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BELFAST CITY COUNCIL

SUMMONS TO ATTEND THE MONTHLY MEETING OF THE COUNCIL

TO: THE LORD MAYOR, ALDERMEN AND THE COUNCILLORS OF BELFAST CITY COUNCIL

Notice is hereby given that the monthly meeting of the Council will be held both online and in-person in the Council Chamber, City Hall, Belfast on Monday, 4th March, 2024 at 6.00 pm, for the transaction of the following business:

1. Summons
2. Apologies
3. Declarations of Interest
4. Minutes of Council Meetings (Pages 1 - 10)
5. Official Announcements
6. Change of Membership on Committees/Outside Bodies/Position of Responsibility
7. Minutes of Strategic Policy and Resources Committee (to follow)
8. Minutes of People and Communities Committee (Pages 11 - 42)
9. Minutes of City Growth and Regeneration Committee (Pages 43 - 52)
10. Minutes of Licensing Committee (Pages 53 - 62)
11. Minutes of Planning Committee (Pages 63 - 80)
12. Minutes of Climate and City Resilience Committee (Pages 81 - 86)
13. Minutes of Standards and Business Committee (Pages 87 - 90)

The Members of Belfast City Council are hereby summoned to attend.

John Walsh

Chief Executive

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Council

MEETING OF BELFAST CITY COUNCIL

Held in the Council Chamber, City Hall and remotely, via Microsoft Teams, on Thursday, 1st February, 2024 at 6.00 p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor (Councillor Murphy) (Chairperson);
The Deputy Lord Mayor (Councillor Groogan);
The High Sheriff (Councillor S. Douglas); and
Aldermen Lawlor, McCoubrey, McCullough and Rodgers; and
Councillors Anglin, Beattie, Bell, Black, Bower, Bradley, R. Brooks, T. Brooks, Bunting, Canavan, Carson, Cobain, Collins, de Faoite, Doherty, M. Donnelly, P. Donnelly, R. M. Donnelly, Doran, D. Douglas, Duffy, Ferguson, Flynn, Garrett, Gormley, Hanvey, Kelly, Long, Lyons, Magee, Maghie, Maskey, F. McAteer, G. McAteer, McCabe, McCann, McCormick, McCusker, McDonough-Brown, McDowell, McKeown, I. McLaughlin, R. McLaughlin, McMullan, Murray, Nelson, Nic Bhranair, Ó Néill, Smyth, Verner, Walsh and Whyte.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

An apology was reported on behalf of Alderman Copeland.

Declarations of Interest

Councillor Groogan declared an interest in relation to the minute of the People and Communities Committee of 9th January, under the heading “Crescent Park Gates”, in that her employer, the Forward South Partnership, had made a submission regarding the matter and she left the meeting whilst the matter was being considered.

Councillor McDowell declared an interest in relation to the minutes of the Planning Committee of 16th January, in that he owned a property in one of the applications. As the item did not become the subject of discussion, the Member was not required to leave the Chamber.

Councillor McKeown declared an interest in relation to the minute of the Strategic Policy and Resources Committee of 19th January, under the heading “Overdose Prevention Facility”, in that his employer, the Public Health Agency, might be involved in discussions around this facility. The Member left the Chamber during discussion on the matter.

**Meeting of Council,
Thursday, 1st February, 2024**

Minutes of the Council

Moved by the Lord Mayor (Councillor Murphy),
Seconded by Councillor Beattie and

Resolved - That the minutes of the proceedings of the monthly meeting of the Council of 8th January, be taken as read and signed as correct.

Official Announcements

The Lord Mayor informed the Council that Mr. Jackie Casement, Property and Maintenance, had left the Council recently, having completed 50 years' service, and wished him well in his retirement.

The Lord Mayor, along with a number of other Members, welcomed the restoration of devolved government in Northern Ireland and shared their optimism for a constructive functioning assembly at Stormont. At the request of Councillor de Faoite, the Lord Mayor agreed to write to the Departmental Ministers seeking their assistance and engagement work with Belfast City Council to progress key Council projects that had been outstanding for some time, for example, the Glider and Belfast Cycle Network and reversing cuts to Happy Healthy Minds and holiday hunger payments.

Councillor Dornan highlighted that Children's Mental Health Week, a mental health awareness week that 'empowers, equips and gives a voice to all children and young people in the UK', was being held from 5th – 11th February and he encouraged the Members to support the event to help promote a positive impact on young people's wellbeing.

Alderman Lawlor congratulated the organisers, nominees and award recipients on the recent Annual Eastside Awards. He stated that this event was an exciting initiative aimed at highlighting and celebrating all that was good about East Belfast, whilst showcasing the contributions made to the economic, social and community development of the area. Specifically, he recorded congratulations to Men's Minds Matter who were presented with an award in excellence in Health and Well-being and Mr. Aiden Campbell for his Outstanding Contribution Award. Councillor F. McAteer echoed his sentiments and congratulated the Glentoran Social Partnership for its Community Impact Award, Boundary Brewing Running Club for its Sports Initiative of the Year Award and Templemore Baths for the Heritage Experience Award.

Councillor Bunting congratulated Councillor S. Douglas on becoming the new High Sheriff of Belfast and wished him well during his term.

Councillor McCormick welcomed the work of East Belfast Survivors Suicide and commended the excellent work they did with local east Belfast community who had been affected by suicide and wished them well for the forthcoming year following their recent Annual General Meeting.

**Meeting of Council,
Thursday, 1st February, 2024**

Request to Address the Council

The Chief Executive reported that a request to address the Council had been received from Mr. B. Mulgrew and Ms. S. Hayles. They wished to address the Council in relation to proposed erection of gates at Crescent Park, as discussed at the meeting of the People and Communities Committee held on 9th January.

The Council acceded to the request and, accordingly, they were welcomed to the meeting by the Lord Mayor.

Together, Mr. Mulgrew and Ms. Hayles provided a detailed explanation of why they opposed the erection of gates at Crescent Park. Mr. Mulgrew highlighted that he was not privy to the discussion that had taken place at the January meeting of the People and Communities Committee as the matter had been considered as a restricted item. He advised that, whilst he appreciated that there were issues with anti-social behaviour (ASB), he did not feel that simply 'locking' the park with the use of gates would resolve all the problems. He also queried if the gating of parks fitted with the Council's strategy and whether Crescent Park had been considered as part of a feasibility study into lighting requirements at parks throughout the city. He queried the status of the Park and whether there was a possible right of way through the public space, making the space an Open Space and also sought clarity as to whether an Equality Impact Assessment had been undertaken into the proposal.

Ms. Hayles advised that the Park was a muster point for the Crescent Arts Centre in the event of an evacuation being necessary. She advised also that evenings were the busiest time for the Centre, the facility was open until 10.00 p.m. Monday – Saturday, with up to 200 people using it daily. She stated that, given that park currently formed a huge part of any evacuation procedures, she asked the Council to ensure that this was factored into any decision taken from a health and safety perspective.

The Lord Mayor thanked them for their presentation and they left the meeting.

Minutes of Strategic Policy and Resources Committee

Moved by Councillor Black,
Seconded by Councillor Ferguson,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 19th and 26th January, 2024, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Statues- City Hall Grounds

At the request of Councillor McLaughlin, the Council agreed to grant delegated authority to the Director of Property and Projects, in consultation with the Party Group Leaders, to agree the final wording for the two new statues in the City Hall Grounds of Mary Ann McCracken and Winifred Carney.

**Meeting of Council,
Thursday, 1st February, 2024**

Extended Cultural Support Programme

Amendment

Moved by Councillor de Faoite,
Seconded by Councillor Flynn

That the decision of the Strategic Policy and Resources Committee of 26th January, under the heading “Extended Cultural Support”, in relation to the decision to defer consideration of the report be rejected and the Council agree to the allocation of £200,000 to support the proposed programme of activity, with support up to a maximum of £50,000 for individual direct awards in relation to Orangefest, Ulster Scots Week and Pride. The remainder to be used for events which would support Belfast’s bid for the Fleadh Cheoil as outlined in the report.

On a vote, twenty-five Members voted for the amendment and thirty-three against and it was declared lost.

**Revenue Estimates 2024/25 and
Medium-Term Financial Plan**

At the request of Councillor Lyons, the Council agreed to write to the incoming Minister of Finance seeking the Department to look at adopting the model used by the Scottish Government of setting its own business rates, to help pay for local services.

At the request of Councillor Beattie, the Council agreed that all Political Parties should submit in writing to the Chief Executive, in advance of the Special meeting of the Strategic Policy and Resources Committee to agree the setting of the rate, any proposals to be considered which might help reduce the rates increase.

Council’s Powers of Vesting – Tribeca

At the request of Councillor Whyte, the Chief Executive agreed to write to the relevant Permanent Secretaries and incoming Ministers to highlight the Council’s concerns regarding the lack of progress in delivering the Tribeca scheme and to advise that the Council will consider all options for acquiring the site, including the possibility of vesting.

At the request of Councillor Nelson, it was agreed that Council officers would liaise with the current owners regarding the safety of some of the buildings, seeking them to address any dangerous structural issues.

**Meeting of Council,
Thursday, 1st February, 2024**

Minutes of People and Communities Committee

Moved by Councillor Murray,
Seconded by Councillor M. Donnelly,

That the minutes of the proceedings of the People and Communities Committee of 9th and 24th January, be approved and adopted.

Crescent Park Gates

Amendment

Moved by Councillor McKeown,
Seconded by Councillor de Faoite,

That the decision of the People and Communities Committee of 9th January, under the heading "Crescent Park Gates", in relation to the erection of gates at Crescent Park, be referred back to the Committee to enable further consideration in open session and for the stakeholders to make deputations to the meeting.

On a vote, eight Members voted for the amendment and forty-eight against and it was declared lost.

Amendment

Moved by Councillor Flynn,
Seconded by Councillor Smyth,

That the Committee agrees to allocate up to £20,000 of the Council element of the funding for a feasibility study and the delivery of a swift tower in Crescent Park as part of animation of the site and the Council's commitment to conservation of a red listed species.

On a vote, two Members voted for the amendment and fifty-three against and it was declared lost.

Resolved – That the minutes of the proceedings of the People and Communities Committee of 9th and 24th January were approved and adopted.

Minutes of City Growth and Regeneration Committee

Moved by Councillor Nic Bhranair,
Seconded by Councillor Walsh,

That the minutes of the proceedings of the City Growth and Regeneration Committee of 10th and 23rd January, be approved and adopted.

**Meeting of Council,
Thursday, 1st February, 2024**

Major Events Update

At the request of Councillor Maskey, the Council agreed to ask the Committee to further consider the Council's approach to St Patrick's Day, with consideration to be given to the event review commencing in April and an invitation being extended to participate in the review to those groups who had decided not to participate in this year's event to enable them to discuss their experience in order to ensure more ambitious events in the future.

Adoption of Minutes

Subject to the foregoing addition, the minutes of the proceedings of the City Growth and Regeneration Committee of 10th and 23rd January were thereupon approved and adopted.

Minutes of Licensing Committee

Moved by Councillor McKeown,
Seconded by Councillor Doran and

Resolved - That the minutes of the proceedings of the Licensing Committee of 17th January, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Minutes of Planning Committee

Moved by Councillor Garrett,
Seconded by Councillor Ferguson and

Resolved - That the minutes of the proceedings of the Planning Committee of 16th and 23rd January, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Belfast Waterfront and Ulster Hall Ltd Shareholders Committee

Moved by Councillor Bower,
Seconded by Councillor R. Brooks and

Resolved - That the minutes of the proceedings of the Planning Committee of 16th and 23rd January, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Minutes of Climate and City Resilience Committee

Moved by Councillor Róis-Máire Donnelly,
Seconded by Councillor Walsh and

Resolved - That the minutes of the proceedings of the Climate and City Resilience Committee of 11th January, be approved and adopted, subject to the inclusion of Councillor Long in the attendances.

**Meeting of Council,
Thursday, 1st February, 2024**

Minutes of Standards and Business Committee

Moved by Councillor McDonough-Brown,
Seconded by Councillor R. McLaughlin and

Resolved - That the minutes of the proceedings of the Standards and Business Committee of 4th and 23rd January, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Lord Mayor
Chairperson

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Council

SPECIAL MEETING OF BELFAST CITY COUNCIL

Held in the Council Chamber, City Hall and remotely, via Microsoft Teams, on Monday, 12th February, 2024 at 6.00 p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor (Councillor Murphy) (Chairperson);
The Deputy Lord Mayor (Councillor Groogan);
The High Sheriff (Councillor S. Douglas); and
Aldermen Lawlor, McCullough and Rodgers; and
Councillors Anglin, Beattie, Bell, Black, Bower, Bradley, R. Brooks, Bunting, Canavan, Carson, Cobain, Collins, de Faoite, Doherty, M. Donnelly, P. Donnelly, R. M. Donnelly, D. Douglas, Duffy, Ferguson, Flynn, Garrett, Gormley, Hanvey, Kelly, Long, Lyons, Magee, Maghie, Maskey, F. McAteer, G. McAteer, McCabe, McCann, McCormick, McCusker, McDowell, McKeown, I. McLaughlin, R. McLaughlin, McMullan, Murray, Nelson, Nic Bhranair, Ó Néill, Smyth, Verner, Walsh and Whyte.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies were reported on behalf of Aldermen Copeland and McCoubrey, and Councillor T. Brooks.

Declarations of Interest

No Declarations of Interest were reported.

Official Announcements

The Lord Mayor, on behalf of the Council, offered his condolences to the family and friends of Aileen Graham, former DUP Councillor, who had died recently.

Minutes of Strategic Policy and Resources Committee

Minutes of Strategic Policy and Resources Committee

Moved by Councillor Black,
Seconded by Councillor Ferguson,

That the minutes of the proceedings of the Strategic Policy and Resources Committee of 9th February, 2024, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

**Meeting of Council,
Monday, 12th February, 2024**

Extended Cultural Support Programme

At the request of Councillor de Faoite, the Council agreed to amend the minutes to reflect the detail of the proposals which had been set out by Councillors de Faoite and Long which had led to the decision at the Committee meeting.

Adoption of Minutes

Subject to the foregoing amendment, the minutes of the proceedings of the Strategic Policy and Resources Committee of 9th February were thereupon approved and adopted.

Lord Mayor
Chairperson

People and Communities Committee

Tuesday, 6th February, 2024

HYBRID MEETING OF THE PEOPLE AND COMMUNITIES COMMITTEE

Members present: Councillor Murray (Chairperson);
Councillors Bell, Black, Bower, R. Brooks, Bunting,
Canavan, Cobain, de Faoite, M. Donnelly,
R-M Donnelly, Flynn, Kelly, Magee, Maghie,
McAteer, Ó Néill and Verner.

In attendance: Mrs. C. Matthews, Director of Resources and Fleet;
Mr. D. Sales, Strategic Director City Operations;
Mrs. S. Toland, Director of City Services; and
Mrs. S. Steele, Democratic Services Officer.

Apologies

An apology was reported on behalf of Councillor Doherty.

Minutes

The minutes of the meeting of 9th and 24th January were taken as read and signed as correct.

It was reported that the minutes had been adopted by the Council at its meeting on 1st February.

Declarations of Interest

Councillors Canavan and M. Donnelly declared an interest in Agenda Items 3 (a) Presentation – Belfast Advice Group and 3 (b) Funding Request from Belfast Advice Group as they were associated with organisations which were in receipt of funding from the Advice Service and they both left the meeting whilst the agenda items were being considered.

Presentations

Open Botanic - Forward South Partnership

The Chairperson welcomed to the meeting Ms. Briege Arthurs (Chief Executive, FSP), Maggie McKeever (Urban Regeneration Officer, FSP) and Rachel Murphy (QUB StreetSpace).

Together, the representatives provided an overview of the Open Botanic Festival advising that it was an opportunity for members of the public to see what it was like to "experience the diverse, busy thoroughfare in a totally different way".

**People and Communities Committee,
Tuesday, 6th February, 2024**

The representative advised that the Forward South Partnership, through the Open Botanic Festival, a community led festival, was leading the discussion around changes to the streets of Belfast with fewer cars in order to give better access to pedestrians and cyclists, reduce pollution and improve health. With the aid of powerpoint they demonstrated how Street Space worked in collaboration with academia, government and local communities to analyse streets and fulfil their potential to be people-centred, accessible and inclusive public places. This included comprehensive international and regional evidence of the benefits, along with the need to challenge perceptions about reducing traffic on streets.

The Members were advised of the various challenges associated around vehicle use and busy streets. These included people experiencing feelings of danger and unsafety from traffic, from anti-social behaviour, unpleasant environments and the loss of public space, parking and access problems and public transport provision challenges forcing people to use vehicles.

The representative drew the Members' attention to the progress made by Street Space on various projects, in particular the Shaftesbury Square and Botanic Avenue Master Plan.

The Committee was then provided with an overview of the successful Open Botanic Festival 2023, as follows:

- Over 2300 participants;
- Over 20 health, community and not for profit organisations involved;
- 6 community groups involved in kiosk co-design;
- 100 adults and children participated in the Art Workshop;
- 30 Vox Pop interviews;
- 22 About Today questionnaires;
- 21 Street Surveys; and
- 22 Partner Event Evaluation Surveys.

The representatives concluded by detailing the positive impact of Open Botanic from the various participants and end users and stated that they looked forward to further enhancing and growing this experience.

Following discussion, during which the Members commended the work done by the various stakeholders, the Chairperson thanked the representatives for their presentation and they left the meeting.

Restricted Items

The information contained in the reports associated with the following five items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the press and public from the meeting during discussion of the following five items as, due to the nature of the items, there would be a disclosure of exempt information as described in Section 42(4) and Schedule 6 of the Local Government Act (Northern Ireland) 2014.

**People and Communities Committee,
Tuesday, 6th February, 2024**

The Members were advised that content of 'restricted' reports and any discussion which takes place during closed session must be treated as 'confidential information' and no such information should be disclosed to the public as per Paragraph 4.15 of the Code of Conduct.

Presentation - Belfast Advice Group

The Chairperson welcomed Mr. Gerry Tubritt and Ms. Maria Morgan, representing the Belfast Advice Group (BAG), to the meeting.

With the aid of PowerPoint, they provided details on the support that BAG currently provided through funding agreements to the five area consortiums to deliver generalist advice services across all geographies within the city and also through annual Council funding to support the Citywide Tribunal Service (BCTS).

The Committee was reminded that the BAG had written to the Council in December seeking additional funding for generalist advice provision and seeking the Council to annually fund the BCTS, this included seeking the Council to commit to several uplifts to cover additional salary and running/overhead costs, all of which were detailed to the Members.

Following discussion, the Chairperson thanked the representatives and they left the meeting.

Funding Request from Belfast Advice Group

The Committee agreed to refer the request seeking the Council to fund the Citywide Tribunal Service to the sum of £269,063 per annum and to build in an additional annual cost of living uplift of 3% to the award for generalist advice provision to the Strategic Policy and Resources Committee for its consideration.

Resources and Fleet Waste Update

The Director of Resources and Fleet drew the Members' attention to a comprehensive report which provided an update on the following matters:

- Waste Performance and Recycling Rates;
- Waste Framework;
- Inner City Recycling Scheme;
- Pre-Loved toys Scheme;
- Kerbside Glass;
- Community Repaint Scheme;
- Recycling Centres Update;
- Connected Circular Economy – Shared Island Project;
- Waste Tourism;
- Tackling Multiple Black (Residual) Bins;
- In-Cab Technology;
- Operational Update – Access Issues and Collaborative Exercise; and
- Consultation and Call for Evidence for Waste Electrical and Electronic Equipment (WEEE).

**People and Communities Committee,
Tuesday, 6th February, 2024**

Detailed discussed ensued by the Members, during which the following issues were noted:

- that Bryson Recycling was not lifting bins with contaminated waste, but these were often left at the side of the street and it was agreed that officers engage with Bryson on options to address this problem;
- that an analysis of the pre-loved toys scheme was being undertaken and that a report would be submitted to committee in due course;
- that the launch of the smaller collection vehicles pilots forecast to commence in May due to the lead in times for hire of the vehicles and recruitment and a report would be brought back to the Committee prior to commencement of the pilot;
- that possible capital funding might be available via the Collaborative Change Fund that had recently been re-launched and that this might allow for the purchase of capital items such as vehicles but to note it would not extend to the revenue costs of staffing and fuel etc;
- that the introduction of pedestrian access at Alexandra Park Household Recycling Centre was currently being progressed and that Palmerston Road Recycling Centre was the next for consideration;
- that an update on the Litter Bins Tender would be submitted in due course; and
- that technical meetings with DfI, the PSNI and Council officers were ongoing regarding running a pilot in selected streets to address blocked streets and noted that an update report on the proposal would be submitted to Committee prior to any roll out.

The Committee:

- noted that the closing date of 7th March for the DEFRA Consultation and Call for Evidence on reforming the producer responsibility system for Waste Electrical and Electronic Equipment (WEEE) and that Council officers were compiling a response. The Members were asked to forward any submissions they might have for consideration to stephensj@belfastcity.gov.uk with the draft response to be presented to Committee in advance of submission;
- agreed that an update would be submitted to a future meeting detailing the disposal policy for Council WEEE; and
- agreed to write to the DAERA Minister seeking an update on the Waste Strategy and Common Collection Guidelines;

Update on Macmillan 'Move More' Programme

The Committee was provided with an update on the status of the Macmillan Cancer Support patient referral programme, along with plans for funding to ensure continuation of a cancer prehabilitation intervention service beyond 1st April 2024.

The Committee noted:

- that Macmillan Cancer Support had confirmed that funding for its cancer prehabilitation programme would end on 31st March 2024; and
- and agreed plans for the continuation of current Council and GLL funding to ensure sustainability of a cancer prehabilitation service for a period of three years until 31st March 2027.

**Strategic Cemeteries and Crematorium
Working Group Update**

The Director of City Services provided the Members with an update in respect of the following matters:

- Update on the new Crematorium Development;
- Update on Bereavement Services Operations; and
- Future Burial Land; and
- Amended Working Group Meeting Time.

Following an issue raised by a Member regarding incidents of dog fouling in the City Cemetery, the Director of City Services undertook to check the status and to add the Cemetery to the list of fouling patrols.

The Committee approved and adopted the minutes of the Strategic Cemeteries and Crematorium Working Group of 24th January.

Committee/Strategic Issues

Reference Group on Older People Update

The Neighbourhood Services Manager advised that the recent meeting of the Reference Group on Older People had been held at the City Hall on 12th December, 2023.

At this meeting an update had been provided on the following areas of work:

- Social Connections;
- Social isolation Training;
- Positive Ageing Month and Volunteer Celebration Event updates;

**People and Communities Committee,
Tuesday, 6th February, 2024**

- 2023 Age Friendly Calendars;
- Winter Planning;
- Cost of Living Support; and
- Overview of support provided by Community Centres to older people.

The Committee approved and adopted the minutes from the Reference Group on Older People held on 12th December, 2023.

**Draft response to DfC Voluntary and Community Sector
Infrastructure Support Framework Consultation**

The Committee considered the undernoted report and draft response to the Department for Communities Voluntary and Community Sector Infrastructure Support Framework Consultation:

“1.0 Purpose of Report/Summary of Main Issues

1.1 The main purpose of this report is to advise members of Department for Community (DfC) consultation relating to the Voluntary and Community Sector Infrastructure Support Framework and seek members’ approval for the draft response to be submitted in advance of the deadline of 9th February 2024.

2.0 Recommendation

2.1 Members are asked:

- **To note the consultation exercise, consider the draft response that has been prepared and approve that this is submitted as a formal council response.**
- **To note that the consultation ends on Friday 9th February and approve that the draft response is issued in advance of that deadline. Any additional comments from February Council can be issued by officers to DfC after the formal end date of 9th February.**

3.0 Main Report

Background information

3.1 Members may be aware that DfC is carrying out a programme of work aimed at refreshing the policy frameworks for its voluntary and community sector support. To this end, a consultation was launched by the Department on 15 November 2023. The current open consultation relates to DfC’s investment in the voluntary and community sector infrastructure support. This investment is currently made primarily through organisations operating at a regional level such as NICVA, Advice NI and Volunteer Now.

The Department's engagement took place between March and June 2023 and involved a range of methods to inform the shape and design of new policy and funding frameworks. This included the formation of a stakeholder's reference group, open invitation workshops, roundtable discussions, targeted workshops with different subsectors such as Age, LGBTQ+, Minority Ethnic communities, Disability, Women's sector, and local government officers as well as a survey to explore headline needs and priorities.

- 3.2 Sector infrastructure organisations are defined as '... those whose main purpose includes providing support to other voluntary and community organisations: building capacity and skills within the sector through training, advice, information exchange, convening, policy work, consultancy and providing platforms and access to resources (including physical spaces).

The full consultation document, supporting materials and online questionnaire can be accessed at [Voluntary and Community Sector Infrastructure and Support Policy Framework - NI Direct - Citizen Space](#) The following is a summary of the main elements.

- 3.3 The draft framework identifies an overarching vision of "A confident, independent and collaborative sector which empowers and sustains local action and volunteering; a sector that represents the diversity of our communities and supports the delivery of inclusive and accessible services and programme for government outcomes through partnership, innovation and challenge". It identifies the need for a spectrum of infrastructure support across four headline areas:

- Leadership and Advocacy
- Collaboration and Partnerships
- Capacity Building (practical skills and resilience) and
- Volunteering

The infrastructure support framework is built on six core values;

- Value 1: Accountability
- Value 2: Active Participation
- Value 3: Social Justice
- Value 4: Independence
- Value 5: Collaboration
- Value 6: Sustainability

- 3.4 The framework identifies five key areas where the DfC can lead and deliver in support of sector outcomes:
1. **Creating effective partnerships: working with sector partners, with government and independent funders**
 2. **Sustained investment in sector infrastructure: commissioning an integrated framework of support geared towards a common outcomes framework**
 3. **Creating a more enabling regulatory and policy environment: delivering the agreed reforms to charity regulation and strategic policy**
 4. **Applying and championing improved funding practices: exploring, developing, applying and sharing good practice**
 5. **Improving understanding about the work and impact of the sector: collating, interpreting and sharing data and evidence**

- 3.5 Although this consultation is centred on the framework to support to regional organisations DfC also notes that it will work with local government to redesign the community development element of the Community Support Programme (CSP) and align it with the vision, outcomes and delivery priorities of the Voluntary and Community Sector Infrastructure Support Framework.

Members will be aware that Council received significant funding through the CSP. Officers received approval at last month's committee to develop a new Community Support Plan for the city and engagement with DfC will form part of that work to ensure that any emerging plan aligns with any changes to the Community Support Programme and any other relevant programmes.

Response to Consultation

- 3.6 The draft Belfast City Council response to this consultation is provided in Appendix 1. Members are asked to consider this document and approve its submission as the formal Belfast City consultation response.
- 3.7 The key elements to note in the response are:
- **Recognition that DfC provided a range of engagement methodologies during its information gathering stage that was appropriate and inclusive.**

- The draft Framework clearly articulates DfC's intention and sets out the infrastructure support needs, core values, vision, headline outcomes and identified areas where DfC can maximise its impact.
- Council broadly agrees that each element of the framework sets out reasonable ambitions that will underpin support to regional support organisations which are relevant to the implementation of the framework.
- The draft framework presents the DfC's intention and is high level, Council's response notes that resourcing and implementing the aspirations outlined have yet to be discussed and that this should include consideration of the CSP and how local organisations are supported. There is reference in the framework to sustainability, collaboration, partnership working and accountability. These are areas that require further consideration and explanation.
- Although focussed on regional infrastructure organisations, the council response notes that there is little reference to the relevance of these organisations in supporting smaller groups, neighbourhood community based organisations and communities of interest. The definition of support provided by Community Infrastructure Organisations (sub-regional), Community Infrastructure Organisations (sub-sectoral) and Volunteer Centres is useful but further detail on how these will interact with each other to provide accessible support should be considered.
- The role of Local Authorities is mentioned but is very limited. The response highlights that the role of local council in providing support to the sector, through provision of funding and investment and partnership working needs to be specified in the Framework. In particular, Community Planning needs to be specified in the Framework and its function and relationship with regional support organisations elaborated on.
- The response reiterates the need to work with local government to redesign the community development element of the Community Support Programme.

Financial and Resource Implications

- 3.8 No implications at present for Belfast City Council.

**Equality or Good Relations Implications/
Rural Needs Assessment**

3.9 No implications at present for Belfast City Council.

Appendix 1- Voluntary and Community Sector Infrastructure Support Framework - Draft Framework: Draft BCC Consultation response

Overview

The Department is carrying out a programme of work aimed at refreshing the policy frameworks for our voluntary and community sector support. This includes agreeing with our partners on the outcomes that we should prioritise in future years. A review of sectoral needs will inform how we can better support the sector to deliver outcomes set out in any future Programme for Government.

Engagement

As part of this review, we engaged with a wide range of organisations in the sector, to draw together their collective experiences, understand key priorities and needs, listen to ideas and opinions, and add voice and input to help us shape future programmes for whom the refresh will deliver. We have also engaged with other departments, local government, independent funders and established a reference group comprising of a range of sectoral interests.

Our engagement approach involved a range of methods to inform the shape and design of new policy and funding frameworks and took place between March and June 2023.

Definition

Sector infrastructure organisations are those whose main purpose includes providing support to other voluntary and community organisations: building capacity and skills within the sector through training, advice, information exchange, convening, policy work, consultancy and providing platforms and access to resources (including physical spaces).

Identified Needs

The Department has surveyed VCS organisations and led an extensive programme of engagement to explore the range of needs and priorities for future infrastructure delivery. This process has confirmed the need for a spectrum of infrastructure support across four headline areas:

- Leadership and Advocacy
- Collaboration and Partnerships
- Capacity Building (practical skills and resilience) and
- Volunteering

Core Values and Ways of Working

Value 1: Accountability

A shared commitment to act with high standards of integrity and professionalism. This includes being open, honest, and transparent in the interests of a shared and common agenda and demonstrating mutual respect, and accountability for our actions and in our decision making.

Value 2: Active Participation

A shared commitment to the active participation of all stakeholders in Northern Ireland, which seeks to address inequalities of power and ensures genuine opportunities for participation, involvement, and influence. This is rooted in the shared belief that communities and people have the right, and should be empowered to, identify their own needs and interests and the outcomes required to meet these.

Value 3: Social Justice

A shared commitment to human rights, equality, and anti-discrimination. This involves promoting, advancing, and protecting human rights and equality in our society, while recognising the intersectional impacts of inequality and discrimination experienced by individuals, groups, and communities.

Value 4: Independence

A shared understanding of the need for an independent, resilient, and sustainable voluntary and community sector to meet shared societal outcomes; recognising and supporting the sector's legal rights to give voice to civic society, to participate in, shape, comment and challenge public policy and decision making and to determine and manage its own affairs.

Value 5: Collaboration

A shared commitment to promoting and sustaining opportunities for relationship building, collaboration and partnership working between our sectors, and to broadening shared experience and understanding, for the benefit of the communities and people we serve.

Value 6: Sustainability

A shared commitment to climate justice and sustainable development, including promoting cultural, environmental, economic, and socially sustainable policies and practices.

Belfast City Council strongly agrees with the values and practices outlined as a way of supporting the relationship between Government and the Voluntary and Community Sector.

Resourcing and implementing the aspirations outlined have yet to be discussed and that this should include consideration of the CSP and how local organisations are supported. There is reference in the framework to sustainability, collaboration, partnership working and accountability. These are areas that require further consideration and explanation. The section on collaboration should include reference to local authorities as a key sector/stakeholder in this work, particularly through the Community Support Programme and Community planning structures and opportunities.

Belfast City Council strongly agrees that a future Concordat/agreement would be strengthened if a legal duty were created to require NI Executive Ministers to act in compliance with the concordat values and practices when making decisions and carrying out ministerial responsibilities.

Belfast City Council has no preference on the term used to refer to a wider range of “civil society” organisations: a very broad definition that includes everything outside the state (public sector) and the market (private sector).

Vision

“A confident, independent and collaborative sector which empowers and sustains local action and volunteering; a sector that represents the diversity of our communities and supports the delivery of inclusive and accessible services and programme for government outcomes through partnership, innovation and challenge”

Belfast City Council strongly agrees with the intention of Vision within the context of delivering on government outcomes. Further thought will be given to how the Vision relates to our Community Planning outcomes, themes and priorities.

Headline Outcomes

The Department has developed 4 headline outcomes to articulate what success looks like against this vision:

Leadership and Advocacy headline outcome

Strong leadership and effective advocacy within the sector promotes the interests of our diverse communities and enables community connection and engagement.

Volunteering headline outcome

Volunteering activity is enabled and supported to maximise benefits for individuals, organisations and communities.

Core Capacity and Resilience headline outcome

Core capacity and resilience of organisations within the sector is sustained and further developed to enable people and communities to thrive.

Collaboration and Partnership headline outcome

Effective collaboration and partnership enhance the impact of the sector's work.

Belfast City Council strongly agrees with the four headline outcomes. However, we recognise that the outcomes also need to reflect that the VCSE sector works within a wider system that includes local government, communities, service users, funders, partnerships and networks and that all parts of that system need to play an active part.

Council notes that it would be useful to clarify the definition of sector-led and to clarify whether work be led by the VCSE sector. If this is the case, detail on how the VCSE sector will be resourced to undertake this work and what the governance arrangements will be to ensure accountability.

Delivering the Ambition

DfC's recent engagement and discussion with stakeholders points to five key areas where the Department for Communities can lead and deliver in support of sector outcomes:

1. **Creating effective partnerships: working with sector partners, with government and independent funders**
2. **Sustained investment in sector infrastructure: commissioning an integrated framework of support geared towards a common outcomes framework**
3. **Creating a more enabling regulatory and policy environment: delivering the agreed reforms to charity regulation and strategic policy**
4. **Applying and championing improved funding practices: exploring, developing, applying and sharing good practice**

**5. Improving understanding about the work and impact of the sector:
collating, interpreting and sharing data and evidence**

Belfast City Council agrees with the five delivery areas.

Council welcomes the department's commitment to working in partnership with sector infrastructure organisations to ensure effective delivery against the agreed vision and outcomes and the creation of a regional infrastructure delivery partnership covering the whole of NI. Further consideration should be given to the role of local government and community planning in delivering support and resources to achieve sector outcomes.

Belfast City Council welcomes the commitment to redesign the Community Support Programme in partnership with local government and align it with the vision, outcomes and delivery priorities of the Voluntary and Community Sector Infrastructure Support Framework. We welcome the Department for Communities recognition of the distinct role of local government in supporting grassroots community development activity within council areas which will be enabled and enhanced by the provision of high quality regional and sub-regional sectoral infrastructure support.

Council suggests that further detail on how Community Infrastructure Organisations (sub-regional), Community Infrastructure Organisations (sub-sectoral) and Volunteer Centres will interact with each other to provide accessible support to small locally based organisations should be considered.

We welcome the intention to provide sustained investment. A commitment to fund organisations and service provision beyond short-term funding cycles and ensure sustainability will contribute significantly to achieving the stated Vision. Council agrees with the Indicative Priorities for Investment.

Measuring impact and sharing data will contribute significantly to our understanding of sector, its services and needs of the users and communities. We will give further thought to the how we gather and share this information and its contribution to evidence-based decision making.

Statutory Assessments

Belfast City Council agrees with the conclusion of the equality screening exercise.

Rural Needs Impact Assessment

Belfast City Council cannot identify any further issues that the proposed draft framework presents for rural communities at this time.”

The Committee noted the consultation exercise and agreed that the draft response, as detailed above, be submitted as the formal Council response by the 9th February deadline, subject to Council ratification, with any additional comments received after the deadline to be submitted by Council officers.

Summer Schemes for Children with Additional Needs

The Committee was reminded that a report had previously been presented to the November 2023 meeting of the People and Communities Committee which had provided an overview of 2023 leisure centre holiday recreation schemes as delivered by GLL.

During discussion of that report, a Member had highlighted that children with special needs were often not able to avail of these schemes due to their high support needs and it was subsequently agreed that a report would be submitted to a future meeting which would consider the inclusion of children with special needs in the holiday scheme programme.

The Strategic Director then provided an overview of the current provision. He reported that, through engagement with Family Support Hubs and meetings with partners, including the Education Authority (EA), officers were aware that there was a growing number of young people presenting with additional needs and that there was a lack of provision to support their participation in activities. Youth workers and community organisations reported that they were struggling with these issues and the associated impacts on their insurance, health and safety, risks and staff not being adequately trained in working with these young people.

He advised that the EA provided funding for voluntary summer scheme provision with around 450 applications from primary, post-primary, special schools and EOTAS settings. In addition, a number of organisations including Kids Together, Sólás, the Cedar Foundation, Mencap NI, NI Autism Centre, Autonomy and the NOW Group also delivered summer schemes for children and young people with additional needs. Mitchell House, Fleming Fulton and Harberton special schools also provided summer schemes.

The Director continued that, in order to contribute to addressing this gap in provision, it was proposed that a request be submitted to the Strategic Policy and Resources Committee seeking funding for specialist providers to facilitate four additional summer schemes for children with additional needs, one in each area of the City, at a total cost of £80,000 (maximum £20,000 per scheme), which would allow increased numbers of children to participate in summer schemes that were suitable for their needs.

He advised that, if funding was agreed, Council officers could then undertake initial engagement with the relevant organisations to scope the potential to procure provision of four additional summer schemes for children with additional needs in summer 2024.

**People and Communities Committee,
Tuesday, 6th February, 2024**

There was unanimous support from this proposal from across the political parties. A Member highlighted that the report made the point that additional places might be offered with parent/carer support. She stated that, whilst some parents/carers might welcome this and be available to go along, she was conscious that this was a group of people who already provided intensive support and care to their children and who were also in need of a break and she stated that she felt that the Council should, where possible, be striving to offer an inclusive service, not a different one.

The Member also sought clarity on several other issues pertaining to the proposed pilot and the Director undertook to have an officer contact her directly to discuss the proposal in more detail.

The Committee:

- noted the report and agreed that a request be made to the Strategic Policy and Resources Committee for additional funding to procure specialist providers to facilitate four additional summer schemes for children with additional needs, with a view to delivering the additional schemes in summer 2024, one in each area of the City, with discussion to take place with the relevant Area Working Groups and the Belfast City Youth Council in advance of any locations being agreed; and
- agreed to submit an update report to a future meeting detailing the sensory play areas available throughout the City, along with the locations of these.

Operational Issues

**Cherryvale Playing Fields –
Recent Animal Welfare Cases**

The Neighbourhood Services Manager provided the Members with a comprehensive update on two reported incidents of dog illness following a suspected ingestion of grass cuttings within Cherryvale Park and Playing Fields that had been reported to the Council on 23rd December 2023.

The officer drew the Members' attention to the details of the sequence of events leading to, and following, the dogs illness reports, as well as the actions taken by officers prior to and following the incident, in order to ensure that the park remained safe for all users.

The Members were advised that maintaining high levels of both cleanliness and safety within Council parks included having regard for all park users as well as considerations for animal welfare. The signage advising dog owners to keep their dogs on leads had been increased and whilst Council officers could make every effort to ensure that the site was safe for all users, the Council could not guarantee that all sites were free from inedible material and therefore the officer emphasised that the best way to ensure pets remained safe was to keep them on a lead.

**People and Communities Committee,
Tuesday, 6th February, 2024**

The officer advised that, to date, the Council had received no evidence to suggest that the reported cases of illness at Cherryvale Park was related to any product used by or work practice employed by Council operatives, however, the grass cuttings from the pitch had been removed from the site as a precaution. He advised that the results of a laboratory sample from the cuttings was outstanding and he undertook to keep the Committee updated.

Several of the Members thanked the Council officers for their prompt response in investigating the incident.

A Member voiced his desire to see the inclusion of dog off lead exercise areas included in some Council parks, particularly Ormeau.

A further Member stated that, whilst she too was keen on the provision of such areas, she was keen to ensure that these would be well signposted to ensure that other users of the park were aware of them.

The Neighbourhood Services Manager advised that an update report on potential dog exercise areas would be submitted to the Area Working Groups in due course and, at the request of a Member, it was agreed that bench marking of the required facilities against other Councils would be undertaken prior to the submission of this report.

The Committee noted:

- the actions taken by Council officers to ensure the safety of all park users of Cherryvale Park; and
- that an update on the outcome of the grass cutting test sample would be submitted to a future meeting, when available.

Article 4 and 5 of Waste and Contaminated Land (NI) Order

The Committee considered the undernoted report:

“1.0 Purpose of Report/Summary of Main Issues

1.1 The Waste and Contaminated Land (Amendment) (2011 Act) (Commencement No. 3) Order (Northern Ireland) 2022

To make Members of the People and Communities Committee aware that The Waste and Contaminated Land (Amendment) (2011 Act) (Commencement No. 3) Order (Northern Ireland) 2022, which came into force in January 2023, gives councils a joint responsibility with the Northern Ireland Environment Agency (NIEA) for certain matters under the aforementioned legislation including, but not limited to the offence of fly-tipping.

- 1.2 No additional funding has been provided to councils by the Department for Agriculture, Environment and Rural Affairs (DAERA) to support the implementation of the new powers under Article 4 and 5 of the Waste and Contaminated (Northern Ireland) Order 1997. These powers are discretionary for councils to use in circumstances where they chose to do so.
- 1.3 Council officers have been involved in discussions with officers from other councils in Northern Ireland in order to agree a consistent and proportionate approach, as these matters may involve operations and offences which extend beyond Belfast City Council area.
- 1.4 The NIEA is the waste licensing authority for NI and it obtains the fees associated with legitimate waste operators. NIEA has been the sole enforcing authority under Article 4 and 5 for the previous 25 years. It is therefore unlikely that councils will seek to use their discretionary powers under Article 4 or 5 where the NIEA should be seeking to regulate the matter using its licensing powers.
- 1.5 Operational Arrangements on Fly-Tipping - Protocol Agreement between Northern Ireland Environment Agency and Belfast City Council
- 1.6 Both the NIEA and local Council have powers and responsibilities to deal with fly-tipping. The Protocol sets out the criteria for the determination of responsibility for waste crime incidents between NIEA and local Councils.
- 2.0 **Recommendation**
- 2.1 The Committee is asked to:
- Note the report;
 - Agree the Fixed Penalty Rate for Article 4 offences to be set at £400;
 - Decide whether or not to offer an early payment discount;
 - If an early payment discount is to be offered agree a discounted rate of £300 the Article 4 Fixed Penalty Notice is paid within 10 days;
- 3.0 **Main Report**
- 3.1 **New Enforcement Powers**

3.2 **Article 4**

Power to enforce against the Unauthorised or Harmful Deposit, Treatment or Disposal of Waste under the Waste and Contaminated Land (NI) Order 1997. Under Article 4 of the Order a person shall not (a) deposit controlled waste, or knowingly cause or knowingly permit controlled waste to be deposited in or on any land unless a waste management licence authorising the deposit is in force and the deposit is in accordance with the licence; or (b) treat, keep or dispose of controlled waste, or knowingly cause or knowingly permit controlled waste to be treated, kept or disposed of (i) in or on any land (ii) by means of any mobile plant, except under and in accordance with a waste management licence; (c) treat, keep or dispose of controlled waste in a manner likely to cause pollution of the environment or harm to health.

3.3 The offence under Article 4 is commonly referred to as fly-tipping. If a fly-tipping offence, under Article 4, is detected by an Authorised Officer the Officer may give to that person, Notice offering them the opportunity of discharging any liability to conviction for the offence by payment of a Fixed Penalty Notice. The amount of the Fixed Penalty Notice cannot be less than £100 and not more than £400.

3.4 Our officers are currently dealing with fly-tipping offences under the Litter (Northern Ireland) Order 1994 with a Fixed Penalty Rate of £80, reduced to £60, if paid within 10 days. However, the offence of fly-tipping has been described by the former Department of the Environment as a premeditated act involving more than a single item of waste collected together and moved to a location without any regard to its final legitimate disposal. On the contrary, littering tends to involve smaller quantities of material which are dropped or disposed of shortly after the item has become of no further use to the offender.

3.5 Officers from councils in NI set up a working group to try to agree a consistent and proportionate approach to the enforcement of Article 4 as this type of offence can involve movement of waste across council boundaries. It is proposed that all councils set the Fixed Penalty Rate for this offence at £400. If a council wishes to agree an early payment discount, it is proposed that this should be a discounted amount of £300 if paid within 10 days of the date of the notice.

Article 5

3.6 Article 5 of the Order imposes a “duty of care” on any person who imports, produces, collects, carries, treats, or disposes of

controlled waste or, as a broker or dealer has control of such waste, shall take all such measures applicable to them in that capacity as are reasonable in the circumstances to prevent any contravention by any other person of Article 4 of the Order.

- 3.7 Powers available under Article 5 are much broader and are likely to involve illicit waste operations and other commercial and industrial entities. There is an extensive list of offences included in Article 5 of the Order, which would impact the volume of work and officer involvement and will require more consideration on resources needed and operability. It is more likely if Council were to exercise these discretionary powers it would be done so in partnership with relevant bodies including NIEA.
- 3.8 Article 5 powers can be used to assist with enforcement matters in relation to commercial waste. Officers are aware of the impact of additional financial burdens on the business community which is already under significant financial strain following the pandemic and the current cost of living crisis. It is anticipated that officers will use a graduated approach when dealing with potential offences under Article 5. However, there could still be situations where there are no other means of resolving an issue other than to use Article 5 powers. An offence under Article 5 has a set Fixed Penalty of £300.
- 3.9 It is proposed that Members would agree that Article 5 of the Waste and Contaminated Land (NI) Order 1997, should only be implemented when there is a significant possibility of significant harm to the environment or where conditions are prejudicial to health or when there are no other means of resolving an issue other than to use Article 5 powers.
- 3.10 We have a small team of authorised officers working in this area where the key role is detecting littering and fly tipping offences. This team already works closely with colleagues in our Open Spaces and Street scene function. These powers came into effect on 2 January 2023 and are a useful additional regulatory tool. However we will need to continue to assess and monitor the impacts on resources and budgets. Therefore depending on the impact of application of these discretionary powers it may be necessary to bring a further report back to committee. We will avail of additional training to support implementation.
- 3.11 The Operational Arrangements on Fly-Tipping - Protocol Agreement between Northern Ireland Environment Agency and Belfast City Council is attached. (See Appendix)The Protocol sets out the criteria for the determination of responsibility for waste crime incidents between the NIEA and local councils as follows:

Volume of waste deposited

- 3.12 Local Councils will have responsibility for all non-hazardous waste deposits under 20 cubic metres in volume or accumulations of several small-scale fly-tipping incidents.
- 3.13 The NIEA will have responsibility for all waste deposits over 20 cubic metres in volume regardless of the waste classification.

Photo of waste emptied from a bin lorry = 18.5m³



Classification of the waste deposited

- 3.14 Local Councils will have responsibility for all hazardous waste of a type and volume that could be accepted at an appropriately authorised Council operated civic amenity or waste recycling centre.

The NIEA will have responsibility of all other hazardous waste of a type and volume which would not be accepted at a Council operated Recycling Centre.

Mixtures of waste containing hazardous material that cannot be safely removed will be treated as hazardous in their entirety.

It is noted there is an error in Appendix 1 of the Protocol as NIEA has not included Article 4 and 5 as powers now available to councils. This has been brought to the attention of NIEA and it is anticipated this amendment will be made to the Protocol. Members are asked to agree in principle, subject to amendment of Appendix 1, to sign the Protocol.

Finance and Resource Implications

- 3.15 Budget within the City Services will be utilised to train staff to enforce the new powers. NI councils hope to source this training jointly in order to reduce the costs. There may additional income

from the service of Fixed Penalty Notices. The impacts of these new powers on budgets and resources will be monitored.

**Equality or Good Relations Implications/
Rural Needs Assessment**

3.16 None.”

The Committee agreed that the Fixed Penalty Rate for Article 4 offences be set at £400 and that no early payment discount rate would be available.

Events in Parks Requests

The Committee considered the undernoted report:

“1.0 Purpose of Report/Summary of Main Issues

1.1 The Committee is asked to note that Council has received several requests from event organisers to host events across several city park locations in 2024. These include:

- Bloomfield Gospel Hall Gospel Outreach – Dixon Playing Fields
- Festival of Fools – Cathedral Gardens
- Belfast 24 Hour Run – Victoria Park
- Belfast Photo Festival – Botanic Gardens
- St Patricks Day Festival – Cathedral Gardens
- Lear – Victoria Park
- Afro-Fest Belfast – Crescent Park Belfast
- Annual 12th July Demonstration – Barnetts Demesne

2.0 Recommendation

2.1 The Committee is asked to grant authority to the applicant for the proposed event on the dates noted and to delegate authority to the Director of Neighbourhood Services to ensure the following:

- I. Where appropriate negotiate a fee which recognises the costs to Council, minimises negative impact on the immediate area and takes account of the potential wider benefit to the city economy, in conjunction with the Councils Commercial Manager.
- II. Negotiate satisfactory terms and conditions of use via an appropriate legal agreement prepared by the City Solicitor, including managing final booking confirmation dates and flexibility around ‘set up’ & take down’ periods, and booking amendments, subject to:

- The promoter resolving any operational issues to the Council's satisfaction.
 - The promoter carrying out appropriate resident and community engagement
 - The promoter meeting all the statutory requirements of the Planning and Building Control Service including the terms and conditions of the Park's Entertainment Licence
- 2.2 Please note that the above recommendations are taken as a pre - policy position in advance of the Council agreeing a more structured framework and policy for 'Events', which is currently being taken forward in conjunction with the Councils Commercial team.
- 3.0 **Main Report**
- Key Issues**
- 3.1 If agreed, the event organiser or promoters will be required in advance of the event to submit an event management plan for approval by the Council and all relevant statutory bodies. This will include an assessment of how the event will impact upon the surrounding area and measures to mitigate these impacts.
- Bloomfield Gospel Hall Gospel Outreach - Dixon Playing fields**
- 3.2 The church has a small congregation with around 50 members who meet in Bloomfield Gospel Hall, Woodcot Avenue. As part of their community work, they have held a number of gospel outreach events in Dixon Park in recent years. This has involved the erection of a portable hall for a number of weeks. In 2023 the council granted permission for drive-in services on Sunday evenings throughout the Spring and Summer months.
- 3.3 In addition, the church also hosted their outreach programme Monday to Friday throughout the month of June. The organiser has informed Council that this was very well received by the local community with a number of non-members attending the services.
- 3.4 The organiser would like to repeat the success of the last 2 years in 2024. During the Sunday evening services a small curtain-sided van will be used as a platform for the event guest speaker with low volume battery powered portable loudspeakers being used to enable the persons speaking to be heard within the carpark. The group have also requested to carry out a Summer Bible Time outreach event that would include children from the local area along with Polish, Slovakian and Romanian children.

3.5 The organisers have a good working relationship with the Scirocco Football Club who use the playing fields. The football club help to advertise the services on their website and on the few occasions that football training occurs during the services, there is ample room for both groups to co-exist.

3.6 The key dates for the request are:

- Sunday Evening Services
- Sunday 7 April 2024 to Sunday 29 September 2024
– 7pm to 7.30pm
- Summer Bible Time
- Monday 5 August to Thursday 8 August 2024 – 4pm
to 5pm & 7pm to 8pm
- Friday 9 August 2024 – 4pm to 8pm

24 Hour Run – Victoria Park

3.7 The event organiser has requested the use of Victoria Park to host the 24-hour championship race. The race is in its 14th year having moved to Victoria Park in 2016.

3.8 The key dates for the request are:

- Friday 14th June 2023 – Set Up
- Saturday 15th June – Official Race begins at 12pm
- Sunday 16th June – Official Race ends at 1pm
- Sunday 18th June – De-rig & off site for 3pm

3.9 It is estimated that around 250 runners will take part. This event takes place throughout the night and in previous years there have been a number of noise disturbances so Council officers will work closely with the event organiser this year to ensure these disturbances are mitigated. The event is to raise money to help send the Northern Ireland Ultra team to events along with a charity yet to be selected. The event will host the 24-Hour Championship along with the 100k & 50k championship. The event organiser also hopes that it will include the Irish 24-Hour championship.

3.10 As Victoria Park has 24-hour access due to forming part of the Connswater Community Greenway there are no additional operational considerations that need addressed as part of this request.

Festival of Fools – Cathedral Gardens

3.11 Festival of Fools Ltd have requested the use of Cathedral Gardens to host their Festival of Fools event 2024.

3.12 Festival of Fools is a free to attend family friendly festival that will incorporate circus and outdoor arts shows. The show will incorporate international acts that will provide both circus and street entertainment.

3.13 The key dates for the request are:

- Saturday 4 May – Set up from 10am
- Saturday 4 May – Main Show 12pm to 7pm
- Sunday 5 May – Main Show 12pm to 7pm
- Monday 6 May - Main show 12pm to 7pm
- Monday 6 May - De Rig and Off Site

Belfast Photo Festival – Botanic Gardens

3.14 Belfast Photo Festival is a not-for-profit organisation that presents one of the leading international festivals of photography in the United Kingdom and the Visual Arts Festival of Northern Ireland. Launched in 2011, this now annual photographic event has been described as one of the “best photography festivals in the world” (Capture Magazine) and attracts upwards of 100 thousand visitors a year, celebrating some of the finest National and International contemporary photography across 30 museums, galleries and public spaces. Capturing wide appeal through popular culture, accessible themes and unexpected encounters with photography, the festival aims to instil and inspire public enjoyment and participation by utilising the most accessible artistic medium and bringing it to new audience in cool and unusual ways. The festival consists of exhibitions, talks, symposiums, workshops, screening, masterclasses, portfolio reviews and tours.

3.15 The primary location of the Belfast Photo Festival over the past years has been Botanic Gardens, where large audiences engage with our outdoor photographic displays each year. This is a free event, accessible to the public. It runs over the month of June and consists of a series of exhibitions mounted throughout the park. There are no registrations to any of the exhibitions mounted throughout the park. There are no registrations to any of the exhibitions in the park and charity collections made.

3.16 The key dates for the request are:

- Set Up – 20 May to 2 June 2024
- Event Run Time – 1 June to 30 June 2024
- De Rig – 1 July to 8 July 2024

St Patricks Day Festival – Cathedral Gardens

- 3.17 Belfast TradFest are delivering the St. Patrick’s Day Weekend Musical Showcase programme on behalf of Belfast City Council from 15th – 17th March 2024. The main focus of activity will be the creation of a St. Patrick’s Day village around the Cathedral Quarter between 2pm – 5pm on Sunday 17th March.
- 3.18 The festival village will include a live outdoor music stage, family fun activities and a food village in Cathedral Gardens, an open-air acoustic music and dance stage in Saint Anne’s Square and an ongoing afternoon Céilí in The Mac.
- 3.19 The key dates for the request are:
- Set Up – Saturday 16 March 2024 – 9am
 - Main Event – Sunday 17 March 2024 – 2pm to 5pm
 - De-Rig – Sunday 17 March 2024 – 9pm

Lear – Victoria Park

- 3.20 Green Room Productions NI have requested the use of Victoria Park for both rehearsals and performances of their King Lear production. Green Room Productions NI are an Outdoor Theatre Company who create Theatre, responsive to spaces, accessible to all. The event space being requested is the covered structure in Victoria Park.
- 3.21 The key dates for the request are:
- Rehearsals – Thursday 18, Friday 19, Monday 22 and Tuesday 23 April 2024 – 9am - 7pm
 - Performances – Wednesday 24, Thursday 25 and Friday 26 April 2024 – 9am - 7pm
 - Exit Site – Friday 26 April 2024 at 7pm
- 3.22 The group plan on having 4 days of rehearsals starting on Thursday 18 April and finishing on Tuesday 23 April. They then wish to have three days of performances starting with two performances on Wednesday 24 followed by 4 performances on both Thursday 25 and Friday 26 April 2024. The event will be a free ticketed event with it being based on a modern adaptation of the King Lear and is aimed at the local schools surrounding Victoria Park along with the neighbouring residential areas.

Afro-Fest Belfast – Crescent Park

3.23 Belfast City Council have received a request from Urbanmag for the use of Crescent Park for their Afro-Fest cultural event. The purpose of this event is to showcase the musical talent of people with Afro Caribbean descent in Northern Ireland and to bring together different cultures to help educate and explore the beauty of the arts and culture through Music.

3.24 The key dates for the request are:

- Event Set Up – Saturday 25 May – 8am
- Main Event – Saturday 25 May 12pm to 7pm
- De-Rig – Saturday 25 May 9pm

Annual 12th July Demonstration – Barnetts Demesne

3.25 Belfast City Council have received a request from the County Grand Orange Lodge of Belfast for the use of Barnetts Demesne for their Annual 12th July Demonstration. The purpose of this event is to facilitate a greater understanding of orange cultural traditions and the promotion of Orangefest events as inclusive and family friendly.

3.26 The key dates for the request are:

- Set up – Thursday 11 July 2024 – 6pm to 10pm
- Main Event – Friday 12 July 2024 – 1pm to 5pm
- De-Rig – Saturday 13 July 2024 – 8am to 12pm

3.27 The organiser wishes to use the event to promote Belfast in a positive light and encourage visitors to experience Orange culture throughout the year and to help improve community relations.

Financial and Resource Implications

3.28 Where appropriate the Director of Neighbourhood Services will negotiate an appropriate fee for each event, which recognises the costs to Council, minimises negative impact on the immediate area and takes account of the potential wider benefit to the City economy, in conjunction with the Councils Commercial Manager. If required the Director of Neighbourhood Services will also authorise the relevant level of the necessary bond of intent and reinstatement bond.

**Equality or Good Relations Implications/
Rural Needs Assessment**

3.29 There are no known implications.”

The Committee adopted the recommendations at paragraph 2.0 of the report and agreed that an update would be sought from the Council’s Commercial Team as to the status of the ongoing review into the framework and policy for Events.

Cavehill Mountain Biking Pilot – MoU

The Committee was reminded that, at its meeting held on 5th December 2023, it had agreed to a 2-month extension to an existing Memorandum of Understanding (MOU) between the Council and Cavehill Mountain Bikers Club (CMC). The MOU had originally been put in place following the agreement of the Committee, at its meeting in November 2021, to facilitate a Mountain Biking Pilot Project in Cavehill Country Park. The Pilot had focused on a partnership approach to the maintenance, management, and inspection of the ‘The Middle’ - the first official mountain bike trail in Cave Hill Country Park which had formally opened for public use in October 2023.

The Members then considered a report which outlined the key findings of the evaluation, as follows:

- both the Council and CMC were content with the partnership working arrangements established to support the project;
- the MOU had been adhered to in full;
- the Middle’s Trail Management Plan had been operationally delivered through the Pilot period;
- Health and Safety records held by the Council showed that there had been no increase in reported incidences or near miss collisions between mountain bikers and pedestrians within Cave Hill Country Park (no incidences/near miss collisions at all recorded during 2-year Pilot period);
- according to a consultation exercise on the pilot project carried out via the Council’s Your Say Belfast platform visitor satisfaction had not adversely impacted by the opening of the Middle Trail. A total of 78% of respondents to the survey during the first month of the trail’s official opening, agreed that their visitor experience within the Cave Hill Country Park had ‘improved’ since its introduction. This increased to 90.1% of respondents when the survey had been repeated during the Pilot’s last month; and
- anecdotal evidence showed that there had been more use of the new Middle Trail by mountain bikers at the expense of the other existing informal trails in the Country Park.

**People and Communities Committee,
Tuesday, 6th February, 2024**

Furthermore, it was noted that the new MOU would also permit the Council to explore the viability of including further established trails at Cave Hill Country Park with CMC through similar partnership arrangements.

The Committee noted the outcome of the Cavehill Mountain Biking Pilot and agreed to a 3-year Memorandum of Understanding (MOU) between the Council and Cavehill Mountain Bikers Club, to be agreed and progressed by Legal Services.

Dual Language Street Signage Application

Moved by Councillor Bunting,
Seconded by Councillor Kelly,

That the Committee agrees not to erect a dual language sign at Cranmore Gardens.

On a vote, 5 Members voted for the proposal and 13 against and it was declared lost.

Accordingly, the Committee agreed to the erection of a second street nameplate in Irish at, Cranmore Gardens, Stewartstown Mews, Mountainview Parade, Mountainview Gardens, Bingnian Drive, Mizen Gardens, Dermott Hill Road and Marcus Ward Street.

Naming of New Street

The Committee approved the applications for the naming of two new streets in the City, Black Ridge Court and Black Ridge Grove.

Alleygates Phase 5 Update

The Committee considered the undernoted report:

“1.0 Purpose of Report/Summary of Main Issues

1.1 This report provides an update on the Alleygate Phase V Programme and the DFC Funded Alleygate programme for the Holyland.

2.0 Recommendation

2.1 Members are asked to note the contents of this report.

3.0 Main Report

3.1 The Notice of Intention for those streets meeting the threshold will be advertised for the period of 30 days on 7th February, for representations and objections. Following this a paper will be brought to Committee seeking enactment of the legislation.

3.2 The terms and conditions for a local inquiry have been agreed should there be substantive objections received to the Notice of Intention. Should this occur it is proposed that those streets objecting to the installation of Alleygates will be removed from the

proposed gating order whilst the inquiry is being held, to enable the progression of those locations where no objections have been received.

- 3.3 The canvassers are being recruited for the consultation exercise and Members will be informed when letters are posted to the streets being consulted. Several community sessions will be held at centres close to or within the consultation areas. This will enable residents to have any questions clarified or receive help in completing the consultation form. Members will be informed of these as well.
- 3.4 Once the consultation is completed and there are no substantive objections it is proposed that these locations move to public notification.
- 3.5 Members will be aware that Department for Communities have funded a further Alleygating scheme within the Holylands to complement the existing gates. During the consultation a high number of objections were received to the proposal (108 returns to the Holylands consultation, 27% of the properties surveyed. Of these returns there were 61 objections to the gates). Most of these objections came from Landlords and Letting Agents, concerned with the use of the alleyways post gating.
- 3.6 Officers met with a delegation representing the objectors. The objectors are not objecting to the installation of gates but rather to any potential alleyway transformation schemes following gating. Citing 'Wildflower Alley' they raised safety issues and access problems that would occur should transformation schemes go ahead.
- 3.7 Members will be aware that Cleaner neighbourhood legislation sets out the process Council's must follow when implementing an alleygating scheme. There is no legislation that regulates Alleyway Transformation schemes and that such a scheme can take place without an alleygate being in place Members will also be aware that there are many examples of this across the city and that Belfast City Council have also introduced criteria that must be met for any Council funded schemes to proceed.
- 3.8 In response to the issues raised officers agreed to review the wording of future key holder agreements to include a number to call should gated alleyways become obstructed and to remind of the need to get the support of residents for any potential transformation scheme. Any future alleyway transformation schemes funded by Belfast City Council will require the consensus of those living in and/or owning properties that frontage the proposed area.

- 3.9 The objectors have requested the opportunity to make a representation to the People and Communities Committee to highlight their concerns. Members should note that this paper is for noting and no decision is required and that officers have already met with the objectors. Members should also note that should a substantive objection be received then a local inquiry will be set up.**

Financial and Resource Implications

- 3.9 All associated costs are covered within existing budget estimates.**

**Equality or Good Relations Implications/
Rural Needs Assessment**

- 3.10 No Good Relations or Equality issues.”**

Following a query, the Neighbourhood Services Manager confirmed that the Elected Members would be informed when the letters had been posted to the streets being consulted about proposed alleygates and added that, as previously requested, consultation sessions would be held at centres close to those streets to provide clarity and assistance to those residents who required it. He encouraged the Members to contact him directly should they have any further queries about the process.

The officer advised that a request had been received from objectors seeking to make a deputation to a future meeting of the Committee. The Members noted that officers had met with the objectors and their views had been taken into consideration and therefore did not accede to the request.

The Committee noted the update provided.

Issues Raised in Advance by Members

**Signage at Ruby Murray Park –
Councillor T. Kelly**

The Committee was advised that the signage erected at the Ruby Murray Village Green was very small and, at the request of Councillor T. Kelly, agreed to erect larger signage at the Green and that the new signage would include some information on Ruby Murray.

**Biodiversity in Council Parks and
Open Spaces – Councillor Flynn**

Moved by Councillor Flynn,
Seconded by Councillor R. Brooks

“The Council recognises Northern Ireland is currently 12th worst in the world for biodiversity loss, with factors such as Habitat degradation, pollution and climate change playing a significant role in habitat loss.

**People and Communities Committee,
Tuesday, 6th February, 2024**

The Council notes the range of health benefits that natural biodiverse spaces provide within our city, including a positive impact on our mental health, stress reduction, improving life expectancy and positive contributions for children's development.

The Council further notes that the Council currently owns and maintains a significant portion of green space throughout Belfast, giving an opportunity to identify and prioritise areas for enhancing biodiversity.

Officers are asked to submit a report outlining how the Council could commission a survey of parks and green spaces to create a list of priority habitats and species within them, this survey should be robust enough to inform future work of incorporating recommendations for new zoning of parks and introduction of appropriate management prescriptions into site management plans, to protect and enhance biodiversity in our parks and green spaces in accordance with the Lawton principles of "bigger, better and more joined up".

At the request of Councillor Flynn, the Committee agreed that officers would submit a report to a future meeting to consider how the Council could commission a survey of parks and green spaces to create a list of priority habitats and species within them.

At the request of Councillor Bunting, it was agreed that an area at Belvoir Drive would be included in any future survey.

Chairperson

City Growth and Regeneration Committee

Wednesday, 31st January, 2024

SPECIAL REMOTE MEETING OF THE CITY GROWTH AND REGENERATION COMMITTEE

Members present: Councillor Nic Bhranair (Chairperson);
Alderman Lawlor;
Councillors Canavan, Douglas, Duffy,
Flynn, Garrett, Gormley, Lyons, Maskey,
F. McAteer, McCabe, McCormick, McDowell,
I. McLaughlin, McMullan, Murray and Walsh.

Also in attendance: Councillor G. McAteer

In attendance: Mr. D. Martin, Strategic Director of Place and Economy;
Mr. J. Greer, Director of Economic Development;
Ms. L. Toland, Senior Manager – Economy;
Ms. C. Cassin, Markets Development Manager;
Ms. E. McGoldrick, Democratic Services Officer.

Apologies

An apology was reported on behalf of Councillor McDonough-Brown.

Declarations of Interest

No Declarations of Interest were reported.

Restricted Presentation

The information contained in the report associated with the following item was restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the press and public from the meeting during discussion of the following item as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

Members were also reminded that the content of ‘restricted’ reports and any discussion which took place during closed session must be treated as ‘confidential information’ and that no such information should be disclosed to the public as per Paragraph 4.15 of the Code of Conduct.

Translink - Belfast Grand Central Station

The Chairperson welcomed Mr. D. McAllister, Head of Belfast Grand Central Station Programme, Mr. D. Curry - General Manager Bus Services, Mr. D. Bannon, Central Area Manager, and Ms. L. Shannon, Corporate Communications Manager, representing Translink to the meeting.

The representatives provided an update of the Belfast Grand Central Station/ Weavers Cross Transport Led Regeneration Project which included details of the Street Works Programme and Public Transport Interventions.

During discussion, the representatives described further the Communication Plan and stakeholder engagement which had been undertaken.

In response to a Member's question in relation to the potential for the donation of the foundation cores of the Boyne Bridge, Mr. McAllister advised that this could be investigated.

After discussion, the Chairperson thanked the representatives for their attendance and they retired from the meeting.

The Committee noted the information which had been provided and that, where relevant, Translink would provide further information on the issues raised.

Presentation

St. George's Market Traders

The Chairperson welcomed Ms. C. McLaverty, Mr. S. McCann, Ms. D. Whan and Mr. P. Lynn, representing St. George's Market Traders, to the meeting.

Ms. McLaverty described the success of St. George's market. She suggested that the Traders had had communication issues with the Markets management team, however, since the pandemic, there had been substantial improvements in the cascading of information. She highlighted that there was still scope to improve communication further.

She suggested the following objectives to improve the Market:

- The Council, Market Management, Staff and Traders act as one team for the ongoing success of the market;
- Regular Team Meetings between traders and the Markets Management Team/wider consultation days;
- Collective Working – embrace ideas, allow the Traders to share plans and ideas, collaborate, acknowledge and celebrate success;

**City Growth and Regeneration Committee,
Wednesday, 31st January, 2024**

- Measure Success – For example: ongoing increase in footfall, increase revenue on non-market days, online reviews; and
- Leadership – inspire and challenge for a shared goal, encourage dynamic input, setting goals and achievable targets for all.

During discussion, Ms. McLaverty clarified the communication issues which had taken place and the need for consultation in the decision making process. She pointed out that a greater notice period of events taking place within the market was required to alleviate the disruption to Traders, and an events calendar would be useful.

The Chairperson thanked the representatives for their attendance and they retired from the meeting.

During further discussion, the Director of Economic Development explained the challenges in regard to compliance of the attendance and storage policies. He highlighted the utilisation rates and provided an overview of external events.

The Markets Development Manager described the engagement that currently took place and advised that staff met with the traders regularly but the Team would explore further how to communicate and engage on a wider basis and plan ahead. She explained further the Markets Committee model, wider operational issues and work undertaken with stakeholders to measure the success of the Market.

The Senior Manager – Economy highlighted the success factors and the market development plan ambitions to include customer insights.

The Director of Economic Development advised that work would be undertaken with the Traders Forum to explore how to improve the Market. He also thanked the Markets Development Team and the Traders for overcoming the recent challenges for the benefit and success of the Market.

After discussion, the Committee noted the information which had been provided and the commitment from the Director of Economic Development to ensure further engagement with the Market Traders took place to improve communication and consultation.

Chairperson

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City Growth and Regeneration Committee

Wednesday, 7th February, 2024

HYBRID MEETING OF THE CITY GROWTH AND REGENERATION COMMITTEE

Members present: Councillor Nic Bhranair (Chairperson);
Alderman Lawlor;
Councillors Bunting, Canavan, Duffy, Flynn,
Garrett, Gormley, Lyons, Maskey, F. McAteer,
McCabe, McCormick, McDowell, McDonough-Brown,
I. McLaughlin, McMullan, Murray and Walsh.

In attendance: Mr. J. Greer, Director of Economic Development;
Mrs. C. Reynolds, Director of City Regeneration
and Development;
Mr. S. Dolan, Senior Development Manager; and
Ms. E. McGoldrick, Democratic Services Officer.

Apologies

An apology was reported on behalf of the High Sheriff, Councillor S. Douglas.

Minutes

The minutes of the meeting of the 10th and 23rd January were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st February.

Declarations of Interest

In relation to item 2.d) Belfast 2024 Music Heritage Programme, Councillor McCabe declared an interest, in that she was employed by Féile an Phobail and left the meeting whilst the item was being considered.

Councillor Gormley also declared an interest in item 2.d) Belfast 2024 Music Heritage Programme, in that he was a Board Member of LORAG who had applied for funding under the Programme but had been unsuccessful.

Restricted Items

The information contained in the report associated with the following five items was restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the press and public from the meeting during discussion of the following items as, due to the nature of the items, there would be a disclosure of exempt

**City Growth and Regeneration Committee,
Wednesday, 7th February, 2024**

information as described in Section 42(4) and Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Members were also reminded that the content of 'restricted' reports and any discussion which took place during closed session must be treated as 'confidential information' and that no such information should be disclosed to the public as per Paragraph 4.15 of the Code of Conduct.

**Regeneration Lobbying and Advocacy Paper
and Regeneration Framework Update**

The Committee was provided with an update regarding the work which had been undertaken in relation to a Regeneration Lobbying and Advocacy proposition and a Regeneration Framework.

The Director of City Regeneration and Development presented a summary of a proposal to advance a direct advocacy with both the UK Government in Westminster and the Northern Ireland Executive. During discussion, it was suggested that this work should include an approach via the Shared Island funding structures.

During further discussion, a Member suggested that the Committee write to the new Minister for Communities to welcome him to his position and call on him to work with all relevant stakeholders to achieve the conferring of regeneration powers to councils with the appropriate budgets within this Assembly mandate.

After discussion, the Committee:

- I. Noted the update on the Regeneration Funding Lobbying and Advocacy Proposition Paper, including presentation summary slides as presented to Party Group Leaders Consultative Forum on 11th January, 2024;
- II. Noted that a report was being brought to the Strategic Policy and Resources Committee in February seeking agreement on advancing this advocacy work. This would include a proposal to advance a direct advocacy with both the UK Government in Westminster and the Northern Ireland Executive (when re-established) and informed by a detailed stakeholder mapping and engagement plan;
- III. Noted the update on the Regeneration Framework and its interdependencies with the Advocacy and Lobby Proposition work and that further Member engagement was planned in respect of the Regeneration Framework over the coming weeks; and
- IV. Agreed to write to the new Minister for Communities to welcome him to his position and request that he would work with all relevant stakeholders to achieve the conferring of regeneration powers to councils with the appropriate budgets within this Assembly mandate.

**City Growth and Regeneration Committee,
Wednesday, 7th February, 2024**

Update on externally funded placemaking and active travel projects: Active Travel Enablers, Grey to Green and South West Quarter

The Director of City Regeneration and Development provided an update on the delivery of external funded placemaking and active travel projects including Grey to Green, Active Travel Enablers, Business and Community Cluster Grants and the South- West Quarter Revitalisation.

During discussion, the Senior Development Manager explained further the process for secured Cycle Parking Facilities and the covered Cycle Stands City Wide project, together with the potential reallocation of covered and secured cycle lanes and their locations. He also advised that he would provide further detail on the application of the secure cycle parking at Finaghy Primary School.

After discussion, the Committee:

- I. Noted the update in relation to the Council and Department for Communities funded Great Victoria St Tactical Regeneration work;
- II. Noted the ongoing delivery of the Department for Infrastructure funded Blue and Green Infrastructure Fund 2022/23, including the issues experienced in delivering some of these project strands and the on-going work which was being undertaken to progress covered cycle stands and secure cycle parking facilities;
- III. Noted that officers were working with delivery partners, including Queens and Maritime Belfast, to provide additional funding to deliver previously approved projects within the conditions of the Letter of Offer; and
- IV. Noted that the Chief Executive would be writing to the Minister for Infrastructure to reiterate the Council's concerns in relation to the short timeframe available for the delivery of the Blue and Green Infrastructure Fund and the potential for a more flexible approach to in-year funding.

Belfast Zoo - Scale of Charges 2024-25

The Director of Economic Development outlined the increase to the Zoo scale of charges for the financial year 2024-2025 and confirmed the date of implementation.

The Committee:

- Noted the price increases for existing categories; and
- Noted the change of date for the introduction of price increases to commence on Monday, 8th April, 2024.

**City Growth and Regeneration Committee,
Wednesday, 7th February, 2024**

Belfast 2024 Music Heritage Programme

The Director of Economic Development informed the Committee of the results of the Music Heritage Programme 2024 process and sought approval for the recommendations which had been outlined in the report. He also updated Members on the Gradam Ceoil bursary project.

The Committee:

- Noted the contents of this report and agreed the recommendations under the Music Heritage Programme 2024, as set out in Appendix 1 of the report; and
- Agreed to continue the Gradam Ceoil bursary project with an allocation of £15,000.

Belfast 2024 funding reallocation

The Director of Economic Development reminded the Committee that the Council, at its meeting in January, had agreed that the reports associated with Belfast 2024 be referred back to both the City Growth and Regeneration Committee and the Strategic Policy and Resources Committee, for consideration to be given to reprofiling the funding for the Power Plants project towards the Neighbourhood Regeneration Fund.

He stated that Members were asked to consider referring the decision of the reallocation and repurposing of this budget to the Strategic Policy and Resources Committee.

Proposal

Moved by Councillor Flynn,

Seconded by Councillor Lyons,

That the Committee agrees not to refer the decision to the Strategic Policy and Resources Committee or consider the reprofiling of the funding for the Power Plants project towards the Neighbourhood Regeneration Fund.

On a vote, two Members voted for the proposal and seventeen against and it was declared lost.

The recommendation as outlined in the report was put to the Committee and agreed.

Accordingly, the Committee noted the contents of the report and agreed to refer the decision of the funding reallocation to the Strategic Policy and Resources Committee.

**City Growth and Regeneration Committee,
Wednesday, 7th February, 2024**

Regenerating Places and Improving Infrastructure

Northern Ireland Housing Executive (NIHE) Workshop

The Committee noted the forthcoming joint workshop of the People and Communities Committee and the City Growth and Regeneration Committee, scheduled for 20th February with the NIHE in relation to housing supply and demand.

Correspondence from the Department for Infrastructure

The Committee noted the correspondence received from the Department for Infrastructure which provided an update on queries which had been raised at the Special Committee in November 2023.

Strategic and Operational Issues

Minutes of the Belfast Stories Working Group

The Committee approved and adopted the minutes of the meeting of the Belfast Stories Working Group of 23rd January, 2024.

Request to Present – Living with Water Team (NIW)

The Committee agreed to receive a presentation from the Living with Water Team at the Special Committee meeting on 27th March, 2024.

Request to Present – Visit Belfast

The Committee agreed to receive a presentation on Visit Belfast's 2024-25 Business Plan at the Committee meeting on 13th March, 2024, including a request for Council support towards the work programme for the coming financial year.

Chairperson

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Licensing Committee

Wednesday, 21st February, 2024

MEETING OF THE LICENSING COMMITTEE

HELD IN THE LAVERY ROOM AND
REMOTELY VIA MICROSOFT TEAMS

- Members present: Councillor McKeown (Chairperson);
Aldermen McCoubrey, McCullough and Rodgers;
Councillors Anglin, Bradley, P. Donnelly, Doran,
D. Douglas, Lyons, Murray,
F. McAteer, McCabe, McCann,
McMullan, Ó Néill and Smyth.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, City Solicitor/Director of Legal and
Civic Services;
Mr. S. Hewitt, Building Control Manager;
Mr. K. Bloomfield, HMO Manager;
Mr. C. McLaughlin, Solicitor (Regulatory and Planning); and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

An apology for inability to attend was reported from Councillor Gormley.

Minutes

The minutes of the meeting of 17th January, 2023 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 1st February, 2024, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were recorded.

Delegated Matters

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT UNDER STANDING ORDER 37(d)

Licences Issued Under Delegated Authority

The Committee noted a list of applications for licences which had, since its last meeting, been approved under the Council's Scheme of Delegation.

**Houses in Multiple Occupation (HMO) Licenses
Issued Under Delegated Authority**

The Committee noted a list of applications which had been approved under the Council's Scheme of Delegation during January 2024.

**Application for a New Licence to operate a House
of Multiple Occupation for 22 Penrose Street**

The Houses in Multiple Occupation (HMO) Manager presented the details of the application to the Committee. He highlighted to the Members that the application was not subject to call-in, as the call-in period would exceed the time limit for determining the application pursuant to Schedule 2, Paragraph 2, of the 2016 Act and, therefore would be in breach of a statutory duty

He explained that the property had had the benefit of an HMO licence issued by the Housing Executive in the name of the applicant which expired on 19th August, 2023. Due to an administrative oversight, a reminder letter was not sent to the applicant, informing him that the licence was about to expire. On 24th September, 2023, an HMO licence application was received from the owner of the accommodation.

The HMO Manager outlined that, pursuant to the 2016 Act, the Council could only grant a licence if it was satisfied that:

- a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control;
- b) the owner, and any managing agent of it, were fit and proper persons;
- c) the proposed management arrangements were satisfactory;
- d) the granting of the licence would not result in overprovision of HMOs in the locality;
- e) the living accommodation was fit for human habitation and—
 - i. was suitable for occupation as an HMO by the number of persons to be specified in the licence, or
 - ii. could be made so suitable by including conditions in the licence.

The Committee was advised that, as it was a new application, the Council's Planning Service was consulted. It had confirmed that full planning permission for use as an HMO was granted on 25th February, 2008.

It was reported that the NIHMO Unit had consulted with the Environmental Protection Unit in relation to daytime noise; the Public Health and Housing Unit in relation to rubbish accumulation/filthy premises; and the Enforcement Unit in relation to litter and waste and all had confirmed that there had been no relevant enforcement action required in respect of any of the issues in the HMO in the last 5 years. The Environmental Protection Unit confirmed that three noise warning notices had been issued in relation to nighttime noise, dated 30th August 2020, 16th August 2021 and 19th May 2022. The

**Licensing Committee,
Wednesday, 21st February, 2024**

applicant had confirmed that they had not been convicted of any relevant offences under the 2016 Act.

For the purpose of Section 12(2) of the 2016 Act, the Council had determined the locality of the accommodation as being Housing Management Area (HMA) "2/22 Botanic, Holylands, Rugby" as defined in the document Council's Local Development Plan Strategy, which was formally adopted on 2nd May, 2023. It was reported that Legal Services had advised that there was a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence would not result in overprovision.

The officers had had regard to:

- a) the number and capacity of licensed HMOs in the locality; and
- b) the need for housing accommodation in the locality and the extent to which HMO accommodation was required to meet that need.

To inform the Council in its consideration of the above provisions, the Council had taken account of the 2023 Strategy given that "Nurturing sustainable and balanced communities was a fundamental aim of the LDP's housing policies." In particular, the Council had considered Policy HOU10, which stated:

"Within designated HMAs, planning permission will only be granted for Houses in Multiple Occupation (HMOs) and/or flats/apartments where the total number of HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within an HMA."

The Committee was advised that, on the date of assessment, 17th January, 2024, 90% of all dwelling units in policy area HMA 2/22 were made up of HMOs and flats/apartments, which in turn exceeded the 20% development limit as set out in Policy HOU10. There were 1095 (45%) licensed HMOs with a capacity of 4808 persons in that HMA.

It was outlined that there were a total of 2409 dwelling units in HMA 2/22. The Committee was advised that the fact that the use of the property as an HMO was permitted for planning purposes was a relevant consideration in determining whether the granting of the licence would result in overprovision.

The Houses in Multiple Occupation Manager reminded the Committee that there was a need for intensive forms of housing and, to meet that demand, HMOs were an important component of the housing provision. HMOs, alongside other accommodation options within the private rented sector, played an important role in meeting the housing needs of people who were single, who had temporary employment, students, low income households and, more recently, migrant workers and asylum seekers.

The Committee was advised that, on 17th January, 2024, out of 38 premises available for rent within the BT7 area on PropertyNews.com there were 11 licensed HMOs which, from the information presented on the website, represented 43 bed spaces. The HMO Manager advised the Committee that anecdotal evidence from previous

**Licensing Committee,
Wednesday, 21st February, 2024**

conversations with HMO managing agents suggested that that there was currently a lack of HMO accommodation available in that locality.

On 7th December, 2022, the Ulster University Director of Campus Life advised the Council's City Growth and Regeneration Committee that there was an "increase in competition for HMOs particularly from NIHE, Immigration Services and statutory agencies and there were increasing accommodation issues across the housing sector which required a holistic view and should include the consideration of international students, families and graduates looking for professional accommodation."

However, the QUB Director of Student Plus had confirmed that the current trend indicated a significant move of students to purpose-built student accommodation blocks. She had advised the Members that there were 7,000 purpose built managed student accommodation (PBMSA) rooms in the city, the majority having been built since 2018, and approximately 5,000 in the city centre.

It was reported that November 2023 monitoring information produced by the Council's Planning Service for PBMSA indicated that 2055 bedspaces were currently under construction with an operational date of 2024.

Therefore, with the continued expansion of the PBMSA sector and students transitioning from private rentals to PBMSAs, it was too early to tell whether the increased competition from non-students for HMOs was a temporary problem which could be managed by the contraction in students residing in existing HMO accommodation within the locality, or evidence of an emerging long-term supply issue.

The Houses in Multiple Occupation Manager explained that, in assessing the number and capacity of licensed HMOs, as well as the need for HMO accommodation in the locality, officers could not be satisfied that the granting of the HMO licence would not result in overprovision of HMO accommodation in the locality of the accommodation for the purpose of section 8(2)(d) of the 2016 Act.

The Committee was advised that no objections had been received in relation to the application. It was also reported that the accommodation had been certified as complying with the physical standards for an HMO for three persons by a technical officer from the NIHMO service, on 23rd November, 2023.

On 17th January, 2024, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, officers had issued a Notice of Proposed Decision to the Applicant advising that it was proposing to refuse the licence on the grounds of overprovision. The Members were advised that a response had not been received from the applicant.

Moved by Councillor Murray
Seconded by Councillor McCann and

Resolved – that the Committee agrees to refuse the application as, in accordance with Section 12 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, it was satisfied that the granting of the HMO

**Licensing Committee,
Wednesday, 21st February, 2024**

licence would result in overprovision of HMO accommodation in the locality of the accommodation, as determined under section 8(2)(d) of the Act; and

while recognising that there was no legal duty upon the Council to remind HMO owners when their licence was due to expire, officers should, out of courtesy, make a concerted effort to issue letters to that effect.

Application for a New Licence to operate a House of Multiple Occupation for 71 Eglantine Avenue

The Houses in Multiple Occupation (HMO) Manager outlined the details of the application to the Committee.

He explained that the property had had the benefit of an HMO licence issued by the Housing Executive in the name of the previous owner, who was a Director of S&B Properties N.I. Ltd., which had expired on 10th June, 2023. On 2nd October, 2023, the applicant had purchased the property and, in accordance with Section 28 (2) of the Houses in Multiple Occupation Act (NI) 2016, the existing licence ceased to have effect on the date ownership transferred.

On 24th April, 2023, an application for a new HMO licence was received from S&B Properties N.I. Ltd., which was subsequently rejected on 5th May, 2023, as the Council could not be satisfied that the occupation of the living accommodation as an HMO would not constitute a breach of planning control. An application for a temporary exemption notice was issued on 30th August, 2023, and subsequently extended to 1st March, 2024.

The Members were advised that on 14th November, 2023, an HMO licence application was received from the owner of the accommodation. If the new owner had applied for a licence before the change of ownership had taken place, the licence which was already in effect in respect of the HMO would have been treated as being held by the new owner until such times as the application had been determined.

The HMO Manager outlined that, pursuant to the 2016 Act, the Council could only grant a licence if it was satisfied that:

- f) the occupation of the living accommodation as an HMO would not constitute a breach of planning control;
- g) the owner, and any managing agent of it, were fit and proper persons;
- h) the proposed management arrangements were satisfactory;
- i) the granting of the licence would not result in overprovision of HMOs in the locality;
- j) the living accommodation was fit for human habitation and—
 - iii. was suitable for occupation as an HMO by the number of persons to be specified in the licence, or
 - iv. could be made so suitable by including conditions in the licence.

**Licensing Committee,
Wednesday, 21st February, 2024**

The Committee was advised that, as it was a new application, the Council's Planning Service was consulted. It had confirmed that a Certificate of Lawful Existing Use or Development ("CLEUD") was granted on 10th November, 2023.

It was reported that the NIHMO Unit had consulted with the Environmental Protection Unit in relation to nighttime and daytime noise; the Public Health and Housing Unit in relation to rubbish accumulation/filthy premises; and the Enforcement Unit in relation to litter and waste and all had confirmed that there had been no relevant enforcement action required in respect of any of the issues in the HMO in the last 5 years. The owners of S& B Properties N.I. Ltd. had confirmed that they had not been convicted of any relevant offences pursuant to the 2016 Act.

For the purpose of Section 12(2) of the 2016 Act, the Council had determined the locality of the accommodation as being Housing Management Area (HMA) "2/09 Eglantine" as defined in the document Council's Local Development Plan Strategy, which was formally adopted on 2nd May, 2023. It was reported that Legal Services had advised that there was a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence would not result in overprovision.

The officers had had regard to:

- a) the number and capacity of licensed HMOs in the locality; and
- b) the need for housing accommodation in the locality and the extent to which HMO accommodation was required to meet that need.

To inform the Council in its consideration of the above provisions, the Council had taken account of the 2023 Strategy given that "Nurturing sustainable and balanced communities was a fundamental aim of the LDP's housing policies." In particular, the Council had considered Policy HOU10, which stated:

"Within designated HMAs, planning permission will only be granted for Houses in Multiple Occupation (HMOs) and/or flats/apartments where the total number of HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within an HMA."

The Committee was advised that, on the date of assessment, 1st February, 2024, 95% of all dwelling units in policy area "HMA 2/09 Eglantine" were made up of HMOs and flats/apartments, which in turn exceeded the 20% development limit as set out in Policy HOU10. There were 259 (22%) licensed HMOs with a capacity of 1297 persons in that HMA.

It was outlined that there were a total of 1175 dwelling units in HMA 2/09. The Committee was advised that the fact that the use of the property as an HMO was permitted for planning purposes was a relevant consideration in determining whether the granting of the licence would result in overprovision.

The Houses in Multiple Occupation Manager reminded the Committee that there was a need for intensive forms of housing and, to meet that demand, HMOs were an important component of the housing provision. HMOs, alongside other accommodation

**Licensing Committee,
Wednesday, 21st February, 2024**

options within the private rented sector, played an important role in meeting the housing needs of people who were single, who had temporary employment, students, low income households and, more recently, migrant workers and asylum seekers.

The Committee was advised that, on 1st February, 2024, out of 69 premises available for rent within the BT9 area on PropertyNews.com there were 9 licensed HMOs which, from the information presented on the website, represented 40 bed spaces. The HMO Manager advised the Committee that anecdotal evidence from previous conversations with HMO managing agents suggested that there was currently a lack of HMO accommodation available in that locality.

He reiterated that the Ulster University Director of Campus Life, in December 2022, had advised the Council's City Growth and Regeneration Committee that there was an "increase in competition for HMOs particularly from NIHE, Immigration Services and statutory agencies and there were increasing accommodation issues across the housing sector which required a holistic view and should include the consideration of international students, families and graduates looking for professional accommodation."

However, the QUB Director of Student Plus had confirmed that the current trend indicated a significant move of students to purpose-built student accommodation blocks. She had advised the Members that there were 7,000 purpose built managed student accommodation (PBMSA) rooms in the city, the majority having been built since 2018, and approximately 5,000 in the city centre.

The Committee was reminded that recent monitoring information produced by the Council's Planning Service for PBMSA indicated that 2055 bedspaces were currently under construction with an operational date of 2024.

Therefore, with the continued expansion of the PBMSA sector and students transitioning from private rentals to PBMSAs, it was too early to tell whether the increased competition from non-students for HMOs was a temporary problem which could be managed by the contraction in students residing in existing HMO accommodation within the locality, or evidence of an emerging long-term supply issue.

The Houses in Multiple Occupation Manager explained that, in assessing the number and capacity of licensed HMOs, as well as the need for HMO accommodation in the locality, officers could not be satisfied that the granting of the HMO licence would not result in overprovision of HMO accommodation in the locality of the accommodation for the purpose of section 8(2)(d) of the 2016 Act.

The Committee was advised that no objections had been received in relation to the application.

It was reported that the accommodation had been certified as broadly compliant with the physical standards for an HMO by a technical officer from the NIHMO service, on 24th November, 2023, with some minor works to be completed.

On 1st February, 2024, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, officers had issued a Notice of Proposed

**Licensing Committee,
Wednesday, 21st February, 2024**

Decision to the Applicant advising that it was proposing to refuse the licence on the grounds of overprovision. The Members' attention was drawn to the applicant's response.

The Chairperson then welcomed Mr. E. McCarthy, Barrister, representing the applicants, to the meeting. He advised the Committee that:

- in 2021, having acted upon legal advice, the owners transferred the property and 2 others, into a limited company, of which they were directors;
- the applicants ran a day nursery on the ground floor of the site of nos. 67, 69 and 71 Eglantine Avenue, and the upper floors provided accommodation for some of the daycare staff;
- the accommodation was much more generous in size than the minimum standards requirements for an HMO;
- the applicants understood that a licence application should have been made before the transfer of ownership had been completed and had apologised for that oversight;
- the reason for refusal given by officers was "overprovision", yet it was a case of replacing one HMO with another in exactly the same location; and
- had the applicants not transferred the property to a company, and had simply renewed the application, "overprovision" would not have applied.

The Chairperson thanked Mr. McCarthy for his attendance.

In response to a Member's query, the Solicitor confirmed that the Committee was bound to take overprovision into consideration as it was a new application.

In response to a further Member's question regarding setting a precedent, the Solicitor confirmed that the Committee had taken a consistent approach towards previous applications, each with varying personal circumstances, and that the Committee had not deviated from applying the policy to date.

Moved by Councillor O'Neill,
Seconded by Councillor McCann,

Resolved – that the Committee agrees to refuse the application as, in accordance with Section 12 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, it was satisfied that the granting of the HMO licence would result in overprovision of HMO accommodation in the locality of the accommodation, as determined under section 8(2)(d) of the Act.

Non-Delegated Matters

Pavement Cafe Licensing – Dfl in attendance

The Chairperson welcomed Mr. D. Healy, Divisional Manager at Dfl Roads Western Division, to the meeting.

He advised the Committee that, since the original pavement café legislation had been proposed, the Department for Infrastructure (Dfl) had been compiling a document to assist its staff in ensuring consistency across Northern Ireland.

He outlined that initial work on the guidance, up to 2020, had only reached draft stage as there had been a number of issues around consistency as well as getting agreement with Councils and disability groups.

The Committee was advised that the unpublished draft guidance had been used by Dfl staff in assessing Pavement Cafes to date. However, having been prompted by Belfast City Council's adoption of its permanent Pavement Café Licensing scheme, he had since been tasked, as Chair of the Network Planning Committee, to bring the draft guidance forward.

Mr. Healy explained that a number of amendments had been made in terms of suitable footway widths. He outlined that Dfl relied upon a number of different guides in terms of what were deemed acceptable footway widths. He stated that the minimum standard was 2metres but within each guidance document there were instances where that distance could be reduced. He pointed out that, in the Chartered Institution for Highways and Transportation "Planning for Walking" document, it suggested an absolute minimum of 1.8metres clearance, whereas the Inclusive Mobility document specifically relating to pavement cafes suggested that 1.5metre clear space should be regarded as a minimum acceptable distance.

He explained that the new guidance document from Dfl would draw upon the guidance from the various complementary documents and would consider in what circumstances a pavement café could operate with less than 2metres clearance. He outlined that Dfl would seek to produce guidance which was acceptable to Councils and to disability groups. He explained that the new document would look to assess applications for a pavement café where it had less than 2metres clearance of footway width.

The Members were advised that the updated draft guidance had been issued to Councils and disability groups in early January 2024. A meeting had subsequently been held with those groups on 18th January, 2024, with a number of amendments having been made as a result of the consultation. A further version of the guidance had been issued to stakeholders on 19th February, 2024 and Dfl was currently awaiting feedback.

The Committee was advised that, once the guidance was completed, it would go through the Department's Equality Screening assessment in advance of its publication.

**Licensing Committee,
Wednesday, 21st February, 2024**

Mr. Healy confirmed to the Committee that the guidance would be a “live” document and would continue to evolve over time but would hopefully help to ensure consistency across all Council areas.

In response to a Member’s question regarding the most recent version of the guidance, the Building Control Manager advised the Committee that, while officers had only had sight of it two days previously, they had been working closely with the Department in respect of the guidance and that the guidance produced by the Council and the DfI seemed to be well aligned.

The Chairperson emphasised that it was important that the guidance was not set in stone so as to adopt best practice, learn from lived experience, and that it was ultimately people-centred and not policy-centred.

In response to a Member’s query, Mr Healy confirmed that only in certain circumstances should applicants be permitted to have less than 2metres footway clearance, such as in areas of very low pedestrian footfall.

A further Member queried how individual applications would be adjudicated, including who would decide if it was acceptable for a pavement café to operate if there was less than 2metres clearance available, and if there would be an appeal mechanism. In response, Mr. Healy explained that there was a section in the guidance outlining scenarios where less than 2metres clearance could be acceptable, where it would be up to the applicant to demonstrate that the pedestrian flow adjacent to the property was sufficiently low to lessen the risk of anyone on the footpath being impeded, or in areas of not more than 2metres long, known as pinch points. The Committee was advised that the information would also be verified by DfI staff on the ground.

A further Member queried how the appeals process would operate. The Building Control Manager outlined that the only right of appeal would be from applicants, if their application for a pavement cafe was refused. He explained that the Committee would be asked to consider any applications which had been refused by officers and were being appealed by applicants, but he clarified that users who felt disadvantaged by a pavement café would not have a right of appeal.

After discussion, a number of Members stated that it was important that the parameters were clear for officers and applicants, in order to provide reassurance to everyone.

The Chairperson thanked Mr. Healy for his attendance and the update which he had provided.

Chairperson

Planning Committee

Tuesday, 13th February, 2024

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);
Aldermen Lawlor, McCullough and Rodgers;
Councillors Anglin, Bell, Bradley, T. Brooks,
Carson, Doherty, P. Donnelly, S. Douglas
Doran, Ferguson, Groogan, Hanvey, Maskey,
McCann, Nic Bhranair and Whyte.

Also present: Councillor Flynn.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, City Solicitor;
Mr. K. McDonnell, Solicitor (Regulatory and Planning)
Mr. E. Baker, Planning Manager (Development Management);
Ms. C. Reville, Principal Planning Officer;
Ms. U. Caddell, Senior Planning Officer;
Mr. R. Taylor, Senior Planning Officer;
Ms. L. Walshe, Senior Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

Apologies

No apologies for inability to attend were reported.

Minutes

The minutes of the meetings of 16th and 23rd January, 2024 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 1st February, 2024, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Alderman Lawlor declared an interest in relation to item 8d on the agenda, LA04/2023/4021/F - Change of use from dwelling to 5 Bed House in Multiple Occupation (amended description) - 166 Upper Newtownards Road, in that his employer, Mr. G. Robinson MLA, had submitted a letter of objection to the application.

Councillor T. Brooks declared an interest in relation to item 2c on the agenda, Proposed pre-emptive Committee Site Visit for: LA04/2023/3778/F - Demolition of existing Russell Court buildings and re development of existing surface car park to accommodate two new buildings for the QUB Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health), including landscaping, parking, and servicing. 38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA, in that she was employed by Queen's University.

Committee Site Visits

Note of Committee Site Visits

The Committee noted the Committee site visits.

Proposed briefing and pre-emptive Committee Site Visit for: LA04/2023/2459/F - Redevelopment of the NICSSA pavilion complex within the Stormont Estate creating a centre of excellence for sport. The development will comprise of demolition of the existing pavilion building and replacement with new 2 storey building providing state of the art indoor sports halls, changing accommodation, function/meeting space offering improvements to the existing offering. Site works will include the demolition and site clearance of the Dundonald House site to facilitate the extension and development of new international standard outdoor multi-sports playing, training and ancillary facilities. Day to Day operation of the site will be improved by way of improvements to internal road network via new access/egress arrangements from the existing Stoney Road junction, additional car and cycle parking and new waste/recycling areas. (Further Information received). Lands within the Stormont Estate to include

The Committee agreed to hold a briefing and undertake a site visit.

Proposed pre-emptive Committee Site Visit for: LA04/2023/3778/F - Demolition of existing Russell Court buildings and re development of existing surface car park to accommodate two new buildings for the QUB Institute of Research Excellence for Advanced Clinical Healthcare (iREACH Health), including landscaping, parking, and servicing. 38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA

The Committee agreed to undertake a site visit.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

**Notifications of Provision/Removal
of Accessible Parking Bays**

The Committee noted the provision of accessible parking bays at the following locations:

- 22B Cloghan Park;
- 34 Lothair Avenue;
- 4 Paxton Street; and
- 30 Hillview Avenue.

**Notifications from Statutory Bodies:
Abandonment and Extinguishment**

Abandonment at Cairnmartin Crescent

The Committee noted the proposed abandonment.

Abandonment at Parkgate Avenue

The Committee noted the proposed abandonment.

Appeals

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued in January, 2024 and, at the request of Councillor Carson, agreed that the monthly report would be presented to future meetings of the Committee in a dashboard format.

Miscellaneous Reports

**Delegation of Local Applications
With NI Water Objections**

The Committee agreed to delegate authority to the Director of Planning and Building Control, those Local planning applications to which NI Water had objected to.

**DFI Consultation on review of the
Development Management Regulations**

The Planning Manager outlined the undernoted report to the Committee:

“1.0 Purpose of Report or Summary of Main Issues

1.1 To report on the Department for Infrastructure’s public consultation on its review of the Development Management Regulations.

1.2 The Committee is asked to agree the Council’s response to the consultation.

2.0 Recommendation

2.1 That the Committee gives delegated authority to the Director of Planning and Building Control to respond to the public consultation as per the ‘Assessment’ section of this report (pars. 3.7 to 3.30).

3.0 Main Report

Background

3.1 The Planning (Development Management) Regulations (Northern Ireland) 2015 (‘Development Management Regulations’) set out the following provisions:

- **Hierarchy of development** – the definition of Major development
- **Regionally significant applications** – to require consultation with DfI on applications for Major development of a certain scale to ascertain whether they will be ‘called in’ and determined by DfI as regionally significant
- **Proposal of Application Notices (PANs)** – the content of PAN applications required to be made to the Council. PAN applications set out the proposals for Pre-application Community Consultation relating to applications for Major Development
- **Pre-application Community Consultation** – requirements for Pre-application Community Consultation including holding a public event and publicising the proposal in a newspaper
- **Duty to decline to determine applications where section 27 is not complied with** – specifying a period of 21 days for the Council requiring additional information before declining to

- determine an application for Major development where the requirements of the PAN process were not followed
- **Pre-Determination Hearings** – the requirement to hold a Pre-Determination Hearing for applications notified to DfI but which it returns to the council for determination
 - **Schemes of delegation** – requirement for Councils to prepare a scheme of delegation that sets out the classes of Local development that are to be determined by officers. Prevention of such applications being determined by an officer where the application is made by the council or an elected member, or the council has an estate in the land. Requirement to send a copy of the scheme of delegation to DfI and not to adopt it until it has been approved by DfI. Requirement to publish the scheme of delegation, making it available in the office and publishing it on the council's website. Requirement for the council to prepare a scheme of delegation at intervals of no greater than 3 years.
 - **Transition provisions** – the requirement for Pre-Application Community Consultation to only apply to applications for Major development submitted on or after 1st July 2015.

Public Consultation

- 3.3 The Department for Infrastructure ('DfI') is consulting on its review of the Development Management Regulations as part of the regional Planning Improvement Programme (PIP). The PIP is a response to recommendations of the Northern Ireland Audit Office and Public Accounts Committee reports published in 2022, which seek significant improvement of the NI planning system.
- 3.4 The consultation proposes changes in three areas:
- a review of the classes of development to ensure they reflect current and future development trends and that the associated thresholds take a balanced approach to community consultation in planning applications for major development;
 - proposals to make pre-determination hearings discretionary for councils which will help focus resources and reduce delays in issuing planning decisions for some planning applications; and
 - proposals to introduce online/digital methods into the pre-application community consultation (PACC) process, to enhance accessibility and encourage participation in the planning process by a broader range of people.
- 3.5 DfI announced the public consultation in December 2023 with the closing date for comments of 3rd March 2024.

Assessment

- 3.7 It is proposed that the Council responds to the public consultation as set out below.

Review of classes of development

- 3.8 The consequence of development being classified as 'Major' is twofold. Firstly, that the applicant is required to carry out formal pre-application community consultation before submitting the application to the council. Secondly, that the decision on the application cannot be delegated to officers but must be made by the planning committee.
- 3.9 In its consultation, DfI suggests that proposals for Major development '*...require considerably more assessment and processing resources than local developments which, by comparison, are less complex and, on the whole, raise fewer public interest issues.*' (par. 2.2).
- 3.10 However, this is not always the experience of the Planning Service. Applications for Local development, such as housing schemes of less than 50 residential units, can often be equally complex and raise more public interest issues than Major applications. Whilst the current thresholds for Major development are generally considered to be appropriate, consideration should be given to the requirement for secondary 'lighter touch' mandatory pre-application community consultation on certain scale Local applications. Local applications can have a significant impact on local people, particularly in locations such as Belfast which comprise many areas of tight-knit and dense communities where changes to the built environment can have considerable consequences. There should be a formal opportunity for those communities to engage with developers to help shape proposals for the better.
- 3.11 Conversely, there are examples of Major development proposals, such as larger commercial buildings on industrial estates, where the value of mandatory pre-application community consultation is questionable. There should be the provision for the council to advise that pre-application community consultation is not required in specific cases or for a council to be able to publish 'local guidance' on when pre-application community consultation is necessary (this would be criteria based similar to a scheme of delegation).
- 3.12 Officers recognise that consideration of these issues cannot be separated from the work to date of the regional [Planning Engagement Partnership](#), which published its report: [Planning](#)

[Your Place: Getting Involved](#) in March 2022. The report made various recommendations on how to improve public engagement in the planning process including the pre-application community consultation process.

- 3.13 It is noteworthy that BCC's Planning Service no longer places emphasis on whether a proposal falls under the 'Major' or 'Local' development categories, but whether a proposal is of 'strategic' importance to the city. For example, there are many examples of Local applications which are of strategic significance to Belfast and Major applications which are not necessarily of strategic importance, classified as 'technical Major applications' by virtue of their scale, particularly those relating to change of use of a large area of land.
- 3.14 Nevertheless, there is often a perception of the importance of a Major application and in this regard, the Department may wish to consider increasing the types of energy infrastructure development, particularly renewables, that fall within the Major development category in order that they are prioritised. Although this needs to be balanced against the commercial disadvantages of making applicants have to go through the 12-week Proposal of Application (PAN) process in terms of added time to the process when the regional objective is to facilitate such proposals in an efficient and timely manner.
- 3.15 Officers welcome the proposed introduction of a 'mixed development' category of Major development for the avoidance of any doubt – the Planning Service has experience of applicants trying to argue that their proposal is not Major development because it is a mixed-use scheme which does not fall within any of the specific current categories even though it is of considerable scale.
- 3.16 Clarification should be provided in the updated regulations of the category of development that Battery Energy Storage Systems (BESS) fall under to avoid future potential confusion.
- 3.17 In relation to category 6 'Housing', a significant upward change in the threshold for definition of major housing developments could result in virtually all residential developments proposed being classified as 'local' with resultant implications for the time available for processing and the removal of the need for pre-engagement processes such as PAD and PAN along with the requirement to consider masterplanning. This would therefore not be supported.
- 3.18 Regarding category 7 'Retailing, Community, Recreation & Culture', consideration should be given to splitting 'Retailing' into

a separate category since retail development presents distinct issues from the other forms of development in this category including retail impact.

- 3.19 Consideration should be given to increasing the 1 ha threshold for Major developments to 2 ha as some Major applications are considered ‘technical Major applications’ because of their scale but not their impact. Typically, this relates to proposals for a change of use of land or proposals such as ‘environmental improvements’ relating to public realm.
- 3.20 Officers have no observations in relation to the current thresholds for consulting Dfl on potentially regionally significant planning applications.

Pre-application Community Consultation

- 3.21 Officers recognise the significant merits of online and digital consultation in reaching a wider and in some cases younger population. However, this it is not considered that this should be a substitute for face-to-face public events because of the value of in-person communication and commitment to genuine engagement that face to face meetings can demonstrate. The Council should therefore support ‘Option 1’ of the consultation, which is to require both an in-person public event and online/digital consultation. Option 2, which is to give the developer discretion as to whether to carry out in-person consultation or online/digital consultation is not considered appropriate.
- 3.22 The requirements of the pre-application community consultation process should be re-examined having regard to the *Planning Your Place: Getting Involved* report. Consideration should be given to prescribing further publicity requirements including ‘leaflet drops’ to local property and site notices to be erected by the applicant.
- 3.23 It is also essential that pre-application community consultation is much more than a simple ‘tick box’ exercise carried out by the applicant. The bar for Pre-Application Community Consultation (PACC) reports submitted with applications is arguably too low. There must be a mandatory requirement for applicants to set out the views of local people and interested parties in the report, how they have responded to each of the points, and where changes were not made to address them, to clearly explain and justify the reasons why.
- 3.24 There should also be an automatic requirement for the applicant to notify the locally Elected Members for the area of the pre-application community consultation.

Pre-Determination Hearings

- 3.25 DfI is proposing to remove the requirement for councils to hold a Pre-Determination Hearing (which in turn requires a further meeting of the Committee to retake the decision) when an application is returned to the council for determination following notification to DfI. The current requirement is an unnecessary administrative burden which adds to delays to the application process and creates considerable uncertainty for applicants, an anathema for investors.
- 3.26 The proposal to remove the requirement for statutory Pre-Determination Hearings under such circumstances and to instead give councils the power to hold a discretionary Pre-Determination Hearing is very much welcomed with officers having lobbied DfI for this change for many years.

Other points

- 3.27 Officers welcome the proposal for a third category of development, perhaps titled 'Minor' development, for smaller scale proposals such as householder, advertisement, Listed Building Consent and Conservation Area Consent applications. This recognises that the definition of 'Local' development is currently far too wide, ranging for an application for single storey extension or satellite dish to 49 dwelling units, and does not permit meaningful interrogation of performance. There should in turn be an even shorter statutory target for determination of such Minor applications, which is less than the 15 weeks average processing time currently prescribed to Local applications.
- 3.28 Consideration should also be given to removing the requirement for all applications for Major development to be decided by a planning committee. This should be a matter for each council to decide and set out in its scheme of delegation.
- 3.29 The regulations relating to schemes of delegation should also be amended. Unlike in NI, there is no requirement in England and Wales for councils to have their schemes of delegation approved by central government. This is a localised decision-making matter and the current requirements are one of too many examples of the Department's over-interventionist role in the planning system in NI. DfI could perhaps amend the legislation to enable it to intervene if it considers an individual council's scheme of delegation to be inappropriate. In practice, it is questioned how many times the Department has not approved a council's scheme of delegation since 2015.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

3.30 Importantly, the Council’s proposed response to this focused consultation should not be considered to conclude that these regulations (and others applicable to the development management process) do not need further consideration and potential amendment.

4.0 **Financial & Resource Implications**

The changes proposed by the consultation have the potential to streamline legislative processes and in turn have a positive impact on finances, resources and performance.

5.0 **Equality or Good Relations Implications / Rural Needs Assessment**

5.1 There are no equality or good relations / rural needs implications associated with this report.”

The Committee delegated authority to the Director of Planning and Building Control to respond to the public consultation as per the assessment outlined within the report.

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)

Planning Applications Previously Considered

LA04/2022/0646/F - Application under Section 54 of the planning (Northern Ireland) Act 2011 to vary Condition 2 of planning permission LA04/2017/2753/F (relating to details of public realm improvements) - 30-44 Bradbury Place

The Planning Manager explained that the application has been approved by the Committee at its meeting in August, 2022, subject to conditions and a Section 76 planning agreement. He reported that the Section 76 planning agreement had been signed, but that the decision had yet to be issued due to the need to resolve the details of the public realm required by condition two of the previous permission, including the timing of its implementation.

He stated that the matters had been resolved and the application was before the Committee for reassessment against the Plan Strategy, which had been adopted in May, 2023.

He informed the Committee that the applicant had advised that the public realm would be completed prior to occupation, however, tree planning would be delayed until October, 2024.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

He reported that officers had advised that, in order to build in contingency in case of slippage, condition two should be reworded to the following:

'The public realm improvements along the Bradbury Place frontage as highlighted in yellow on Drawing No.01A shall be implemented in accordance with the details approved under discharge of condition application LA04/2021/0917/DC approved on X and completed prior to 31st July 2024 of the hereby approved development, save for the tree planting which shall be carried out during the first planting season following afterwards.'

He stated that it was recommended that the application be approved with conditions.

The Committee approved the application, subject to conditions and a Section 76 planning agreement, and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and to deal with any other issues that might arise, provided that they were not substantive.

LA04/2023/2418/F - Demolition of existing retail units and vehicle drop off area of 215-225 Castlereagh Road, Belfast and erection of 4 storey apartment building containing, 16 no apartments with associated development and ancillary works. - 215-225 Castlereagh Road

The Senior Planning Officer provided the Committee with an overview of the application and highlighted the following key issues for consideration:

- Principle of development;
- Design, scale, layout and impact upon the character and appearance of the area including residential amenity;
- Impact on amenity;
- Affordable housing and housing mix;
- Accessible and adaptable accommodation;
- Climate change;
- Drainage;
- Traffic, movement and parking;
- Waste-water infrastructure; and
- Noise, odour and other environmental impacts.

He explained that the density, design and amenity were acceptable, and that the application had met the housing mix provision with 20% affordable housing. He added that no objections had been received from consultees, and that six third party objections had been received and fully assessed.

He stated that the application was considered acceptable and that it was recommended that the Committee approve the application, subject to conditions.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

Proposal

Moved by Councillor T. Brooks,
Seconded by Councillor Bell,

“That the Committee refuses the application on the basis of the height, scale and massing of the proposal, and delegates authority to the Director of Planning and Building Control to finalise the wording of the refusal reasons.”

On a vote, four Members voted for the proposal and 16 against and it was declared lost.

Accordingly, the Chairperson put the officer recommendation to the Committee and the Committee agreed to grant planning permission, subject to conditions and a Section 76 planning agreement, and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and to deal with any other issues that might arise, provided that they were not substantive.

LA04/2022/0097/F - Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1 - Social Housing) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings) - 22-30 Hopefield Avenue

The Senior Planning Officer outlined the application to the Committee and highlighted the following key issues:

- Principle of development;
- Affordable housing and housing mix;
- Design, layout and impact on the character and appearance of the area of townscape character;
- Accessible and adaptable accommodation; and
- Access and parking.

He explained that four objections had been received in relation to character, residential amenity, overdevelopment, parking and damage to street trees and referred the Committee to the case officer response which addressed those objections. He added that no objections had been received from consultees, with the exception of NI Water, which had advised that there was insufficient wastewater treatment capacity.

He stated that, having regard to the development plan and other material considerations, the proposal was considered acceptable and that it was recommended that planning permission be granted, subject to conditions.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

The Chairperson welcomed Mr. M. Collins, Collins Rolston Architects, and Mr. D. Erskine, NB Housing, to the meeting.

Mr. Erskine explained that the scheme design was fully supported by the Northern Ireland Housing Executive (NIHE) and was designed to meet DfC and NIHE standards. He added that there was a travel plan that would have three-year benefits for Translink, Belfast Bikes and car sharing.

He highlighted that the design evolution facilitated the relocation of the entrance in order to limit damage to the street trees.

Mr. Collins addressed potential concerns from local residents and stated that care had been taken to respect the character of the neighbourhood and would create an open space for residents as well as providing high quality vegetation and planning to the front and rear of the proposal.

The Committee granted planning permission, subject to conditions and a Section 76 planning agreement, and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and to deal with any other issues that might arise, provided that they were not substantive.

**LA04/2023/4021/F - Change of use from dwelling to
5 Bed House in Multiple Occupation (amended description).
- 166 Upper Newtownards Road**

The Planning Manager provided the Committee with an overview of the application and explained that the application site was within an Intensive Housing Node where Houses in Multiple Occupation (HMOs) were acceptable, in principle, under Policy HOU11.

He highlighted the key issues to be considered that included the impact on the surrounding residential amenity/character, traffic, parking, access, waste and refuse collection and over-occupation and antisocial behaviour.

He stated that the proposal complied with the relevant space standards and the location site was highly accessible and sustainable and that DfI Roads had offered no objections.

He added that there was adequate provision made for bin storage and that bicycle storage could be provided within the garage and secured by a planning condition.

The Planning Manager stated that, having regard to the development plan and other material considerations, the proposal was considered acceptable and it was recommended that planning permission be granted, subject to conditions.

The Chairperson welcomed Mr. Adam Larkin, Planning Agent, Ms. L. Rogers and Mrs. F. Rogers, the applicants, to the meeting.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

Ms. Rogers explained that she ran seven other HMOs and targeted young professionals as occupants as there was a huge demand for HMO accommodation from those who could not afford to rent an entire property. She stated that young professionals were easy to manage and that the perception that the property would be used for student accommodation was untrue and that it was not an ideal location for students.

She stated that she deliberately chose HMO properties on the Glider routes and only within the HMO Planning Nodes to allow tenants ease of access to the city centre. She added that the property was located less than 100 metres from a greenway and would facilitate tenants who may chose to cycle or work to their place of work.

She outlined the changes that were made to the application in response to local objections that included converting one of the bedrooms back to a garage for in curtilage parking and bike storage and highlighted that there was no requirement to provide additional parking.

She pointed out that the property was residential and therefore would have no more bins than any other property within the location.

Ms. Rogers stated that, as a licensed HMO, the operation of the property would be heavily monitored by the Council and that an antisocial behaviour plan would have to be submitted and adhered to, as a condition of the license, and that, in the eight years of operating HMO properties, she has never received a complaint from any neighbour or authority about antisocial behaviour.

She concluded by stating that there would be no impact from tenants requiring parking, the bins that were currently provided, would be the same quantity as the neighbouring properties and that there was a misconception that the property would be used by students engaging in antisocial behaviour.

The Committee granted planning permission, subject to conditions and a Section 76 planning agreement, and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and to deal with any other issues that maight arise, provided that they were not substantive.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

New Planning Applications

LA04/2020/0568/F and LA04/2020/0569/LBC - Change of use (including refurbishment of and 9 storey extension to rear) of former police station to 74 bedroom hotel with associated restaurant, bar & ancillary facilities. - 21 Queen Street

The Planning Manager provided an overview of the application to the Committee and highlighted the following key areas for consideration:

- The principle of a hotel at this location;
- Impact on the character and appearance of the Conservation Area;
- Impact on the special architectural and historic qualities of the Listed Building;
- Archaeology;
- Ancillary open space;
- Climate change;
- Traffic, movement and parking;
- Environmental impacts;
- Drainage and flood risk; and
- Natural heritage.

He explained that the building was Grade B1 Listed, located in the City Centre Conservation Area and on the heritage risk register.

He stated that the principle of hotel use in the location was considered acceptable and that the proposed alterations to the Listed Building were sympathetic and the proposal would help to secure the future of the Listed Building at risk.

He reported that no objections had been received from DfI Roads, DfC Historic Environment Division, DfI Rivers, NI Water, BCC Environmental Health or third parties, however, the Urban Design Officer and internal conservation advice had expressed concerns with regard to some aspects of the design.

He stated that, having regard to the Development Plan and other material considerations, the proposal was considered acceptable and that it was recommended that planning permission and Listed Building consent were granted, subject to conditions.

In response to a question from a Member with regard to the issues raised by the internal conservation advice and Urban Design Officer, the Planning Manager explained that, although concerns had been raised, it was a question of judgement as to whether the application was considered policy compliant and acceptable, and that, since the planning officers had concluded that the proposal was acceptable, it was not considered necessary to require the applicant to make a detailed enabling case for the proposal.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

Proposal

Moved by Councillor Groogan,
Seconded by Councillor T. Brooks,

“That the Committee defers consideration of the application until further information is received with regard to concerns raised from consultees in relation to some aspects of the design of the proposal.”

On a vote, four Members voted for the proposal and 14 against and it was declared lost.

Accordingly, the Chairperson put the officer recommendation to the Committee and the Committee agreed to grant planning permission and Listed Building Consent, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other matters that may arise, provided that they are not substantive.

LA04/2022/1384/F - Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks. – Lands at 12 Inverary Avenue

The Committee agreed to defer consideration of the application in order to undertake a site visit.

LA04/2023/4219/F - Single storey extension to rear and side. Changes to side elevation. Demolition of existing garage (amended description). - 6 Haddington Gardens

The Committee considered the application and granted planning permission, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other matters that may arise.

LA04/2023/3319/F - Proposed change of use from an existing dwelling to a house of multiple occupancies – 27 Ponsonby Avenue

The Committee agreed to defer consideration of the application in order to undertake a site visit.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

**LA04/2023/3481/F - Change of use from dwelling to
6 bed HMO (sui generis) - 272 Limestone Road**

The Committee agreed to defer consideration of the application in order to undertake a site visit.

**LA04/2023/4592/f – change of use from Retail (A1) to
Community facility (D1) – Ground Floor 102 Royal Avenue**

The Senior Planning Officer outlined the application to the Committee and provided a site location plan, existing and proposed elevations and a proposed floorplan.

He explained that there were no physical alterations to the building in the proposal and all installations were internal and temporary.

He reported that, having regard to the development plan and other material considerations, it was recommended that the application was approved, subject to conditions.

The Committee granted planning permission, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other matters that may arise.

**LA04/2023/3646/F - Proposed outbuilding to provide
ancillary office space and meeting room - The Stableyard,
Barnett's Demesne Malone Road**

The Senior Planning Officer provided an overview of the application to the Committee and highlighted the following key issues in the assessment of the proposed development:

- Principle of development;
- Impact on amenity;
- Impact on rural character of the area and design;
- Lagan Valley Regional Park; and
- Climate Change.

He explained that the site was located to the rear of the existing Stableyard and was currently an area of hardstanding which had been occupied by Belfast Activity Centre, a charity that provided outdoor adventure and learning.

He reported that the proposal was neighbour notified and advertised and that no representations had been received.

He stated that, having regard to the development plan and other material considerations, the proposal was considered acceptable.

**Meeting of Planning Committee,
Tuesday, 13th February, 2024**

The Committee granted planning permission, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other matters that may arise prior to issuing the decision, provided that they were not substantive.

Chairperson

Climate and City Resilience Committee

Thursday, 8th February, 2024

MEETING OF THE CLIMATE AND CITY RESILIENCE COMMITTEE

HELD IN THE LAVERY ROOM AND
REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor R-M Donnelly (Chairperson);
Councillors Anglin, Bower, R. Brooks,
T. Brooks, Carson, Collins, Doherty, M. Donnelly,
D. Douglas, S. Douglas, Kelly, Long, McAteer,
McCabe, McKeown, Smyth and Walsh.

In attendance: Mr. J. Tully, Director of City and Organisational Strategy;
Ms. D. Caldwell, Climate Commissioner;
Ms. C. Shortt, Monitoring, Learning and Reporting Officer and
Mr. G. Graham, Democratic Services Assistant.

Apologies

Apologies were reported on behalf of Alderman Copeland and Councillor Bell.

Minutes

The minutes of the meeting of 11th January, were taken as read and signed as correct subject to the amendment that Councillor Long was recorded as being in attendance at the meeting.

Declarations of Interest

Councillor Doherty declared an interest in that his employer had a collaborative business arrangement with Amazon Business Services (AWS).

Amazon Web Services – Climate Data Platform Challenge update

Councillor Doherty declared an interest as indicated previously and removed himself from the meeting during discussion of this item.

Mr. Adrian Hanley, Local Government Account Manager, Amazon Web Services (AWS), attended in connection with this item and was welcomed by the Chairperson.

The Monitoring Learning and Reporting Officer acknowledged and thanked the teams, both from AWS and the University of Arizona, for their work in the development of a wireframe climate data capture platform. Mr. Hanley provided the Committee with an overview of the investment by AWS in the local economy, including their support provided to the business sector and charitable organisations. The Committee was informed of AWS's commitment to

**Climate and City Resilience Committee,
Thursday, 8th February, 2024**

offer technical solutions to a wide range of business enterprises and also to the purchase of green energy, as part of their climate commitment, to reduce carbon emissions. He highlighted AWS's commitment to be one hundred per cent renewable, across the UK, by 2025.

Mr. Hanley reported that the Council had challenged AWS to provide a technical solution in regard to the collection, processing, analysis and communication of its climate data. To that end, the University of Arizona had been approached to develop a framework for the creation of a climate data platform using information provided by a range of teams, from across the Council, to ascertain its climate data collection and reporting requirements.

The Members were informed that, as part of that process, a seven-week engagement programme had taken place between Belfast City Council, stakeholders, AWS and the University of Arizona, to develop a prototype data capture platform. As part of the engagement programme, a graphical visual representation had been produced to illustrate how the climate data platform would be presented.

The Members were provided with an example of what a climate data platform might look like, including a range of categories which could be included with its format. Mr. Hanley provided information on the potential functionality of the data platform and how it could be used to simulate climate scenarios dependent on the input of various statistical data.

The Monitoring, Learning and Reporting Officer referred to the benefits of the climate data platform in communicating how the Council had performed, in terms of its climate ambitions, compared to other cities and stated that all data had been source identified and its integrity and accuracy verified.

In response to a question from a Member in regard to the timeline associated with the development of the data platform, the Monitoring, Learning and Reporting Officer stated that a business case was being prepared and that it was hoped that the software development team, within digital services, would be working on the development of a prototype climate platform, commencing in April 2024, using a range of data provided by the Council.

A Member requested information in regard to the installation of pop-up cycle lanes and the impact of that development on carbon emissions, specifically in regard to transport. In response, the Learning, Monitoring and Development Officer stated that, as the data was available a year after the data collection exercise had been completed, she would bring back information to the Committee after publication of the information requested.

In response to a further question from a Member in regard to the data platform being user friendly for those with disabilities, the Learning, Monitoring and Development Officer confirmed that, the Council had a statutory obligation to comply with its legal obligations in that regard

The Chairperson, on behalf of the Committee, thanked Mr. Hanley for his detailed and informative presentation and he departed from the meeting.

Noted.

**Climate and City Resilience Committee,
Thursday, 8th February, 2024**

**Shared Island Community Climate Action
Fund (Strand 1a) (Restricted Item)**

The Director provided the Committee with an update in regard to the involvement of Belfast City Council under the Shared Island Funding Initiative. The Members were informed that Council officers had continued to work with partner Councils in the Republic of Ireland in order to explore and develop potential project areas in line with the Shared Island Programme.

The Members were provided with an outline of the brief attached to Strand 1a of the Shared Island Community Climate Action Fund which provided the opportunity for communities/local authorities to take forward cross-border climate action projects in partnership with organisations in Northern Ireland

The Committee was provided with an overview of the key elements which were eligible for funding under strand 1a, including the funding tiers which were available under the scheme and incorporating the contact details of those authorities and Community Climate Action Officers responsible for the projects and administration of the funding process.

Noted.

Belfast Agenda refresh - update

The Director provided the Committee with an update on the work which had been undertaken with stakeholders, as part of a community engagement programme in order to update priority action areas within the Belfast Agenda.

The Director highlighted the significant community engagement programme which had been undertaken to ensure that the priorities were consistent with the needs of the city and that it had both community and business support.

The Committee was provided with an outline of the detailed processes associated with each phase of the engagement and participation programme. The Director stated that the ethos associated with a compassionate city incorporated with inclusive growth were key components of the Belfast Agenda. The Members were informed of a major addition to Belfast Agenda, in terms of climate change, and the objective to achieve a reduction in carbon emissions by eighty per cent, by 2025.

The Director referred to the five themes contained within the Belfast Agenda comprising:

1. Our People and Communities
2. Our Economy
3. Our Place
4. Our Environment and
5. A Compassionate City

The Committee was informed that the Belfast Agenda did not sit in isolation from regional government policy and should be viewed in that context. The Director emphasised the importance attached to securing collaboration with partner organisations, including the

**Climate and City Resilience Committee,
Thursday, 8th February, 2024**

Executive, to deal with issues such as health inequality and Community and Neighbourhood Regeneration, alongside ensuring a just transition to net-zero.

The Climate Commissioner highlighted a range of interventions which had been undertaken, as part of the Climate agenda including, the "Our Planet" area of focus, including decarbonisation projects. She referred also to the delivery of two retrofit projects in deprived areas and the operation of the Artemis net-zero ferry service.

The Climate Commissioner reinforced the need to ensure a just transition to net zero and of the need to ensure that both the public and business sectors and society, in general, were on board if behavioural change to achieve net-zero was to be achieved.

The Director reported that it was anticipated to launch the Belfast Agenda refresh on 20th March 2024 and emphasised the need for a multi-agency collaborative approach if the ambitions with the Belfast Agenda were to be realised and targets met.

In response to a question from a Member, as to reason for the restriction of the item under the heading, 'Shared Island Community Climate Action Fund', the Director agreed that it would be possible to disaggregate the report to exclude the commercially sensitive elements and present the modified report to a future meeting of the Committee, in a non-restricted format.

In response to a further question in regard to the lack of infrastructure for electric vehicle charging and what the Council might do to support infrastructure in that regard, the Climate Commissioner reported that the nature of lease agreements and revenue streams associated with EV charging required to be considered at a strategic level and agreed to report back to the Committee, at a future date, on how the issue identified might be progressed.

A Member raised the issue of support for community energy projects the subject matter of which which the Member had submitted a previous motion to the Council. The Member requested information on how such projects could be developed, with particular reference to the most economically and socially deprived areas of the city. In response, the Climate Commissioner stated that she would submit a report to a future meeting of the Committee on how the Council might expand and develop those projects in an endeavour to support a just transition and meet its net zero commitments.

A Member raised a question in regard to how the city might incorporate its ambitions to become net-zero, within the Belfast Agenda, and highlighted its success, to date, in that regard. In response, the Director reported that the carbon disclosure project, which had provided the city an 'A' rating, was a major achievement towards the recognition of the city's green credentials. The Committee was reminded of the 'Pathway to net zero' being an integral part of the Belfast Agenda. The Climate Commissioner reported also that Belfast was rated eleventh in the global sustainability index, which sent a clear and unequivocal message of the city's commitment to a sustainable, net-zero economy.

In response to a request from a Member to have a simplified graphical representation of where the Council was on its various themes contained within the Belfast Agenda and prior to a the publication of a comprehensive dashboard, the Climate Commissioner reported that, in tandem with the development of a detailed climate dashboard, the Council had undertaken

**Climate and City Resilience Committee,
Thursday, 8th February, 2024**

an annual review of this progress, on its range of climate ambitions, to the Climate and Sustainability Board, which would be available for the Committee's consideration. The Director informed the Members that the Corporate Performance Management Framework was being amended and would provide a valuable insight into the Council and the progress made to deliver its climate ambitions.

Noted.

Chairperson

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Standards and Business Committee

Thursday, 22nd February, 2024

MEETING OF THE STANDARDS AND BUSINESS COMMITTEE

HELD IN THE LAVERY ROOM AND
REMOETELY VIA MICROSOFT TEAMS

Members present: Alderman Rodgers (Deputy Chairperson);
The Deputy Lord Mayor, Councillor Groogan;
Aldermen Lawlor and McCullough; and
Councillors Bradley, M. Donnelly, P. Donnelly, D. Douglas,
Duffy, Kelly, Lyons, Magee, Maghie, F. McAteer, G. McAteer,
McDowell, R. McLaughlin and McMullan.

In attendance: Ms. N. Largey, Interim City Solicitor/Director of Legal
and Civic Services;
Mr. J. Hanna, Democratic Services and Governance
Manager, and
Ms. E. McGoldrick, Democratic Services Officer.

Apologies

(Alderman Rodgers in the Chair)

An apology was reported on behalf of the Chairperson, Councillor McDonough-Brown.

Minutes

The minutes of the meeting of 23rd January were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st February.

Declarations of Interest

No Declarations of Interest were reported.

Motions

The Committee considered the following three motions which had been received in advance of the Council meeting on 4th March:

Gender Pay Gap Recording and Reporting

The Committee agreed that the motion, which had been proposed by Councillor T. Brooks and seconded by Councillor F. McAteer, be referred, in the first instance, to the Strategic Policy and Resources Committee.

**Standards and Business Committee,
Thursday, 22nd February, 2024**

Housing Crisis

The Committee agreed that the motion, which had been proposed by Councillor Groogan and seconded by Councillor Smyth, be referred, in the first instance, to the Strategic Policy and Resources Committee.

Solidarity with Palestine

Proposal

Moved by Alderman McCullough,
Seconded by Alderman Lawlor,

That the motion be rejected.

Amendment

Moved by the Deputy Lord Mayor, Councillor Groogan,
Seconded by Councillor Lyons,

That the motion be referred to Council for debate, with no restrictions on the number of speakers.

On a recorded vote, two Members voted for the amendment and sixteen against and it was declared lost:

<u>For 2</u>	<u>Against 16</u>
Councillors Groogan and Lyons	Aldermen Rodgers, Lawlor and McCullough, Councillors Bradley, M. Donnelly, P. Donnelly, D. Douglas, Duffy, Kelly, Magee, Maghie, F. McAteer, G. McAteer, McDowell, McLaughlin and McMullan.

On a recorded vote, the original proposal standing in the name of Alderman McCullough was put to the Committee and sixteen Members voted for the proposal and two against and it was declared carried:

<u>For 16</u>	<u>Against 2</u>
Aldermen Rodgers, Lawlor and McCullough, Councillors Bradley, M. Donnelly, P. Donnelly, D. Douglas, Duffy, Kelly, Magee, Maghie, F. McAteer, G. McAteer, McDowell, McLaughlin and McMullan.	Councillors Groogan and Lyons

**Standards and Business Committee,
Thursday, 22nd February, 2024**

Anti-Poverty Strategy

Proposal

Moved by Councillor Lyons,
Seconded by Deputy Lord Mayor, Councillor Groogan,

That the motion be referred to Council for debate, with no restrictions on the number of speakers.

Amendment

Moved by Alderman McCullough,
Seconded by Alderman Lawlor,

That the motion be adopted.

On a vote, sixteen Members voted for the amendment and one against, with one no vote and it was declared carried.

The amendment was thereupon put to the meeting as the substantive motion and passed.

Accordingly, the Committee agreed to adopt the following motion, which had been proposed by Councillor Doherty and seconded by Councillor Whyte:

“This Council notes the significant increase in families living in poverty across Belfast as a result of the cost-of-living crisis and other financial pressures.

This Council notes the legal obligation on the Northern Ireland Executive under the 2006 St Andrew’s Agreement and subsequent Northern Ireland (St Andrew’s Agreement) Act 2006 and New Decade, New Approach Agreement 2020 to “*adopt an Anti-Poverty Strategy setting out how it proposes to tackle poverty, social exclusion and patterns of deprivation based on objective need*”.

This Council notes that the Executive is acting unlawfully by failing to adopt an Anti - poverty Strategy.

This Council will write to the Minister for Communities calling on him to bring forward an Anti-Poverty Strategy and to outline how he intends to live up to his legal obligation to tackle poverty with measures, targets, and timescales for doing so.”

Chairperson

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