



22 November 2023

To: Each Member of the Council

Dear Member

MEETING OF ANTRIM AND NEWTOWNABBAY BOROUGH COUNCIL

A meeting of Antrim and Newtownabbey Borough Council will be held in the **Council Chamber, Mossley Mill** on **Monday 27 November 2023** at **6.30 pm**.

You are requested to attend.

Yours sincerely

A handwritten signature in black ink, appearing to read "Richard Baker".

Richard Baker, GM MSc
Chief Executive, Antrim & Newtownabbey Borough Council

For any queries please contact Member Services:

Tel: 028 9448 1301/028 9034 0107 memberservices@antrimandnewtownabbey.gov.uk

AGENDA

- 1 Bible Reading and Prayer (In accordance with Standing Orders, Members are not required to attend for this part of the meeting and, following this part of the meeting, Members outside the Chamber will be called to the meeting).
- 2 Apologies
- 3 Declarations of Interest
- 4 To take as read and confirm the minutes of the proceedings of the Council Meeting of Antrim and Newtownabbey Borough Council held on Monday 30 October 2023, a copy of which is **enclosed**.
- 5 To approve the minutes of the proceedings of the Operation Committee Meeting of Monday 6 November 2023, a copy of which is **enclosed**.
- 6 To approve the minutes of the proceedings of the Policy and Governance of Tuesday 7 November 2023, a copy of which is **enclosed**.
- 7 To approve the minutes of the proceedings of the Community Planning Committee Meeting of Monday 13 November 2023, a copy of which is **enclosed**.
- 8(a) To take as read and confirm the Part 1 of the minutes of the proceedings of the Planning Committee Meeting held on Monday 20 November 2023, a copy of which is **enclosed**.
- 8(b) To approve Part 2 of the minutes of the proceedings of the Planning Committee Meeting held on Monday 20 November 2023, a copy of which is **enclosed**.
- 9 ITEM FOR DECISION
 - 9.1 Application for Renewal of an Entertainments Licence, The Rabbit, 882 Antrim Road, Templepatrick, BT39 0AH
- 10 PRESENTATION
 - 10.1 Presentation by Northern Ireland Housing Executive
- 11 ITEMS FOR DECISION
 - 11.1 Street Naming Resubmission – Ballyeaston Road, Ballyclare
 - 11.2 Dual Language Street Sign Application Update
 - 11.3 Response to Pre-Consultation Document on the Review of Energy Efficiency Requirement and Related Areas of Building Regulations

- 11.4 REVO Awards – Economic Development and The Junction Retail and Leisure Park
- 11.5 Invitation: National Association of Councillors (NAC) NI 2023/24 Leadership Series
- 12 ITEMS FOR NOTING
 - 12.1 Motion – Derry City and Strabane District Council – Rights of Nature for Lough Neagh
 - 12.2 Independent Members to the Northern Ireland Policing Board
- 13 ITEMS IN COMMITTEE
 - 13.1 Minutes of the Governance Meetings of the Levelling Up Fund Project Board held on 6th July, 31st August, 11th October 2023
 - 13.2 Strategic Asset Management - Sale of Land at Hollybush Gardens, Ballyclare
 - 13.3 Procurement of Interim Residual Waste Treatment Contract
 - 13.4 Provision of VR Style Driver Training Programme
 - 13.5 Tender for Provision of Contractor for Glengormley Office Regeneration
 - 13.6 Antrim LUF Hub Furniture Contract
 - 13.7 Local Government Service Pay Agreement 2023
 - 13.8 Corporate Planning Workshop - Finance

9 ITEM FOR DECISION

9.1 EL/140 APPLICATION FOR RENEWAL OF AN ENTERTAINMENTS LICENCE, THE RABBIT, 882 ANTRIM ROAD, TEMPLEPATRICK, BT39 0AH

An application has been received for the renewal of an Entertainments Licence for the following premises.

License e	Location of Premises	Type(s) and hours of Entertainment	File No.	New Application Or Renewal
Lynsey Gordon	The Rabbit, 882 Antrim Road, Templepatrick, BT39 0AH.	Dancing, singing, music or other similar entertainment. Mon – Sun 11.00am – 1.00am	EL140	Renewal

In line with the Council Protocol for the Hearing of Entertainments Licence Applications, approved in December 2016, the application must be considered at a full meeting of Council.

The Council can decide the following:

- (i) Grant the licence;
- (ii) Grant the licence with specific additional terms, conditions and restrictions;
- (iii) Refuse the licence;
- (iv) Defer an application for further consideration or to obtain further information.

If the Council makes a decision against an officer's recommendation, then Members must state their reasons for doing so and in such circumstances a recorded vote will be taken.

Documents disclosed to all parties are enclosed including the written submissions of the applicant and the objectors. Both parties will be afforded the opportunity to address the Council at the meeting, in line with the protocol.

Background

An Entertainments Licence application made by Ms Lynsey Gordon (the Applicant) was received on 17 July 2023. The current Entertainments Licence for The Rabbit expired on 30 September 2023, with a public advertisement placed in the Antrim Guardian on 14 July 2023, as required under the applicable legislation.

Within the public consultation period, two objections were received.

Objections

Objections have been received from the following:

1. Mr J Clarke, 3 The Halls, Templepatrick, BT39 0FF;
2. Mrs A Barton, 5 Temple Well, Templepatrick, BT39 0AB.

In summary the nature of the objections that are relevant to this case allege the following:

1. Since July 2022 there have been increasing frequency and levels of background and entertainment noise emanating from the premises causing disturbance;
2. Furthermore, that this disturbance has increased more notably in recent months;
3. Insufficient management and oversight by The Rabbit management regarding the control of entertainment noise levels, especially in the specific area referred to as The Loft on the first floor;
4. The disruption caused by the noise is impacting on the objectors' use or enjoyment of their homes and outdoor spaces.

The written objections of both complainants is available for Members' review.

Criteria for deciding to grant an application (in accordance with The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985)

In considering any application for the grant, renewal or transfer of a licence the Council shall have regard to the following:

1. Any observations submitted to it by the appropriate PSNI Sub-Divisional Commander and the NI Fire and Rescue Service;
2. A licence may not be granted, renewed or transferred if the applicant has been convicted of an offence of either providing unlicensed entertainment, or providing entertainment otherwise than in accordance with the licence terms and conditions within 5 years preceding the date of the application;
3. Give the applicant an opportunity of appearing before and of being heard by the Council;
4. Any oral representation by any person who gave notice (not later than 28 days after the date of the application) to the Council stating in general terms the nature of the representation;
5. Any other public safety and/or public order considerations.

Investigation Findings

A chronological synopsis of this complaint investigation (**enclosed**) is available for Members' review.

In summary, a total of 6 complainants have raised issues with the entertainment noise and associated disturbance from The Rabbit. These complainants include Mr Clarke and Mrs Barton. Environmental Health has been investigating the issue by in person monitoring and taking recordings from nearby properties. Council officers have monitored noise levels on 12 occasions with 6 incidents of noise from the entertainment activities audible beyond the boundaries of The Rabbit.

Upon examination of the complaints received by Environmental Health between July 2022 and October 2023, it was determined that none of the complaints concerning alleged noise disturbance were assessed as constituting a statutory noise nuisance under The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.

According to Schedule 1, Paragraph 3 of the Local Government Miscellaneous Provisions (NI) Order 1985, which pertains to Entertainments Licences, it is essential to consider the aspect of "preventing persons in the neighbourhood being unreasonably disturbed by noise".

As stated above, officers recorded 6 occasions when noise from the entertainment activities could be heard beyond the premises' boundaries. In these instances, it was concluded that there was a potential to cause undue annoyance or disturbance to neighbouring properties, although as stated, noise was not at a level, frequency or duration to be deemed a statutory nuisance.

No objections were received from the statutory consultees (PSNI and NI Fire and Rescue Service) and there are no relevant convictions in relation to the applicant.

An annual renewal inspection for the premises was completed on 24 August 2023 by authorised officers. The applicant has carried out a noise impact assessment for the premises. This assessment has been completed by a competent person, who has subsequently provided recommendations, which the applicant has accepted. These recommendations are contained in the noise impact assessment (**enclosed**) and this has subsequently been reviewed by officers as part of their development of the conditions for the licence approval.

Having considered all the evidence, including submissions on behalf of the applicant and objectors, as well as our own investigations, officers are of the opinion that there is no substantive evidence to prevent the renewal of the Entertainments Licence. However, it is recommended that the licence be granted with appropriate condition(s) placed on the licence which the applicant must ensure are met. Such conditions will include the implementation of an agreed noise management plan requiring the construction of a new entrance lobby area, in addition, access to the external terrace is not permitted by patrons from a designated time (except for

emergency access), and monitoring by The Rabbit management and staff to ensure internal noise levels are kept within agreed boundaries.

RECOMMENDATION: that an Entertainments Licence is granted to the applicant, Ms Lynsey Gordon, The Rabbit, 882 Antrim Road, Templepatrick, BT39 0AH, subject to compliance with the Council's 'Conditions and Management Rules for Places of Indoor and Outdoor Entertainment' and the following additional condition:

- **The applicant must implement the content of the noise management plan, including monitoring of internal noise levels, access to external terrace is not permitted by patrons during designated times, and the construction of a new entrance lobby area.**

Dancing, Singing, Music or other entertainment of like kind -

Areas of Premises to be licensed - The Loft/Restaurant/Bar/Garden Room and Grill/ Lounge/The Boathouse (new for 2023/2024 licence)

Monday to Sunday 11am to 1am

Prepared by: Colin Kelly, Head of Environmental Health and Wellbeing

Agreed by: Michael Lavery, Director of Sustainability

10 PRESENTATION

10.1 G/MSMO/7 PRESENTATION BY NORTHERN IRELAND HOUSING EXECUTIVE

Members are advised that a presentation, for the 2023 annual update on the Housing Investment Plan **enclosed**, will be made by representatives of the NI Housing Executive. Attending in person will be Grainia Long, Chief Executive; Louise Clarke, Head of North Place Shaping and Breige Mullaghan, South Antrim Area Manager. Attending remotely will be Frank O Connor, North Regional Manager; Andy Kennedy, A.D Asset Strategy; Leeann Vincent, A.D Programme Delivery and Ryan Brady, South Antrim Planner.

Prepared by: Member Services

Approved by: Richard Baker, Chief Executive

11 ITEMS FOR DECISION

11.1 PBS/BC/003 VOL 2 STREET NAMING RESUBMISSION – BALLYEASTON ROAD, BALLYCLARE

A development naming application was received from Anthony Hamilton on behalf of APD Architects regarding the naming of a residential development off Ballyeaston Road, Ballyclare. The development consists of 133No dwellings, these being a mixture of detached and semi – detached. The development names and developer's rationale have been submitted as outlined below, with the developer's application, location map and site plan **enclosed**.

Please note that the previous names submitted were rejected at September's Full Council meeting and those outlined below are alternative proposals.

1 – Sycamore - Sycamore is one of the tree types on site.

2 – Ash – Ash is another name of tree type on site

3 – Hawthorn – Hawthorn is another name of tree type on site

If Council chooses one of these names it is proposed that Building Control will add suffixes as required.

Please note there is a Hawthorn Way existing in Ballyclare.

Should the Council not wish to select one of the above names, the matter will be referred back to the developer via the Building Control section for further consideration.

RECOMMENDATION: that Council approves a name for the above development.

Prepared by: Liam McFadden, Principal Building Control Surveyor

Approved by: Sharon Mossman, Deputy Director of Planning and Building Control

11.2 CCS/EDP/025 DUAL LANGUAGE STREET SIGN APPLICATION UPDATE

Members are advised that in line with the Dual Language Street Sign Policy adopted by Council on the 30 May 2022 the following update is presented which details the current status of applications received.

Application Status

Stage 1: Petition Verification

Three applications received are currently at Stage 1:

Requesting signage to be erected in Irish for the following areas:

1. GLENVILLE MEWS, NEWTOWNABBAY, BT37 0ZU
2. BAWNMORE TERRACE, NEWTOWNABBAY, BT36 7BY
3. MOUNT STREET, NEWTOWNABBAY, BT36 7BZ

The occupiers signing the petitions have been evidenced by their listing on the current Electoral Register and meet the one third threshold as required within the approved Policy.

In addition, one further application has been received and as per Council policy a maximum of three applications per month are processed on a first come basis.

Stage 2: Residents Canvass

There are three applications that have now progressed to Stage 2:

- Bawnmore Grove, Bawnmore Place and Newton Gardens.

Stage 3: Street Sign Installation

No applications at Stage 3.

RECOMMENDATION: that a canvas of the residents of the respective streets in Stage 1; Glenville Mews, Bawnmore Terrace and Mount Street be approved.

Prepared by: Ellen Boyd, Accessibility and Inclusion Officer

Agreed by: Lesley Millar, Head of Organisation Development

Approved by: Jennifer Close, Director of Organisation Development

11.3 PBS/BC/001 RESPONSE TO PRE-CONSULTATION DOCUMENT ON THE REVIEW OF ENERGY EFFICIENCY REQUIREMENT AND RELATED AREAS OF BUILDING REGULATIONS

The NI Executive published the 'Energy Strategy – The Path to Net Zero Energy' in 2021. This document outlined a roadmap to 2030 aiming to deliver a 56% reduction in our energy related emissions, on the pathway to deliver the 2050 vision of net zero carbon and affordable energy. An Action Plan was also published in 2022 which included a range of actions including the improvement of energy efficiency of new buildings. As such, a phased approach was put forward to uplift the requirements of building regulations, to deliver this aspect.

The Strategy seeks to ensure that new buildings are designed and constructed to net zero ready standards from no later than 2026/27. Regulatory requirements will need to move quickly for the net zero future demanded by our Climate Change legislation.

Therefore, the Department of Finance, which has responsibility for maintaining the building regulations in Northern Ireland, has issued a pre-consultation discussion document as the second phase of a five phase programme to realign building regulations with climate change commitments. Phase 1 of the programme provided some minor amendments to building regulations technical guidance to deliver a pragmatic uplift as quickly as possible. This was published in March 2022 and came into effect on 30 June 2022. The intention of the current pre-consultation document is to provide an early outline of potential proposals (Phases 3 to 5) to introduce significant change to building regulations in order to improve energy efficiency and reduce emissions from buildings. The pre-consultation aims to inform and explore the challenges, to consider any alternative approaches that other regions may provide and to encourage industry and society to prepare for change.

The extent of change proposed is significant. There is a clear intention to transition away from conventional heating systems, (making the highest carbon fuels such as oil and coal unviable for new-build situations) and to introduce the electrification of heat supply, increase requirements on building fabric standards and require the installation of renewable technologies to generate energy.

Future uplifts in the Department's programme indicate an expectation that all new build homes would be fitted with low carbon heat sources (i.e. heat pumps) from 2026/27. The final phase of the programme, intended for 2029/30, suggests that replacement heating in existing buildings should be a low carbon heat source.

The Building Control service recognises the need to introduce these significant changes to building regulations. Increased focus on building performance brings greater levels of complexity and staff will need training and support to effectively deliver the enhanced service expectations, particularly when the construction industry and society generally will rely on our professional expertise to assist them in achieving compliance with these new requirements.

The pre-consultation document and associated draft consultation response which has been drafted primarily from a Building Control perspective on behalf of the Council is **enclosed**. The consultation is technical in nature due to the proposed changes for Building Regulations. The discussion document covers a range of building regulations technical areas which are mutually influential including Part F – Conservation of fuel and power; Part K – ventilation; a new Part on mitigation of overheating in dwellings and a new Part for potential electric vehicle infrastructure.

The initial consultation response date of 15th November 2023 has now been extended to 15 December 2023.

In terms of the wider implications of the move towards net zero, it is important that the Council has a full understanding of the changes so that it can consider the impact on all residents, the impact on its services as well as the impact on investment within the Borough. It is also noted that the Department for Communities, which has responsibility for new build social housing and work with the NI Housing Executive, has commenced work on a fuel poverty strategy and that providers are considering the impact on the electricity network. As such a draft letter is **enclosed** for Members consideration inviting representatives from the Department of Finance to provide a briefing to Elected Members including an update on the Action Plan and consultation on Building Control Regulations.

RECOMMENDATION: That the draft pre-consultation response is approved and submitted and the Chief Executive requests officials from The Department of Finance to provide a briefing and update to the Council.

Prepared by: Stephen Hipkins, Head of Building Control

Agreed by: Sharon Mossman, Deputy Director Planning and Building Control

Approved by: Majella McAlister, Deputy Chief Executive

11.4 ED/GEN/006 REVO AWARDS – ECONOMIC DEVELOPMENT AND THE JUNCTION RETAIL AND LEISURE PARK

Earlier this year, the Council's Economic Development Team entered the National REVO Awards in partnership with The Lotus Group and The Junction Retail and Leisure Park.

The REVO Awards support the interests and values of the retail, leisure, & placemaking real estate community, and is the forum for its members to network, share experience, provoke thinking and lead the evolution of the built environment.

The joint bid was submitted to highlight the collaborative approach that has been taken to enhance and develop the Junction Retail and Leisure Park, this includes:

1. The Council's support for Dobbies and the £10m investment and transformation of the 150,000sqft space. The Council/LMP supported this through recruitment events, training events and funding two customer service academies to ensure that local residents could avail of the new job opportunities.
2. Working collaboratively with the Council's Economic Development Team, the Junction played host to the first ever outdoor job fair in Antrim and Newtownabbey. Widely accepted to be one of the most successful ever held the event attracted 25 exhibitors, 2,490 attendees and as a result of the engagement 204 local residents moved into employment.
3. ANBC host a number of significant tourism events in the award-winning Antrim Castle Gardens throughout the year. Through the new partnership The Junction and ANBC combined resources to utilise the extensive car park at The Junction and offer a free shuttle bus to the events, including Garden Show Ireland (GSI). This allowed visitors to the show to enjoy a stress-free journey, but also saw thousands of extra visitors to the Junction where they able to enjoy the wide variety of retail and hospitality options. Retail stores reported a marked increase in recorded sales over that weekend.

The bid has now been shortlisted against two other bids in the '**Best Local Authority/Retail Partnership**' category. The Council as an applicant has been awarded two tickets to attend the award finals.

The finals will take place in London on the 6th December 2023 at the Control Room A, Turbine Hall A, Battersea Power Station.

RECOMMENDATION: that approval is granted for the attendance of the Mayor, or nominee and a relevant Council Officer at the awards final, the cost of which will be met through the Economic Development budget.

Prepared and Agreed by: Steven Norris, Deputy Director of Regeneration and Infrastructure

Approved by: Majella McAlister, Director of Economic Development and Planning

11.5 ED/GEN/006 INVITATION: NATIONAL ASSOCIATION OF COUNCILLORS (NAC) NI 2023/24 LEADERSHIP SERIES

Members are reminded of the recent invitation received from National Association of Councillors (NAC) Northern Ireland Region to attend the 2023/24 Leadership Series, Events 2 and 3, entitled "Developing a New Economy" The events are aimed at Councillors and Senior Officers with a strong passion to improve their understanding of future economic thinking and delivery.

The sessions will outline the challenges Councils and Councillors face in leading our future local economies and provide insights from speakers, experts and panellists in how to embrace these challenges, towards new enterprise perspectives and effective support for local businesses.

The free events are due to take place on Friday 19 January 2024 and Friday 26 January 2024 as follows;

- Event II: Friday 19 January 2024 – 12.00pm to 4.45pm, Ulster University, York Street Campus, Belfast
- Event III: Friday 26 January 2024 – 12.00pm to 4.45pm, Ulster University, Magee Campus, Derry/Londonderry

Places are limited and must be booked in advance. Please see **enclosed** further information in the Annex.

Relevant Officers from the Economic Development team will be in attendance.

RECOMMENDATION: that Members advise Member Services if they wish to attend either of the two events.

Prepared by: Tara McCormick, Executive Officer, Economic Development

Agreed by: Steven Norris, Deputy Director, Regeneration and Infrastructure

Approved by: Majella McAlister, Director of Economic Development and Planning

12 ITEMS FOR NOTING

12.1 G/MSMO/14 MOTION – DERRY CITY AND STRABANE DISTRICT COUNCIL – RIGHTS OF NATURE FOR LOUGH NEAGH

Members are advised that correspondence has been received from Derry and Strabane District Council regarding a Motion adopted by their Council in relation to Lough Neagh (copy **enclosed**).

Members will recall the motion adopted by this Council on Lough Neagh at the September meeting

“That Antrim and Newtownabbey Borough Council calls on the local Government Association (NILGA) to immediately establish a working group made up of DAERA and its respective agencies including NIEA, Inland Fisheries and others, along with representatives from the four Councils that border Lough Neagh, and other relevant agencies including NI water and the Public Health agency and Food Standards Agency in order to hold the department(s) and agencies accountable for the development of a time bound targeted strategy to address the poor water quality and in particular the impact of toxic Blue Green algae affecting Lough Neagh, and its impact on the environment, the loughs residents, businesses and recreational users. NILGA will convene (and act as the independent oversight for) the working group and strategy to address the issue”.

It was also agreed that the Chief Executive would write a robust letter to DAERA and statutory Agencies requesting they present at a further Council Meeting, addressing their proposals on this issue.

Responses from DAERA and NILGA were noted at the October Council meeting as follows:

- DAERA had established an Operational Task Team as well as a Water Quality Steering Group (WQSG) comprising of senior officials from DAERA, NIEA and DfI. They also stated that the process of developing an action plan was ongoing and they would therefore be in touch in due course to offer a briefing session.
- NILGA would write to the four Councils surrounding Lough Neagh with proposed next steps once they had met both DAERA and NIEA to understand the status of the working group which had already been established and the action that both organisations have in progress

Derry and Strabane District Council has asked if the Council would be willing to attend a meeting to explore the potential of legally recognised Rights of Nature for Lough Neagh and/or if there are any other existing forums that are dealing with Lough Neagh at which this matter could be explored.

Officers will contact Derry and Strabane District Council to update them on actions currently being taken by the Council.

RECOMMENDATION: that the correspondence from Derry City and Strabane District Council be noted.

Prepared by: Liz Johnston, Deputy Director of Governance

Approved by: Sandra Cole, Director of Finance and Governance

12.2 CP/PCSP/081 INDEPENDENT MEMBERS TO THE NORTHERN IRELAND POLICING BOARD

Members are advised that correspondence **enclosed** has been received from the Secretary of State for Northern Ireland, Chris Heaton-Harris MP in relation to planned recruitment of Independent Members to the Northern Ireland Policing Board.

The Secretary of State advises that the Department of Justice (DOJ) will shortly commence a recruitment process in order to recruit three Board members given that the term of current members is due to expire at the end of March 2024.

RECOMMENDATION: that the report be noted.

Prepared by: Ronan McKenna, Head of Community Planning

Approved by: Ursula Fay, Director of Community Planning