



Northern Ireland  
Assembly

Committee for Regional Development

# OFFICIAL REPORT (Hansard)

Off-street Parking (Functions of District  
Councils) Bill: Antrim and Newtownabbey  
District Council

19 November 2014



**Mr Paul Casey (Antrim and Newtownabbey District Council):** The council is aware that the Assembly is considering putting a restriction on the resale of the parking space that is coming to the council. The council would say that it had an expectation that the land would transfer to it without any restrictions. The council submits that any restriction placed on the land could affect the council's ability to redevelop or reuse it. Whilst the council is mindful that it is important to have off-street parking in the region, it would say that, if it is going to reuse the land being transferred to it as an asset in any way, it would endeavour to make sure that, in its development plans, there would be alternative parking available in the area. Therefore, the council would say that, if the land is transferring to the council, it should be unrestricted and there should be no restrictive covenants in place in relation to the asset.

**The Chairperson (Mr Clarke):** Paul and Hugh, you have sat in the public gallery in Belfast, so we are not going to rehearse the same questions. I am certainly not going to rehearse a lot of the questions, but, Paul, I am going to ask you directly about the restrictive clause. It frustrates me that councillors are jumping to that when we have a very restrictive clause set in stone. Even in your own submission you just said that consideration will be given to other spaces. Why, then, would councils resist? First, they do not know the text that the Committee may agree. It has not agreed anything yet, but it may agree a text with the words that you heard me say earlier about a condition insisting that you would provide an equivalent number of spaces to those that you have removed. What would the resistance be, if councils are already minded to provide those? Why would they have a problem with us putting a protective clause in that?

**Mr Casey:** We were not aware of some of the wording that you may consider using; that would be a different slant on it. We said that there should not be any blanket restriction on the reuse of the land, because the council's own development plan would have to have regard to providing off-street parking in another area if it was going to reuse the off-street parking that was coming to the council. We were not aware that there was consideration of wording around the restriction.

**The Chairperson (Mr Clarke):** This is where I have interest in it again, so I will give Belfast a touch and give you a touch as well. Officers may be informed. Sometimes they should perhaps be better informed, because they are creating resistance among their members, who approach us and come up with things that this Committee has never said. I am not saying that in terms of Newtownabbey. My wife has never said anything to me, Hugh. I just want to put it on record that I am married to a councillor. I would just dismiss her like I would dismiss anybody else on that, I have to say.

The fact is that the Committee has to be concerned when you are transferring a valuable asset to a council and there is a risk that a council could sweat an asset. I am not saying that anyone is minded to do that, but we have a duty to protect assets. If it was only a case of that, I think that the Regional Development Minister would be within his rights to try to identify those sites himself and sell them off. That would resolve the whole issue. All that we are trying to do is protect our local areas, where we all come from, and make sure that councils do not see it as an opportunity to sweat an asset and generate an income for themselves, then hand it over to the developer to do what they wish with it. Council officers should keep themselves better informed before they draw conclusions and make submissions about conditions that we have not attached. We are talking about restrictive clauses, but if we had been approached about what those may look like, we probably would not be in the position that we are in today. That is only an observation.

**Mr Lynch:** You mentioned insurance, Hugh. Can you elaborate on that? You said that some car parks were in a poor state; do you think it essential that they be upgraded before transfer?

**Mr H Kelly:** First, on the insurance, if we are taking it over, we have a slightly different approach from DRD on self-insurance. We pay an insurance premium. If we have to do that, we would need to know the history so that we can identify and assess a reasonable premium. It is as straight-forward as that.

Most car parks that we looked at are generally fine and fit for purpose. However, the one at Farmley in Glengormley is very busy, and we would like to see a bit of work done on it. There are some planters in it, for example, that are very badly overgrown; it is basic stuff. There is some vegetation around it. The drains that we looked at on the day were blocked; that is another issue that we would like to see resolved. However, I am sure that that will come out in the due diligence report.

**Mr Lynch:** That is fine.

**Mr H Kelly:** As to our comments on the restrictive clause, it was really to ensure us some flexibility if we were trying to regenerate Glengormley town. For example, we would not want to be tied down because the car park had to be in a specific place and we would not have the flexibility to say that, in the whole scheme of things, it might be better to move it. Those were comments that came to us when we were looking at the regeneration plan for Glengormley. Perhaps it might be better and may add more value if it was relocated and we could do something else with it.

**The Chairperson (Mr Clarke):** This Committee would want to see that.

**Mr H Kelly:** Yes, great.

**The Chairperson (Mr Clarke):** What the Deputy Chair said about insurance is a fair comment: the Department should furnish each council with a claims history. That is reasonable, and the Committee would support each council in that because you cannot go into this entirely blindfolded.

You referred in your presentation, Hugh — sorry, I am talking across you, Deputy Chair.

**Mr Lynch:** I have finished, Chair.

**The Chairperson (Mr Clarke):** You are getting £3 million worth of assets. The car park that you are talking about with a few overgrown bushes is worth £280,000. I cannot imagine that to be a deal-breaker in the transfer of functions.

**Mr H Kelly:** As I said earlier, we are quite content with the finance and everything; I was just making a point about the conditions and the due diligence reports.

**The Chairperson (Mr Clarke):** There may be more of an issue about how it failed to maintain it when it owned it.

**Mr Ó hOisín:** We are in danger of repetition here, but my only question specific to Newtownabbey is about the 12 car parks that Hugh mentioned. Do any of them come under what the Minister referred to as prioritisation of retention?

**Mr H Kelly:** I do not believe so. I am not certain, but I do not believe so.

**The Chairperson (Mr Clarke):** Are members content?

*Members indicated assent.*

**The Chairperson (Mr Clarke):** As you appreciate, Hugh, much of this is the same as has been said before. Are there any specific issues that you would like to put to us?

**Mr H Kelly:** No.

**The Chairperson (Mr Clarke):** We are content with what you have said. Thank you.

**Mr H Kelly:** Thank you for your time.