)

Councillor J Harpur returned to the Chamber during discussion. (6.50 pm)

6.5 Reserves as at 31st March 2024

Presented by the Head of Finance.

Information on the Reserves Summary as at the 31<sup>st</sup> March 2024 had been presented to the Committee on the 9<sup>th</sup> October 2024. That meeting had requested a report on the earmarking of additional monies in regard to the Local Development Plan. The Head of Finance reported extensively on this matter, and also identified other projects being funded through Reserves, underspends or other funds.

It was proposed by Councillor B Higginson, seconded by Alderman M Gregg and agreed to recommend that:-

- the report on Reserves be noted;
- an increase in the earmarked Local Development Plan as detailed in the report be approved;
- subject to approval of the associated business case, the use of the Waste Fund for the procurement of four refuse collection vehicles be approved.

7. Any Other Business – Confidential

No other business of a confidential nature was raised.

Resumption of Normal Business

It was agreed to come “out of Committee”.

8. Any Other Business

Dealt with under Item 5.

The meeting concluded at 6.55 pm.

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MAYOR/CHAIR

GAC 13.03.2025

**LISBURN & CASTLEREAGH CITY COUNCIL**

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**Minutes of Meeting of the Governance and Audit Committee held in the Council Chamber and Remote Locations on Thursday, 13 March, 2025 at 4:30 pm****PRESENT IN CHAMBER:**

Councillor A Givan (Acting Chair)

Mr E Jardine (Independent Member and Vice-Chair)

Alderman O Gawith

Councillors A P Ewing and M McKeever

**PRESENT IN REMOTE LOCATION:**

Councillors D Bassett, S Burns, N Eaton, S Lowry and R McLernon

**OTHER MEMBERS PRESENT IN REMOTE LOCATION:**

Councillor G Hynds

**IN ATTENDANCE:**

Director of Organisation Development and Innovation  
 Director of Finance and Corporate Services  
 Acting Director of Environmental Service  
 Head of Human Resources and Organisation Development  
 Head of Parks and Amenities  
 Head of Planning and Capital Development  
 Internal Audit Manager (remotely)  
 Performance Improvement Officer  
 IT Officer  
 Member Services Officers (CR and EW)

**Northern Ireland Audit Office:**

Mr R Ross

**RBCA**

Mr B Stewart

**Commencement of the Meeting**

At the commencement of the meeting, the Director of Organisation Development and Innovation advised that the Chair, Alderman S P Porter, was unable to be present. As the Vice-Chair, Mr E Jardine, was an Independent Member, he was not permitted to chair the meeting and, in line with protocol, this responsibility fell to another Member of Alderman Porter's Party, the DUP. The Director advised that Councillor A Givan would be chairing the meeting in Alderman Porter's absence. She also thanked Members for attending the meeting, which had been rescheduled to commence earlier to facilitate the attendance of a number of Members at the Mayor's Community Awards later in the evening.

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The Acting Chair, Councillor A Givan, extended well wishes to Alderman Porter and welcomed those present. He pointed out that, unless the item on the agenda was considered under confidential business, this meeting would be audio recorded. In accordance with the Protocol for Remote Meetings, the Chair asked that those attending via zoom ensure that the meeting could not be seen or heard by any other person at their remote location when confidential business was being considered.

Councillor M McKeever arrived to the meeting at 4.33 pm.

The Acting Chair, Councillor A Givan asked that mobile phones be put on silent or switched off for the duration of the meeting. The Director of Organisation Development and Innovation outlined the evacuation procedures in the case of an emergency.

1. Apologies

It was agreed to accept apologies for non-attendance at the meeting on behalf of the Chair, Alderman S P Porter, and Councillors J Gallen, P Kennedy and A Martin.

2. Declarations of Interest

There were no declarations of interest.

At this point, the Acting Chair, Councillor A Givan, extended a welcome to Mr R Ross, Northern Ireland Audit Office, and Mr B Stewart, RBCA.

3. Report from the Performance Improvement Officer

3.1 Compliments and Complaints Report – Quarter 3 2024/25

Members were provided with a copy of a comparative report taken from the Council's Customer Care System detailing the number of comments, complaints and compliments in Quarter 3 of 2024/25. A number of Members' queries having been addressed by the Performance Improvement Officer, it was agreed that the contents of the report be noted.

3.2 Performance Improvement Objectives, Case Studies & Associated KPIs – 3<sup>rd</sup> Quarter Review (2024/25)

Members were provided with, and noted the contents of, a copy of:

- (a) a quarterly monitoring document (covering October - December 2024) on all projects that demonstrated improvement against the 2024/25 Performance Improvement Objectives, including the relevant Performance Improvement KPIs. An additional section was included detailing some case studies and customer feedback that had demonstrated improvement during Quarter 3; and

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### 3.2 Performance Improvement Objectives, Case Studies & Associated KPIs – 3<sup>rd</sup> Quarter Review (2024/25) (Contd)

- (b) a report from the 'Performance Management System' detailing the Performance Improvement Key Performance Indicators (KPIs) for the period October - December 2024.

### 3.3 Corporate Plan KPIs – Quarter 3 2024/25 All Directorates

Members were provided with, and noted the contents of, a copy of reports detailing the Quarter 3 2024/25 Corporate Plan KPIs.

A number of Members' queries were addressed by the Director of Finance and Corporate Services, particularly in respect of supplier payments. She stated that it would be useful if the Northern Ireland Audit Office could look at how different councils and central government entities measured prompt payment targets as there was a lot of disparity around this.

### 3.4 Draft Performance Improvement Objectives and Projects 2025/26

It was proposed by Alderman O Gawith, seconded by Councillor A P Ewing and agreed to recommend that the draft performance improvement objectives and projects for 2025/26 be approved.

## 4. Report from the Risk & Business Continuity Officer

### 4.1 Corporate Risk Register

In the absence of the Risk & Business Continuity Officer, her report was presented by the Acting Director of Environmental Services.

The Risk & Business Continuity Officer set out in her report, an update in respect of the quarterly review of the Corporate Risk Register.

Members agreed to note the contents of the Corporate Risk Dashboard.

Prior to the consideration of confidential business, the Acting Chair, Councillor A Givan, asked if Members had any non-confidential items of Any Other Business to raise, which they did not.

## 5, Confidential Business

The matters contained in the confidential report would be dealt with "In Committee" due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information).

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“In Committee”

It was proposed by Councillor A P Ewing, seconded by Councillor M McKeever and agreed that the following matters be considered “in committee”, in the absence of members of the press and public being present.

The following Officers left the meeting at 5.01 pm: Acting Director of Environmental Services, Head of Human Resources and Organisation Development, Head of Parks and Amenities, Head of Planning and Capital Development and Performance Improvement Officer.

5.1 Report by Internal Audit Manager5.1.1 LCCC Draft Internal Audit Strategy 2025-2030 and Draft Internal Operational Plan 2025/26  
(Report would be made available following ratification by Council)

It was proposed by Councillor S Lowry, seconded by Alderman O Gawith and agreed to recommend that the Draft Internal Audit Strategy 2025-2030 and Draft Internal Operational Plan 2025-26 be approved.

5.1.2 Internal Audit Progress Report  
(Report would be made available following ratification by Council)

Members were provided with, and noted the contents of, a copy of an Internal Audit Progress Report summarising internal audit work and progress against the Operational Plan since the last meeting of the Committee on 12 December, 2024. A copy of any internal audit reports referred to in the progress report were also provided in full on Decision Time for Members’ information.

At the request of the Acting Chair, Councillor A Givan, the Director of Organisation Development and Innovation agreed to investigate if checks were made to ensure safeguarding measures were in place prior to the Council granting funding to groups and sporting clubs.

5.1.3 Chief Executive’s Statement of Assurance April 2024 – September 2024  
(Report would never be made available)

Members were provided with, and noted the contents of, a copy of the Chief Executive’s Statement of Assurance April 2024 – September 2024.

5.1.4 NIAO Audit Strategy for LCCC for 2024-25  
(Report would never be made available)

Members were provided with a copy of the Northern Ireland Audit Office Audit Strategy for LCCC for 2024-25. Mr B Stewart, RBCA, having presented the report to Members, it was agreed that its contents be noted.

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Prior to the conclusion of confidential business, the Acting Chair, Councillor A Givan, asked if Members had any confidential items of Any Other Business to raise, which they did not.

#### Resumption of Normal Business

It was proposed by Councillor M McKeever, seconded by Councillor A P Ewing, and agreed to come out of committee and normal business was resumed.

At this point, Councillor A P Ewing acknowledged the hard work of Officers in preparing the reports for this meeting. These sentiments were echoed by the Acting Chair, Councillor A Givan.

There being no further business, the meeting was terminated at 5.18 pm.

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Mayor/Chairman

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**LISBURN & CASTLEREAGH CITY COUNCIL****Minutes of Planning Committee Meeting held in the Council Chamber and in Remote Locations on Monday, 3 February, 2025 at 10.04 am****PRESENT IN CHAMBER:**

Alderman M Gregg (Chair)

Councillor S Burns (Vice-Chair)

Aldermen O Gawith and J Tinsley

Councillors D Bassett, P Catney, D J Craig, U Mackin, A Martin, G Thompson and N Trimble

**IN ATTENDANCE:**Director of Regeneration and Growth  
Head of Planning & Capital Development  
Senior Planning Officers (PMcF and GM)  
Member Services Officers (CR and CH)

Mr S Masterson (Cleaver Fulton Rankin)

Ms L Agnew (Cleaver Fulton Rankin) – observing in chamber

**Commencement of Meeting**

At the commencement of the meeting, the Chair, 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**

There were no apologies.

**2. Declarations of Interest**

There were no declarations of interest made at this point.

The Chair, Alderman M Gregg, stated that, by virtue of being Members of Council, all Members of the Planning Committee would have an interest in planning application LA05/2024/0268/F. However, the dispensation under paragraph 6.6 of the Code of Conduct applied and Members were permitted to speak and vote on the application.

During the meeting, the following declarations of interest were made:

## 2. Declarations of Interest (Contd)

- Councillor U Mackin in respect of planning application LA05/2024/0268/F, as he was a Council representative on the Lagan Valley Regional Park Board. He confirmed that this application had never been discussed at, or reported to, any meeting he had attended and he had no knowledge of the application at all; and
- Councillor A Martin in respect of planning application LA05/2024/0268/F, as he was a Council representative on the Lagan Valley Regional Park Board. This application had not been raised at any meeting he had attended and he was not aware of it.

## 3. Minutes of Meeting of Planning Committee held on 6 January, 2025

It was proposed by Alderman J Tinsley, seconded by Councillor P Catney and agreed that the minutes of the meeting of Committee held on 6 January, 2025 be confirmed and signed.

## 4. Report from the Head of Planning & Capital Development

### 4.1 Schedule of Applications

The Chair, Alderman M Gregg, advised that there were 5 local applications on the schedule for consideration at the meeting.

#### 4.1.1 Applications to be Determined

The Legal Advisor, Mr S Masterson, 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) LA05/2022/0447/F – Erection of 19 dwellings, consisting of 14 detached dwellings and 5 apartments (including change of house type to sites 17-21, 26-30 & 37 of previous approval LA05/2018/0196/F), landscaping and all other associated site works on lands 62 metres southeast of 11 Woodfort Gardens and approx. 47 metres southeast of 48 Fairfields Meadow, Lisburn

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

No-one was registered to speak on this application.

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

### Debate

There were no comments made at the debate stage.

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- (i) LA05/2022/0447/F – Erection of 19 dwellings, consisting of 14 detached dwellings and 5 apartments (including change of house type to sites 17-21, 26-30 & 37 of previous approval LA05/2018/0196/F), landscaping and all other associated site works on lands 62 metres southeast of 11 Woodfort Gardens and approx. 47 metres southeast of 48 Fairfields Meadow, Lisburn (Contd)

#### Vote

On a vote being taken, it was agreed to adopt the recommendation of the Planning Officer to approve planning permission, the voting being:

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson, Councillor N Trimble and Chair, Alderman M Gregg (**10**)

Against: (**0**)

Abstain: Councillor D J Craig (**1**)

- (ii) LA05/2022/0831/F – Proposed retention of recently constructed agricultural building on land adjacent to 112 Back Road, Drumbo

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

The Committee received Mr N Reid and Alderman J Baird to speak in support of the application and a number of Members' queries were addressed.

Reference had been made by the Senior Planning Officer that in a consultation reply dated 19 January, 2025 the Northern Ireland Environment Agency (NIEA) had requested further information before it could provide its full assessment of the application but that had not been provided. Councillor N Trimble stated that, in his view, there could be a reasoned argument made to overturn the recommendation of the Planning Officer to refuse planning permission; however, he considered it prudent to seek legal advice in this regard, given the fact that there was information not provided by the applicant that could address the outstanding matters raised by the NIEA.

#### “In Committee”

It was proposed by Councillor N Trimble, seconded by Councillor A Martin and agreed to go 'into committee' to consider this matter. Those members of the public and press in attendance left the meeting (11.39 am).

Legal advice was provided by the Legal Advisor in respect of this application.

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### Resumption of Normal Business

It was proposed by Councillor D J Craig, seconded by Councillor N Trimble and agreed to come out of committee and normal business was resumed (11.53 am).

Having been provided with legal advice, it was proposed by Councillor N Trimble and seconded by Alderman J Tinsley that this application be deferred to allow the applicant to submit the information identified in the last NIEA consultation response. On a vote being taken, this was proposal was agreed, the voting being 10 in favour and 1 against.

Following discussion around the period of time for which the application would be deferred, it was agreed that Officers write to the applicant detailing the information required and advising that it should be submitted within 28 days.

### Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for a comfort break (12.04 pm).

### Resumption of Meeting

The meeting was resumed at 12.13 pm.

- (iii) LA05/2023/0107/F – Dwelling and garage on a site between 35 and 37 Glebe Road, Annahilt

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

The Committee received Mr Wm Wallace to speak in support of the application and a number of Members' queries were addressed.

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

### Debate

During debate:

- Councillor N Trimble stated that he had tremendous sympathy with the applicant. There had been approval for a dwelling on the site since permission of an application in 2009. That approval had been renewed several times but expired a number of months prior to submission of this current application. Whilst Councillor Trimble considered this application could have been approved under policy CTY8, that policy no longer applied. Having listened to the argument about clustering, he did not find that terribly compelling. He did not accept that this was a rounding off of a cluster; rather it was infill development in a ribbon. The Council's new policy required 2 dwellings, not up to 2 which was the case in the old policy. In light of the current policy, Councillor Trimble could not support approval of this application. He did suggest that the current infill policy may require to be reviewed;

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(iii) LA05/2023/0107/F – Dwelling and garage on a site between 35 and 37 Glebe Road, Annahilt (Contd)

- Alderman J Tinsley concurred with the comments made by Councillor Trimble. Being guided by policy, he was in support of the recommendation of the Planning Officer to refuse planning permission;
- Alderman O Gawith agreed that, under the new policy, this application could not be approved;
- Councillor U Mackin stated that, under new planning policy, he struggled to overturn the recommendation of refusal. There was clearly a gap at the site that could be developed. When standing at the site, it felt part of a place. At one side of the site, there was Carricknadarriff Road and a new road on the other side of the road. Those were visual entities just as much as a crossroads. It felt part of the cluster of development. The agent had stated that he could clearly see the Church; however, Councillor Mackin could not agree with that. At the site visit, he had stood in the middle of the road and there were a considerable number of trees to his right towards the Church and those prevented him from seeing it. Councillor Mackin felt sorry for the applicant but, under the current policy, he was reluctantly in support of the recommendation of the Planning Officer to refuse planning permission. He commented similar to Councillor Trimble that the current policy may require to be addressed for the future.

Vote

On a vote being taken, it was agreed that planning permission for this application be refused, the voting being as follows:

In favour: Councillor D Bassett, Councillor S Burns, Councillor P Catney, Alderman O Gawith, Councillor U Mackin, Councillor A Martin, Alderman J Tinsley, Councillor G Thompson, Councillor N Trimble and Chair, Alderman M Gregg (**10**)

Against: Councillor D J Craig (**1**)

Adjournment of Meeting

The Chair, Alderman M Gregg, declared the meeting adjourned at this point for lunch (12.57 pm).

Resumption of Meeting

The meeting was resumed at 1.38 pm.

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- (iv) LA05/2024/0268/F – Widening of the Lagan Towpath, Lisburn where the River Lagan runs adjacent to the Laganbank Road. Works will include Construction of new concrete retaining walls on lands adjacent to Laganbank Retail Park, Lisburn

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

No-one was registered to speak on this application.

There were no questions put to Planning Officers.

#### Debate

There were no comments made at the debate stage.

#### Vote

Having considered the information provided within the report of the Planning Officer, the Committee agreed unanimously to adopt the recommendation to approve this application.

- (v) LA05/2021/1064/F – Dwelling and garage on lands approximately 110 metres south of 78 Carnbane Road (formerly 81 Carnbane Road), Hillsborough

Prior to presentation of this application by the Planning Officer, Councillor P Catney asked if there was a current application for a Certificate of Lawful Existing Use or Development (CLEUD) for this site. The Head of Planning & Capital Development confirmed that an application had been received the previous week, but it would be necessary to get clarification in respect of payment.

It was agreed that, whilst clarification was sought, the other report items on the agenda would be considered.

#### 4.2 Appeal Decision – LA05/2020/0771/O

It was proposed by Councillor P Catney, seconded by Councillor D Bassett and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeal be noted.

#### 4.3 Appeal Decisions – LA05/2021/0947/O & LA05/2021/0948/O

It was proposed by Councillor N Trimble, seconded by Alderman O Gawith and agreed that the report and decision of the Planning Appeals Commission in respect of the above appeals be noted.

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#### 4.4 Quarter 2 Statistical Bulletin – July to September 2024/25

Members were provided with information in relation to Quarter 2 planning statistics. The Head of Planning & Capital Development having answered several queries raised by Members, it was proposed by Councillor P Catney, seconded by Alderman O Gawith and agreed that the information be noted.

#### 4.5 Statutory Performance Indicators – November & December 2024

Members were provided with information in relation to statutory performance indicators for November and December 2024. It was proposed by Councillor G Thompson, seconded by Councillor D Bassett and agreed that this information be noted.

It was agreed that consideration of planning application LA05/2021/1064/F would be resumed at this point.

- (v) LA05/2021/1064/F – Dwelling and garage on lands approximately 110 metres south of 78 Carnbane Road (formerly 81 Carnbane Road), Hillsborough

Clarification having been sought, the Head of Planning & Capital Development confirmed that the CLEUD application, together with full payment, had been received the previous Wednesday. The application had not been yet validated as the payment had not cleared through the system.

Given that the CLEUD would be a material consideration in relation to the above planning application, it was proposed by Councillor P Catney, seconded by Alderman J Tinsley and agreed that this application be deferred for one month to allow assessment of the CLEUD to take place.

- 4.6 Proposed amalgamation of units including minor amendments, reconfiguration and extension to mezzanine floor, associated plant and all other site works at Units 3 and 4 (former Argos and former Next Home), adjacent to Sainsbury's Superstore, Sprucefield Park

It was proposed by Alderman J Tinsley, seconded by Councillor D Bassett and agreed to note the information on the content of the Pre-application Notice and that it be submitted in accordance with the relevant section of the legislation and related guidance.

- 4.7 Proposed development of 80 dwelling units, including new access, car parking, landscaping, open space and all associated site works on lands at 70 Belfast Road, Lisburn

It was proposed by Councillor D J Craig, seconded by Councillor D Bassett and agreed to note the information on the content of the Pre-application Notice and that it be submitted in accordance with the relevant section of the legislation and related guidance.

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4.7 Proposed development of 80 dwelling units, including new access, car parking, landscaping, open space and all associated site works on lands at 70 Belfast Road, Lisburn (Contd)

At a Member's request, the Head of Planning & Capital Development agreed to write to all Planning Committee Members this week, as well as Members of the Lisburn North District Electoral Area, to confirm what this land was zoned for in the Local Development Plan.

4.8 Access to Justice in Relation to the Aarhus Convention (a call for evidence)

It was proposed by Councillor P Catney, seconded by Councillor D Bassett and agreed to (a) note the update provided by the Department of Justice; and (b) note that a report was to be presented to the February meeting of the Regeneration and Growth Committee with a draft response recommended.

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

It was proposed by Councillor D J Craig, seconded by Alderman J Tinsley and agreed to note from the report, information regarding notification by telecommunication operators of intention to utilise Permitted Development Rights at a number of locations in the Council area.

Discussion arose around there being some level of back-up electricity supply being built in when telecommunications masts were installed and then, as had happened recently during Storm Eowyn, mobile signal was lost when electricity supplies were lost. Members asked if there were any rules or regulations on what should happen in this instance. This was a matter of concern, given that in most households mobile phones were the only means of communication. The Head of Planning & Capital Development stated that it was a matter for OFCOM to ensure continuity of service, particularly in times of adverse weather conditions. He suggested that this could be a general matter, not for this Committee, but for consideration by another Committee or full Council, to contact OFCOM to seek clarification on the resilience of the mobile system, given recent experience of the severe storm.

In response to comments regarding the number of poles brought down during the storm by fallen trees and the possibility of reviewing the location of poles in the future, the Head of Planning & Capital Development explained that consideration had been given to undergrounding electricity supplies but, as well as having environmental, landscaping and other constraints, this was found to be cost prohibitive.

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5. Any Other Business

5.1 Date of Next Meeting

The Chair, Alderman M Gregg, advised that the next meeting of the Committee would be held on Monday, 3 March and, in his absence, would be chaired by the Vice-Chair, Councillor S Burns.

Conclusion of the Meeting

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

There being no further business, the meeting was terminated at 2.34 pm.

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Chair/Mayor



## Notice of Motion – Hilden Mill

This Council recognises the profound historical, architectural, and cultural significance of Hilden Mill, a landmark site in our community established in 1823 by the Barbour family. Notes with concern its ongoing deterioration since closure in 2006, exacerbated by repeated arson attacks, vandalism, and neglect, which threaten to erase this invaluable piece of our history. We further acknowledge the recent proposal by PJK Developments to demolish most of the listed structures, a move that, while driven by economic considerations, risks permanent loss of heritage if not balanced with preservation efforts or decisive public intervention.

Therefore, this Council resolves to:

Declare its commitment to protecting Hilden Mill's historical and architectural integrity, ensuring that any development or ownership transition preserves key elements of the site, and their cultural context, for future generations.

Continue to engage with the property owners to ensure that any options which may come forward are sound and respect the heritage assets. Subject to Planning considerations these could include commercial, recreational/cultural uses and in part, a housing scheme. As a proactive approach, this Council will assist and support third party application for funding by prioritising Statutory Consent.

Explore external funding sources to support the restoration and adaptive reuse of Hilden Mill, ensuring it becomes a vibrant, sustainable part of our community.

Offer to facilitate discussions or negotiations between the owners of Hilden Mill and the Northern Ireland Executive to explore an economically viable way of developing the site to safeguard the site's heritage.

Urge the current owners to implement immediate and robust security measures, such as enhanced fencing, CCTV, and monitoring, to prevent further vandalism and damage while a long-term solution—private or public—is developed.

Encourage public consultation and input from local residents, heritage groups, and stakeholders to shape the future of Hilden Mill, ensuring it reflects the needs and pride of our community under any ownership scenario.

This Council believes that Hilden Mill's preservation is not only a duty to our past but an opportunity to enrich our future. We call for urgent action—whether through partnership with private developers or proactive public takeover—to prevent a 'legacy of decay' and to transform this world-famous site into a source of pride, economic benefit, and community vitality.

Cllr Gary Hynds



## Notice of Motion

### Motion:

This Council recognises the significant role that dogs play in the lives of many of our residents, contributing to social engagement, improved mental health, and overall wellbeing.

Lisburn & Castlereagh has an opportunity to foster a more inclusive and dynamic local community by encouraging responsible dog ownership and supporting dog-friendly events. This approach will strengthen community bonds, support local businesses, enhance tourism, and create a welcoming environment for dog owners and their pets.

While advancing this initiative, the Council will prioritise responsible pet ownership through education, engagement, and public awareness campaigns.

Accordingly, I propose that Lisburn & Castlereagh City Council:

1. Ask Council staff to prepare a report on the feasibility, costs, and implementation strategies for dog-friendly initiatives within the district.
2. Includes recommendations for potential pilot programmes and partnerships, such as:
  - Dog adoption drives
  - Responsible dog ownership workshops
  - Dog-friendly Council events and social gatherings

Proposed - Cllr Andrew Ewing





<b>Committee:</b>	Council Meeting
<b>Date:</b>	25 March 2025
<b>Report from:</b>	Chief Executive

## 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>	After the agreement is signed and sealed
<b>When will a redacted report become available:</b>	
<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 a planning application for a mixed-use development at the former Rolls Royce factory, north of Upper Newtownards Road, south of Inspire Business Centre, east of Ballyoran Lane and west of Carrowreagh Road Dundonald (LA05/2021/0033/F)

1.0	<p><b><u>Background</u></b></p> <p>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:</p> <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> <p><b><u>Key Issues</u></b></p> <p>1. It was resolved for the second time at a meeting of the Planning Committee on 2 December 2024 to grant planning permission for the proposed mixed-use development comprising 31 No. class B2 &amp; B4 industrial/employment units (4,320 square metres in total) and 95 No. semi-detached and detached residential dwellings with associated private amenity provision; public open spaces; associated car parking; landscaping; creation of new accesses from Carrowreagh Road and Ballyoran Lane with associated works to the public road; and other ancillary development on lands formerly occupied by the Rolls Royce factory, north of Upper Newtownards Road, south of Inspire Business Centre, east of Ballyoran Lane and west of Carrowreagh Road, Dundonald.</p>
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	<ol style="list-style-type: none"> <li>2. The recommendation presented was subject to the developer entering into a Section 76 Planning Agreement to ensure that adequate provision is made for affordable housing as an integral part of the development in accordance with Policy HOU10 of the Lisburn and Castlereagh City Council Local Development Plan.</li> <li>3. The Developer covenants with the Council to provide nineteen residential units as Affordable Housing at the site in accordance with Covenants 3 and 4 of the First Schedule of the Agreement.</li> <li>4. The Developer also covenants with the Council to provide the employment units at the site in accordance with Covenants 3, 4 and 5 of the First Schedule of the Agreement.</li> <li>5. A copy of the Agreement 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.</li> <li>6. Under the Planning Act (NI) 2011 the Agreement must be sealed by the Council and under the Council's constitution the signing of legal documents and the affixing of the corporate seal is delegated to the Chief Executive.</li> </ol>	
2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that Members consider the above and that approval be granted to the signing and sealing of this Agreement by the Mayor and Chief Executive.</p>	
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>In accordance with Miscellaneous provisions set out at section 7 of the agreement, the owner 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.</p> <p>The owner 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.</p>	
4.0	<p><b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b></p>	
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.	

**Appendices:**

**APPENDIX 1** **CONFD** – Section 76 Agreement – LA05/2021/0033/F  
Including Site Location Map and plan of Affordable Housing area

Dated the

day of

2025

**BETWEEN**

**Lisburn and Castlereagh City Council (1)**

**AND**

**Lagmar Properties Limited (2)**

**AND**

**Lagan Holdings Limited (3)**

**PLANNING AGREEMENT PURSUANT TO SECTION 76 OF THE PLANNING ACT (NI) 2011**

**RELATING TO:**

**Lands at**

**Former Rolls Royce Site, Upper Newtownards Road/Carrowreagh Road, Belfast, BT16  
1UD**



**Affordable Housing:** means housing that is provided outside of the general market for those whose needs are not met by the market. Affordable Housing which is funded by the Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing and includes any of:

- a) Social rented housing; or
- b) Intermediate Housing for sale; or
- c) Intermediate Housing for Rent

that is provided outside of the general market, for those whose needs are not met by the market.

**Affordable Units:** means the units forming part of the Residential Element of the Developments to be constructed for Affordable Housing

**Applicant** – Lagmar Properties Limited;

**Available for Occupation** – means together the following:

- a) available for Occupation; and
- b) the issuance of a Building Regulations Completion Certificate pursuant to the Building Regulations (Northern Ireland) 2012 (as amended).

**Commencement Notice** - a notice in writing to be served upon the Council by the Applicant notifying it of the Applicant's intention to carry out Commencement of Development. Such notice shall include confirmation of the date upon which Commencement of Development is expected to take place and shall contain the reference number for the Planning Application and confirm the clause of this Deed pursuant to which it is being given;

**Commencement of Development** - shall have the meaning given in Section 63 (2) of the Act save that for the purposes of this Deed none of the following operations shall constitute commencement:

- (1) Any archaeological or site investigations;
- (2) Works of excavation;
- (3) Demolition;
- (4) Site clearance;
- (5) Diversion of services and installation of services for construction purposes only;
- (6) Site or soil investigations;
- (7) Remedial action in respect of any contamination;
- (8) Interim landscaping works;
- (9) Provision of construction access; and
- (10) Noise attenuation works for the erection of hoardings and fences.

**Completion** - the completion of the Development of the Site, or as the case may be, any part of the Site, as evidenced by a certificate of practical completion provided by the Applicant if reasonably requested by the Council and the issue of building control completion certificates relating to the Site, or as the case may be, any part of

the Site, and a copy being provided by the Applicant of their architect's practical completion certificate;

**Development means**– the proposed mixed-use development comprising 31 no. Class B2 & B4 industrial/employment units (4,320 sqm in total) and 95 no. semi-detached and detached residential dwellings with associated private amenity provision; public open spaces; associated car parking; landscaping; creation of new accesses from Carrowreagh Road and Ballyoran Lane with associated works to the public road; and other ancillary development in accordance with the Planning Permission or as varied by any reasonable requirements of the Planning Committee to be construction on the Site ;

**Interest** - interest at 2% above the base lending rate of the Bank of England from time to time;

**Industrial Element** – means Industrial Unit Grouping A, Industrial Unit Grouping B and Industrial Unit Grouping C.

**Industrial Occupation Standard** – means to construct an industrial unit building so that the external structures are complete and the building itself is watertight with the provisions of services to the building including electricity, water, sewerage, telecommunications or gas as appropriate. The internal completion of the building fit out is not included within this defined term as that will be at any proposed occupants discretion on the specifics of their requirements

**Industrial Units** – means the industrial units to be constructed on the Site as part of the Development pursuant to the Planning Permission

**Industrial Unit Grouping A** - means the Industrial Units at sites 1-20 of the Development shown shaded red for the purposes of identification only on the Phasing Plan

**Industrial Unit Grouping B** - means the Industrial Units at sites 21-28 of the Development shown shaded green for the purposes of identification only on the Phasing Plan

**Industrial Unit Grouping C** - means the Industrial Units at sites 29-31 of the Development shown shaded yellow for the purposes of identification only on the Phasing Plan

**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 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.

**Intermediate Housing for sale** – means shared ownership housing provided through a Registered Housing Association (for example, the Co Ownership Housing Association) in order to help households who can afford a small mortgage, but that are not able to afford to buy a property outright. The property is split between part ownership by the householder and part social renting from the Registered Housing Association. The proportion of property ownership and renting can vary depending on householder circumstances and preferences;

**Monitoring Fee:** £5000 exclusive of VAT being the fee payable to the Council towards its reasonable and proper costs in monitoring compliance with this deed.

**Industrial Infrastructure** – means the internal roads and associated hardstanding, drainage, storm water and sewerage infrastructure relating to the Industrial Element to be constructed on the Site

**Occupation** – means with respect to the Residential Units to beneficially occupy but not including occupation by persons engaged in construction fitting out or decoration or occupation as a showhouse or sales office for advertising, marketing or display purposes or occupation in relation to site security or management of the Site

**Parties** - the Applicant, the Council;

**Phase A** – means Industrial Unit Grouping A and Residential Grouping A

**Phase B** – means Industrial Unit Grouping B and Residential Grouping B

**Phase C** - means Industrial Unit Grouping C and Residential Grouping C

**Phasing Plan** – means the plan showing the indicative layout of the Industrial Element and the Residential Element attached at Annex 2.

**Phase A Residential Certificate of Practical Completion** - confirmation from a duly authorised architect that the developed Residential Units within Residential Grouping A are fit for Occupation;

**Phase B Residential Certificate of Practical Completion** - confirmation from a duly authorised architect that the developed Residential Units within Residential Grouping B are fit for Occupation;

**Phase C Residential Certificate of Practical Completion** - confirmation from a duly authorised architect that the developed Residential Units within Residential Grouping C are fit for Occupation;

**Phase A Industrial Certificate of Practical Completion** - confirmation from a duly authorised architect that the Industrial Units within Industrial Unit Grouping A have been completed to Industrial Occupation Standard

**Phase B Industrial Certificate of Practical Completion** - confirmation from a duly authorised architect that the Industrial Units within Industrial Unit Grouping B have been completed to Industrial Occupation Standard

**Phase C Industrial Certificate of Practical Completion** - confirmation from a duly authorised architect that the Industrial Units within Industrial Unit Grouping C have been completed to Industrial Occupation Standard

**Planning Agreement** – means an agreement under section 76 of the Act;

**Planning Application** - a Planning Application for planning permission on the Site for mixed-use development comprising 31 no. Class B2 & B4 industrial/employment units (4,320 sqm in total) and 95 no. semi-detached and detached residential dwellings with associated private amenity provision; public open spaces; associated car parking; landscaping; creation of new accesses from Carrowreagh Road and Ballyoran Lane with associated works to the public road; and other ancillary development and comprised in planning reference LA05/2021/0033/F

**Planning Permission** - the Planning Permission granted by the Council in respect of the Planning Application;

**Private Housing Units** – means the houses excluding the Affordable Housing Units and forming part of the Residential Element of the Development.

**Residential Element** – means Residential Grouping Unit A, Residential Grouping Unit B and Residential Grouping Unit C

**Residential Units** - means the Affordable Units totalling 19 units and the Private Housing Units totalling 76 (total units 95) to be constructed on the Site as part of the Development pursuant to the Planning Permission

**Residential Grouping A** - means the first 36 Residential Units of which 29 will be Private Housing Units and 7 will be Affordable Housing

**Residential Grouping B** - means the next 36 Residential Units of which 29 will be Private Housing Units and 7 will be Affordable Housing

**Residential Grouping C** - means the last 23 Residential Units of which 18 will be Private Housing Units and 5 will be Affordable Housing

**Site** – Lands formerly occupied by the Rolls Royce factory north of Upper Newtownards south of Inspire Business Centre east of Ballyoran Lane and west of Carrowreagh Road, Dundonald as outlined in red in the Site Plan and comprised within Folios 33003, 34497, DN34675, DN130941 and part of Folio 17958 (f) Co Down

**Site Plan** – means the plan showing the Site outlined in red and attached at Annex 1;

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

## **INTERPRETATION**

1. Where in this Deed reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule or recital in this Deed.
2. Words importing the singular meaning where the context so admits include the plural meaning and vice versa.
3. Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations, authorities, firms or other such bodies including incorporated sporting clubs and associations and all such words shall be construed interchangeable in that manner.
4. Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced against all of them jointly and severally and against each individually unless there is an express provision otherwise.
5. Any reference to an Act of Parliament or Order in Council shall include any modification, extension or re-enactment of that Act or order for the time being in force and shall include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given under that Act or Order or deriving validity from it.
6. References to any party to this Deed shall include the successors in title to that party and to any deriving title through or under that party and in the case of the Council the successors to its respective statutory functions.
7. Words denoting any obligation on any party to do any act, matter or thing include an obligation to procure that it be done and words placing any party under a restriction include an obligation not to permit or allow infringement of the restriction.

## **LEGAL BASIS**

8. The Deed is made pursuant to Section 76 of the Act and is a Planning Agreement for the purposes of that section.
9. Insofar as any of the covenants contained in this Deed are not planning conditions within the meaning of the Act they are entered into freely by the Applicant and by the Council pursuant to 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.
10. The Council is the local authority by which the covenants, restrictions and requirements imposed upon the Applicant under this Deed are enforceable or any successor.

11. The Parties agree that nothing in this Deed constitutes a Planning Permission or an obligation by the Council to grant Planning Permission and further agree that nothing in this Deed grants planning permission or any other approval, consent or permission required from the Council in the exercise of any other statutory function.
12. The Parties agree this Deed is enforceable against the persons entering into the Deed and against any person deriving title from that person.

### **CONDITIONALITY**

13. Except for the provisions of Clause 35 (Jurisdiction) and 36 (Delivery), which shall come into effect immediately upon the execution of this Deed, all obligations contained within this Deed shall come into effect once full Planning Permission for the Development has been granted in full for the Site.
14. This will bind every part of the Site as detailed in the Planning Permission or as later varied by any future planning application approved by the Council or as agreed with consent from the Council or as discharged or modified under Section 77 of the Act.
15. These obligations continue unless discharged or modified under Section 77 of the Act.

### **THE COVENANTS**

16. The Applicant covenants with The Council:

- (1) to observe and perform the obligations set out in the First Schedule on behalf of itself and its successors in title and all persons claiming under or through him or them and so as to bind each and every part of the Site;
- (2) not to commence Development before the service of the Commencement Notice.

17. The Council covenants with the Applicant:

- (1) to observe and perform the obligations set out in the Second Schedule on behalf of itself and its successors in function.

### **COUNCIL'S COSTS**

18. The Applicant shall pay to the Council on or before the date of this deed the Council's reasonable and proper legal costs together with all disbursements incurred in connection with the negotiation, completion and registration of this deed.

### **MONITORING FEE**

19. On or before the date of Commencement of Development the Applicant shall pay to the Council the Monitoring Fee in the amount of £5000 for the purposes of monitoring compliance with this agreement.

20. Commencement of Development shall not occur until the Monitoring Fee has been paid.

## **MISCELLANEOUS**

21. This Deed is registrable as a statutory charge in accordance with Section 76 and Section 245 of the Act and shall be registered as a charge on the land by the Council who will register this within a reasonable period following the execution of this Deed.

22. Where the agreement, approval, consent or expression of satisfaction is required by the Applicant from the Council under the terms of this Deed such agreement, approval, consent or expression of satisfaction shall not be unreasonably withheld or delayed.

23. Any notice or other communication to be given under this Deed must be in writing and must be delivered by hand or sent by pre-paid first-class post or other next Working Day delivery service.

24. Any notice or other communication to be given under this Deed must be sent to the relevant party as follows and in accordance with the provisions of Clause 23:

- (1) to the Council at Lagan Valley Island, 1 The Island, Lisburn, BT27 4RL, marked for the attention of the Head of Service for Planning & Capital Development;
- (2) to the Applicant at Lagan House 19 Clarendon Road, Belfast, BT1 3BG marked for the attention of Stephen Bell or as otherwise specified by the relevant party by notice in writing to each other party.

25. Any notice or other communication given in accordance with this Deed will be deemed to have been received:

- (1) if delivered by hand, on signature of a delivery receipt or at the time the notice or document is left at the address 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.
- (2) 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.

26. On the written request of the Applicant at any time after each or all of the obligations contained in Schedule 1 have been satisfactorily performed or otherwise discharged the Council will within 14 working days issue a written confirmation of such performance or discharge under Section 77 of the Act.

27. On the written request of the Applicant at any time after each or all of the obligations contained in Schedule 1 have been satisfactorily performed or otherwise discharged of (and subject to all parties meeting their own proper costs) the Council will within 14 Working Days lodge the appropriate application to cancel all entries made in the statutory charge register in respect of this Deed and furnish a copy of this application and the discharge to the Applicant or their successors or assigns and to their nominated solicitors.

28. This Deed shall cease to have effect (insofar only as it has not already been complied with) if the Planning Permission is quashed, revoked or otherwise withdrawn or is modified by any statutory procedure or expires prior to the Commencement of Development.

29. No person shall be liable for any breach of any of the planning obligations or other provisions of this Deed after it shall have parted with its entire interest in the Site but without prejudice to liability for any subsisting breach arising prior to parting with such interest.

30. Nothing contained in this Deed shall prejudice the discharge by the Council of their powers, duties or functions as may be conferred by statute or common law.

31. Unless otherwise specified no provisions of this Deed shall be enforceable under the Contracts (Rights of Third Parties) Act 1999.

#### **WAIVER**

32. No waiver (whether expressed or implied) by the Council or the Developers of any breach or default in performing or observing any of the covenants, terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent the Council or the Developers from enforcing any of the relevant terms or conditions or for acting upon any subsequent breach or default.

#### **INTEREST**

33. If any payment due under this Deed is paid late, Interest will be payable from the date payment is due to the date of payment calculated on a daily basis and to be compounded at monthly rests, as well as before judgment.

#### **JURISDICTION**

34. Deed is governed by and interpreted in accordance with the law of Northern Ireland.

#### **DISPUTES**

35. Any dispute or difference arising between the parties with regard to their respective rights and obligations as to any matter or thing in any way arising out of or connected with the Deed will, except as otherwise expressly provided, be referred to the Courts of Northern Ireland for final determination and the parties agree that the

courts of Northern Ireland shall have exclusive jurisdiction in respect of all matters under or in connection with this Deed.

**DELIVERY**

36. The provisions of this Deed (other than this clause which shall be of immediate effect) shall be of no effect until this Deed has been dated.

**VALIDITY**

37. If any clause in this Deed 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 the Deed.

**IN WITNESS** whereof the parties have executed this agreement as a Deed under seal as hereinafter appears the day and year first herein written.

PRESENT when the CORPORATE SEAL )  
of the Council was affixed hereto )  
in the presence of : - )  
)  
)  
\_\_\_\_\_)  
Mayor )  
)  
)  
)  
\_\_\_\_\_)  
Chief Executive )  
)

Executed as a Deed under seal by )  
LAGMAR PROPERTIES LIMITED )  
In the presence of:- )  
)  
..... )  
Witness Name (Solicitor) )  
)  
..... )  
Witness Signature )  
)  
..... )  
)  
..... )  
Witness Address )

.....  
Director

Executed as a Deed under seal by )  
LAGMAR HOLDINGS LIMITED )  
In the presence of:- )  
)  
..... )  
Witness Name (Solicitor) )  
)  
..... )  
Witness Signature )  
)  
..... )  
)  
..... )  
Witness Address )

.....  
Director

## **FIRST SCHEDULE**

### **Covenants by the Applicant**

The Applicant hereby covenants with the Council as follows:

#### **1. PLANNING PERMISSION**

To develop the Site in accordance with the provisions of the Planning Permission and as detailed in this Agreement, and in accordance with Covenants (2) and (3) below.

#### **2. NOTIFICATION**

2.1 To notify the Council of any of the following:

2.1.1 any disposal of the Applicant's interest in the Site and of the name and address of the new owner and the date of disposal within 10 Working Days of the date of disposal;

2.1.2 the serve a Commencement Notice at least 10 Working Days prior to Commencement of Development;

2.1.3 notification of the completion of the last Residential Unit within Residential Grouping A as evidenced by the issue of the Phase A Residential Certificate of Practical Completion

2.1.4 notification of the completion of the last Residential Unit within Residential Grouping B as evidenced by the issue of the Phase B Residential Certificate of Practical Completion

2.1.5 notification of the completion of the last Residential Unit within Residential Grouping C as evidenced by the issue of the Phase C Residential Certificate of Practical Completion

2.1.6 notification of the completion of the last Industrial Units to Industrial Occupational Standard within Industrial Unit Grouping A as evidenced by the issue of the Phase A Industrial Certificate of Practical Completion

2.1.7 notification of the completion of the last Industrial Units to Industrial Occupational Standard within Industrial Unit Grouping B as evidenced by the issue of the Phase B Industrial Certificate of Practical Completion

2.1.8 notification of the completion of the last Industrial Units to Industrial Occupational Standard within Industrial Unit Grouping C as evidenced by the issue of the Phase C Industrial Certificate of Practical Completion

2.2 To give the Council written notice within a reasonable time of any change in ownership of any of its interests in the Site or the Properties (in accordance with any disposal contained under Article 13 of the Housing (Northern Ireland) Order 1992 such notice to give details of the transferee's full name and registered office (if a company or usual address if not), together with details of the nature and extent of the interest disposed of.

### **3. CONSTRUCTION**

3.1 Subject to paragraph 4, not to;

3.1.1 erect more than 36 Residential Units within Phase A (7 Residential Units of which shall be made Available for Occupation as Affordable Housing) until such times as the Industrial Units forming part of Phase A have been constructed to Industrial Occupation Standard

3.1.2 erect more than 36 Residential Units within Phase B (7 Residential Units of which shall be made Available for Occupation as Affordable Housing) until such times as the Industrial Units forming part of Phase B have been constructed to Industrial Occupation Standard

3.1.3 erect more than 23 Residential Units within Phase C (5 Residential Units of which shall be made Available for Occupation as Affordable Housing) until such times as the Industrial Units forming part of Phase C have been constructed to Industrial Occupation Standard

### **4. AFFORDABLE HOUSING**

4.1 Upon Completion as evidenced by the issue of the Phase A Residential Certificate of Practical Completion, the Applicant will make the Affordable Units Available for Occupation as Affordable Housing in respect Phase A. For the avoidance of doubt the timing around the completion of the Affordable Units will not have any impact on the completion of construction of or preclude any sale of a Private Housing Unit within Phase A

4.2 Upon Completion as evidenced by the issue of the Phase B Residential Certificate of Practical Completion, the Applicant will make the Affordable Units Available for Occupation as Affordable Housing in respect Phase B. For the avoidance of doubt the timing around the completion of the Affordable Units will not have any impact on the completion of construction of or preclude any sale of a Private Housing Unit within Phase B

4.3 Upon Completion as evidenced by the issue of the Phase C Residential Certificate of Practical Completion, the Applicant will make the Affordable Units Available for Occupation as Affordable Housing in respect Phase C. For the avoidance of doubt the timing around the completion of the Affordable Units will not have any impact on the completion of construction of or preclude any sale of a Private Housing Unit within Phase C.

4.2 To make not less than the following Residential Units Available for Occupation as Affordable Housing in each Phase A, Phase B and Phase C respectively;

4.2.1 – Seven (7) Residential Units in Residential Grouping A

4.2.2 – Seven (7) Residential Units in Residential Grouping B

4.2.3 - Five (5) Residential Units in Residential Grouping C

## **5. INDUSTRIAL INFRASTRUCTURE**

5.1 The Industrial Infrastructure shall be completed prior to the Occupation of the Residential Grouping

## SECOND SCHEDULE

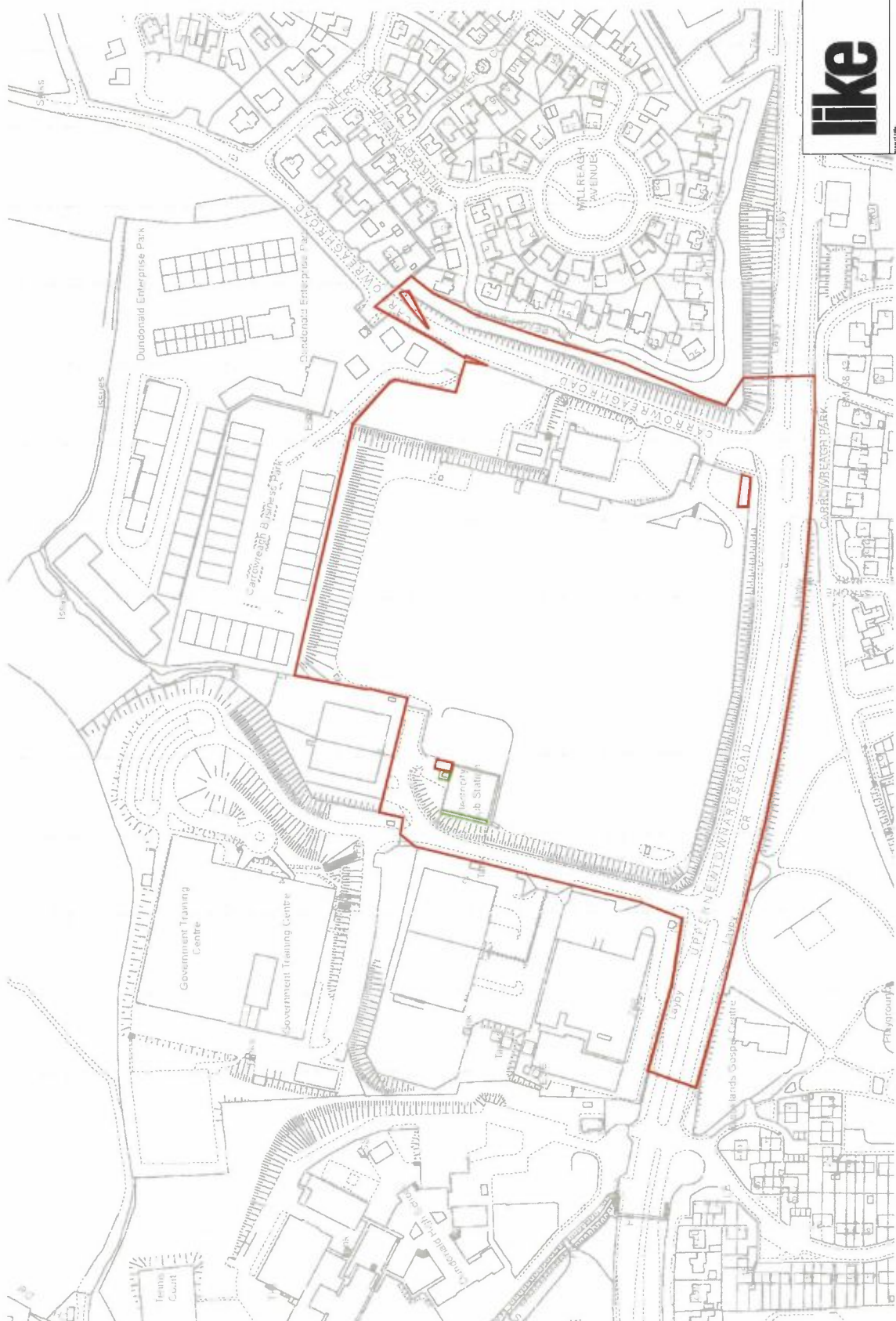
### Covenants by the Council

#### **The Council hereby covenants with the Applicant and as follows:**

- (1) The Council agrees to consider and determine any matters arising out of this Deed as soon as reasonably practicable.
- (2) To vary or discharge any of the obligations under the First Schedule if so required promptly and without unreasonably withholding or delaying consent under Section 77 of the Act.

**Annex 1**

**Map - Site**



PROJECT & CONTACT  
 1 Dundonald Office Park  
 Dundonald BT17 8DT  
 Tel: +44(0)191 9511 800  
 Fax: +44(0)191 9511 810  
[www.likearchitects.co.uk](http://www.likearchitects.co.uk)

Project Name: Mixed Use Development, Upper Newtownards Road, Dundonald  
 Drawing Title: Site Location Plan

Date: 24.09.20  
 Scale: 1:2500 @ A3  
 Author: B.J.L.  
 Check: MM  
 Date Issued: 24.09.20

Drawing No.: 1404-01  
 Sheet No.: 100  
 Total Sheets: 01

## **Annex 2**

### **Phasing Plan**



BALLYORAN LANE

BALLYORAN LANE

Change of Status

CARROW ROAD

**KEY**

- PHASE 1
- PHASE 2
- PHASE 3



**like**

Architect & Project Management  
 100-10  
 1440-01

1440-01 100-10 A

**Annex 3**  
**Certificate of Title**



Lisburn &  
Castlereagh  
City Council

**CONFIDENTIAL**

<b>Committee:</b>	Council Meeting
<b>Date:</b>	25 March 2025
<b>Report from:</b>	Chief Executive

## 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>	After the agreement is signed and sealed
<b>When will a redacted report become available:</b>	
<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 a planning application for a residential development comprised of 14 apartments (1 one-bed and 13 two-bed) with private and communal amenity space, bin and bicycle storage, landscaping, car parking and all associated site works on lands at 933 Upper Newtownards Road Dundonald (LA05/2022/0562/F)

1.0	<p><b><u>Background</u></b></p> <p>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:</p> <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> <p><b><u>Key Issues</u></b></p> <p>2. It was resolved for the second time at a meeting of the planning committee on 3 March 2025 to grant planning permission for a residential development comprised of 14 apartments (1 one-bed and 13 two-bed) with private and communal amenity space, bin and bicycle storage, landscaping, car parking and all associated site works on lands at 933 Upper Newtownards Road Dundonald.</p> <p>3. The recommendation presented was subject to the developer entering into a Section 76 planning agreement to ensure that adequate provision is made for affordable housing as an integral part of the development in accordance with</p>
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	<p>Policy HOU10 of the Lisburn and Castlereagh City Council Local Development Plan.</p> <p>4. The Developer covenants with the Council to provide three residential units as affordable housing at the site in accordance with Covenants two and three of the First Schedule of the Agreement under the heading Affordable Housing.</p> <p>5. A copy of the Agreement is attached (<b>see Appendix</b>) 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.</p> <p>6. Under the Planning Act (NI) 2011 the Agreement must be sealed by the Council under the Councils constitution and the signing of legal documents and the affixing of the corporate seal is delegated to the Chief Executive.</p>	
2.0	<p><b><u>Recommendation</u></b></p> <p>It is recommended that the Council consider the above and that approval be granted to the signing and sealing of this Agreement by the Mayor and Chief Executive.</p>	
3.0	<p><b><u>Finance and Resource Implications</u></b></p> <p>In accordance with Miscellaneous provisions set out at section 7 of the agreement, the owner 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.</p> <p>The owner shall pay to the Council on completion of this Deed a fee of one thousand five hundred pounds (£1500.00) as a contribution towards the Council's costs of monitoring the implementation of this Deed.</p>	
4.0	<p><b><u>Equality/Good Relations and Rural Needs Impact Assessments</u></b></p>	
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>	<p><b>APPENDIX 1aCONFID</b> – Section 76 Agreement – LA05/2022/0562/F</p> <p><b>APPENDIX 1bCONFID</b> – Site Location Plan – LA05/2022/0562/F</p>
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Dated the

day of

2025

**BETWEEN**

**Lisburn and Castlereagh City Council**

**AND**

**OSIRIS BARS LIMITED**

**PLANNING AGREEMENT PURSUANT TO SECTION 76 OF THE PLANNING ACT (NI) 2011**

**RELATING TO:**

**931-935 UPPER NEWTOWNARDS ROAD, BELFAST, BT16 1RQ**

**THIS DEED is made on the                      day of    2025**

**BETWEEN:**

**Lisburn and Castlereagh City Council** of Lagan Valley Island, 1 The Island, Lisburn, BT27 4RL ("the Council");

**OSIRIS BARS LIMITED** incorporated and registered in Northern Ireland with company number NI615990 whose registered office is at Jefferson House, Queen Street, Belfast, Northern Ireland, BT1 6HL ("the Applicant").

**WHEREAS:**

- A. The Council is the planning authority for the purposes of the Planning Act (Northern Ireland) 2011 ("the Act") for the area in which the Application Site is situated as edged in red in the map at Annex 1.
- B. The Applicant has submitted the Planning Application for permission and is proposing to develop the Application Site.
- C. The Council must determine Planning Applications for residential housing based on the requirements of the planning policy set out in policies HOU1, HOU3, HOU4 and HOU10 and as such the Affordable Units have been designated for use as Affordable Housing.
- D. The Applicant is the owner of the Application Site.
- E. The Planning Application submitted by the Applicant will be subject to conditions which the Council may impose as well as this Agreement pursuant to Section 76 of the Act.
- F. The planning obligations insofar as they relate to Section 76 of the Act on behalf of the Council and the Applicant in this Agreement are binding upon the Application Site.

**NOW THIS DEED** is made in pursuance of Section 76 of the Act and the covenants are covenants to which that Article applies.

**WITNESSES AS FOLLOWS:**

**DEFINITIONS**

**Act** – Planning Act (Northern Ireland) 2011;

**Affordable Housing:** means housing that is provided outside of the general market for those whose needs are not met by the market. Affordable Housing which is funded by the Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing and includes any of:

- a) Social rented housing; or
- b) Intermediate Housing for sale; or
- c) Intermediate Housing for Rent

that is provided outside of the general market, for those whose needs are not met by the market.

**Affordable Units:** means the 3 Properties to be constructed for Affordable Housing and outline in red on the Plan.

**Application Site** – 931-935 Upper Newtownards Road, Belfast, BT16 1RQ as outlined in red in the map at Annex 1 and comprised in Folios: DN112406, DN112407L, DN193424 County Down;

**Available for Occupation** – means together the following:

- a) Available for Occupation; and
- b) the issuance of a Building Regulations Completion Certificate pursuant to the Building Regulations (Northern Ireland) 2012 (as amended).

**Certificate of Practical Completion** - confirmation from a duly authorised architect that the developed Properties, or any part thereof, is capable of being used for the purpose for which Planning Permission was granted;

**Commencement Notice** - a notice in writing to be served upon the Council by the Applicant notifying it of the Applicant's intention to carry out Commencement of Development, a copy of which is annexed to this Agreement at Annex 2. Such notice shall include confirmation of the date upon which Commencement of Development is expected to take place and shall contain the reference number for the Planning Application and confirm the clause of this Deed pursuant to which it is being given;

**Commencement of Development** - shall have the meaning given in Section 63 (2) of the Act save that for the purposes of this Deed none of the following operations shall constitute commencement:

- (1) Any archaeological or site investigations;
- (2) Works of excavation;
- (3) Demolition;
- (4) Site clearance;
- (5) Diversion of services and installation of services for construction purposes only;
- (6) Site or soil investigations;
- (7) Remedial action in respect of any contamination;
- (8) Interim landscaping works;
- (9) Provision of construction access; and
- (10) Noise attenuation works for the erection of hoardings and fences.

**Completion** - the completion of the Development of the Application Site, or as the case may be, any part of the Application Site as evidenced by a Certificate of Practical Completion provided by the Applicant if reasonably requested by the Council and the issue of building control completion certificates relating to the

Application Site, or as the case may be, any part of the Application Site and a copy being provided by the Applicant of their architect's Certificate of Practical Completion;

**Development** – proposed residential development comprising of 14 apartments (1 one-bed and 13 two--bed) with private and communal amenity space, bin and bicycle storage, landscaping, car parking and all associated site works in accordance with the Planning Permission or as varied by any reasonable requirements of the Planning Committee;

**Interest** - interest at 2% above the base lending rate of the Bank of England from time to time;

**Intermediate Housing** – means those Properties 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 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.

**Intermediate Housing for sale** – means shared ownership housing provided through a Registered Housing Association (for example, the Co Ownership Housing Association) in order to help households who can afford a small mortgage, but that are not able to afford to buy a property outright. The property is split between part ownership by the householder and part social renting from the Registered Housing Association. The proportion of property ownership and renting can vary depending on householder circumstances and preferences;

**Occupation** – means with respect to the Properties to beneficially occupy but not including occupation by persons engaged in construction fitting out or decoration or occupation as a showhouse or sales office for advertising, marketing or display purposes or occupation in relation to site security or management of the Site

**Parties** - the Applicant, the Council;

**Planning Agreement** – means an agreement under section 76 of the Act;

**Planning Application** - a Planning Application for planning permission on the Application Site for a Proposed residential development comprising of 14 apartments (1 one-bed and 13 two--bed) with private and communal amenity space, bin and bicycle storage, landscaping, car parking and all associated site works and comprised in planning reference LA05/2022/0562/F;

**Planning Permission** - the Planning Permission granted by the Council in respect of the Planning Application;

**Properties** – means the individual residential units comprising 3 Affordable Units and 11 Private Housing Units to be built in accordance with the Planning Application approved by the Planning Committee on 3<sup>rd</sup> March 2025 and any subsequent approvals (if applicable). Property shall be construed accordingly;

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

## **INTERPRETATION**

1. Where in this Deed reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule or recital in this Deed.
2. Words importing the singular meaning where the context so admits include the plural meaning and vice versa.
3. Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations, authorities, firms or other such bodies including incorporated sporting clubs and associations and all such words shall be construed interchangeable in that manner.
4. Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced against all of them jointly and severally and against each individually unless there is an express provision otherwise.
5. Any reference to an Act of Parliament or Order in Council shall include any modification, extension or re-enactment of that Act or order for the time being in force and shall include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given under that Act or Order or deriving validity from it.
6. References to any party to this Deed shall include the successors in title to that party and to any deriving title through or under that party and in the case of the Council the successors to its respective statutory functions.
7. Words denoting any obligation on any party to do any act, matter or thing include an obligation to procure that it be done and words placing any party under a restriction include an obligation not to permit or allow infringement of the restriction.

## **LEGAL BASIS**

8. The Deed is made pursuant to Section 76 of the Act and is a Planning Agreement for the purposes of that section.

9. Insofar as any of the covenants contained in this Deed are not planning conditions within the meaning of the Act they are entered into freely by the Applicant and by the Council pursuant to 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.
10. The Council is the local authority by which the covenants, restrictions and requirements imposed upon the Applicant under this Deed are enforceable or any successor.
11. The Parties agree that nothing in this Deed constitutes a Planning Permission or an obligation by the Council to grant Planning Permission and further agree that nothing in this Deed grants planning permission or any other approval, consent or permission required from the Council in the exercise of any other statutory function.
12. The Parties agree this Deed is enforceable against the persons entering into the Deed and against any person deriving title from that person.

### **CONDITIONALITY**

13. Except for the provisions of Clause 35 (Jurisdiction) and 36 (Delivery), which shall come into effect immediately upon the execution of this Deed, all obligations contained within this Deed shall come into effect once full Planning Permission for the Development has been granted in full for the Application Site.
14. This will bind every part of the Application Site as detailed in the Planning Permission or as later varied by any future planning application approved by the Council or as agreed with consent from the Council or as discharged or modified under Section 77 of the Act.
15. These obligations continue unless discharged or modified under Section 77 of the Act.

### **THE COVENANTS**

16. The Applicant covenants with The Council:

- (1) to observe and perform the obligations set out in the First Schedule on behalf of itself and its successors in title and all persons claiming under or through him or them and so as to bind each and every part of the Application Site.
- (2) not to commence Development before the service of the Commencement Notice.

17. The Council covenants with the Applicant:

- (1) to observe and perform the obligations set out in the Second Schedule on behalf of itself and its successors in function.

## **COUNCIL'S COSTS**

18. The Applicant shall pay to the Council on or before the date of this deed the Council's reasonable and proper legal costs together with all disbursements incurred in connection with the negotiation, completion and registration of this deed.
19. The Applicant shall pay to the Council on or before the date of this deed a fee of £1,500 as a contribution towards the Council's costs of monitoring the implementation of this Deed.

## **MISCELLANEOUS**

20. This Deed is registrable as a statutory charge in accordance with Section 76 and Section 245 of the Act and shall be registered as a charge on the land by the Council who will register this within a reasonable period following the execution of this Deed.
21. Where the agreement, approval, consent or expression of satisfaction is required by the Applicant from the Council under the terms of this Deed such agreement, approval, consent or expression of satisfaction shall not be unreasonably withheld or delayed.
22. Any notice or other communication to be given under this Deed must be in writing and must be delivered by hand or sent by pre-paid first-class post or other next Working Day delivery service.
23. Any notice or other communication to be given under this Deed must be sent to the relevant party as follows and in accordance with the provisions of Clause 20:
  - (1) to the Council at Lagan Valley Island, 1 The Island, Lisburn, BT27 4RL , marked for the attention of the Head of Service for Planning & Capital Development;
  - (2) to the Applicant at 42 Queen Street, Belfast marked for the attention of Alan Johnston or as otherwise specified by the relevant party by notice in writing to each other party.
24. Any notice or other communication given in accordance with this Deed will be deemed to have been received:
  - (1) if delivered by hand, on signature of a delivery receipt or at the time the notice or document is left at the address 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.
  - (2) 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.

25. On the written request of the Applicant at any time after each or all of the obligations contained in Schedule 1 have been satisfactorily performed or otherwise discharged the Council will within 14 working days issue a written confirmation of such performance or discharge under Section 77 of the Act.
26. On the written request of the Applicant at any time after each or all of the obligations contained in Schedule 1 have been satisfactorily performed or otherwise discharged of (and subject to all parties meeting their own proper costs) the Council will within 14 Working Days lodge the appropriate application to cancel all entries made in the statutory charge register in respect of this Deed and furnish a copy of this application and the discharge to the Applicant or their successors or assigns and to their nominated solicitors.
27. This Deed shall cease to have effect (insofar only as it has not already been complied with) if the Planning Permission is quashed, revoked or otherwise withdrawn or is modified by any statutory procedure or expires prior to the Commencement of Development.
28. No person shall be liable for any breach of any of the planning obligations or other provisions of this Deed after it shall have parted with its entire interest in the Application Site but without prejudice to liability for any subsisting breach arising prior to parting with such interest.
29. Nothing contained in this Deed shall prejudice the discharge by the Council of their powers, duties or functions as may be conferred by statute or common law.
30. Unless otherwise specified no provisions of this Deed shall be enforceable under the Contracts (Rights of Third Parties) Act 1999.

#### **WAIVER**

31. No waiver (whether expressed or implied) by the Council or the Developers of any breach or default in performing or observing any of the covenants, terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent the Council or the Developers from enforcing any of the relevant terms or conditions or for acting upon any subsequent breach or default.

#### **INTEREST**

32. If any payment due under this Deed is paid late, Interest will be payable from the date payment is due to the date of payment calculated on a daily basis and to be compounded at monthly rests, as well as before judgment.

#### **JURISDICTION**

33. Deed is governed by and interpreted in accordance with the law of Northern Ireland.

## **DISPUTES**

34. Any dispute or difference arising between the parties with regard to their respective rights and obligations as to any matter or thing in any way arising out of or connected with the Deed will, except as otherwise expressly provided, be referred to the Courts of Northern Ireland for final determination and the parties agree that the courts of Northern Ireland shall have exclusive jurisdiction in respect of all matters under or in connection with this Deed.

## **DELIVERY**

35. The provisions of this Deed (other than this clause which shall be of immediate effect) shall be of no effect until this Deed has been dated.

## **VALIDITY**

36. If any clause in this Deed 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 the Deed.

**IN WITNESS** whereof the parties have executed this agreement as a Deed under seal as hereinafter appears the day and year first herein written.

PRESENT when the CORPORATE SEAL )  
of the Council was affixed hereto )  
in the presence of : - )  
 )  
 )  
\_\_\_\_\_)  
Mayor )  
 )  
 )  
 )  
\_\_\_\_\_)  
Chief Executive )  
 )

Executed as a Deed under seal by  
OSIRIS BARS LIMITED  
In the presence of:-

)  
 )  
 )  
..... )  
Witness Name (Solicitor) )  
 )  
..... )  
Witness Signature )  
 )  
..... )  
..... )  
..... )  
Witness Address )

.....  
Director

## FIRST SCHEDULE

### **Covenants by the Applicant**

**The Applicant hereby covenants with the Council as follows:**

#### AFFORDABLE HOUSING

- (1) To develop the Application Site in accordance with the provisions of the Planning Permission and as detailed in this Agreement, and in accordance with Covenants (2) and (3) below.
- (2) A minimum of 20% of the Properties (being 3 of the Properties) shall be provided as Affordable Housing in accordance with Policy HOU10 of the Lisburn & Castlereagh City Council Local Development Plan 2032 Plan Strategy.
- (3) Prior to the Occupation of the 6<sup>th</sup> Property permitted by the Planning Permission, a minimum of 3 Affordable Units shall be Available for Occupation.
- (4) Upon Completion as evidenced by the issue of the Certificate of Practical Completion, the Applicant will make the Affordable Units Available for Occupation as Affordable Housing.

#### NOTIFICATION

The Developer Covenants with the Council to notify the Council of any of the following:

- (1) To give the Council written notice within a reasonable time of any change in ownership of any of its interests in the Application Site or the Properties (in accordance with any disposal contained under Article 13 of the Housing (Northern Ireland) Order 1992 such notice to give details of the transferee's full name and registered office (if a company or usual address if not), together with details of the date and nature and extent of the interest disposed of;
- (2) The Commencement of Development at the Site by serving a written notice at least 7 Working Days prior to the Commencement of Development.
- (3) The Completion of Development and to provide the Council with a Certificate of Practical Completion in respect of the Affordable Housing at the Site within 10 Working Days of its issue.
- (4) The Occupation date of each of the Affordable Housing Residential Units at the Site within 10 Working Days of its occurrence along with evidence demonstrating that each of the Affordable Housing Residential Units has been provided as Affordable Housing.

## SECOND SCHEDULE

### **Covenants by the Council**

**The Council hereby covenants with the Applicant and as follows:**

- (1) The Council agrees to consider and determine any matters arising out of this Deed as soon as reasonably practicable.
- (2) To vary or discharge any of the obligations under the First Schedule if so, required promptly and without unreasonably withholding or delaying consent under Section 77 of the Act.

## **Annex 1**

### **Map - Application Site**

**Annex 2  
Commencement Notice**

**TO:**

Head of Service for Planning & Capital Development  
Lisburn and Castlereagh City Council  
Lagan Valley Island,  
1 The Island,  
Lisburn,  
BT27 4RL

The Agreement: the section 76 Agreement dated \_\_\_\_\_ and made between LISBURN AND CASTLEREAGH CITY COUNCIL and OSIRIS BARS LIMITED.

AND WHEREAS this is a Commencement Notice pursuant to the above-mentioned section 76 Agreement confirming the Applicant's intention to commence works at the Commencement of the Development.

The Commencement of the Development is expected to take place on \_\_\_\_\_ and this Commencement Notice is served pursuant to clause 16 of the above noted section 76 Agreement pursuant to planning permission LA05/2022/0562/F .

**Signed by** \_\_\_\_\_  
**For and on behalf**  
**of OSIRIS BARS LIMITED**

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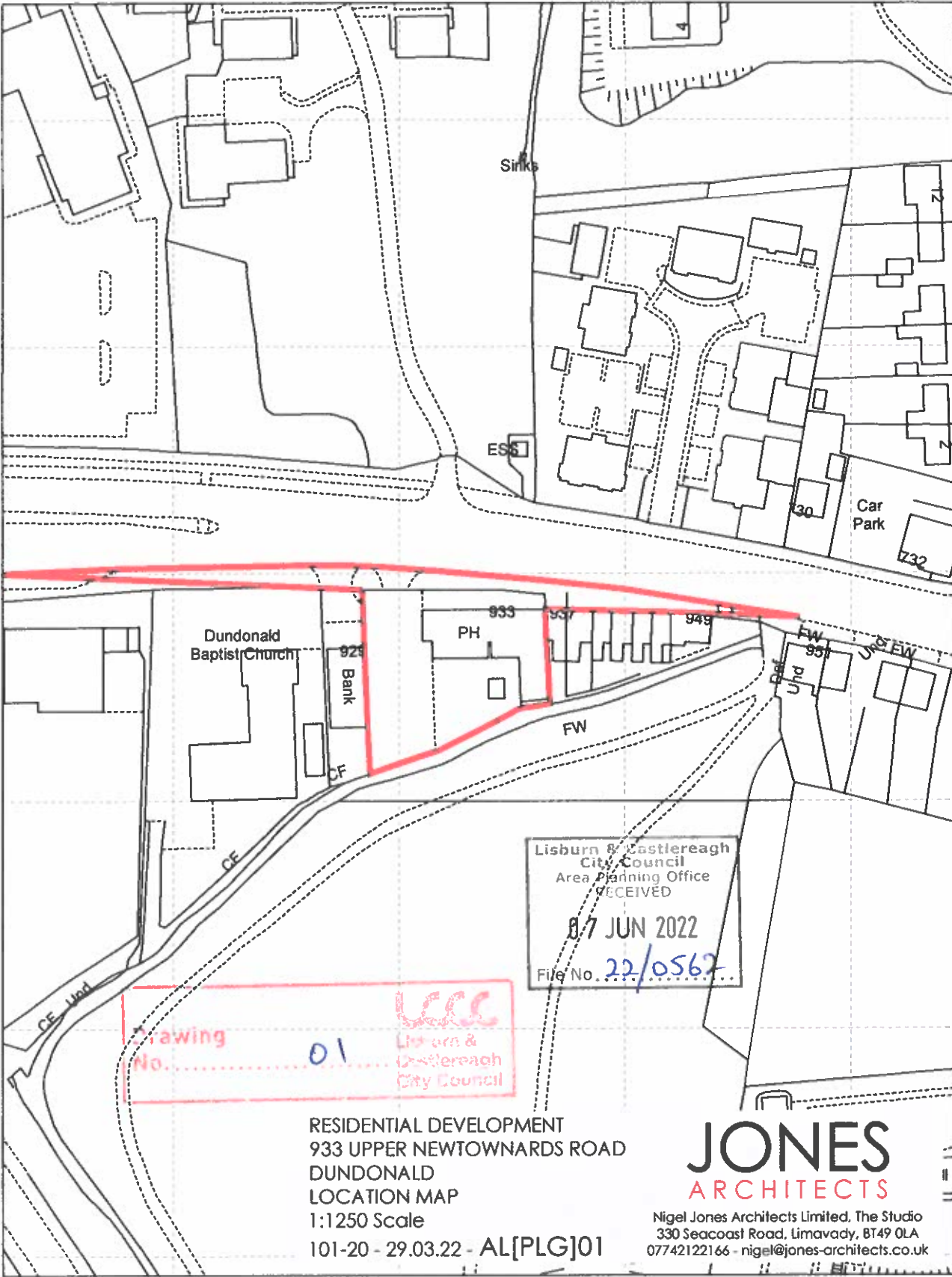
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Lisburn & Castlereagh  
City Council  
Area Planning Office  
RECEIVED  
07 JUN 2022  
File No. 22/0562

Drawing No. 01  
Lisburn & Castlereagh City Council

RESIDENTIAL DEVELOPMENT  
933 UPPER NEWTOWNARDS ROAD  
DUNDONALD  
LOCATION MAP  
1:1250 Scale  
101-20 - 29.03.22 - AL[PLG]01

**JONES**  
ARCHITECTS

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