

# Public Document Pack

**Democratic Services Section  
Chief Executive's Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**



**Belfast  
City Council**

## **MEETING OF PEOPLE AND COMMUNITIES COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Tuesday, 13th October, 2015 at 4.30 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

### **AGENDA:**

1. **Routine Matters**
  - (a) Apologies
  - (b) Minutes
  - (c) Declarations of Interest
2. **Restricted Item**
  - (a) Debt Write Off - Leisure Services (Pages 1 - 2)
3. **Committee/Strategic Issues**
  - (a) Committee Workplan (Pages 3 - 26)
4. **Environment**
  - (a) Residual Waste Update (Pages 27 - 28)
  - (b) Fuel Poverty Measures & Cavity Wall Insulation (Pages 29 - 32)

- (c) New Biodiversity Strategy for Northern Ireland (Pages 33 - 36)
- (d) Belvoir Forest Area of Scientific Interest (Pages 37 - 50)

5. **Physical Programme & Asset Management**

- (a) Balmoral Bowling club - Request for long term lease (Pages 51 - 58)
- (b) Foxes Lodge - Proposed Future Development (Pages 59 - 62)
- (c) Partnership Agreements - Implementation Funding (Pages 63 - 70)
- (d) Regularisation of Legal Arrangements (Pages 71 - 74)

6. **Finance, Procurement & Asset Management**

- (a) Blythefield Park Alpha Fund Application (Pages 75 - 98)
- (b) Active Communities (Pages 99 - 102)

7. **Operational Issues**

- (a) Off Street Car Parking - Future Delivery Options (Pages 103 - 108)
- (b) Update - Control of Graffiti in Belfast (Pages 109 - 122)
- (c) Belfast PCSP and DPCSP Funding 2015/16 (Pages 123 - 126)
- (d) Safer Belfast CCTV system - wider university area (Pages 127 - 130)
- (e) Street Naming - Dual language application (Pages 131 - 132)
- (f) Fifth Anniversary of Parkrun (Pages 133 - 136)
- (g) Planting of Trees - Knocknagoney Park (Pages 137 - 142)
- (h) River Farset Public Art Project (Pages 143 - 148)
- (i) Tropical Ravine - Partnership Working (Pages 149 - 150)
- (j) HMOs Consultation Response (Pages 151 - 184)
- (k) DSD Consultation on Draft Charities (Accounts & Reports) (Pages 185 - 190)
- (l) Air Quality - Consultation Response (Pages 191 - 198)
- (m) Update - Amateur Boxing Strategy (Pages 199 - 204)

8. **Issues Raised in Advance by Members**

- (a) Animal Cruelty - Ald. Stalford to raise (Pages 205 - 206)



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<b>Subject:</b>	Draft People & Communities Committee Plan
<b>Date:</b>	13 <sup>th</sup> October 2015
<b>Reporting Officer:</b>	Ronan Cregan, Deputy Chief Executive and Director of Finance and Resources
<b>Contact Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure Siobhan Toland, Lead Operations Officer H&ES Cate Taggart, Community Development Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of Main Issues</b>
	<p>On 30 June 2015, members of the committee attended a planning workshop with a view to developing a work plan for the People and Communities Committee. Members identified a number of priorities and made a number of proposals in the context of the emerging priorities identified as part of the 'Belfast Conversation' and the development of the Belfast Agenda.</p> <p>Following this workshop, at the People &amp; Communities Committee of 11<sup>th</sup> August 2015, officers were requested to use the workshop discussions and develop a workplan and bring a draft to committee for approval. The key actions are attached in Appendix 1 and the detailed committee plan is attached in Appendix 2. This plan covers the period 2015/ 16 and outline plans for 2016/ 17, subject to budgetary approval for 2016/ 17.</p>
<b>2.0</b>	<b>Recommendations</b>
	Members of the committee are asked to consider and approve the committee plan for 2015/ 16.

<b>3.0</b>	<b>Main report</b>
	<p><u>Key Issues</u></p> <p>The draft committee plan has been based on the emerging ‘plan on a page’ representation of the Belfast Agenda. Whilst this is still in draft format, it represents, at this stage, the emerging strategic direction of both the council and the city. By linking to the wider strategic context, this committee plan is clearly able to demonstrate how the committee significantly contributes to the long term vision and priorities for the city.</p> <p>As the Belfast Agenda is currently in draft format, once the final version is agreed, the committee plan will be reviewed and any changes needed to reflect the final strategic direction will be drafted and brought back to committee for approval.</p> <p>As councillors will recall, a number of issues discussed at the workshop had wider corporate relevance and will therefore be taken through SP&amp;R Committee. These included the creation of apps, IT improvements and improvements in communication. If approved, these issues will form part of the work plan of the SP&amp;R Committee.</p> <p><u>Next Steps</u></p> <p>Following the approval of the draft committee plan, officers will implement the actions contained in the plan and provide periodic updates to committee.</p> <p><u>Financial &amp; Resource Implications</u></p> <p>The committee plan has been developed in the context of the resources available to the committee.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relation implications.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	<p>Appendix 1 – Key Actions for People &amp; Communities Committee Plan</p> <p>Appendix 2 – Draft Committee Plan 2015/ 16</p>

# People & Communities Committee – Key Actions

**Create a city in which people love to live, invest, work and visit**

## More jobs and a strong economy

Create more jobs, grow the private sector and reduce poverty

## Happy and healthy people and communities

Ensure happy, healthy, educated, skilled and tolerant people with a good quality of life

## An attractive and sustainable place

An attractive physical space, good infrastructure, sustainable and connected

### Living Here

3.1 Improve the city living experience

Ref	Activity	Director	Lead Officer (s)
3.1.1	Deliver the playing pitches strategy	Rose Crozier	Stephen Walker
3.1.2	Develop a student housing strategy	Phil Williams	Phil Williams
3.1.3	Deliver the Amateur Boxing strategy and action plan	Rose Crozier	Caroline Wilson
3.1.4	Develop and deliver citywide community centre provision strategy and implementation framework	Donal Durkan	Cate Taggart

3.2 Improve neighbourhoods

3.2.1	Develop a volunteering charter and action plan	Donal Durkan	Cate Taggart
3.2.2	Manage and maintain the Connswater Community Greenway (CCG)	Rose Crozier	Fiona Holdsworth
3.2.3	Continue to manage the Policing and Community Safety Partnership	Siobhan Toland	Alison Allen
3.2.4	Develop an integrated, community safety service delivery model utilising council community based assets	Siobhan Toland	Alison Allen
3.2.5	Develop and deliver an annual programme of local events and activities	Rose Crozier	Caroline Wilson/ Cate Taggart
3.2.6	Deliver community engagement and programming to support the Girdwood project	Gerry Millar	Cate Taggart/ Rose Crozier

3.3 Reduce health inequalities

3.3.1	Develop and deliver an integrated (i.e. intra council and partner) programme of work to tackle health inequalities across the city	Siobhan Toland/ Rose Crozier	Valerie Brown/ Karen Anderson-Gillespie
3.3.2	Explore future arrangements and role of Belfast Strategic Partnership	Siobhan Toland	Valerie Brown

3.4 Improve community relations

3.4.1	Support the delivery of relevant shared space and community relations policies, plans and projects	Siobhan Toland	Nicola Lane
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### Infrastructure & Services

6.2 Deliver fit-for-purpose city services

6.2.1	Create the new department by integrating converging services and resources	Ronan Cregan	New Director (TBC)
6.2.2	Review and streamline the current grant aid process across services	Ronan Cregan	David Orr
6.2.3	Review how assets are used for maximum city benefit	Ronan Cregan	Rose Crozier/ Cate Taggart

6.3 Ensure fit-for-purpose city infrastructure

6.3.1	Develop and deliver a strategic waste plan and material strategy for the city	Siobhan Toland	Tim Walker
6.3.2	Review household recycling and civic amenity site provision	Siobhan Toland	Tim Walker
6.3.3	Support the Living With Water (Drainage Infrastructure) Programme	Gerry Millar	Siobhan Toland/ Rose Crozier
6.3.4	Review waste storage guidelines (specific to Belfast)	Siobhan Toland	Tim Walker
6.3.5	Carry out waste collections options report including T.E.E.P assessment	Siobhan Toland	Tim Walker

### Enablers

7.1 Strong City Leadership

7.1.1	Develop and deliver area based service plans	Ronan Cregan	New Director (TBC)
7.1.2	Deliver the bereavement improvement programme (including cemetery and crematorium development)	Rose Crozier	Claire Sullivan
7.1.3	Develop a cross agency framework for the delivery of services to address ASB	Siobhan Toland	Alison Allen
7.1.4	Deliver the stadia community benefits partnership initiative	Rose Crozier	Cormac McCann

7.4 Citizenship

7.4.1	Develop and deliver a children and young people outcomes framework and action plan	Donal Durkan	Cate Taggart
7.4.2	Implement the community/voluntary sector support programme	Donal Durkan	Cate Taggart

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# People and Communities Committee

Committee Plan 2015/16



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**Belfast**  
City Council

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## About the People & Communities Committee

The People and Communities Committee is responsible for the development and implementation of strategies, policies, programmes and projects aimed at improving life at a local level in the context of the outcomes agreed in the community and corporate plans and other corporate strategy decisions.

Its specific functions include:

- Developing and implementing activities to ensure the delivery of corporate strategies and initiatives in respect of the promotion of health and physical activity, environmental protection, community safety and other such areas under the domain of this Committee
- Developing and delivering programmes, events and activities to promote health, safety and well being at a local level
- Administering and enforcing the Council's powers and duties under the Public Health Acts and all environmental health and building related legislation and regulations
- Securing and providing adequate provision for the recycling, treatment and disposal of commercial and domestic waste including bulky waste and the collection and disposal of abandoned motor vehicles.
- Managing, maintaining and maximising the benefit of community centres, play centres and other indoor facilities.
- Managing, maintaining and maximising the benefit of the Council's parks, pitches, playgrounds and other public spaces
- Exercising the Council's powers for improving local environmental quality in relation to housing legislation, managing controlled waste, emergency planning and community safety and antisocial behaviour, clean neighbourhoods and other environmental or regulatory issues not falling within the remit of any other Committee.
- Considering draft financial estimates for the Committee together with such statements, reports and recommendations as required
- Monitoring quarterly performance and financial reports and year end reports
- Approving all revenue purchases of works, goods or services relevant to this Committee which exceed or are likely to exceed the statutory amount (currently £30,000) and subject to tender
- Monitoring reports with the approval of the SP&R Committee on matters that are of direct relevance to the responsibility of this Committee e.g. year-end and mid-year reviews for key corporate risks
- Exercising the Council's functions in relation to:
  - Environmental Services
  - Cleansing
  - Waste Management
  - Building Control
  - Parks and Cemeteries Service (excluding Zoo, Malone House and Belfast Castle)
  - Neighbourhood and Development Services
  - Community Services,
  - Community Safety
  - Emergency Planning

# People and Communities Committee

## Committee Members



Councillor Julie-Anne Corr Johnston (Chair)



Councillor Steven Corr (Deputy Chair)



The High Sheriff of Belfast Alderman Gareth McKee



Alderman Frank McCoubrey



Alderman Jim Rodgers (OBE)



Councillor Janice Austin



Councillor Ciaran Beattie



Councillor Paula Bradshaw



Councillor Ross Brown



Councillor Sonia Copeland

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Councillor Matt Garrett



Councillor Brian Heading



Councillor Mervyn Jones



Councillor Nichola Mallon



Councillor Gerry McCabe



Councillor Adam Newton



Councillor Tommy Sandford



Councillor Donal Lyons



Councillor Sian O'Neill



Councillor Stephen Magennis

# About our services

## Resources available – People, money, assets, grants, and key programmes

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Environmental Health	Cleansing	Waste Management	Good relations
<p>Supporting the local economy by:</p> <ul style="list-style-type: none"> <li>• Reducing the burden of ill health;</li> <li>• Enhancing the city's reputation as a safe place to visit;</li> <li>• Minimising the regulatory burden;</li> <li>• Providing affordable and sufficient off-street car parking.</li> </ul> <p>Improving health, safety and wellbeing in the city through:</p> <ul style="list-style-type: none"> <li>• Working with BSP to address life inequalities;</li> <li>• Ensuring regulatory compliance; improving community safety and resilience</li> </ul> <p>Services include: food safety, port health, public health and housing, consumer protection, health and safety, noise service, air quality management, pollution prevention, community safety, emergency planning and off-street car parking.</p>	<p>Provide street cleansing and bin collection services for the city, and also provide a commercial waste service. Also responsible for dog warden, animal welfare and pest control services as well as community awareness services, quality monitoring and a customer support contact centre.</p>	<p>Responsible for the planning and implementation of waste treatment and disposal operations, providing advice and guidance on recycling, the supply of bins and boxes, managing contracts and operating several recycling centres. The service is also working closely with Cleansing to deliver the recycling targets for Belfast. The service also provides a number of public toilets in the city.</p>	<p>Promote equality and good relations in the city, and internally. Carry out Good Relations work such as Decade of Centenaries and promotes equality and diversity and is also responsible for managing and administering funding to promote good relations in the city.</p>
<p><b>People: 171</b></p>	<p><b>People: 524</b></p>	<p><b>People: 101</b></p>	<p><b>People: 13</b></p>
<p><b>Money: £5.7 million</b></p>	<p><b>Money: £17.8 million</b></p>	<p><b>Money: £19.7 million</b></p>	<p><b>Money: £0.5 million</b></p>
<p><b>Assets: 31 car parks</b></p>	<p><b>Assets: Duncrue Complex 6 depots 1 service yard</b></p>	<p><b>Assets: 3 civic amenity sites 4 recycling centres 14 public toilets The waste transfer station.</b></p>	<p><b>Grants: Good Relations Grants Bonfire Management Programme</b></p>
<p><b>Grants: PCSP small grants</b></p>			
<p><b>Key programmes</b></p> <ul style="list-style-type: none"> <li>• Good regulation;</li> <li>• Reducing life Inequalities;</li> <li>• Age Friendly Belfast</li> <li>• Food Hygiene Rating Scheme</li> <li>• Air Quality Action Plan</li> <li>• Development of a Parking Strategy for the City;</li> <li>• Civil Contingencies - Safer Neighbourhoods</li> <li>• Policing &amp; Community Safety Partnerships</li> </ul>	<p><b>Key programmes</b></p> <ul style="list-style-type: none"> <li>• Route optimisation</li> <li>• Community Awareness Team</li> <li>• Promotional programmes</li> </ul>	<p><b>Key programmes</b></p> <ul style="list-style-type: none"> <li>• Community engagement and awareness</li> <li>• Waste Plan</li> <li>• arc21 contracts</li> </ul>	<p><b>Key programmes</b></p> <ul style="list-style-type: none"> <li>• Decade of Centenaries</li> <li>• Equality and Diversity</li> <li>• Peace IV</li> <li>• Good relations</li> <li>• Bonfire Management</li> <li>• Interface work</li> </ul>

## Resources available – People, money, assets, grants, and key programmes

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Parks	
<p>(excluding Zoo, Malone House and Belfast Castle)                      Management of parks and open spaces throughout the city.                      Also includes:</p> <ul style="list-style-type: none"> <li>community outreach;</li> <li>management of SLAs for a range of other Belfast sites including DSD properties;</li> <li>provision of sports facilities eg bowling greens, MUGAs, 3G pitches and playing fields;</li> <li>playgrounds;</li> <li>community gardens;</li> <li>warden services and a range of key capital investment programmes.</li> </ul>	
<b>People: 286</b>	
<b>Money: £9.1 million</b>	
<b>Assets:</b>	96 Parks & Open Spaces, 36 Playgrounds, 42 MUGAs, 13 Bowling Greens, 148 Pitches.
<b>Grants:</b>	£36k received for Tropical Ravine Activities Officer
Key programmes	
<ul style="list-style-type: none"> <li>Connswater Community Greenway;</li> <li>Restoration of the Tropical Ravine</li> <li>Belfast in Bloom;</li> </ul>	<ul style="list-style-type: none"> <li>Dog control improvements;</li> <li>Growing Communities strategy;</li> <li>Grass pitch refurbishment</li> </ul>

Bereavement Services	
<p>Consisting of:</p> <ul style="list-style-type: none"> <li>burials and cremation arrangement</li> <li>management of online burial records</li> <li>operational management of cemeteries/ graveyards in the Belfast area as well as Northern Ireland's only crematorium.</li> </ul>	
<b>People: 57</b>	
<b>Money: £109k</b>	
<b>Assets:</b>	City of Belfast Crematorium; 9 cemeteries
Key programmes	
<ul style="list-style-type: none"> <li>Cremation provision and new cemetery development;</li> <li>Extension to section Z at Roselawn.</li> </ul>	<ul style="list-style-type: none"> <li>Bereavement improvement programme including memorial safety,</li> </ul>

Neighbourhood and Development Services	
<p>Consisting of:</p> <ul style="list-style-type: none"> <li>Leisure Development Unit encouraging active lifestyles and participation in sport;</li> <li>Policy and Business Development Unit covering grants; antisocial behaviour programme &amp; biodiversity</li> <li>Leisure contract management, measuring performance and outcomes delivered</li> <li>Open Spaces and Active Living Unit responsible for planned programme of events,</li> <li>Landscape Planning and Development Unit, including master planning, environmental design, project management; civil engineering</li> <li>Portfolio management oversees capital projects within the Parks estate and land issues such as disposal; acquisition and licence for use.</li> </ul>	
<b>People: 35</b>	
<b>Money: £4.2 million</b>	
<b>Grants:</b>	£587k - received for Active Communities programme £390k - paid for Support for Sport and other Leisure Development outreach programmes £50k - received from Arts Council NI's Building Peace through the Arts – Re-Imaging Communities Programme £317k - paid for Parks Events Small Grant Scheme
Key programmes	
<ul style="list-style-type: none"> <li>Leisure transformation programme</li> <li>Dunville &amp; Woodvale Park regeneration schemes;</li> <li>Girdwood hub;</li> <li>Delivery of Playing Pitches strategy</li> <li>Schools cross</li> </ul>	<ul style="list-style-type: none"> <li>country; Belfast Sports Awards;</li> <li>Active Communities Programme;</li> <li>Amateur Boxing Strategy</li> <li>Delivery of Parks and Leisure ASB programme;</li> </ul>
<ul style="list-style-type: none"> <li>Management of Parklife education programme</li> <li>Playground and MUGA refurbishment programme;</li> <li>Zoo playground;</li> <li>Titanic Memorial Garden;</li> <li>Playground</li> </ul>	<ul style="list-style-type: none"> <li>and MUGA refurbishment programme;</li> <li>Falls/City Cemetery masterplan;</li> </ul>

## Resources available – People, money, assets, grants, and key programmes

Community Services		
<p><b>The service is made up of 4 units</b></p> <ul style="list-style-type: none"> <li>• Community Facilities Unit</li> <li>• Area Support Unit</li> <li>• The Community Resources Unit</li> <li>• The Children and Young People Unit</li> </ul>	<p><b>Service responsibilities:</b></p> <p>The management of 27 BCC community centres and 6 independently managed local centres which act as a focal point to foster greater local community activity and bring residents and small community organisations together to improve the quality of life in their areas.</p> <p>The development and delivery of comprehensive activity programmes and a wide range of city wide projects targeted at children and young people, Travellers and older people. The promotion of volunteer management in support of both council and community activity.</p> <p>The delivery and management of a £3million grant aid programme: -</p> <ul style="list-style-type: none"> <li>• offering large grants in capacity building support, revenue support for community buildings and generalist advice grant,</li> <li>• as well as small project and Summer scheme grants.</li> </ul> <p>We have a comprehensive children and young people programme via a qualified play development team offering direct play activities in neighbourhoods and</p>	<p>parks and a range of summer events and summer schemes. We also have a strong Young Forum to ensure our young people have a say in how the city is run and express their opinions on issues that affect them.</p> <p>The service also supports community groups, organisations, and citizens to build community capacity. This will include support with setting up a new group, support with constitutions, insurance, bank accounts etc, and deciding on a legal structure, We deliver or support community groups to deliver small community projects and events. The service builds sector capacity through a comprehensive community development training programme supported by a range of accredited toolkits.</p> <p>The service also provides community engagement support to key corporate projects and programmes such as Titanic, Girdwood Community Hub, Innovation Centre, Stadia development, etc.</p>

### People: 125

### Money: £7.7 million

<p><b>Assets:</b> 27 community centres 3 play centres 6 independently managed community centres Traveller Outreach facility</p>	<p><b>Grants:</b></p> <ul style="list-style-type: none"> <li>• 15/16 Community Development Grant Programme - £3 million of which £1.4 million DSD income</li> <li>• Generalist Advice Grant £931,765</li> <li>• Capacity Support Grant £705,824</li> <li>• Community Buildings Grant £871,513</li> <li>• Summer Scheme and Community Project Small Grant £ 303,857</li> </ul>
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### Key programmes

- |  |  |   |   |
|--|--|---|---|
| <ul style="list-style-type: none"> <li>• Transfer of Urban Regeneration and Community Development.</li> <li>• The Girdwood Community Hub (community capacity, animation and engagement support).</li> <li>• Co-ordination and advice on Community Engagement of capital developments arising from the new planning function, the extension of the Waterfront and internal engagement.</li> </ul> | <ul style="list-style-type: none"> <li>• The Youth Forum and the roll out of the outcomes framework for Children and Young People.</li> <li>• £3million Community Development grant aid programme support for Local Area Working including NRPs.</li> <li>• Volunteering internally and externally.</li> </ul> | <ul style="list-style-type: none"> <li>• The development and implementation of the Traveller Support Programme.</li> <li>• Super-connected communities Programme through 12 community IT Hubs and outreach.</li> <li>• Animation programmes in local communities.</li> <li>• Belfast Met Partnership Initiative – Training and delivery of professional qualification in</li> </ul> | <p>Community Development across the city.</p> <ul style="list-style-type: none"> <li>• Delivery of the Community Development Toolkit Training Programme.</li> <li>• Management of the city wide Generalist Advice consortia and the management of the Citywide Tribunal Programme.</li> </ul> |
|--|--|---|---|

## Key Statistics from our services

- diverted 110,000 tonnes of waste from landfill including 63,000 tonnes of domestic recycling
- Provide a consumer advice service dealing with 2,455 complaints in 14/15
- Collect 9.5 million bins annually
- Have 2,448 litter bins

Last year in the old council boundary, we delivered a wide range of health and environmental services to thousands of Belfast residents.

### Issued:

11,621 dog licences  
2,583 litter fines

### Visited:

11,000 households with recycling information

### Responded to:

5,279 pest control queries  
4,921 service requests from the Dog Warden Service  
973 animal welfare requests  
5,385 orders for recycling bins and bags  
6,084 noise complaints  
5,996 housing service requests

### Seized:

38,808 units of alcohol in joint enforcement exercises

### Saved:

Over £16,000 in internal costs through better recycling

### Carried out:

1,844 home safety visits  
5,230 food business inspections  
2,456 health and safety inspections  
424 school and 604 community antilitter and recycling workshops  
104 Community Cleanups  
15 Migrant awareness training sessions

Last year in the old council boundary, significant work took place to create an active, healthy and vibrant city for Belfast residents

#### Attracted:

- **262,567** local people to participate in outreach programmes and activities
- **274,725** people through our parks programme of events
- **200** children to the Teenage Kicks programme

#### Delivered:

- **18,600** coaching hours to **22,671** participants on the Active Communities Programme
- **4** Environmental Based Youth Development Camps across the city during July and August

#### Achieved:

- **14** green flags accreditations, located within a 1km radius of almost **80%** of residents

#### Surveyed:

- Approximately **41,000** trees in the greater Belfast area, storing **28.5 M kg** of carbon

#### Supported:

- **222** sports clubs with £225,000 in sports grants support
- **155** coaches and volunteers through our coach education training programme

- We have an annual attendance of **534,000** at our community centres
- Our community centres usage was **74%** in 2014/15 exceeding our target by 9%
- There were **70,000** volunteer hours recorded in our community centres providing **£455,000** in value to the community
- **407** community organisations block book our community centres providing services to 32,000 people; **1,111** people volunteer with these organisations

Last year in the old council boundry, we delivered a wide range of community development services to thousands of Belfast residents.

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## Supported:

- **79,755** clients in dealing with community related issues
- clients in dealing with over **113,000** general advice enquiries
- **439** participants in community sector support training programmes including over **37** workshops and **7** bespoke training courses.
- **360** staff and volunteers complete summer scheme training
- **14** Neighbourhood Renewal Partnerships and other local fora and networks
- the Belfast Youth Forum

## Resourced:

- **29** organisations; funded via our capacity building grant to underpin the community infrastructure in the city
- **82** groups to deliver summer schemes for **7,587** children and young people

## Enabled:

- over **£26 million** worth of additional benefits income realising the maximum benefits for families
- **34** organisations from the community and voluntary sector with the production of a community development toolkit

## Supported:

- improved safeguarding practice via the delivery of **18** child protection courses or BCC officers and **35** courses externally to community organisations
- community centre summer schemes in **22** centres, with **1,411** children registered
- **82** community owned and managed facilities with a weekly throughput of **38,000** supported via our revenue grant programme
- **2,361** play sessions delivered via our play centres and outreach

# Key Actions for People & Communities Committee

## Create a city in which people love to live, invest, work and visit

**More jobs and a strong economy**  
Create more jobs, grow the private sector and reduce poverty

**Happy and healthy people and communities**  
Ensure happy, healthy, educated, skilled and tolerant people with a good quality of life

**An attractive and sustainable place**  
An attractive physical space, good infrastructure, sustainable and connected

### Living Here

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3.2.6	Deliver community engagement and programming to support the Girdwood project	Gerry Millar	Cate Taggart/ Rose Crozier

3.3 Reduce health inequalities

3.3.1	Develop and deliver an integrated (i.e. intra council and partner) programme of work to tackle health inequalities across the city	Siobhan Toland/ Rose Crozier	Valerie Brown/ Karen Anderson-Gillespie
3.3.2	Explore future arrangements and role of Belfast Strategic Partnership	Siobhan Toland	Valerie Brown

3.4 Improve community relations

3.4.1	Support the delivery of relevant shared space and community relations policies, plans and projects	Siobhan Toland	Nicola Lane
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### Infrastructure & Services

6.2 Deliver fit-for-purpose city services

6.2.1	Create the new department by integrating converging services and resources	Ronan Cregan	New Director (TBC)
6.2.2	Review and streamline the current grant aid process across services	Ronan Cregan	David Orr
6.2.3	Review how assets are used for maximum city benefit	Ronan Cregan	Rose Crozier/ Cate Taggart

6.3 Ensure fit-for-purpose city infrastructure

6.3.1	Develop and deliver a strategic waste plan and material strategy for the city	Siobhan Toland	Tim Walker
6.3.2	Review household recycling and civic amenity site provision	Siobhan Toland	Tim Walker
6.3.3	Support the Living With Water (Drainage Infrastructure) Programme	Gerry Millar	Siobhan Toland/ Rose Crozier
6.3.4	Review waste storage guidelines (specific to Belfast)	Siobhan Toland	Tim Walker
6.3.5	Carry out waste collections options report including T.E.E.P assessment	Siobhan Toland	Tim Walker

### Enablers

7.1 Strong City Leadership

7.1.1	Develop and deliver area based service plans	Ronan Cregan	New Director (TBC)
7.1.2	Deliver the bereavement improvement programme (including cemetery and crematorium development)	Rose Crozier	Claire Sullivan
7.1.3	Develop a cross agency framework for the delivery of services to address ASB	Siobhan Toland	Alison Allen
7.1.4	Deliver the stadia community benefits partnership initiative	Rose Crozier	Cormac McCann

7.4 Citizenship

7.4.1	Develop and deliver a children and young people outcomes framework and action plan	Donal Durkan	Cate Taggart
7.4.2	Implement the community/voluntary sector support programme	Donal Durkan	Cate Taggart

# People and Communities Committee

## Detailed actions and milestones

### Living Here

#### 3.1 Improve the city living experience

Ref	Activity	2015/16		2016/17				Responsible	
		Q3	Q4	Q1	Q2	Q3	Q4		
<b>3.1.1</b>	<b>Deliver the playing pitches strategy</b>								
.1	Deliver phase 1 partnership agreements							Director: Rose Crozier	
.2	Complete delivery of Phase 1 capital build programme								
.3	Review the allocation process of grass pitches to leagues							Team: Stephen Walker/ Cormac McCann	
.4	Select sites for inclusion in Phase 2 of the Partners Agreement process								
.5	Undertake expression of interest process for Phase 2 of the Partner Agreement process								
.6	Deliver the pitch improvement programme								
.7	Explore the development of 4g pitches across the city								
<b>3.1.2</b>	<b>Develop a student housing strategy</b>							Director: Phil Williams	
.1	Prepare best practice guide							Director: Phil Williams	
.2	Prepare supplementary guidance on PBMSA								
<b>3.1.3</b>	<b>Deliver the Amateur Boxing Strategy and action plan</b>								
.1	Deliver the Belfast Boxing Juvenile Development Squad with Belfast boxing clubs							Director: Rose Crozier	
.2	Commence a review of the implementation of the strategy to date								
.3	Commence the club support programme							Team: Caroline Wilson/ Claire Sullivan	
.4	Continue with the schools and community based programme								
.5	Continue to work with and support new clubs								
.6	Continue to work with Co Antrim in the delivery of their events programme								
.7	Hold 3 <sup>rd</sup> annual Belfast Day of Boxing and club open days								
.8	Present the findings of the strategy review to Committee with recommendations for a sustainable model								
.9	Work with the IABA to deliver a coach education programme								
.10	Deliver a good relations programme								
.11	Develop actions based on the Committee's approval of recommendations								
<b>3.1.4</b>	<b>Develop &amp; deliver citywide community centre provision strategy &amp; framework</b>								Director: Donal Durkan
.1	Develop community centre typology, analytical framework and assessment toolkit								Team: Cate Taggart/ Brian Kelly
.2	Develop issues paper (inc. funding, income generation, mgt structure and capacity)								
.3	Train officers in the use of assessment toolkit								
.4	Complete audit of community centre provision								
.5	Develop the strategy								
.6	Deliver implementation framework								

3.2 Improve neighbourhoods								
Ref	Activity	2015/16		2016/17		Responsible		
		Q3	Q4	Q1	Q2			Q3
<b>3.2.1</b>	<b>Develop a volunteering charter and action plan</b>							Director: Donal Durkan, Team: Cate Taggart/ Clare Mullen
.1	Establish governance framework including an inter-dept task & finish group							
.2	Complete a scoping exercise (volunteer engagement, roles and management frameworks) and identify priority cross council work plan							
.3	Develop a good practice toolkit against agreed quality standards							
.4	Deliver an officer awareness and support programme							
.5	Inform corporate HR employee volunteer scheme							
.6	Develop a corporate volunteering policy (officer, citizen and community sector)							
.7	Manage a volunteer reward and celebration programme							
<b>3.2.2</b>	<b>Manage and maintain the Connswater Community Greenway (CCG)</b>							Director: Rose Crozier  Team: Fiona Holdsworth/ East Area team
.1	Deliver CCG outreach programme							
.2	Develop ASB plans (in partnership)							
.3	Deliver programme of events and activities (in partnership)							
.4	Complete recommended water safety actions							
.5	Plan for the handover and resourcing of newly completed sites							
.6	Manage and maintain sites to the appropriate standard							
.7	Manage control of invasive species programme							
<b>3.2.3</b>	<b>Continue to manage the Policing and Community Safety Partnership</b>							Director: Siobhan Toland  Team: Alison Allen
.1	Partnership consideration of independent evaluation of Belfast (D)PCSP's							
.2	Analysis of need & identification of priorities							
.3	Development of performance measures and performance reporting system							
.4	16/17 Action Plans to be agreed by (D)PSCPs							
.5	Delivery of services with ongoing monitoring of performance							
<b>3.2.4</b>	<b>Develop an integrated, community safety service delivery model utilising council community based assets</b>							Director: Siobhan Toland  Team: Alison Allen
.1	Assessment of evidence of need across the city and presentation to Committee							
.2	Selection of 4 pilot localities across the city by Committee							
.3	Identification of existing community assets, service provision and partnership infrastructure							
.4	Agree Locality partnership arrangements and locality service delivery model incl. PIs							
.5	Delivery of services with ongoing monitoring of performance							

# People and Communities Committee

3.2 Improve neighbourhoods							
Ref	Activity	2015/16		2016/17		Responsible	
		Q3	Q4	Q1	Q2		
<b>3.2.5</b>	<b>Develop and deliver an annual programme of local events and activities</b>						
.1	Develop a comprehensive programme of events and activities per area						Director: Rose Crozier Team: Caroline Wilson/ Cate Taggart
.2	Monitor and evaluate events and activities ensuring linkages to outcomes						
<b>3.2.6</b>	<b>Deliver community engagement and programming to support the Girdwood project</b>						Director: Gerry Millar
.1	Develop and sign off pathway to community management plan						Team: Cate Taggart
.2	Final agreement of shared space principles and plan						
.3	Co-ordinated launch of the Community Hub building and associated launch programme						
.4	Progress and test shared space action plan						
.5	Explore a range of options for community management models						
.6	Agree assessment framework for any community management approach based on formal criteria						
.7	Develop related plan to support a community management application including assessment of training needs and a capacity building programme to support groups involved						
.8	If agreed: Explore governance arrangements; Put in place community management structure; and Identify requirements and assessment criteria for future management of The Hub building						
.9	Agree on final operating model with committee approval (pending successful agreement on all above)						
3.3 Reduce health inequalities							
<b>3.3.1</b>	<b>Develop and deliver an integrated (i.e. intra council and partner) programme of work to tackle health inequalities across the city</b>						
.1	Organise/support relevant events (e.g. launch of homelessness action plan, 'Take5 Steps to Wellbeing', International Men's' Health, food poverty conference)						Director: Siobhan Toland/ Rose Crozier
.2	Work with partners to implement homelessness action plan						
.3	Develop an integrated plan for tackling substance misuse in the city						Team: Valerie Brown/ Karen Anderson-Gillespie
.4	Review and update the Belfast Suicide Prevention Community Response Plan						
.5	Work with communities to support the use of the fuel poverty tool kit						
.6	Secure commitment from businesses / organisations to the Age Friendly City Charter						

.7	Deliver and monitor the Growing Communities strategy								
.8	Implement the club mark scheme								
.9	Manage the support for sport fund								
.10	Deliver strategic sports development initiatives including Active Communities and Belfast Sports award and forum								
.11	Deliver the Active Belfast vision, strategy and plan of work								
<b>3.3.2</b>	<b>Explore future arrangements and role of Belfast Strategic Partnership</b>								Director: Siobhan Toland Team: Valerie Brown
.1	Work with partners to better align BSP activity/investment with relevant BCC and partner strategies e.g. Belfast Agenda, Locality Plans, Making Life Better.								
.2	Develop interim work programme								
<b>3.4 Improve community relations</b>									
<b>3.4.1</b>	<b>Support the delivery of relevant shared space and community relations policies, plans and projects.</b>								Director: Siobhan Toland Team: Nicola Lane
.1	Highlight potential areas of action through Interface Work Plan								
.2	Report on community relations projects impacting at a neighbourhood level								

# People and Communities Committee

## Infrastructure & Services

6.2 Deliver fit-for-purpose city services								
Ref	Activity	2015/16		2016/17		Responsible		
		Q3	Q4	Q1	Q2			Q3
<b>6.2.1</b>	<b>Create the new department by integrating converging services and resources</b>							Director: Ronan Cregan.
.1	Develop a Departmental Improvement Programme (inc. customer service, efficiency and performance management)							Team: New Director (TBC)
.2	Define outcomes and link to the Belfast agenda							
.3	Develop the governance framework and resource plan to deliver the change							
.4	Scope the work programme, highlighting some quick wins							
<b>6.2.2</b>	<b>Review and streamline the current grant aid process across services</b>							Director: Ronan Cregan
.1	Review current approach and lessons learnt							Team: David Orr
.2	Refine funding outcomes linked to the new department							
<b>6.2.3</b>	<b>Review how assets are used for maximum city benefit</b>							Director: Ronan Cregan
.1	Scope and map current asset provision (individual and neighbourhood approach)							Team: Rose Crozier /Cate Taggart
.2	Carry out an audit of the use and quality of community assets							
.3	Review asset opening hours (including CCG and community centres)							
.4	Develop a collaborative approach to area asset planning based on neighbourhood needs							
.5	Deliver the playground and MUGA refurbishment programme							
.6	Identify priorities for investment							
.7	Source funding to develop neighbourhood assets (HLF, SportNI)							
<b>6.3 Ensure fit-for-purpose city infrastructure</b>								
<b>6.3.1</b>	<b>Develop and deliver a strategic waste plan and material strategy for the city</b>							Director: Siobhan Toland
.1	Formulate Interim Waste Action Plan for 2016/17							Team: Tim Walker and Waste Mgt Unit
.2	Develop strategy to include feeder reports 6.3.2, 6.3.4 and final draft report							
.3	Develop Committee report							
.4	Final report to Committee							
<b>6.3.2</b>	<b>Review household recycling and civic amenity site provision</b>							Director: Siobhan Toland
.1	Final report on review due for completion 31/12/15							Team: Tim Walker and Waste Mgt Unit
.2	Bring draft report to committee							
.3	Carry out public consultation							
.4	Develop final report							
.5	Final report to Committee							

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6.2 Deliver fit-for-purpose city services							
Ref	Activity	2015/16		2016/17			Responsible
		Q3	Q4	Q1	Q2	Q3	
<b>6.3.3</b>	<b>Support the Living With Water (Drainage Infrastructure) Programme</b>						
.1	Blackstaff Appraisal commences under the Flood Risk Management Working group						Director: Gerry Millar Team: Siobhan Toland /Rose Crozier
.2	Receive assessment report from Belfast Lough Diffused Pollution working group						
<b>6.3.4</b>	<b>Review waste storage guidelines (specific to Belfast)</b>						
.1	Consult with Building Control and Planning Service						Director: Siobhan Toland Team: Tim Walker
.2	Develop new protocols and procedures.						
<b>6.3.5</b>	<b>Carry out waste collections options report including T.E.E.P assessment</b>						
.1	Consult with Cleansing Services to develop a T.E.E.P project plan for the city						Director: Siobhan Toland Team: Tim Walker
.2	Conduct review and report findings						
.3	Develop final report and draft Committee report						

# People and Communities Committee

## Enablers

7.1 Strong City Leadership								
Ref	Activity	2015/16		2016/17			Responsible	
		Q3	Q4	Q1	Q2	Q3		Q4
<b>7.1.1</b>	<b>Develop and deliver area based service plans</b>							Director: Ronan Cregan
.1	Carry out an audit of current area based service delivery							Team: New Director TBC
.2	Collate area intelligence/ evidence base							
.3	Develop comprehensive data/ information packs for local areas							
.4	Scope out area service needs and future opportunities							
.5	Develop area based partnership approach to service plans							
.6	Establish governance arrangements to support area based service plans							
.7	Develop area master plans for open spaces							
<b>7.1.2</b>	<b>Deliver the bereavement improvement programme</b>							Director: Rose Crozier
.1	Complete consultation on changes on the Council's Bereavement Services Policy and bring findings and recommendations to Committee							Team: Jacqui Wilson/ Claire Sullivan/ Fiona Holdsworth
.2	Cemeteries working group meet to discuss review of burial policy and options around future cremation provision							
.3	Subject to Committee approval implement the new memorial management policy and Belfast code of memorial safe working practice							
.4	Commence the rolling memorial inspection process							
.5	Review and re-engineer all bereavement customer processes							
.6								
<b>7.1.3</b>	<b>Develop a cross agency framework for the delivery of services to address ASB</b>							Director: Siobhan Toland
.1	Committee consideration of economic appraisal of proposed model							Team: Alison Allen
.2	Roundtable engagement & cross agency agreement on work streams and lead officers							
.3	Formal commitment secured & steering group established with key service providers (e.g. PSNI, NIHE, YJA, Council)							
.4	Work stream development & implementation							
<b>7.1.4</b>	<b>Deliver the stadia community benefits partnership initiative</b>							Director: Rose Crozier
.1	Deliver an annual programme, including:							Team: Cormac McCann
a.	Health, participation and sports development activities							
b.	Community engagement, good relations and local outreach activities							
c.	Economic regeneration activities							

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7.4 Citizenship								
Ref	Activity	2015/16		2016/17		Responsible		
		Q3	Q4	Q1	Q2			Q3
<b>7.4.1</b>	<b>Develop and deliver a children and young people outcomes framework and action plan</b>							Director: Donal Durkan
.1	Implement Year 2 of CYP framework and action plan							Team: Cate Taggart/ Elaine Black
.2	Promote engagement through the youth forum campaign programme							
.3	Develop a communications and engagement plan to promote the CYP framework							
.4	Review summer activity provision to shape future outcomes based CYP activity plan							
.5	Develop and agree a CYP programme of activities and events to be piloted (CYP service delivery plan)							
.6	Continue to implement young advocates progression programme							
.7	Review and update CYP engagement plan							
.8	Continue to monitor and review the CYP evidence based approach and outcomes							
<b>7.4.2</b>	<b>Implement the community/ voluntary sector support programme</b>							Director: Donal Durkan
.1	Develop and deliver a comprehensive training programme annually to the community & voluntary (C&V) sector							Team: Cate Taggart
.2	Deliver Council's 'Safe-guarding' training and support programme							
.3	Complete partner programme with BMC to achieve OCN accreditation at Level 3 Education and Training for 14 CDOs							
.4	In partnership with BMC deliver Community Development OCN Level 1 training qualification to C&V sector							
.5	Review all training modules and courses to ensure they reflect current sector capacity requirements incorporating new work practices and skills							
.6	Develop a mentoring/coaching programme to support organisations where specific capacity needs have been identified and where longer-term investment is required							

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<b>Subject:</b>	<i>Residual Waste Update</i>
<b>Date:</b>	<i>13 October 2015</i>
<b>Reporting Officer:</b>	<i>Tim Walker, Head of Waste Management</i>
<b>Contact Officer:</b>	<i>Tim Walker, Head of Waste Management</i>

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	On Thursday, 24 September 2015 the Minister of the Environment, Mark Durkan issued a Notice of Opinion to refuse the arc21 application for the residual waste treatment project.
1.2	The grounds for this refusal were that in pursuance of powers under the Planning Act (NI), 2011, he instructed the DOE to issue a notice that full planning permission for an mechanical-biological treatment (MBT) plant and an energy-from-waste (EfW) facility (the residual waste treatment project – RWTP) should <u>in his opinion</u> be refused.
1.3	There is an opportunity to appeal this decision which, under the above legislation, rests with either the applicant (arc21/EEW) or with the host council (Antrim & Newtownabbey District Council).
1.4	Arc21 has taken legal advice and is now minded to lodge an appeal, by 21 October. They are seeking support from the six constituent councils on this approach.
1.5	In terms of the current situation, Members are asked to ratify continuing the existing NI Landfill Allowance Scheme (NILAS) compliance arrangements for the treatment and disposal of the Council’s residual waste. Waste Management will continue to engage with Legal Services to review the present situation and extension of contracts.
<b>2.0</b>	<b>Recommendations</b>
2.1	In light of the recent Notice of Opinion from the Minister to refuse the arc21 RWTP, the Committee is requested to note the report and to approve the continuation of the existing NILAS compliance arrangements for the treatment and disposal of the Council’s residual waste.
2.2	Further updates will be brought when a fuller consideration is taken by arc21 joint committee on 16 October. Arc21 are minded to lodge an appeal and would seek the Council’s (alongside the other constituent councils) support in this. The legal position will be provided by the Town Solicitor at the People & Communities Committee meeting.

<b>3.0</b>	<b>Main report</b>
3.1	As a result of local government reform in which Newry, Mourne & Down District Council agreed to join arc21, the Waste Management Plan (WMP), approved by the Health & Environmental Services Committee in April 2014 had to be amended to take account of the geographical changes which have occurred.
3.2	This amended plan was approved by the Department of the Environment (DOE) on 18 September 2015.
3.3	<p>On 24 September 2015, the Minister of the Environment issued a Notice of Opinion to refuse the arc21 residual waste treatment project which has been underway since September 2008. Under the Planning Act (NI) 2011, he instructed the DOE to issue a notice that full planning permission for a mechanical-biological treatment (MBT) plant and an energy-from-waste (EfW) facility (the RWTP) should <u>in his opinion</u> be refused for the following reasons</p> <ol style="list-style-type: none"> <li>1. The proposal is contrary to the DOE's PPS 11 in that it has not been clearly demonstrated that the proposed method of treatment will not result in harm to human health</li> <li>2. The proposal would result in an additional waste treatment facility that is not considered necessary in light of other approved developments in the region and would run contrary to the program of encouraging recycling through "zero waste"</li> </ol>
3.4	Arc21 had previously reported that the determination process for the planning application of the RWTP had reached the Minister at the end of July 2015 by way of the Final Development Management Report (FDMR), including recommendations, from DOE planning officials.
3.5	Following the Minister's decision, the contents of the FDMR have been released which highlight that, subject to a number of expected conditions, the DOE were recommending approval of the RWTP.
3.6	The Planning Act (NI) 2011, which came into force on 1 April 2015, maintains a special regime under which the DOE makes the decision, rather than councils, for planning applications previously the subject of "Article 31" under the Planning (NI) Order 1991. Under the 2011 Act, the host council (Antrim & Newtownabbey) can refer an application to a Public Enquiry within a set time period on written notice from the Minister that indicates their decision on the application.
3.7	The Ministers correspondence also includes the time limit for lodging an appeal (28 days) in front of the Planning Appeals Committee (PAC).
3.8	In light of this development, arc21 has engaged with the applicant (EEW), is taking legal advice on next steps, and preparing to meet with the constituent councils' CXs to determine what the appropriate way forward might be. A possible next step, should the councils be minded, would be for arc21 to seek to "cause a hearing" (i.e. have the issue referred to the PAC) which would effectively be a Public Enquiry and would require a statement of case to be made and permit third parties to also present. This would take some time to effect.
<b>4.0</b>	<p><b>Appendices</b></p> <p>None</p>



<b>Subject:</b>	Fuel Poverty Measures and Cavity Wall Installations
<b>Date:</b>	13 <sup>th</sup> October, 2015
<b>Reporting Officer:</b>	Trevor Martin, Head of Building Control
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of report or summary of main issues</b>
1.1	To update the Committee in relation to some Fuel Poverty measures being undertaken by the Council and in particular the issues arising from the presentation by John Ross of the Southern Regional College on Cavity Wall Installations.
<b>2.0</b>	<b>Recommendations</b>
2.1	To note the report.
<b>3.0</b>	<b>Main report</b>
3.1	The Committee on 11 <sup>th</sup> August 2015 received a presentation by John Ross of the Southern Regional College, together with a representative of the Cavity Wall Installers Association. Mr Ross has been commissioned to write a report in connection with the faulty or incomplete installation of cavity wall insulation on dwellings in Northern Ireland and the detrimental health effects caused. Members, aware of that report, had asked to hear from him in relation to his findings and determine what, if anything the Council might do to assist.
3.2	In his presentation to the Committee he highlighted three key areas, that he felt needed

addressed:

- The inspection and approval of the installation of cavity wall insulation
- The remedial action being taken to remedy the problems of faulty installations.
- The effectiveness of the Energy Performance Certificate Systems

The Members in discussing these issues asked officers to address these in addition to investigating the possibility of European Funding in this area that Council might access.

3.3

**The inspection and commissioning of cavity wall installations.**

This was discussed both at the meeting and subsequently with interested parties. Whilst the installation of cavity wall insulation is a matter within Building Regulations there is no statutory notification of work, no invasive inspection and importantly no fee payable for this class of work. It was decided in drafting the regulation this be a light touch enforcement system with a cursory check by the authorities based on certification from the installer that they have carried out the work to all standards and backed up with a guarantee. There was broad agreement with all interested parties that statutory inspection by council staff would lead to over regulation and would include the charging of fees and thus diverting valuable funding from actual works to alleviate fuel poverty. The better approach is to have a tightened certification system of registered installers backed up with a robust fail safe guarantee system. This approach was endorsed by similar research carried out into this problem in England & Wales by the organisation Zero Carbon Hub.

3.4

**The remedial action being taken to alleviate the problems of faulty installations.**

The Committee enquired regarding the remedial action being undertaken, the extent of commitment of bodies such as the Northern Ireland Housing Executive (NIHE) on its properties and whether funding from Europe could be accessed, similar to schemes that have taken place in Great Britain to assist private householders.

3.5

The Head of Building Control met with officials from the NIHE in relation to their ongoing work in this area. They confirmed that they have dealt with the issue in a number of their properties and will continue to fund full cavity wall replacements in their properties on a case by case basis. They have no plans at present for a wider scheme due to funding constraints.

3.6 In relation to European funding the Council's European Unit confirmed there is no funding stream at present however they will continue to monitor the schemes from Europe to see if the Council is in a position to make a bid in the future.

**The effectiveness of the Energy Performance Certificate Systems.**

3.7 Although Energy Performance Certificates are a UK government system, in Northern Ireland they are regulated by the 11 councils under the authority of the Department of Finance & Personnel (DFP). In agreement with all the Councils Belfast City Council, through the Building Control Service, assists, monitors and reports on the performance of the councils to the DFP. The Head of Building Control is meeting the officials from the DFP in respect of a series of Building Regulation issues later this month and has tabled this item for the agenda. He will be discussing the present system of EPCs, reflecting the Committees concerns and looking at suggestions as to how they might be strengthened. As EPCs however are a United Kingdom system then any changes to their nature would have to be agreed across that jurisdiction.

3.8 **Other Fuel Poverty Measures of the Council: Affordable Warmth Scheme**

The Council recently received a letter from DSD as follows:

*As stated in the SLA (Version 2) the Affordable Warmth Scheme is expected to run until 31 March 2017 (further extensions to the Scheme will be subject to sufficient funding being available).*

*It is the Departments intention to provide similar funding to councils for 2016/17 as for 2015/16 (which is £153K). However, 2016/17 is a new comprehensive spending review period and as yet budgets have not been agreed, but we do not anticipate any reduction in funding.*

This means the council should, all things being equal, retain its Affordable Warmth Team who are carrying out great work across the city. Additionally in his meeting with NIHE officials the Head of Building Control discussed the scheme and the problems of it being too process intensive. He has agreed to look at the AWT and the Building Control Service taking on board additional functions that would make changes in the process on validation

	<p>of application and inspection of the works and should go some way to making the scheme more effective. These proposed changes, following discussion with Legal Services on issues in connection with liability, will be brought to Committee for approval in the next few months.</p> <p><u>Financial &amp; Resource Implications</u></p> <p>3.9 None at present</p> <p><u>Equality or Good Relations Implications</u></p> <p>3.10 There are no direct Equality implications.</p>
<b>4.0</b>	<b>Appendices</b>
4.1	None



<b>Subject:</b>	New Biodiversity Strategy for Northern Ireland
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Orla Maguire, Biodiversity Officer

<b>Is this report restricted?</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	To inform Members of the publication of a new Northern Ireland Biodiversity Strategy and the key implications for the Council.
<b>2.0</b>	<b>Recommendations</b>
	The Committee agree to review the Belfast Local Biodiversity Action Plan taking account of the new Biodiversity Strategy.
<b>3.0</b>	<b>Main report</b>
	<p><u>Key Issues</u></p> <p>In July, a new Biodiversity Strategy for Northern Ireland was published by the Department of Environment. The strategy is entitled ‘Valuing Nature’ and its overall objective is halting the loss of biodiversity.</p> <p>The Wildlife and Natural Environment (Northern Ireland) Act 2011 introduced a statutory duty for the Council to further the conservation of biodiversity. The duty requires public bodies “<i>in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions.</i>” In performing this duty the Council must have regard to the NI Biodiversity Strategy.</p>

The strategy sets out how Northern Ireland plans to meet its international obligations and local targets to protect biodiversity and ensure the environment can continue to support our people and economy.

It builds upon the first Biodiversity Strategy published in 2002 but adopts the modern and internationally agreed approach that emphasises the management of biological systems to deliver the materials and services upon which people depend – the ecosystem services approach.

The overall vision is:

‘By 2050, our life support system, nature, is protected and restored for its own sake, its essential contribution to our well-being and prosperity, and to avert catastrophic changes likely to arise from its loss.’

The mission of the strategy is to:

- make progress towards halting overall biodiversity loss,
- establish an ecosystem approach; and
- help business and society in general have greater understanding of the benefits nature can bring to life in Northern Ireland.

The strategy recognises that making progress to protect the natural environment requires commitment from a wide range of bodies including local government, business and the voluntary sector.

The strategy contains 50 high level actions which collectively will make a difference to halting the loss of biodiversity up to 2020.

The primary impact on the Council is within ‘Engaging Society and Developing Partnerships’. Councils are the Lead Body to ‘Review Local Biodiversity Action Plans to assist in the promotion and conservation of biodiversity at a local level’.

The Council has an existing Local Biodiversity Action Plan which is due for renewal in 2016. The Biodiversity Officer will develop a plan and it will be brought to committee for approval.

	<p>The new Biodiversity Strategy can be viewed at  <a href="http://www.doeni.gov.uk/natural-policy-biodiversity-strategy-to-2020-2015.pdf">http://www.doeni.gov.uk/natural-policy-biodiversity-strategy-to-2020-2015.pdf</a></p> <p><u>Financial &amp; Resource Implications</u></p> <p>Staff time will be required to review and implement the Local Biodiversity Action Plan.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are currently no equality or good relations implications.</p>
4.0	<b>Appendices – Documents Attached</b>
4.1	None

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<b>Subject:</b>	Belvoir Forest Area of Scientific Interest (ASSI)
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Orla Maguire, Bio Diversity Officer

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	To inform Members of the declaration of Belvoir Forest as an Area of Special Scientific Interest (ASSI).
<b>2.0</b>	<b>Recommendations</b>
	The Committee is requested to note the designation of Belvoir as an ASSI and promote its importance and usage.
<b>3.0</b>	<b>Main report</b>
	<p><u>Key Issues</u></p> <p>The Department of the Environment has confirmed the declaration of Belvoir as an Area of Special Scientific Interest (ASSI) for its parkland and wood pasture habitat and associated species. The full citation is presented in <b>Appendix 1</b>.</p> <p>The ASSI largely lies within the original Belvoir Estate and is now owned and managed by Forest Service as a commercial forest and recreational park, and by Belvoir Golf Club as a golf course. The Council owns and manages Moreland's Meadow which is within the ASSI. The entire ASSI is within the Lagan Valley Regional Park.</p>

	<p>With the exception of Moreland’s Meadow, the ASSI lies within the former Belvoir estate which was founded in the 18<sup>th</sup> century. Historic parklands and wood pastures are characterised by old, open-grown trees with significant amounts of standing and fallen deadwood.</p> <p>Belvoir supports one of the largest concentrations of ancient and veteran trees in Northern Ireland. The scientific interest of the site relates to specialist biological communities which are associated with veteran and ancient trees and deadwood. These include invertebrates, fungi and lichens. It also contains the oldest known tree in Ireland.</p> <p>Many rare and threatened species of invertebrates and fungi occur on the site. One such species is a cup fungi <i>Cheilymenia fraudans</i>, recorded in Moreland’s Meadow the first record of this species in Britain and Ireland.</p> <p>The site also supports an important wide range of plants and animal, including birds and mammals such as bats. The continued sensitive management of the site is required to maintain the rich assemblages of species on this nationally important site.</p> <p>There is a requirement for the Council to maintain the scientific value of the site. Council staff will liaise with Departmental Officials to ensure the area within Council ownership is managed appropriately.</p> <p><u>Financial &amp; Resource Implications</u> There are no financial implications.</p> <p><u>Equality or Good Relations Implications</u> There are currently no equality or good relations implications.</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<p>Appendix 1 – Citation Document.</p>



Chief Executive's Office		
Date	27	7 2015
Seen by	CX	
Referred to		
ACX	Corp Comms	Dem Serv
GR	SPP	Bus Supp.
Dev	F&R	H&ES
P&L	P&P	Other
Ref	SW 767	

Ms Suzanne Wylie  
Chief Executive, Belfast City Council  
Belfast City Hall  
BELFAST  
BT1 5GS

Direct Tel No: 028 90569518

Our Ref: ASSI406

24 July 2015

Dear Ms Wylie

**CONFIRMATION OF BELVOIR AREA OF SPECIAL SCIENTIFIC INTEREST ARTICLE 28(6) OF THE ENVIRONMENT (NORTHERN IRELAND) ORDER 2002**

Date of declaration: 11 February 2015

Council Area: Belfast City Council

County: Co. Down

Irish Grid Reference: J342 696

The Department of the Environment has now considered any objections or representations which it received regarding the above declaration and hereby gives notice that it has confirmed the declaration of Belvoir Area of Special Scientific Interest (ASSI), as previously notified to you.

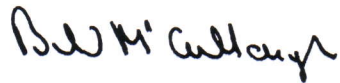
An amendment has been made to the wording in footnote (a) to the Schedule to reflect changes to planning legislation following the transfer of planning functions to local councils on 1 April 2015. The reference to the Planning (Northern Ireland) Order 1991 has been replaced with reference to the Planning Act (Northern Ireland) 2011.

As you will be aware from the citation documents received at the time of declaration, the above Area of Special Scientific Interest (ASSI) has been afforded legal protection against specified operations or activities that may damage its scientific features.

I refer you to the attached Schedule that lists those operations and activities which the Department considers may cause damage to the features of this ASSI and would remind you of the requirement to apply for written consent/assent from the Department **before** carrying any of them out.

Northern Ireland Environment Agency (NIEA) has a statutory responsibility to manage and protect ASSIs and it wishes to work in a cooperative way with landowners and occupiers to secure the scientific features of those areas. Given this responsibility NIEA is also obliged to consider any damage to an ASSI as a serious matter and it is a criminal offence under Article 46 of The Environment (Northern Ireland) Order 2002 to cause damage to these lands.

Yours sincerely



---

**B W McCULLOUGH**  
Authorised Officer

## DEPARTMENT OF THE ENVIRONMENT

### DECLARATION OF AREA OF SPECIAL SCIENTIFIC INTEREST AT BELVOIR, COUNTY DOWN. ARTICLE 28 OF THE ENVIRONMENT (NORTHERN IRELAND) ORDER 2002.

The Department of the Environment (the Department), having consulted the Council for Nature Conservation and the Countryside and being satisfied that the area described and delineated on the attached map (the area) is of special scientific interest by reason of the flora and fauna and accordingly needs to be specially protected, hereby declares the area to be an area of special scientific interest to be known as the 'Belvoir Area of Special Scientific Interest'.

The area is of special scientific interest for its parkland and wood pasture habitat and associated species. It is situated within the outskirts of South Belfast predominantly along the eastern bank of the River Lagan with Moreland's Meadow lying to the west of the river within a large meander loop. With the exception of Moreland's Meadow, the ASSI lies within the former Belvoir Estate which was founded in the 18<sup>th</sup> century, the lands bounded by the river to the west and a wall 5km in length surrounding the rest of the grounds. These walled grounds were known as the Belvoir Demesne and remained wooded during the 18<sup>th</sup> and 19<sup>th</sup> centuries when most of the trees throughout Ireland were felled. Belvoir ASSI largely lies within the area of the original Belvoir Estate and is now owned and managed by Forest Service as a commercial forest and recreational park, and by Belvoir Park Golf Club as a golf course. Belfast City Council own and manage Moreland's Meadow as part of the Lagan Valley Regional Park.

The underlying geology of Belvoir consists of ancient Ordovician sandstone and shale (marine sediments formed some 450 million years ago) and younger Permian sandstones (formed in a predominantly desert setting some 270 million years ago). The former are present in the south-eastern half of the site, typically associated with the higher ground while the latter occur in the north-western half, marking the change to lower ground adjacent to the River Lagan. There is little actual outcrop of the solid geology within the site. The valley floor and lower ground are dominated by river deposited alluvium, linked to the past and present position and flooding history of the River Lagan while the rest of the site is dominated by glacial deposits. The development of the river's floodplain, although now highly modified, is reflected in a number of abandoned meander loops with many former sections of river channel now in-filled by peat dominated soils and isolated from the present river course.

Historic parklands and wood pastures are generally characterised by old, open-grown trees with significant amounts of standing and fallen deadwood. Such trees, where they display attributes associated with late maturity such as large trunk girth and trunk hollowing, are referred to as veteran trees. Where these trees are especially old, generally greater than 200 years and begin to die back naturally, a condition known as retrenchment, they are referred to as ancient trees. Therefore, the term 'ancient' refers specifically to the age of a tree, describing the stage of development in the ageing process beyond full maturity. Scientific interest relates to specialist biological

communities which are associated with these characteristic trees and deadwood habitats. These include invertebrates, fungi and lichens.

The open-grown trees at Belvoir display a variety of features characteristic of veteran and ancient trees, including standing and fallen deadwood, torn branches, exposed and decaying heartwood, hollowing trunks and bracket fungi. The site supports one of the largest concentrations of ancient and veteran trees in Northern Ireland and is of particular note because it contains the oldest known trees in Ireland. There is also scientific evidence that some of the trees at Belvoir pre-date the formation of the Demesne in the early 18th century. Many of these trees have been dated using dendrochronological techniques. Dendrochronology is the scientific method of estimating tree age based on the analysis of patterns of tree rings by relating them to past events. The dendrochronological sequence in Ireland is well documented and is particularly important for dating Oak *Quercus* spp. trees.

The open-grown trees are found within a variety of situations in Belvoir including grassland, golf course, coniferous woodland, deciduous woodland and wood pasture. A variety of tree species are present. Oak *Quercus* spp. is the dominant species, with Beech *Fagus sylvatica*, Lime *Tilia* sp., Ash *Fraxinus excelsior*, Horse-chestnut *Aesculus hippocastanum*, Sycamore *Acer pseudoplatanus*, Hawthorn *Crataegus monogyna* and occasional Sweet Chestnut *Castanea sativa*. Of particular note is a large-girthed ancient Oak *Quercus* sp. tree which is in an advanced state of retrenchment and completely hollow. With a girth of approximately 8m, this ancient tree is one of the largest-girthed Oak *Quercus* spp. trees in Ireland. There are also a number of large-girthed tree stumps scattered throughout the area which were felled several decades ago. The number of trees at Belvoir which are classified as veteran and ancient, combined with evidence from dendrochronological studies and historical documents, indicates that the site has been wooded for several centuries.

Wood pasture describes an historical management system in which open woodland provided shelter and forage for grazing animals as well as woodland products such as timber for construction, fuel, fencing and tools. In Belvoir, a classic example of wood pasture is found at Moreland's Meadow where trees occur at different densities within unimproved grassland. Low intensity grazing by cattle is maintaining the unimproved grassland and preventing natural succession to closed canopy woodland. This is balanced by low levels of natural regeneration of trees such as Oak *Quercus* spp. which is occurring where Bramble *Rubus fruticosus* agg. has developed around fallen deadwood. This thorny plant protects the tree seedlings from grazing and ensures that new generations of trees are established to replace senescent and dying trees.

Dendrochronological studies on Oak *Quercus* spp. stumps at Belvoir have revealed that some of the trees which were felled in the 20<sup>th</sup> century were many centuries old. One of the stumps in Corbie Wood has been dated to AD 1642 with an estimated felling date range of AD1972  $\pm$  9 years. This makes it the earliest date recorded in Ireland for an Oak *Quercus* sp. tree that was still alive in the 20<sup>th</sup> century. Similar studies on a sample of living trees at Belvoir have revealed that most dated back to the 19<sup>th</sup> century. However, one Oak *Quercus* sp. at Belvoir Park Golf Club was dated to AD1780 and another in Corbie Wood, which has re-sprouted after being felled, was dated back to AD1686.

Additional evidence that wood pasture has been present in the area for several centuries is provided by the presence of a woodland ground flora including species indicative of ancient woodland. Plants such as Lords-and-Ladies *Arum maculatum*, Wood Anemone *Anemone nemorosa*, Bluebell *Hyacinthoides non-scripta*, Wood-sorrel *Oxalis acetosella*, Herb Robert *Geranium robertianum* and the notable Thin-spiked Wood-sedge *Carex strigosa* are all typical of long-established woods. Where the soils are damper, Lesser Celandine *Ficaria verna* and Opposite-leaved Golden-saxifrage *Chrysosplenium oppositifolium* are frequent. Toothwort *Lathraea squamaria*, a parasitic plant of tree roots, is also found at Belvoir. It appears above ground in early spring as a spike of two-lipped dull purple flowers and is especially associated with Hazel *Corylus avellana* and Alder *Alnus glutinosa*.

The longevity of woodland cover at Belvoir is further evidenced in the diverse invertebrate fauna, which includes several species which have not been recorded elsewhere in Ireland. Important molluscs associated with Belvoir include the Plaited Snail *Spermodea lamellata* which is confined to old growth woods and is listed as Endangered in the Irish Red List and the English Chrysalis Snail *Leiostyla anglica* which is listed as Vulnerable. Occasional areas of bare ground within the grassland at Morelands Meadow provides ideal habitat for solitary bees including common species such as the Ashy Mining-bee *Andrena cineraria* and the less common Gooden's Nomad Bee *Nomada goodeniana* which parasitises several mining bees *Andrena* species. Belvoir is particularly important for saproxylic invertebrates, i.e. those species that are dependent on dead or decaying wood. Among the saproxylic Coleoptera (beetles of wood pasture and deadwood) are a spider beetle *Ptinus subpilosus* for which this is the only Irish site and a minute fungus beetle *Gyrophana pulchella* which is a proposed Red Data Book species in Britain. Other saproxylic Coleoptera include a minute hairy ladybird *Scymnus auritus* which has only one other known Irish site, two false darkling beetles *Orchesia undulata*, which breeds in the specialist fungi and the rarer *Abdera flexuosa* which is associated with Alder *Alnus glutinosa* and a silken fungus beetle *Cryptophagus ruficornis* which is virtually confined to the Lagan Valley in Ireland.

A wide range of fungi have been recorded at Belvoir, again reflecting the long-established wooded nature of the area. Fungi with a range of different life strategies and ecological niches are represented on the site. These include saprotrophic fungi; species that live on dead or decaying organic matter such as wood, twigs and leaves and are responsible for the decay of the many very old trunks and stumps across the site. Ectomycorrhizal fungi, on the other hand, are associated directly with living trees forming a symbiotic relationship with the tree roots. This symbiosis enhances tree growth by facilitating water and nutrient uptake.

Bracket fungi are a particular group of saprotrophic fungi which produce a non-stalked fruiting body directly attached to the tree trunk or branch. Examples include Southern Bracket *Ganoderma australe* and Beefsteak Fungus *Fistulina hepatica* which are both common across Belvoir and produce white and brown rots respectively. The resulting decayed wood provides a micro-habitat for other fungi and specialised invertebrate species. Bracket fungi of particular note recorded at Belvoir include Oak Polypore *Piptoporus quercinus*, which has not been recorded in Ireland before, Anise Mazegill *Gloeophyllum odoratum*, which is listed as Vulnerable in the British Red List and Oak Mazegill *Daedalea quercina*, which grows on an old Oak *Quercus* sp. stump. This is one of the very few locations for this species in Northern Ireland. Other bracket fungi associated with already partially decomposed fallen and standing deadwood include

Turkeytail *Trametes versicolor*, Blushing Bracket *Daedaleopsis confragosa* and Hairy Curtain Crust *Stereum hirsutum* which is particularly common on Oak *Quercus* spp. across the site. Many of the large fallen Oak *Quercus* spp. trunks also support other saprotrophic fungi species such as Burgundydrop Bonnet *Mycena haematopus*, Common Bonnet *M. galericulata* and Clustered Bonnet *M. inclinata*.

Belvoir also supports a variety of ectomycorrhizal fungi which are generally associated with the roots of living Oak *Quercus* spp. and Beech *Fagus sylvatica* trees. Species recorded include Panthercap *Amanita pantherina*, Scarletina Bolete *Boletus luridiformis*, Purple Brittlegill *Russula atropurpurea*, Oakbug Milkcap *Lactarius quietus*, the Webcap *Cortinarius balteatocumatilis* and the notable Deceiving Bolete *Boletus queletii*. Two rare species of cup fungi have also been recorded. The first, *Hypocrea tremelloides*, is associated with Oak *Quercus* spp. and is only known from one other site in Britain and Ireland. The second, *Cheilymenia fraudans*, was recently discovered on cattle dung in Moreland's Meadow illustrating the importance of traditional grazing management in this part of the site. There are currently no other records for this species in Britain and Ireland.

Lichen interest across the site is largely restricted to those species growing on older trees in open conditions where humidity is relatively high. Fairly common epiphytic species occur on the Oaks *Quercus* spp. at Morelands Meadow including *Evernia prunastri*, known as Oak Moss, *Usnea subfloridana*, *Parmotrema perlatum*, *Ramalina farinacea* and Common Orange Lichen *Xanthoria parietina*. More notable species in the same area include *Tuckermannopsis chlorophylla* and *Chaenotheca ferruginea* which have restricted distributions in Ireland and several specimens of the distinctive old parkland indicator *Cresponea premnea* found on the trunk of a large Lime *Tilia* sp.. In addition this species is found on a large Oak *Quercus* sp. near the Motte. Lichens are very sensitive to atmospheric pollution and their presence in such close proximity to Belfast is notable.

The effects of past and present management have resulted in the presence of the current semi-natural habitats at Belvoir. As such, they are important for a wide range of plants and animals, including birds and mammals, such as bats. It is hoped that continued sensitive management of the area will ensure that the rich assemblage of species is maintained.

## SCHEDULE

**The following operations and activities appear to the Department to be likely to damage the flora and fauna of the area:**

1. Any activity or operation which involves the damage or disturbance by any means of the surface and subsurface of the land, including ploughing, rotovating, harrowing, reclamation and extraction of minerals, including sand, gravel and peat.
2. Changes in the intensity of the grazing regime or seasonal pattern of grazing, cessation of grazing or changes in supplementary feeding practice.

3. Changes in the established method or frequency (or introduction), of rolling, mowing or cutting grassland.
4. The application of manure, slurry, lime or artificial fertiliser.
5. The application of herbicides, fungicides or other chemicals deployed to kill any form of wild plant, other than plants listed as being noxious in the Noxious Weeds (Northern Ireland) Order 1977 or non-native invasive species, such as Cherry Laurel or Rhododendron.
6. The storage or dumping, spreading or discharge of any material not specified under paragraph 5 above.
7. The destruction, displacement, removal or cutting of any plant, seed or plant remains, other than for:
  - (i) plants listed as noxious in the Noxious Weeds (Northern Ireland) Order 1977 or non-native invasive species such as Cherry Laurel or Rhododendron;
  - (ii) normal cutting or mowing regimes for which consent is not required under paragraph 3 above.
8. The release into the area of any animal (other than in connection with normal grazing practice) or plant. 'Animal' includes birds, mammals, fish, reptiles, amphibians and invertebrates; 'Plant' includes seed, fruit or spore.
9. Burning.
10. Changes in tree or woodland management.
11. Construction, removal or disturbance of any permanent or temporary structure including building, engineering or other operations, except routine maintenance and use of roads for normal forestry or golf course management.
12. Alteration of natural or man-made features, the clearance of boulders or large stones and grading of rock faces.
13. Operations or activities, which would affect wetlands (include marsh, fen, bog, rivers, streams and open water), e.g.
  - (i) change in the methods or frequency of routine drainage maintenance;
  - (ii) modification of the structure of any watercourse;
  - (iii) lowering of the water table, permanently or temporarily;
  - (iv) change in the management of bank-side vegetation.

14. The disturbance, killing or taking of any wild animal except where such killing or taking is treated as an exception in Articles 5, 6, 11, 17, 20, 21 and 22 of the Wildlife (Northern Ireland) Order 1985 (as amended).
15. The following activities undertaken in a manner likely to damage or disturb the wildlife of the area:
  - (i) educational activities;
  - (ii) research activities;
  - (iii) recreational activities;
  - (iv) exercising of animals.
16. Changes in game, waterfowl or fisheries management or fishing or hunting practices.
17. Use of vehicles or craft likely to damage or disturb the wildlife of the area.

#### FOOTNOTES

- (a) Please note that consent by the Department to any of the operations or activities listed in the Schedule does not constitute planning permission. Where required, planning permission must be applied for in the usual manner to the council or the Department under Part 3 of the Planning Act (Northern Ireland) 2011. Operations or activities covered by planning permission are not normally covered in the list of Notifiable Operations.
- (b) Also note that many of the operations and activities listed in the Schedule are capable of being carried out either on a large scale or in a very small way. While it is impossible to define exactly what is large and what is small, the Department would intend to approach each case in a common sense and practical way. It is very unlikely that small scale operations would give rise for concern and if this was the case the Department would normally give consent, particularly if there is a long history of the operation being undertaken in that precise location.

## **BELVOIR**

### **Views About Management The Environment (Northern Ireland) Order 2002 Article 28(2)**

#### **A statement of the Department's views about the management of Belvoir Area of Special Scientific Interest ("the ASSI")**

This statement represents the views of the Department about the management of the ASSI for nature conservation. This statement sets out, in principle, our views on how the area's special conservation interest can be conserved and enhanced. The Department has a duty to notify the owners and occupiers of the ASSI of its views about the management of the land.

Not all of the management principles will be equally appropriate to all parts of the ASSI and there may be other management activities, additional to our current views, which can be beneficial to the conservation and enhancement of the features of interest. It is also very important to recognise that management may need to change with time.

The management views set out below do not constitute consent for any operation or activity. The written consent of the Department is still required before carrying out any operation or activity likely to damage the features of special interest (see the Schedule on pages 4, 5 and 6 for a list of these operations and activities). The Department welcomes consultation with owners, occupiers and users of the ASSI to ensure that the management of this area maintains and enhances the features of interest, and to ensure that all necessary prior consents are obtained.

#### **MANAGEMENT PRINCIPLES**

##### **Parklands, wood pasture and associated species**

Parklands are typically composed of a mosaic of scattered open-grown trees and shrubs in a relatively extensive area of grassland. They usually contain a mixture of native and non-native trees and are part of the designed landscapes which were created within historic estates. Wood pasture is a type of woodland which has a very open structure due to historic grazing practices. It typically consists of a mosaic of trees and shrubs growing in a variety of densities; from open grown trees to more closely spaced trees. Depending on the density of canopy cover, other semi-natural habitats such as grassland may occur in a mosaic with a modified woodland ground flora. The open grown trees and shrubs in parklands and wood pasture provide habitat for rare and uncommon lichens, fungi and invertebrates.

Parklands and wood pastures contain ancient and veteran trees. Ancient trees usually have large girths, hollow trunks, large amounts of deadwood and often have a characteristic "stag-headed" appearance due to their upper canopy dying back. Veteran trees are younger trees which have some of the characteristics of ancient trees. In general, more species are associated with ancient and veteran trees, mainly due to the large amounts of standing and fallen deadwood that are usually associated with them. This deadwood provides a specialist habitat for many species of fungi and invertebrates. It is therefore important to retain veteran and ancient trees, whilst ensuring that new generations are established at a slow and steady rate to replace them when they eventually die.

Trees have relatively shallow root systems which can extend a considerable distance beyond their canopy. Particular types of fungi are associated with tree roots and help the tree take up minerals and water. These fungi can be harmed by the application of nutrients such as artificial fertiliser, manure and slurry, or chemicals such as lime and fungicides. Harming these fungi can make trees more vulnerable to drought or other stressful events. Tree roots are also very vulnerable to physical damage from compaction by vehicles and poaching by livestock.

Grazing is important to maintain the open parkland and wood pasture habitat, but it should be at a low enough intensity to prevent bark stripping or poaching damage to tree roots. If grazing is not possible, the grassland can also be maintained by cutting, but care should be taken to avoid damaging tree roots by compaction from vehicles. When grazing is excluded from an area of parkland or wood pasture, the open grown veteran and ancient trees can be rapidly surrounded by naturally regenerating trees. These young trees can quickly out-compete veteran and ancient trees, shading them out and eventually leading to their death. A similar situation can occur when trees are planted close to veteran and ancient trees.

**Specific objectives for parkland, wood pasture and associated species include:**

Encourage the retention of large dead branches, fallen deadwood and the remains of old trees *in situ*, as they often contain important populations of fungi, lichens and invertebrates.

Ensure that the trees are maintained in relatively open conditions by grazing or cutting the surrounding grassland and where appropriate, gradually removing surroundings trees which are shading out veteran and ancient trees.

Encourage establishment of a steady supply of new generations of trees either through planting of appropriate species, or periodic reduction in grazing levels.

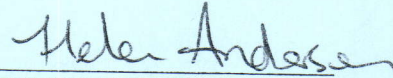
Ensure that there is no application of fungicides, lime, artificial fertiliser, manure or slurry in the vicinity of the parkland and wood pasture trees and shrubs.

Discourage non-native species, especially those that tend to spread at the expense of native wildlife.

Ensure that disturbance to the site and its wildlife is minimised.

Maintain the diversity and quality of habitats associated with the parkland and wood pasture, such as river and woodland. These adjoining habitats can often be very important for wildlife.

Sealed with the Official Seal of the  
Department of the Environment  
hereunto affixed is authenticated  
by



**HELEN ANDERSON**  
Senior Officer of the  
Department of the Environment  
Dated the 24<sup>th</sup> of July 2015

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<b>Subject:</b>	Request from Balmoral Bowling Club to enter into a lease with BCC at Belvoir Bowling Green.
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Ricky Rice, City Park Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

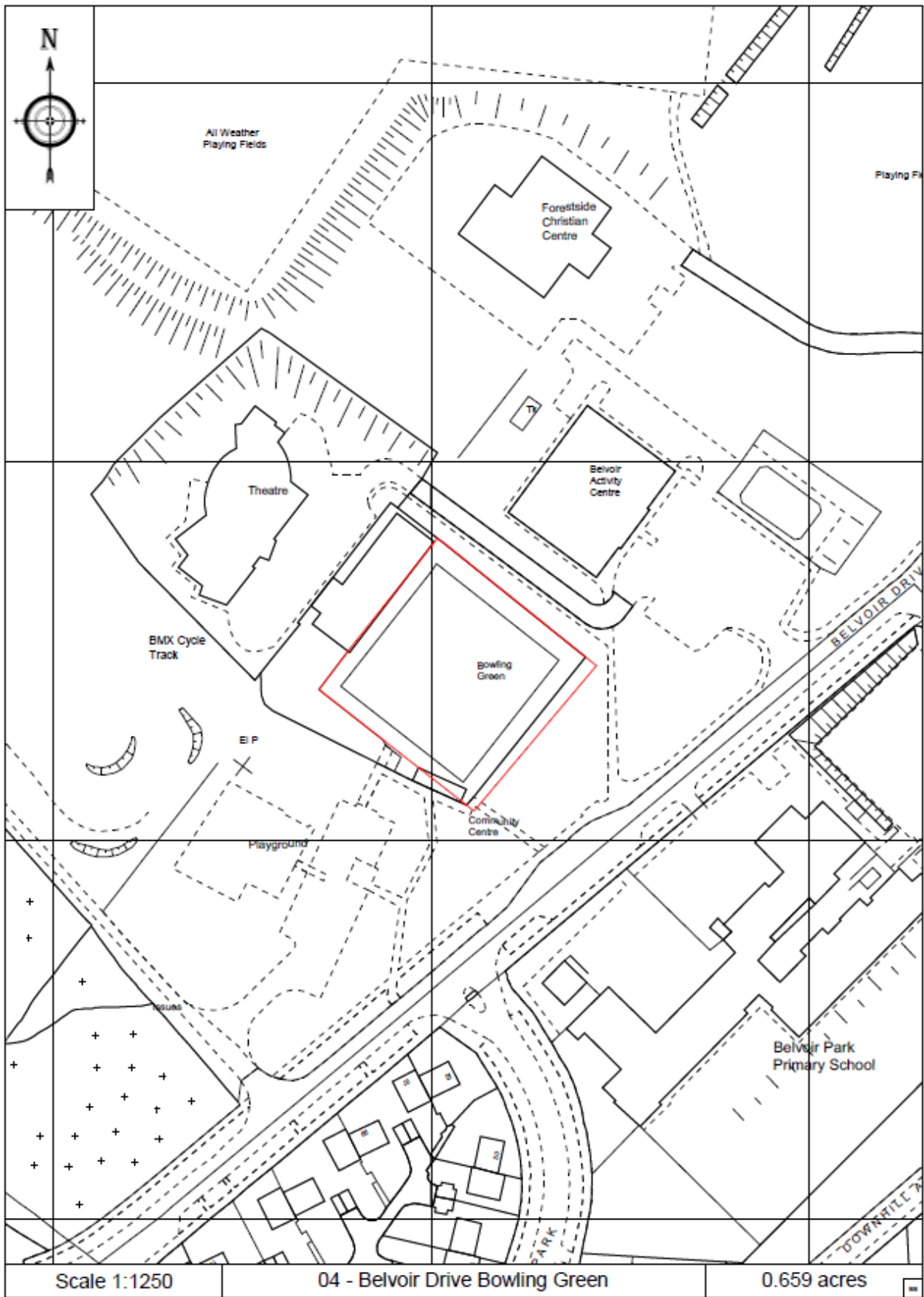
<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	BCC has been contacted by Balmoral Bowling Club to request that BCC enters into a lease with them in respect of the bowling green that is situated at Belvoir Bowling Green.
<b>2.0</b>	<b>Recommendations</b>
2.1	Members are asked to agree to recommend to the Strategic Policy & Resources Committee the disposal of Belvoir Bowling Green by way of a lease to Balmoral Bowling Club, subject to detailed terms to be agreed by the Estates Manager and Legal Services.
<b>3.0</b>	<b>Main report</b>
3.1	This asset was transferred to BCC from CBC on 1 April 2015, as part of Local Government Reform. It consists of a bowling green with well established perimeter planting and flower beds. (See map attached at Appendix 1)
3.2	Balmoral Bowling Club was established in 1943 and has played at Belvoir Bowling Green since 1981. The Club entered into a 99 year lease with CBC from 1 November 1994 in respect of the land on which the pavilion is situated, subject to the payment of 5 pence per annum, if demanded. The club subsequently constructed the pavilion and changing rooms on this land. This leasehold interest also transferred to BCC from CBC in April 2015. The club has a membership of 50 playing members and has an extensive social calendar

	ensuring full use of the clubhouse, which is licensed.
3.3	Belfast City Council currently charges members of Balmoral Bowling Club the fees and charges agreed by Council for use of the bowling green. This year the Council received £1,506 in bowling green fees.
3.4	Balmoral Bowling Club has written to BCC expressing an interest in entering into a long term lease on the bowling green – see letter attached as Appendix 2.
3.5	The surface of the bowling green is currently in need of improvement and BCC Parks Officers have indicated that this type of improvement is unlikely to happen in the near future due to the significant cost of upgrading the bowling green. BCC currently spends approx £20k per annum on the maintenance and upkeep of the bowling green and this figure is likely to increase year on year. The cost of upgrading the bowling green from its current condition to a pristine playing surface is not known at this stage, although BCC Parks officers have been advised that this would be a considerable amount of money, given the specialist nature of the work involved.
3.6	Balmoral Bowling Club has indicated that from a financial point of view it is in a good position to take over the maintenance of the bowling green. The Club has advised that it has funds available to make the necessary improvements to upgrade the bowling green to an acceptable standard. An agreed bowling green maintenance specification between BCC and Balmoral Bowling Club will form part of any lease agreement reached between the parties.
3.7	The Estates Unit have had an initial discussion with a representative from Balmoral Bowling Club. The Club has indicated its willingness to enter into a 25 year lease with BCC, subject to the payment of an initial annual rental figure of £500, subject to five yearly rent reviews. Land and Property Services have advised BCC that this is a fair assessment of the annual rental for a bowling green. Under the terms of any agreed lease the Club will be responsible for the maintenance and upkeep of the bowling green, in accordance with a detailed specification to be agreed between BCC and the Club. The bowling green will continue to be available for use by the general public during the term of the lease.
	<u>Financial &amp; Resource Implications</u>
3.8	BCC will benefit from a rental income of £500 pa together with significant savings from ongoing maintenance costs, should the lease to Balmoral Bowling Club be put in place.

	<p>The current maintenance costs of £20k per annum will be off set against a loss in green fees for £1506 per annum.</p> <p><u>Human Resources</u></p> <p>3.9 BCC grounds maintenance staff resources will be reallocated undertaking other duties due to additional sites which transferred under Local Government Reform.</p> <p><u>Asset and Other Implications</u></p> <p>3.9 Officers from BCC Estates Management Unit and Legal Services will be involved in the preparation of any lease agreement in respect of this asset.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
4.1	<p>Appendix 1 - Map showing Belvoir Bowling Green</p> <p>Appendix 2 - Letter from Balmoral Bowling Club.</p>

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# Appendix 1 – Balmoral Bowling Club



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## Appendix 2 – Balmoral Bowling Club



# Balmoral Bowling Club

Founded 1943



*President Mr F Givan – Hon Secretary ~ Mr A Harrison ~ Hon Treasurer Mr S Furlington*

27/05/2015

44 Cregagh Park

Belfast BT6 9LF

Dear Rose,

I write to you with the full backing from the Management Committee and members of Balmoral Bowling Club with regard to obtaining a long term lease on the Bowling Green.

Established in 1943 we own our licenced premises to include clubhouse and changing rooms, and have played on the Belvoir green from 1981.

We currently have around 50 playing members including current and former Irish International Bowlers, and have been a major force over the years playing in the Northern Ireland Bowling Association division one.

We are aware that serious work is needed to bring the bowling green up to standard, whilst Belfast City Council are endeavouring to improve the playing surface we feel the former Castlereagh Borough Council did not put in the time and work, especially over the last year.

We wish to put on the record that the inferior playing surface does in no way reflect on the ground staff of Belfast City Council as they only inherited the problem from April 1<sup>st</sup> this year.

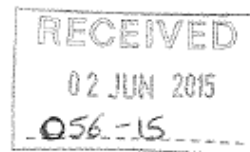
We are certain that there is a financial benefit to be gained by the Council with a reduction in overall costs, our overriding desire is attract new members, so if any of the public wish to use the green they will be made most welcome and offered membership if desired.

The only way to attract new members is to have a pristine playing surface.

I hope that you can look favourably on our request and await any further developments with interest.

Yours Sincerely

Annesley Harrison (Secretary)



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<b>Subject:</b>	Proposal future development of Foxes Lodge, City Cemetery
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Stephen Walker, Departmental Portfolio Programme Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	The purpose of this report is to seek authority to progress plans to develop land within City Cemetery on which the former Foxes Lodge is located.
<b>2.0</b>	<b>Recommendations</b>
	<p>It is recommended that the Committee agree to:</p> <ol style="list-style-type: none"> <li>1. The demolition of the existing building, preserving where appropriate original features to be incorporated within the future development, subject to affordability;</li> <li>2. The development of a garden of remembrance within the cemetery, subject to affordability and receipt of the necessary statutory approvals.</li> </ol>
<b>3.0</b>	<b>Main report</b>
	Foxes Lodge has been in a dilapidated state for a significant period of time; although in the past there were suggestions that the building be renovated and brought back into use however funding was never secured and the building remains on site. Appendix 1 contains a recent photograph of the building demonstrating its condition. As there is no proposal at present it is difficult to apportion a cost of reinstatement, however, it is likely to require investment in excess of £1m upwards.

Members will be aware of the planned alteration to the traffic flow within city cemetery as a consequence of the proposed rapid transit. It will require an alternative egress from the city cemetery, the proposal is to provide exit gates opposite Brittain's Parade, which is adjacent to Foxes Lodge. As this will be a widely used exit point it is the view of Officers that the existing building in its current condition should be demolished.

Officers are mindful that the Council has recently secured significant development funding from the Heritage Lottery Fund to develop a project to promote the existing heritage of the cemetery. Within this context any demolition works will seek to preserve historically significant elements of the lodge which may be incorporated into any proposed development. In addition, every effort will be made to store the remaining intact stone for possible future use within proposed developments within the City Cemetery and potentially the adjoining Falls Park. In any case HLF will be consulted prior to any works at the lodge to ensure future funding for the site is not jeopardised.

Members will be aware that in many cemeteries there is a trend towards the creation of gardens of remembrance, one is located within Roselawn Cemetery. Members of the public can request that cremated remains be disposed off within the garden and this is carried out by Council Officers.

It is proposed that the creation of a garden of remembrance would be an appropriate use of the land at Foxes Lodge and provide an additional facility at the site.

Financial & Resource Implications

No costs are currently available for the demolition or the proposed development, however it is anticipated that the demolition and establishment of the garden will be delivered within existing budgets.

Equality or Good Relations Implications

There are no equality or good relations implications.

<b>4.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 – Photograph of Foxes Lodge



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<b>Subject:</b>	Partner Agreements Council Grass Pitches – Transition support
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier , Assistant Director, Parks and Leisure Department
<b>Contact Officer:</b>	Maria McAleer, Policy and Business Development Officer

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>The Committee is reminded that at its meeting in June 2015 (refer to Appendix 1) the Committee :</p> <ul style="list-style-type: none"> <li>• Approved the preferred partners for the seven sites and agreed the award of partner agreements subject to the acceptance of terms and conditions as set out by Council.</li> <li>• Agreed to receive annual monitoring reports on these partner agreements.</li> </ul> <p>This report sets out additional arrangements to ensure a smooth transition to the new partnerships.</p>
<b>2.0</b>	<b>Recommendations</b>
	<p>Following consideration of this report the Committee is asked to:</p> <ul style="list-style-type: none"> <li>• Agree to a partnership transition fund, up to a maximum of £70,000, for one year which can be made available to the clubs signed up to the partnership agreements subject to the submission of a business case and evidence of appropriate expenditure.</li> <li>• Agree that the need for additional funds is reviewed to assess effectiveness and future need.</li> </ul>

3.0	<b>Main report</b>
	<p><u>Key Issue</u></p> <p>The partnership arrangements are a significant change to the operation of the sites as set out in Appendix 1. After discussions with a number of clubs it was evident that support was needed for the establishment of the new partner agreements at the sites.</p> <p>Financial support would provide assurance to Belfast City Council that the club as its preferred partner is taking on key holding and/ other agreed responsibilities and to ensure both wider community and own club's access to the agreed area of the site in a safe and legal manner.</p> <p>It is proposed that a small amount of funding in Year One could be claimed by each of the new partners to:</p> <ul style="list-style-type: none"> <li>• Ensure the partner club fulfils its responsibilities and duties as outlined in the: <ol style="list-style-type: none"> <li>1. Partnership agreement</li> <li>2. Associated service operations schedule</li> <li>3. Key holding agreement</li> <li>4. Conditions of hire as provided by Council</li> </ol> </li> <li>• To assist in prohibiting illegal play at the location by providing council with bookings information and ensuring prompt payment in line with conditions of hire as outlined by Council.</li> <li>• To provide a presence on site as required by the demands of the partnership established with Council and prepare reports and relevant administration as requested.</li> <li>• To ensure the health and safety of all personnel present at the location at any given time. This will involve maintaining fire logs, carrying out checks, reporting defects and accidents in a timely manner</li> </ul> <p>It is proposed that a fund of up to £10k is available to our preferred partners to ensure these key requirements are set up and mainstreamed within the club within the first year of operation. It is further proposed that the position is reviewed to assess the impact of the additional funding and future requirements.</p> <p>The funding can be provided on receipt of a business case setting out the approach for</p>

ensuring the above is delivered. Funding will be provided in the form of 4 equal quarterly payments, with 80% of each payment drawn down in advance. The remaining 20% of the funding will be paid upon submission of evidence of expenditure at the end of the year.

This Fund is subject to the signing and compliance with the partnership agreement and will be terminated on breach of that agreement.

#### Monitoring and Review

The partner agreements will be reviewed quarterly with clubs to assist in the delivery of their Sports Development Plans and this fund will be monitored in the same way.

#### Financial & Resource Implications

##### Financial:

This transition fund of up to £70k (£10k max per partner) will be funded from existing parks budgets due to income from bookings coming directly to BCC and the provision of many of the key holding duties being undertaken by the clubs rather than Parks resources.

##### Human Resources:

Ongoing officer time from a range of officers across the department will be dedicated to implementation and ongoing management in the medium to long term.

##### Asset and Other Implications:

The new partner agreements will impact on the future management of assets with Council legal services providing on-going advice.

##### Equality or Good Relations Implications

The policy has been screened in line with the Council's existing equality screening process and has been screened out with mitigating actions. The mitigating actions are around increasing participation among underrepresented groups including females, people with disabilities and those from an ethnic minority background.

<b>4.0</b>	<b>Appendices</b>
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	<b>Appendix 1</b> – Partner Agreements, Committee Paper June 2015
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<b>Subject:</b>	Partner Agreements Council Grass Pitches - Assessment of Applications
<b>Date:</b>	9 June 2015
<b>Reporting Officer:</b>	Rose Crozier , Assistant Director, Parks and Leisure Department
<b>Contact Officer:</b>	Maria McAleer, Policy and Business Development Officer

<b>Is this report restricted?</b>	<b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	<b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>The Committee is reminded that at its meeting in February 2015 (refer to Appendix 1) the former Parks and Leisure Committee considered the key findings of the public consultation exercise on partner agreements policy and process (refer to Appendix 2 outlining the background to proposals for partner agreements), and approved seven sites for inclusion in an expression of interest (E.O.I) to be publically advertised in April 2015. From 1<sup>st</sup> April 2015, the aforementioned E.O.I was publically advertised.</p> <p>By the closing date of the 1st May 2015 the Council had received nine applications in total. In May 2015, officers completed a comprehensive assessment of those applications against the agreed scoring matrix attached at Appendix 1 and outlined below is the preferred partners for Members' consideration and approval.</p>
<b>2.0</b>	<b>Recommendations</b>
	<p>Following consideration of this report the Committee is asked to:</p> <ul style="list-style-type: none"> <li>• Approve the preferred partners for the seven sites and agree the award of partner agreements subject to the acceptance of terms and conditions as set out by Council.</li> <li>• Agree to receive annual monitoring reports on these partner agreements.</li> </ul>

<b>3.0</b>	<b>Main report</b>																												
	<p><u>Key Issues EOI Process</u></p> <p>The expression of interest listed seven playing field sites and applications were received and assessed as follows. The outcome of the assessment process was that the site incumbent clubs were successful.</p> <table border="1" data-bbox="261 562 1442 1984"> <thead> <tr> <th data-bbox="261 562 652 611"><u>Site advertised</u></th> <th data-bbox="652 562 1046 611"><u>Applications received</u></th> <th data-bbox="1046 562 1442 611"><u>Assessment outcome</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="261 611 652 817"><u>Dixon Playing Fields</u></td> <td data-bbox="652 611 1046 817">1 application received from Sirocco Works Football Club</td> <td data-bbox="1046 611 1442 817">Successful –preferred partner</td> </tr> <tr> <td data-bbox="261 817 652 969"><u>Alderman Tommy Patton Memorial Park</u></td> <td data-bbox="652 817 1046 969">1 application received from East Belfast Football Club</td> <td data-bbox="1046 817 1442 969">Successful –preferred partner</td> </tr> <tr> <td data-bbox="261 969 652 1176"><u>Woodlands Playing Fields</u></td> <td data-bbox="652 969 1046 1176">1 application received from County Antrim Board of GAA</td> <td data-bbox="1046 969 1442 1176">Successful-preferred partner</td> </tr> <tr> <td data-bbox="261 1176 652 1328"><u>Loughside Playing Fields</u></td> <td data-bbox="652 1176 1046 1328">1 application received from Loughside Football Club.</td> <td data-bbox="1046 1176 1442 1328">Successful - preferred partner</td> </tr> <tr> <td data-bbox="261 1328 652 1579" rowspan="2"><u>Shore Road Playing Fields</u></td> <td data-bbox="652 1328 1046 1429">1 application received from Grove United Football Club</td> <td data-bbox="1046 1328 1442 1429">Successful - preferred partner</td> </tr> <tr> <td data-bbox="652 1429 1046 1579">1 application received from Crumlin Star Football Club.</td> <td data-bbox="1046 1429 1442 1579">Applicant following assessment is not the preferred partner.</td> </tr> <tr> <td data-bbox="261 1579 652 1731"><u>Orangefield Playing Fields</u></td> <td data-bbox="652 1579 1046 1731">1 application was received from Bloomfield Football Club</td> <td data-bbox="1046 1579 1442 1731">Successful-preferred partner</td> </tr> <tr> <td data-bbox="261 1731 652 1984" rowspan="2"><u>Ulidia Playing Fields</u></td> <td data-bbox="652 1731 1046 1883">1 application was received from Rosario Football Club</td> <td data-bbox="1046 1731 1442 1883">Successful –preferred partner</td> </tr> <tr> <td data-bbox="652 1883 1046 1984">1 application was received from Crumlin Star Football</td> <td data-bbox="1046 1883 1442 1984">Applicant following assessment is not the</td> </tr> </tbody> </table>	<u>Site advertised</u>	<u>Applications received</u>	<u>Assessment outcome</u>	<u>Dixon Playing Fields</u>	1 application received from Sirocco Works Football Club	Successful –preferred partner	<u>Alderman Tommy Patton Memorial Park</u>	1 application received from East Belfast Football Club	Successful –preferred partner	<u>Woodlands Playing Fields</u>	1 application received from County Antrim Board of GAA	Successful-preferred partner	<u>Loughside Playing Fields</u>	1 application received from Loughside Football Club.	Successful - preferred partner	<u>Shore Road Playing Fields</u>	1 application received from Grove United Football Club	Successful - preferred partner	1 application received from Crumlin Star Football Club.	Applicant following assessment is not the preferred partner.	<u>Orangefield Playing Fields</u>	1 application was received from Bloomfield Football Club	Successful-preferred partner	<u>Ulidia Playing Fields</u>	1 application was received from Rosario Football Club	Successful –preferred partner	1 application was received from Crumlin Star Football	Applicant following assessment is not the
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	1 application was received from Crumlin Star Football	Applicant following assessment is not the																											

The assessment panel wishes to commend all applicants on both the commitment and enthusiasm displayed in their applications. If approved by Members, subject to applicants acceptance of the terms and conditions, partner agreements will be issued in July 2015.

#### Monitoring and Review

The partner agreements will be reviewed quarterly with clubs to assist in the delivery of their Sports Development Plans. Annual progress reports will be provided to Committee. A review of partner agreements will take place after seven years which is the period of the agreement.

#### Next Phase of Partner Agreements

It is proposed that a further phase of partner agreements is brought forward. Work is progressing to assist potential sites including new sites within the new Council boundary. A report on proposals will be brought to the November 2015 Committee.

#### Financial & Resource Implications

##### **Financial:**

The introduction of these agreements will be supported through an enhanced Support for Sport Grant aid fund which is provided for within the departments' current budgets. It should be noted that there is a limit to the funding available and this will be reviewed annually.

##### **Human Resources:**

Ongoing officer time from a range of officers across the department will be dedicated to implementation and ongoing management in the medium to long term.

##### **Asset and Other Implications:**

The new partner agreements will impact on the future management of assets with Council legal services providing on-going advice.

#### Equality or Good Relations Implications

The policy has being screened in line with the Council's existing equality screening process and has been screened out with mitigating actions. The mitigating actions are around increasing participation among underrepresented groups including females, people

	with disabilities and those from an ethnic minority background.
<b>4.0</b>	<b>Appendices</b>
	<p>Appendix 1 – Partner Agreements Policy and Process, Committee Paper</p> <p>Appendix 2 – Background on proposals for partner agreements, Committee paper</p> <p>Appendix 3 - Partner Agreements Scoring Matrix</p>



<b>Subject:</b>	Regularisation of Legal Arrangements
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Stephen Walker, Departmental Portfolio Programme Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>The purpose of this report is to inform Committee of proposals to begin a process to regularise management arrangements at a number of sites across the city. The sites in question are at:</p> <ul style="list-style-type: none"> <li>• Clarendon Playing Fields</li> <li>• Hammer open Space</li> <li>• Willowbank.</li> </ul>
<b>2.0</b>	<b>Recommendations</b>
	<p>It is recommended that the Committee agree to:</p> <ol style="list-style-type: none"> <li>1. Extend the current facilities management arrangements at Clarendon Playing Fields on a month by month basis pending a further review of the arrangement at this site;</li> <li>2. Review the existing facilities management at Hammer Open Space which relates to the existing pavilion;</li> <li>3. Review the terms and conditions of the existing agreement relating to the Willowbank Complex to deal with the addition of the new 3G mini pitch.</li> </ol>

<b>3.0</b>	<b>Main report</b>
	<p>The Committee is asked to note that the Council has a variety of arrangements in place with local community sports groups relating to the management of some of its assets; these arrangements have been in place for some time, in some cases these will be facilities management agreements, which we are in the process of phasing out, others will be lease arrangements. Three agreements currently stand out as requiring attention to regularise and consolidate the management arrangement.</p> <p><b>Clarendon Playing Fields</b></p> <p>Clarendon Playing Fields is currently managed by the Clarendon Development Association as a facilities management agreement; this agreement was put in place on foot of external funding; however, the agreement is scheduled to terminate at the end of October 2015. Discussions are ongoing to review the existing arrangement which has worked satisfactorily over the years; the discussions are looking at potential Council and external investment in the site; we have planning permission for a mini artificial turf pitch to be constructed and the project is currently placed on the capital programme without commitment.</p> <p>It is proposed that the agreement be continued on a month by month until such time as a decision is taken into relation to future investment.</p> <p><b>Hammer Open Space</b></p> <p>This was previously managed through a facilities management agreement which included a natural turf pitch and a portion of an adjacent pavilion which was used for changing. A further portion of the pavilion was managed through Community Services.</p> <p>In 2010 it was agreed that the facilities management agreement of the pavilion be extended to include the whole of the building which would enable the club to provide hospitality for matches.</p> <p>In 2012 the football club, Shankill FC secured external funding from Sport NI to construct an artificial turf pitch to replace the existing natural turf; this work was completed and the club was granted a 10 year lease by the Council to comply with the terms and conditions of the funding. Since approximately July 2013 there have been different legal agreements</p>

	<p>in place regarding the assets.</p> <p><b>Willowbank Park</b></p> <p>The Council currently manages this asset through the Willowbank Sports Club on the basis of a facilities management agreement; this was commenced in March 2008 for a period of up to 20 years subject to a review every 5 years. In 2014 the surface of the facility was altered from polymeric to 3G, it is accepted that a review point was due during the development. Given that the nature of the asset has altered it is our intention to review the agreement to take account of the enhancement to this facility.</p> <p><u>Financial &amp; Resource Implications</u></p> <p>The financial implications will be established as part of the review process.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relation implications.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	None

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<b>Subject:</b>	Blythefield Park Alpha Fund Application
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Ricky Rice, City Parks Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>The purpose of the report;</p> <p>1. To seek support from the Committee for the Greater Village Regeneration Trust (GVRT) to apply for Alpha funding for improvement works at Blythefield Park.</p>
<b>2.0</b>	<b>Recommendations</b>
	<p>The Committee is recommended to support this application which will enable improvement works to take place at Blythefield Park.</p>
<b>3.0</b>	<b>Main report</b>
	<p>GVRT require Committee support to apply for the Alpha Programme Fund. The proposed improvements include</p> <ul style="list-style-type: none"> <li>• Environmental education programme</li> <li>• Outdoor Trail Gym</li> <li>• Creation of 2 woodland areas with timber pergola</li> </ul>

- Planting of 50 native trees
- Outdoor gym instructor for 40 weeks
- Living willow arches
- Benches

GVRT will work alongside The Conservation Volunteers as well as local volunteers to carry out this project, the majority of these volunteers will be aged 16-24.

This proposal has many key environmental , social , wellbeing , health and economic benefits which link to multiple cross cutting Northern Strategic , the key ones being;

**NI Biodiversity Strategy** – Identifying spaces in urban areas to protect and enhance biodiversity. This work will link to the local biodiversity planning for this area.

**Making Life Better Strategy** – This is a Public Health Agency NI Strategy for local people to be supported to connect with their local green space to recognise its value to improving and enhancing their physical health, social, and mental well-being.

**Five Ways to Well Being – DHSPNI** – The inclusive and interactive nature of the proposal will promote the Take 5 message. Connect local people to their green space and each other , keep learning by creating new opportunities and challenges through practical environmental workshops for people living in an inner city area , be active support local people to get out , feel safe and use their local green space for exercise , giving local people an opportunity to work together for a common positive purpose and supporting each other to achieve this goal, take notice increased understanding of their natural surroundings and how it benefits their health and well-being.

**NI Volunteering Strategy – DSD VOLUNTARY COMMUNITY UNIT** – This project will focus on bringing local people together to enhance their living green space for everyone’s benefit. GVRT will use our proven community development approach to engage local people in positive volunteering, promoting active citizenship by upskilling local people and building a strong sense of community ownership and skills bank to create sustained engagement.

#### Financial & Resource Implications

There are no financial implications for Belfast City Council as GVRT are applying for 90% of the total project cost (£21,843.60), GVRT’s ‘in kind’ support will pay for the remaining 10%.

	<p><u>Human Resources</u></p> <p>There are no human resource issues other than officer time and routine maintenance checks.</p> <p><u>Asset and Other Implications</u></p> <p>There is currently no asset implication.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no known equality implications as the Park will continue to be available for all to use.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 - The Alpha Programme Application.

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# The Alpha Programme

Application for Landfill Tax Credit Funding



**A partnership between Alpha Resource Management Ltd and Groundwork NI,  
In association with Belfast City Council, Lisburn & Castlereagh City Council  
And NI Housing Executive.**



**Housing  
Executive**

# Application for Landfill Tax Credit Funding

Organisation:	Greater Village Regeneration Trust												
Lead Contact Name:	Sarah Bowden												
Position:	Manager												
Address:	337 Donegal Road												
Telephone No:	02890333527												
Fax No:													
Website address (if applicable):													
Email:	sarah.bowden@tree-ni.org												
Address of the proposed site / project:	Blythefield Park , South Belfast												
Please estimate the distance from Mullaghglass Landfill site:	7.5 miles												
Please tell us what type of group you are (tick most relevant):	<table style="width: 100%; border: none;"> <tr> <td style="width: 30px; text-align: center;"><input checked="" type="checkbox"/></td> <td>Registered Charity</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Community Group</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Voluntary Group</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Social Enterprise</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Statutory Organisation</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Other (please state)</td> </tr> </table> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">             Charity Number: XR 43115         </div>	<input checked="" type="checkbox"/>	Registered Charity	<input type="checkbox"/>	Community Group	<input type="checkbox"/>	Voluntary Group	<input type="checkbox"/>	Social Enterprise	<input type="checkbox"/>	Statutory Organisation	<input type="checkbox"/>	Other (please state)
<input checked="" type="checkbox"/>	Registered Charity												
<input type="checkbox"/>	Community Group												
<input type="checkbox"/>	Voluntary Group												
<input type="checkbox"/>	Social Enterprise												
<input type="checkbox"/>	Statutory Organisation												
<input type="checkbox"/>	Other (please state)												
Is your group VAT registered?	<input type="checkbox"/> Yes <span style="margin-left: 200px;"><input checked="" type="checkbox"/> No - xxxx</span>												
If so, please attach proof of VAT status:													
Is your group registered with Entrust as an Environmental Body?	<input type="checkbox"/> Yes <span style="margin-left: 200px;"><input checked="" type="checkbox"/> No</span> If yes, please give your EB number <input style="width: 150px;" type="text"/>												
If registered as and EB, have you already registered this project with Entrust?	Project Registration (If project already registered with Entrust by another EB):												

What are the main activities & purpose of your group / organisation? Please attach details of your management committee and your Constitution / Memorandum & Articles of Association.

Greater Village Regeneration Trust was established in 1999 in response to a decline in the social and economic condition of the South-West Belfast area, with particular reference to housing. Since this time, GVRT has developed as an organisation delivering a wide range of thematic programmes and initiatives with the over-arching aim of achieving sustainable regeneration. The work of the Trust is based on local engagement, volunteer development, and is predicated upon deprivation indices and statistics.

The Trust is responsible for galvanising efforts to deliver sustainable regeneration in the area. Thematic work relates to:

Community cohesion – Women’s Shed on Wednesdays; Adonis and Athena Youth Programmes on Fridays to deliver short sessions to build capacity / knowledge / skills / empower; organising festivals and seasonal events; establishing and building Richview Regeneration Centre, which provides accommodation to smaller groups in the area, including a Sure Start Children’s Centre.

Community Safety – convening the Village Community Safety Partnership, delivering a range of initiatives, including quarterly newsletter, training for frontline workers and local residents, crime-prevention interventions

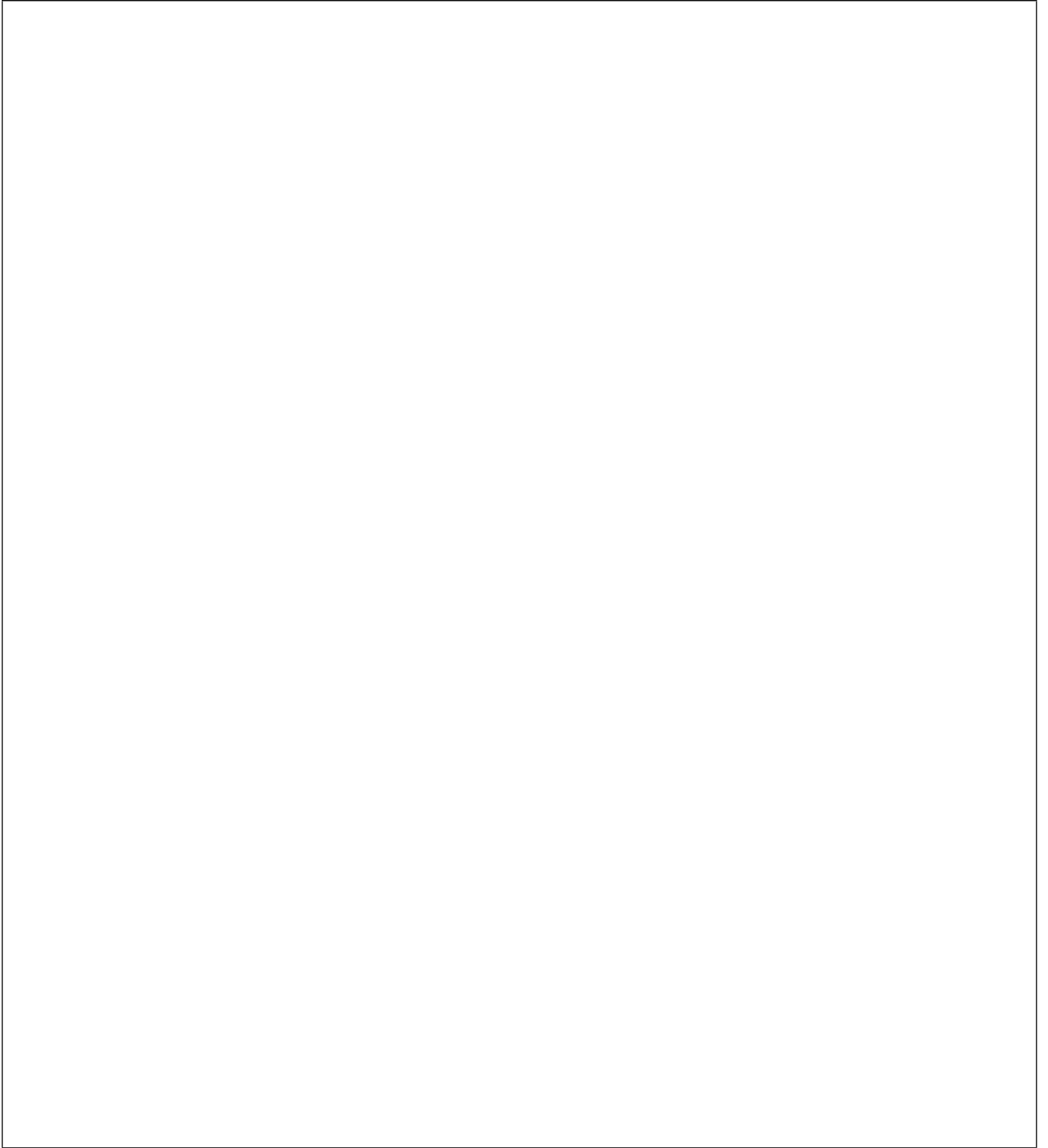
Culture & Arts – delivering murals and artwork; bringing in external guests to deliver sessions on cultural heritage and history to different audiences; organising visits to other locations in Northern Ireland to educate and enlighten people about other religions, cultures, political viewpoints, etc.;

Employment & Training – establishing and managing TREE Training Centre, an accredited centre, which delivers a wide range of employability and vocational training; providing job seeking support and mentoring; and organising work placements’

Health & Physical Activity – establishing and managing the Fit 4 Life Centre, which provides classes and open-gym sessions to 60+ local residents per day; delivering programmes such as Cook It Burn It! And Men’s Team Challenge (obesity programmes); delivering youth diversion and after-school activities; managing four Active Communities coaches and employing two in-house fitness instructors; capacity building with local sports teams, schools and volunteers

Housing – working with NIHE and housing associations on the delivery of comprehensive housing redevelopment and improvement of derelict properties; providing a comprehensive Housing Advice Service and support for tenants wishing to move, etc.

Physical & Environmental Improvements – working with the community and statutory agencies on the delivery of a wide range of projects, including clean-ups, tree planting, updating street furniture, managing the Blythfield Park Allotments



**Project Title / Name:** A Beautiful South Part 11

**Please provide a brief description of the proposed project (Max 200 words):**

*NB Please attach a map/site plan and any photographs or other relevant supplementary information.*

We are applying to you to enable us to carry out much needed work to try and improve Blythefield Park which connects the Donegall Road and Sandy Row and is in desperate need of attention. Blythefield park is the responsibility of Belfast City Council and currently has an allotments, bmx track and a 3g Pitch however there is space and potential for this to be developed into an area of great environmental quality. It is evident that Nature is a trouble and that over the last 50 years there has been a decline in a range of species and habitats. It is also widely proven that green space improved physical and mental wellbeing so we are looking to incorporate physical exercise into this area as well, by introducing a trial outdoor gym facility along the grounds of the park. GVRT has a framework Strategy for the area and although a significant amount has been achieved over the years, focus changes on a regular basis according to local need and is affected by current issues. The local area needs so much investment in relation to brownfield sites, blocked up properties, education and health and GVRT would like the area to be improved so that it is much more vibrant, healthy and above all a pleasant place to live. We would like to see Blythefield Park improved so that people will use the park instead of just using it to gain access from Donegall Road to Sandy Row and vice versa. For example we would like to introduce a Trail Gym which would be spread out from the start of the park and would lead through until the end of the park. This would be of great benefit to the 3 local primary schools and the 2 local nursery providers in the area. We would also propose to plant 50 6f native trees to enhance the areas along the pathways as at the moment it is just a plain grassed area with no character and isn't appealing. We also would like to introduce 2 woodland areas, which will have a pergola archways erected at the path entrances to entice people into the park and to make the area look more interested. For the woodland area we would also like to construct a wood chipped path edges with logs through the trees and include steps where required in order that people can gain access to these areas. This is where we aim to hold our educational nature trails and install our mini beast hotel that we have applied for through the Challenge Fund Application. This will enable us to work in partnership with the schools and complete a giving nature a home baseline study, giving the children an opportunity to assess the value on the environment and how conditions might change and explore what can be done to improve their local areas. We will also be able to carry out a big schools birdwatch programme and a bio blitz mini beast hunt. The children will all achieve their Wildlife Action Bronze Award.

Involve school children and families around the Greater Village Area (GVA) in South Belfast in discovering and raising awareness of the importance of the Urban area, for wildlife. Highlighting priority species (e.g. swift, hedgehog and house sparrows) and habitats that they can help to protect.

Work with P7 classes in schools around the GVA focusing on the natural heritage value of the area supporting children and families in exploring, understanding and sharing their local landscape:

- Deliver education sessions through outdoor learning to enthuse young people

about their urban landscape enabling them to gain an appreciation of the need to support/conservate local biodiversity.

- Provide a 'homestudy toolkit' resource to stimulate cross-generational discussion about the culture, natural history and secrets/treasures of their urban landscape.
- Record 'homestudy' information and from it produce 'It's in our Nature' Memory Map poster with shared vision for community distribution and downloadable resource.
- Distribute Memory Map poster
- Participation certificates for school children.

This project promotes education, awareness and appreciation of the natural, cultural and built heritage of the urban landscape. This project promotes the historic environment including the built and cultural heritage, and community action for biodiversity. The project will:

- give local children and their families a voice in their recognition of the importance of their urban landscape and of their appreciation of the biodiversity of the area.
- stimulate cross-generational discussion about the natural history of the landscape, and from this information a Memory Map will be produced. This document will present the shared memories and shared vision for the sustainable management of the landscape around the GVA area.
- be linked to the three main Curriculum Objectives, using ICT and also through The World Around Us and Language and Literacy Areas of Learning. The project will support the Eco-schools topics of Biodiversity, Water and Waste.
- encourage further action and provide details on how to benefit biodiversity on school grounds and in shared spaces within the local community.

The project will benefit the local GVA community, as well as providing benefits to the participating schools by providing resources and information about their local natural heritage.

'Homestudy toolkits' will provide links to the curriculum (Language and Literacy through talking and listening, reading and writing; The World Around Us through History, Geography and Environment).

'Homestudy toolkits' will be designed to stimulate cross-generational engagement. Children will 'interview' and talk to their parents and grandparents about their knowledge of the history, biodiversity and cultural heritage of the area. Adults will participate by sharing their knowledge and memories and helping to create a lasting record/treasure chest of facts, stories, and experiences, creating a shared vision for their urban landscapes.

The toolkit information will be collected as a Memory Map, providing personal and general information about the area for the wider public on issues of conservation and local wildlife. Materials will record information from the homestudy toolkit for each child to retain for this project (along with certificate of participation).

The project will foster increased pride in the value and importance of the biodiversity and landscape conservation of their urban landscape.

**Please provide details why the project is needed:**

This park has been neglected and isn't used the way it should be by local people due to the bad state that it is in. It is often littered with rubbish and is used as a dumping ground. The allotments are in a bad state of disrepair and although things are slowly improving this funding would allow us to make much needed improvement to the whole park and to introduce educational programmes and work alongside the 3 local primary schools to try and better educate and equip our young people to appreciate, make use of and understand their environment and the area in which they live. No such environmental programmes have been carried out in this area and the schools are extremely keen to carry out more environmental education. The usage of both the Allotments and the Park isn't great and we aim to improve the amount of people using this area and to actively encourage and promote the benefits of using green space and supporting the environment.

Currently within Blythefield Park we have provision for a BMX Track, Multi Use Games Area (MUGA), Outdoor Gym and allotments. The proposed project will compliment all these facilities by the introduction of new structures so that the implementation of activity based programmes will utilize all the facilities in the park and link them together. At present these facilities / resources are isolated within the park with no link between each resource, but the introduction of the PRO FIT Outdoor Trail Package will enhance the park and change how the park is used completely. At present we have local youth and senior football teams, youth and senior groups, and primary schools which all use sections of the park but with no major link to the next resource or indeed the other groups. If we have the ability for groups to use the whole area of the park it will not only change the outlook of the park but how it is utilized and owned by the local community.

**Please outline the environmental, community and / or biodiversity benefits of your proposed project:**

**Environmental Benefits:** Our Project is located in an area of high population density of inner south Belfast where access to open green space, gardens and nature is extremely limited. The Park offers valuable access to nature for local people which our project will enhance further. Transforming two overgrown sections into 'pocket gardens' with added features and interest will make the overall area look more attractive to people and wildlife. Environmental friendly messages will be integrated into our project e.g. anti-litter, grown your own etc., which will help local people recognise the value of green space and how to maintain it for wider benefits.

**Community Benefits:** The project will get local people involved in creating a pathway and planting trees, shrubs and flowers to transform an unsightly section of their local park. This will improve the visual appearance of the area and help protect this valuable green space for everyone to enjoy for health, leisure, relaxation and sport. Direct contact with green space is well reported to have positive impacts on people's health and well-being. This project will create safe access into sections of our park for people to enjoy, bringing them in closer contact with our natural world and encouraging them to increase their exercise levels through walking and social contact by joining in the help on a common cause. Local people of all ages will be engaged in this project to increase their sense of pride and ownership. By specifically engaging youth groups we will address local issues of anti-social behaviour and use this practical project to build bonds between different age groups within our community building a culture of active citizenship.

**Biodiversity Benefits:** We will buy in the services and expertise of The Conservation Volunteers to ensure that the project is completed to the highest environmental standards. This will include the removal of invasive species and replanting with native varieties to attract maximum insect and wildlife. People using the park will have limited understanding of biodiversity, and this project will demonstrate how through being involved and taking small steps as a community can have wider biodiversity benefits.

<b>Estimated project start date:</b>	<b>September 2015</b>
<b>Estimated project end date:</b>	<b>August 2016</b>
<p><b>Please outline the key project milestones and objectives with timescales</b> (this should include details on what you want to achieve over the above estimated start and end project dates):</p> <p>We would aim to start all of the work and kick off the programme in September and would propose to have a completion date of August 2016 if not before. The key milestones are that the 2 woodland areas of constructed and operational by March 2016 in order that the Educational Programmes can be introduced in during April – June as we are installing swift nest boxes throughout the area and these will need to monitor for the 12 week period that the swifts are present during May / June 2016. Another key milestone is that the Trail Gym is installed and ready for use by Summer 2016 so that we can have an official launch in and around this time.</p>	
<p><b>Please detail any experience you have had in managing similar projects (evidence project cost and financial management experience):</b></p> <p>GVRT has a wealth of experience in managing projects and has a dedicated and highly professional finance department. GVRT Manages the contract for Neighbourhood Renewal for the area and as such is responsible for other local organisations financial accounts and payments. We have been awarded money in the past for re-imaging projects and have recently been awarded the Lead Partner for the Social Investment Fund Contract for South Belfast and as such manage a large amount of government money.</p>	

**Please give details of support gained & involvement/consultation of the local community, schools, statutory bodies and so on** (Please enclose any letters of support and / or evidence of community consultation / engagement):

We have had discussions with the 3 local Primary Schools and they are extremely keen to participate in any educational programmes that we can get involved in, especially ones based around the environment and nature as to date they haven't been able to avail of these opportunities.

We have also got support from local Women's Group who use the allotments and feel that the bad state of the park is a deterrent from people wishing to gain access to community based allotments or projects that involve the park. This piece of green space should be used for exercise and social events but to date it's not due to the lack of amenities and its bad state. We have also had discussions with the young people in the area from TREE Training Centre and they would be keen to get involved in this project as they feel this area is right on their doorstep and has reached its full potential and isn't used as much as it could be. They feel it has been tarnished due to all the negative publicity it has had recently with regards to anti-social behaviour , dumping , drugs and alcohol and they would very much like to be involved in a more positive programme to promote the park and the area as a whole.

**Who will carry out the work/project?** (Please note that successful applicants will be required to detail any connection between the applicant organisation and/or its Members and any contractor or supplier that may be asked to tender or supply any element of the project before any tendering process is started).

GVRT will work alongside Conservation Volunteers and will use its own community volunteers to carry of the project. The majority of these volunteers will be aged 16 – 24 (young people not in employment or training), we will also have volunteers from Probation Board NI who are with us on Community Service, Blythefeld Allotments Committee and a local well women’s and senior moments group.

**Please show how the project will be sustained long term; include details of how it will be maintained, and how this ongoing work will be funded (if applicable):**

The community volunteers will manage this site through our youth diversionary project, the allotments committee and GVRT staff. GVRT regularly hosts community clean up days and events and its anticipated that we will host specific community clean-up and maintenance days for the park to ensure that it is kept in a clean , tidy and respectful manner after the programme has been completed.

**Who owns the proposed project site?** Please provide written evidence of support for this project from the landowner(s)/landlord(s)

Belfast City Council own the Blythefield Park Site and also the Allotments Site. GVRT provides a Chair for the Allotments Committee and staff also sit on the forum involved in the Park.

**Please give details of permissions obtained e.g. planning or building control etc:** (Please enclose copies of all relevant documentation).

None needed

**Please detail how the project (1) links to other strategies (local, regional and/or national) and (2) complements existing facilities:** (Please name each proposed relevant strategy and how the proposed project compliments it).

This proposal has many key environmental , social , wellbeing , health and economic benefits which link to multiple cross cutting Northern Strategic , the key ones being;

**NI Biodiversity Strategy** – Identifying spaces in urban areas to protect and enhance biodiversity. This work will link to the local biodiversity planning for this area.

**Making Life Better Strategy** – This is a Public Health Agency NI Strategy for local people to be supported to connect with their local green space to recognise its value to improving and enhancing their physical health, social, and mental well-being.

**Five Ways to Well Being – DHSPNI** – The inclusive and interactive nature of our proposal will promote the Take 5 message. **Connect** local people to their green space and each other , **keep learning** by creating new opportunities and challenges through practical environmental workshops for people living in an inner city area , **be active** support local people to get out , feel safe and use their local green space for exercise , **give** to others local working together for a common positive purpose and supporting each other to achieve this goal, **take notice** increased understanding of their natural surroundings and how it benefits their health and well-being.

**NI Volunteering Strategy – DSD VOLUNTARY COMMUNITY UNIT** – Our

project will focus on bringing local people together to enhance their living green space for everyone's benefit. We will use our proven community development approach to engage local people in positive volunteering, promoting active citizenship by upskilling local people and building a strong sense of community ownership and skills bank to create sustained engagement.

(please use separate page(s) if necessary)

**Please outline other funding sought, gained or previously rejected:**

Please enclose copies of all relevant documentation.i.e. Copies of Letters of Offer(s) received.

We have submitted an application to the Challenge Fund which we called 'A Beautiful South' this application was for Educational Programmes and the construction of a water feature , minibeast hotels & nature trails , seated areas , planters , repainting of abandoned shop fronts etc. We hope that we are successful in this funding application in order to kick start this initiative, it is hoped that we are then successful in this Alpha Application in order to complete and add value to this very important piece of work.

**Groups are expected to raise a minimum 10% of the project costs, please give details of how this will be accomplished:** (Contributions can either be in monetary terms, 'in kind' support or a mix of both). .

GVRT will coordinate and have overall responsibility for managing this project – covering financial, operational and administrative management. It will further provide staff to man and provide assistance in the start-up period when the new trail gym is installed to ensure that local people get the maximum value and usage from the equipment. It will engage with the local community groups and schools to ensure that they get the correct training programmes drawn up and that everyone benefits from the new equipment. GVRT has a policy of valuing this at 10% of the cost of the project.

GVRT will achieve the operational delivery through the Blythefield Park Allotments Committee and our key community volunteers using a structured approach of planning meetings, consultation, monitoring and review. The Allotments Committee has six members, who have each agreed to commit 12 hours to the success of the project. A total of 72 hours of volunteer time will be given to this project. (The government recognise a value of £52 per day for a volunteer's contribution to volunteering); as such, the volunteers' contribution will be £624 (approximately).

GVRT will also make its facilities available for meetings and training. In the form of room hire, stationary, tea, coffee and refreshments. GVRT charges its board room out at £30 per meeting, and it is anticipated that there will be four meetings over the course of the project delivery: i.e. £120.

<b>Total Project Cost (include VAT if appropriate):</b>	<b>£21843.60</b>
<b>How much Alpha funding are you seeking (include VAT if applicable):</b>	<b>£19899.60</b>
<b>Do you anticipate any income will be generated from the project?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>If yes, how much income per annum is expected (to the nearest £1,000)?</b>	<b>£0</b>

Please outline the project budget, highlighting which aspects are to be funded through the Alpha Landfill Tax Programme and any other funding contributions (including 'in kind' support). Include as much detail as possible:

Item (Capital items)	Cost £	Alpha contribution	Other funding secured (please specify)	Total
Creation of 2 woodland areas with timber pergola archways	£1200	£1200		£1200
Wood Chip path edged with logs through trees including steps and chipped seating areas for seating	£1200	£1200		£1200
Living Willow arches plus tunnel along pathways	£900	£900		£900
Plant 50 6ft native trees	£1250	£1250		£1250
Pro Fit Club Outdoor Trail Gym Package	£9999.60	£9999.60		£9999.60
Benches	1000	1000		1000
Educational Programme	£4350	£4350		£4350
Outdoor Gym Instructor - £25 per hour x 3 hours per week x 40 weeks per annum	£1200		In Kind GVRT	£1200
Meeting Facilitations and Hospitality	£120		In Kind GVRT	£120
Volunteer Time	£624		In Kind GVRT	£624

<b>Total Project Costs:</b>	£21843.60	£19899.60		£21843.60

We certify that the information contained in this application is correct and confirm that this project will be carried out as described in the application.

We acknowledge that this application will be subject to regular monitoring/auditing and undertake to keep adequate records for this purpose.

We will inform the funding body responsible for supporting this project of any significant changes.

We understand that providing wrong or misleading information is an offence and such information will be used against us in any subsequent criminal investigation.

Signature:	S Bowden	Print Name:	SARAH BOWDEN
Position within group:	MANAGER		
Date:	7 <sup>th</sup> September 2015		

***In order to support your application it would be helpful if you could provide details of the anticipated benefits your project will generate. Where a benefit is not appropriate please indicate this by entering the answer N/A***

Benefit	Answer			
	Yes	Yes	No	
Where applicable, will the project use any type of recycled material?				
Where applicable, please estimate the number of new or existing jobs as a result of the development of this project.	0			
Where applicable, please estimate the number of full time jobs that will be created or maintained once the project has completed.	0			
Where applicable, please estimate the number of part time jobs (less than 18 hours per week) that will be created or maintained once the project is completed.	0			
Where applicable, please estimate the number of people who will obtain training qualifications or recognised skill, directly linked to the development of this project.	40			
Where applicable, please estimate the number of users that currently use the site per year.	200			
Please estimate the number of users that will use the site per year after the project has completed.	500			
Where applicable, please estimate the current footfall of the site per year.	na			

Please estimate the footfall of the site after the project has completed	na
Where applicable, please estimate the number of schools which currently visit the site.	0
If you anticipate that the project will increase school visits once completed, please estimate by how many.	3
What is the total value of LCF funding that will be used to make improvements or provide improved facilities for people with disabilities?	na
Will this project make changes which result in improved energy efficiency?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If you are able to, please estimate the estimated total utility cost saving of the project per annum once the project is complete.	na
What is the local authority area for the project site?	Belfast City Council
Number of volunteers expected to help in the delivery of this LCF project.	50
Number of youth volunteers working on this project	40
Number of youth volunteering days created by this project	72 hours approx.
If you are improving areas of land (excluding land for building development), please estimate the number of hectares that will be worked on as part of this project.	Approx. 2 hectares
If you intend to plant trees as part of this project, please estimate how many will be planted.	50

## CHECKLIST

### For all applicants

You must include all items on this checklist with your application.

### All items must be included with your application

1	A copy of your organisation's constitution
2	A copy of your organisation's latest accounts / management accounts
3	Supporting project photos / project plans
4	Letters of support / evidence of community consultation (if applicable)
5	Evidence of support of project from Landowners/Landlords
6	Proof of VAT status (if applicable)
7	A copy of all funding confirmation letters received
8	Copies of planning consents (permissions / building regulations)



<b>Subject:</b>	Active Communities
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier, Director Parks and Leisure Department
<b>Contact Officer:</b>	Caroline Wilson, Neighbourhood and Development Manager

<b>Is this report restricted?</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>To advise committee of correspondence received from Sport NI indicating that their funding for the Active Communities programme will cease at the end of March 2015.</p> <p>Belfast City Council is the lead partner in delivering the Active Communities with financial support for coaches' salaries and delivery costs from Sport NI. We manage the programme through delivery contracts with three partners and provide finance for management costs. Our delivery partners are Disability Sport NI (DSNI), Greenwich Leisure Limited (GLL) and Belfast Community Sports Development Network (BCSDN). Our funding agreements provide finance for coaches working across the city on a diverse range of activities.</p>
<b>2.0</b>	<b>Recommendations</b>
	<p>That Council advises its delivery partners of the correspondence received from Sport NI and the end date of the programme in order that they can make arrangements with staff.</p> <p>That Council seeks clarification from Sport NI on planned participations programmes going forward as consideration will need to be made in the 2016 – 2017 revenue estimates if another programme is offered.</p>

<b>3.0</b>	<b>Main report</b>
	<p><u>Key Issues</u></p> <p>Sport NI funds Belfast City Council for coaches' salary, development and programme costs.</p> <p>Belfast City Council provides financial support to our delivery partners for management costs.</p> <p>Delivery partners have structures in place for the employment of 26 coaches.</p> <p>Council is contracted to deliver specific annual targets for coaching through our delivery partners</p> <ul style="list-style-type: none"> <li>• 21,249 individual participants</li> <li>• 11,687 participants that are female</li> <li>• 3,187 participants that have a disability</li> <li>• 3,272 participants that are older people</li> <li>• 14,350 hours</li> </ul> <p><u>Financial &amp; Resource Implications</u></p> <p>Grant income of £613,201 will end in March 2016.</p> <p>There are no human resource implications for Belfast City Council staff.</p> <p>Delivery partners have 24 coaches currently in post.</p> <p><u>Equality or Good Relations Implications</u></p> <p>None.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 - Correspondence from Sport NI

09 September 2015

AC/09/06

Ms Suzanne Wylie  
Chief Executive  
Belfast City Council  
Chief Executive's Department  
Belfast City Hall  
Belfast  
Co Antrim  
BT1 5GS

Dear Suzanne,

**Re: Active Communities**

Sport Northern Ireland would like to take this opportunity to remind your organisation that your Active Communities Award will expire on 31 March 2016, as per your most recent Letter Of Offer dated 19 December 2014.

On behalf of SNI, I would like to take this opportunity to thank you for your continued support in the delivery of the Active Communities programme over the last five years. I am mindful that your organisation is in the middle of one of the most significant transformations experienced by NI local government in the last forty years; that change, accompanied by the expiration of the Active Communities programme poses a risk of loss of focus and underachievement against our agreed targets. I am confident that with your continued support and collaborative working with SNI we can work together to ensure that risk does not materialise.

Sport Northern Ireland is contacting each of the 11 District Councils at this time — to ensure that your organisation has adequate time to plan its own transition strategies for key personnel involved in the Active Communities programme who may be affected. If you have any queries in respect of this letter, please contact your Programme Development Officer (Angharad Bunt) on 028 9038 3880 or by email [angharadbunt@sportni.net](mailto:angharadbunt@sportni.net) in the first instance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'N. Harkness', written in a cursive style.

**Nick Harkness**  
**Director of Participation and Facilities**

cc: Paddy McGrattan

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<b>Subject:</b>	Off-Street Car Parking: Future Delivery Options
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Siobhan Toland, Lead Operations Officer
<b>Contact Officer:</b>	Damian Connolly, Environmental Health Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	The purpose of this report is to seek Committee approval on the recommended optimum service delivery method for off-street car parks across the 11 council sector post 31 <sup>st</sup> October 2016.
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is recommended to approve the proposal put forward by the 'Off-Street Parking Subgroup' (which has representation from all 11 councils) and which was further endorsed by the Local Government Chief Executives' Group (LGCEG) on 28 August to: <ul style="list-style-type: none"> <li>- <i>enter into discussions with the DRD to extend the Agency Agreement and Technical Specification for all councils, for the delivery of off street parking for a further period of 3 years - with the option to extend beyond this time if required.</i></li> </ul>
<b>3.0</b>	<b>Key issues</b>
3.1	<b>Background</b> The transfer of the Off-Street Parking functions from the DRD to local councils occurred on 1 April 2015 by virtue of the Off-Street Parking (Functions of District Councils) Act 2015. In preparation for the transfer, it was agreed that local government would establish a

	<p>Regional Off-Street Parking Group (a sub-group of LGCEG) to take forward the operational actions required to ensure the smooth transfer of the function and assets on 1 April.</p>
3.2	<p>At the last meeting of the Regional Group on 30 June 2015 the representatives from the councils examined a detailed options paper covering a variety of possible service models for the delivery of off-street parking after October 2016 with a view to making a recommendation to the LGCEG on a preferred way forward</p> <p><b><i>Options for Future Delivery Models</i></b></p>
3.3	<p>The Regional sub group met in June 2015 to review the potential service delivery options for post 31<sup>st</sup> October 2016. The options considered covered a variety of possible service delivery models ranging from the 'as is' Agency Agreement, to the internalisation of the function within each council to the externalisation of all aspects of the service via an alternative means.</p>
3.4	<p>The Group unanimously agreed to support the option to <b><i>maintain the status quo and enter into discussions with the DRD to extend the Agency Agreement and the Technical Specification for all councils for a period of 3 years.</i></b></p>
3.5	<p>This option would extend the Agency Agreement with DRD but would seek flexibility with respect to aspects that councils normally deliver in house - such as cleaning and maintenance of planted areas.</p>
3.6	<p>It was proposed that the Agency Agreement be extended for 3 years with an option to extend if required until the end of NSL contract.</p>
3.7	<p>There are a number of factors which contributed to the selection of this option by the Sub-Group and these are listed below:</p> <ul style="list-style-type: none"> <li>▪ This is a new function transferred to the councils and they are still learning about the operating business and given the dates decisions are required by, it was considered still very early for councils to make a call on what changes would be for the best. To date there have been no significant issues with the Agency Agreement and no complaints from the public.</li> </ul>

- New council structures and service models are still in a state of transition and more time may be required to decide on the most effective and efficient arrangements for the management of off-street car parking within other corporate agendas.
- Continuing with the existing Agency Agreement will mean minimal change for the councils as there is significant work to redesign the service. Also the detailed work and negotiations in terms of developing and reaching agreement on the Agency Agreement and Technical Specification has only recently been completed.
- The timeframes for agreeing and implementing a new service delivery model at this stage are extremely tight and may leave councils vulnerable if the successful implementation was not completed on time to the required standard.
- Remaining with the status quo will ensure continuity of service for the public. It would also mean that significant officer time would be saved and the considerable procurement costs of such an exercise would be avoided.
- Given the size and scope of the current contract DRD procured the Council officers on the regional group are of the view that we are getting economies of scale and therefore receiving value for money in this contract. If arrangements were to change each council would have to consider how effective and efficient a new service delivery would be.
- A final key element in reaching this conclusion was that an extended / renegotiated Agency Agreement and Technical Specification would allow the councils time to determine the objectives to be achieved from car parking and consider and develop a long term parking approach or strategy for the future benefit of their districts.

***Back up option***

3.8 A further backup option was also agreed in the event that DRD are unwilling to continue to provide the back office Penalty Charge Notice (PCN) processing as part of the agreement post Oct 2016. This option would involve the separate procurement of PCN processing with IT support whilst drawing on the current NSL contract through a new Agency Agreement with DRD.

## **Conclusion**

- 3.9 The Sub Group concluded that to move away from the current arrangements and either go through a separate procurement exercise or bring in house would be costly, complicated and time consuming given the experience and knowledge of the local authorities in this function. In addition, such a move away from the current Agency Agreement and Technical Specification would require councils to acquire alternative provision of each of the aspects currently covered by both the DRD and NSL as set out below:
- 3.10 **The DRD element** of the Agency Agreement and Technical Specification covers:
- *Contract Management of NSL*
  - *PCN processing including staff costs / challenges and appeals process / IT systems and support / collection of PCN income banking and administration (including CC charges) / stationary / legal fees / DVA costs*
  - *Communications*
  - *Reconciliation of income streams (cash / season tickets / cashless payments)*
  - *Queries*
  - *Audit checks of income streams*
  - *Management information reports*
- 3.11 **The NSL element** covers:
- *Traffic attendants deployment including enforcement patrols / issuing PCNs / Equipment / Uniforms / attendance at appeals / training / supervision / management / administration / stationary / office overhead etc*
  - *P&D machine maintenance including servicing / parts & labour / tickets etc Cash collection, reconciliation and banking including staff / premises / banking charges / vehicles / insurance etc*
  - *Cleaning including litter picking / mechanical sweeps/ annual mechanical sweep covering vehicles / materials / insurances and so on*
  - *Plant maintenance*
  - *Annual mechanical sweep*
  - *Signage provision*
  - *Clamping and removal*

3.12	<p>As well as the consideration and inclusion of these elements in any future delivery model consideration was also given to the financial impacts of change as well as the HR aspects such as TUPE, the significant change the councils have already encountered and will further encounter with the transfer of regeneration in 2016, as well as the officer time that would be required to ensure councils were in a position to deliver this function through an alternative method.</p> <p><b>Financial &amp; Resource Implications</b></p>
3.13	<p>The financial implications are not known at this time but updates will be brought as and when negotiations begin / progress with the DRD. The DRD will enter into negotiations with the supplier upon endorsement from the 11 councils and will provide indicative costing as soon as they are known. Officer time will be required to organise and undertake the negotiations including officers from Environmental Health, Legal Services, Financial Services and the LGR Office. Other specialist officers may be called upon if required.</p> <p><b>Equality or Good Relations Implications</b></p>
3.14	<p>There are no equality or good relations implications at the time of writing.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
4.1	None

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<b>Subject:</b>	Control of Graffiti in Belfast - Update report
<b>Date:</b>	13 <sup>th</sup> October 2015
<b>Reporting Officer:</b>	Sam Skimin, Head of Cleansing Services
<b>Contact Officer:</b>	Sam Skimin, Head of Cleansing Services

<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	At Council on 1 <sup>st</sup> September 2015 a Member raised issues around the report on Control of Graffiti in Belfast, taken to the People and Communities Committee on 11 <sup>th</sup> August 2015 (extract from the minutes of the meeting attached at <b>Appendix 1</b> ). The Member wished the issue of Council powers, in relation to removal of graffiti, be better clarified and wished to propose that the Council undertake graffiti removal on private dwellings. The Chief Executive advised that this proposal could add an additional burden on the Council without it being debated at Committee first. She advised that the matter would be better dealt with via a further report to Committee.
1.2	The purpose of this report is to address the issues raised by the Member and to take further instruction from Committee as to the way forward.
<b>2.0</b>	<b>Recommendations</b>
2.1	Members are asked to: <ul style="list-style-type: none"> <li>(i) Note the update provided in this report;</li> <li>(ii) Note the complex issues and significant costs associated with tackling graffiti removal across Belfast and the responsibilities of property / site owners to carry out maintenance at their own expense;</li> </ul>

	<p>(iii) Advise if they wish any changes to the approach agreed in Section 3.16 of the report considered by Committee on 11<sup>th</sup> August 2015, to further develop initiatives to tackle the issue of graffiti, these included:</p> <ul style="list-style-type: none"> <li>• engagement with external partners to raise the profile of graffiti within their organisations, to highlight their responsibilities in relation to graffiti removal on their properties and sites, and to agree actions for them to address the issue of graffiti, including site monitoring and graffiti reduction / removal programmes;</li> <li>• creation of an internal group to coordinate activities within Belfast City Council;</li> <li>• a review of the present school education and awareness programme to incorporate a comprehensive anti graffiti message;</li> <li>• further engagement with communities to explore initiatives for graffiti reduction in their areas;</li> <li>• where appropriate, the use of FPNs and Defacement Removal Notices; and</li> <li>• Committee write to the Department of the Environment requesting them to review Councils' current enforcement powers, with a view to widening the scope of Council powers to issue Defacement Removal Notices.</li> </ul> <p>(iv) Note that a progress report will be presented to Committee in approximately 4 months.</p>
<p><b>3.0</b></p>	<p><b>Main report</b></p>
<p>3.1</p>	<p><b><u>Key Issues</u></b></p> <p>In response to the report on the control of graffiti in Belfast, agreed by the People and Communities Committee on 11<sup>th</sup> August 2015, and put forward at Council on 1<sup>st</sup> September 2015, the following points were raised by a Member:</p> <ul style="list-style-type: none"> <li>• Request for an update on the powers available to Council to deal with graffiti;</li> <li>• That there is no Council policy in relation to removal of graffiti;</li> <li>• There would be no need for a dedicated team just some prioritisation;</li> <li>• A proposal that the Council reconsiders its position of not removing graffiti from private property.</li> </ul>

### **Council Powers in relation to graffiti removal**

3.2

This issue was covered somewhat in the original report but advice from legal services is as follows:

The Council has had the *discretionary* power to remove graffiti since the introduction of Article 18 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 ('the 1985 Order'). Whilst there is a discretionary power to remove graffiti, it cannot be removed if it is displayed within a building to which there is no public right of access. There is no definition of the phrase 'within a building' in the 1985 Order. Using the ordinary dictionary definition of the word 'within', would suggest that the Council could potentially remove graffiti from private property. Given the fact the power is discretionary and only applies where there is an amenity issue, it can be reasonably inferred that the legislature intended that responsibility for removing graffiti should usually be borne by the property owner and not the Council.

3.3

If the Council does decide to exercise its powers under Article 18 of the 1985 Order, a property owner could sue the Council in the event that damage is caused to their property. That has been problematic in the past and has given rise to attempts to claim compensation. There have also been circumstances where owners have complained about the colour of paint that has been used to cover up graffiti. In addition, if the external part of the property is within private land, the Council must obtain the consent of the landowner before going in to exercise its powers under Article 18.

3.4

There are also 2 other powers to deal with graffiti.

(i) **Fixed Penalty Notices (FPNs)**

Belfast City Council can only issue FPNs in respect of graffiti in certain circumstances and only against the individual when the offence is being committed.

(ii) **Defacement Removal Notices (DRNs)**

The Council's powers in relation to DRNs were greatly curtailed with the introduction of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011. Prior to this Act the Council could serve DRNs on almost any property owner. Currently the Council is restricted to serving DRNs on the owners, occupiers, operators (such as telecommunication companies and outdoor advertising companies) of "relevant surfaces" (including street furniture), statutory

	<p>undertakers and educational institutions whose property is defaced with graffiti. The general guidance however indicates that the Council should endeavour to enter into constructive partnerships with relevant bodies to remove graffiti within agreed times and minimise the need for DRNs, which should only be issued as a last resort.</p>
	<p><b><u>Policy on graffiti removal</u></b></p>
3.5	<p>There is no specific Council policy on graffiti removal but the Council's current and long standing operational practice is to deploy Cleansing Services resources to remove graffiti from Council owned property and, in the case of contentious or offensive graffiti; to remove it from private property, with the owners signed permission. This approach is in line with many Local Authorities across the UK. During the period 2014/2015, 439 incidents of reported graffiti were removed by the Council from 307 locations.</p>
3.6	<p>In all other cases removal of graffiti from property forms part of the normal maintenance responsibility of the person or organisation responsible for the upkeep of the property / site. This includes public and private landlords, other statutory bodies, business owners, private householders, education authorities, utility companies etc.</p>
	<p><b><u>Finance and resource issues</u></b></p>
3.7	<p>Cleansing Services have limited resources to remove graffiti and under current budget provision are unable to assign a dedicated team to this function. One Cleansing Services Team undertakes graffiti removal as part of its multidisciplinary functions which include, power washing streets, gum removal, land clearance, fly posting removal and bulky household waste collections. This team can manage the current workload generated by the requirement to remove graffiti from council properties and requests to remove contentious or offensive graffiti elsewhere.</p>
3.8	<p>As stated previously, the responsibility for removal of graffiti should form part of the responsibilities of the person or organisation accountable for maintaining the premises / site. It could be a considerable burden on the rates if Council decided to undertake graffiti removal on sites which are the responsibility of others.</p>

3.9	<p>By way of example, in 2013 Cleansing Services participated in a three month, multi partnership regeneration initiative in an area comprising 74 streets in the Lower Falls area. Cleansing Services deployed one priority waste team which removed graffiti from one hundred and fifty sites in the area. The graffiti ranged in size and type and was removed from all properties following completion of the necessary disclaimer. Several issues evolved during the project which included problems obtaining the necessary signed disclaimer from property owners, access difficulties and staff being threatened. On occasions staff had to be accompanied by local representatives during the graffiti removal process. The cost to remove graffiti in this 0.3452km<sup>2</sup>, over a three month period, amounted to £30,000 which was funded from non recurring monies. A recent review of the same area identified that new graffiti had occurred, despite attempts by local communities to control it.</p>
3.10	<p>If a priority waste team were deployed to remove the current build up of graffiti, it is estimated that it would require one dedicated priority waste team, working full time for two weeks, at a cost of approximately £5,000. Therefore it can be established that, undertaking intensive graffiti removal, across the 4,688 streets in Belfast, would have significant cost implications for the Council.</p>
3.11	<p>Any decision to start removing general graffiti from private areas would have resource implications for the Council and would require further dedicated graffiti removal teams, as we would have to respond to all requests. The extent of this would depend on the number of requests, but if the Council were to offer this free service the uptake could be considerable. There would also be issues of identifying which was private housing and which was housing under the control of private and public landlords, who should be paying to maintain their own properties, for which they receive rental income. There is also a further potential service impact if we to operate this for commercial buildings, especially in areas where there are vacant properties.</p>
3.12	<p>It is difficult to quantify actual costs at this point, given that level of demand is unknown, but at least one additional graffiti removal team, with vehicles and equipment would be required, even if demand was reasonably low. The likelihood however is that multiple teams would be required, based on the experiences of Glasgow and Dublin, outlined in the original report of 11<sup>th</sup> August 2015. We would also need additional members of staff in the customer contact centre to deal with the additional levels of requests.</p>

3.13	The cost of one graffiti removal team, with vehicle, equipment and consumables and one call centre operative, would be in the region of £114,000 per annum. This would be multiplied up in line with the level of demand. If the members wished to realign existing resources, then these would have to come from Street Cleansing operations, with a corresponding reduction in that service.
3.14	Figures estimate that the annual cost of graffiti removal throughout the United Kingdom exceeds £1 billion. It should be noted that in most cases UK Mainland authorities carry out the functions of housing, education, roads etc., therefore have responsibility for much of the public realm. Much of the graffiti they remove would be on properties and sites for which they are responsible.
3.15	<p><b><u>Equality or Good Relations Implications</u></b></p> <p>Incidents of reported contentious graffiti include political, sectarian and racist remarks. Council recognises the importance of removing such graffiti, where possible, as quickly as possible to reduce interface and community tension.</p>
3.16	All graffiti removal is undertaken in line with Council's equality and good relations policies and procedures.
<b>4.0</b>	<b>Appendices – Documents Attached</b>
4.1	<b>Appendix 1</b> - Extract from the minutes of People and Communities Committee of 11 <sup>th</sup> August 2015 - <i>Control of Graffiti in Belfast</i>

# People and Communities Committee

Tuesday, 11th August, 2015

## MEETING OF PEOPLE AND COMMUNITIES COMMITTEE

### **Control of Graffiti in Belfast**

(Mr. S. Skimin, Head of Cleansing Services, attended in connection with this item.)

The Committee considered the following report:

#### **“1.0 Purpose of Report or Summary of main Issues**

**1.1 The purpose of this report is to provide members with information in respect of the control and removal of graffiti in the city. The report specifically deals with the following:**

- **current operational practice**
- **cost implications**
- **council initiatives to prevent graffiti**
- **best practice research**
- **future approach to tackle the issue of graffiti**

#### **2.0 Recommendations**

**2.1 Members are asked to:**

- (i) Note the complex issues and significant costs associated with tackling graffiti removal across Belfast and the responsibilities of property / site owners to carry out maintenance at their own expense.**
- (ii) Approve the future approach, outlined in Section 3.16 of the report, to further develop initiatives to tackle the issue of graffiti, including:**
  - **engagement with external partners to raise the profile of graffiti within their organisations, to highlight their responsibilities in relation to graffiti removal on their properties and sites, and to agree actions for them to address the issue of graffiti, including site monitoring and graffiti reduction / removal programmes;**
  - **creation of an internal group to coordinate activities within Belfast City Council;**

- a review of the present school education and awareness programme to incorporate a comprehensive anti graffiti message;
- further engagement with communities to explore initiatives for graffiti reduction in their areas;
- where appropriate, the use of FPNs and Defacement Removal Notices; and
- Committee write to the Department of the Environment requesting them to review Councils' current enforcement powers, with a view to widening the scope of Council powers to issue Defacement Removal Notices.

(iii) Note that a progress report will be presented to Committee in approximately six months.

### **3.0 Main report**

#### **Key Issues**

- 3.1** At the Committee meeting held on 21 April 2015, Members requested that a report be presented to Committee outlining the current policy in respect of the control and removal of graffiti, together with details of the cost implications and potential benefits of Council working in partnership with the community and business sectors to address the issue.
- 3.2** Graffiti is a prevalent and obvious environmental problem, linked to anti social behaviour in many areas of Belfast. It is unsightly and can sometimes be contentious and offensive, degrading streets, properties and public amenities. Although it is recognised that graffiti is widespread, most graffiti does not appear on Council owned property.
- 3.3** Belfast City Council does not have a statutory duty to remove graffiti. The Council's current practice is to deploy Cleansing Services resources to remove graffiti from Council owned property and, in the case of contentious or offensive graffiti; we will remove it from private property, with the owners signed permission. This approach is in line with many Local Authorities across the UK. During the period 2014/2015, 439 incidents of reported graffiti were removed by the Council from 307 locations.
- 3.4** In all other cases removal of graffiti from property forms part of the normal maintenance responsibility of the person or organisation responsible for the upkeep of the property / site. This includes public and private landlords, other statutory bodies, business owners, private householders, education authorities, utility companies etc.

**3.5** Cleansing Services have limited resources to remove graffiti and are unable to assign a dedicated team to this function under current resources. One Cleansing Services Team undertakes graffiti removal as part of its multidisciplinary functions which include, power washing streets, gum removal, land clearance, fly posting removal and bulky household waste collections. This team can manage the current workload generated by the requirement to remove graffiti from council properties and requests to remove contentious or offensive graffiti elsewhere.

**3.6** The Council also has some limited enforcement powers:

There are 2 powers to deal with graffiti.

**Fixed Penalty Notices (FPNs)**

Belfast City Council can only issue FPNs in respect of graffiti in certain circumstances and only against the individual when the offence is being committed.

**Defacement Removal Notices (DRNs)**

The Council's powers in relation to DRNs were greatly curtailed with the introduction of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, in that prior to this Act the Council could serve DRNs on almost any property owner. Currently the Council is restricted to serving DRNs on the owners, occupiers, operators (such as telecommunication companies and outdoor advertising companies) of "relevant surfaces" (including street furniture), statutory undertakers and educational institutions whose property is defaced with graffiti. The general guidance however indicates that the Council should endeavour to enter into constructive partnerships with relevant bodies to remove graffiti within agreed times and minimise the need for DRNs, which should only be issued as a last resort.

**3.7** As stated previously, the responsibility for removal of graffiti should form part of the responsibilities of the person or organisation accountable for maintaining the premises / site. It would be a considerable burden on the rates if Council decided to undertake graffiti removal on sites which are the responsibility of others.

**3.8** By way of example, in 2013 Cleansing Services participated in a three month, multi partnership regeneration initiative, in an area comprising 74 streets in the Lower Falls area. Cleansing Services deployed one priority waste team which removed graffiti from one hundred and fifty sites in the area. The graffiti ranged in size and type and was removed from all properties following completion of the necessary disclaimer. Several issues evolved during the project which included problems obtaining the necessary signed disclaimer from property owners, access difficulties and staff being threatened. On occasions staff had to be accompanied by local representatives during the graffiti removal process. The cost to remove graffiti in this 0.3452km<sup>2</sup>, over a three month period, amounted to £30,000 which was funded from non recurring monies. A recent review of the same area identified that new graffiti had occurred, despite attempts by local communities to control it. If a priority waste team were deployed to remove the current build up of graffiti, it is estimated that it would require one dedicated priority waste team, working full time for two weeks, at a cost of approximately £5,000. Therefore it can be established that, undertaking intensive graffiti removal, across the 4,688 streets in Belfast, would have significant cost implications for the Council.

**3.9** Any future decisions on allocating additional resources around this function would need to be considered in detail, and appraised, in terms of the impacts on the rate setting process. Figures estimate that the annual cost of graffiti removal throughout the United Kingdom exceeds £1 billion. It should be noted that in most cases UK Mainland authorities carry out the functions of housing, education, roads etc therefore have responsibility for much of the public realm.

**3.10** In addition to the ongoing activity to remove incidents of graffiti, Belfast City Council has also implemented several initiatives aimed at tackling graffiti problems. These include:

- **North Queen Street Project**

Sectarian graffiti was removed by the local community and replaced with graphics depicting local historical events. Anti graffiti paint was used to protect the new graphics.

- **South Belfast Markets Project**

This project was delivered in partnership with Community Restorative Justice Ireland and included a graffiti removal scheme in the Markets area of South Belfast.

- **Murals in South and East Belfast**

The local community were involved in designing murals to enhance the local environment.

- **Interface Projects**

These include programmes to soften interface areas and have incorporated graffiti removal.

- **Divis Environmental Project**

Graffiti removal is planned in the Lower Divis area following on from the Divis intervention project.

City Cemetery Decorative Arts projects. Removal of sectarian and racist graffiti throughout the site and the installation of a sculpture to increase community ownership.

3.11 Research undertaken in other Councils has identified a number of common elements which are applied to deal with graffiti problems more effectively. These include:

- **Partnership working**

There is strong evidence of partnership working both internally and externally to share intelligence and resources. Local authorities in England and Wales have wider responsibilities than in Northern Ireland such as education, social services, trading standards, roads, highways and transportation and housing. Given this, collaborative working to address graffiti problems is less complex. Nevertheless, SLAs, that include funding commitment, are developed with external partners to support the cost of graffiti removal.

- **Community engagement**

Local communities are encouraged to actively participate in removal and prevention programmes such as attending professional graffiti removal training, provision of graffiti removal kits, community cleanups, planting schemes, guardianship of hotspot areas and support for community murals.

- **Regeneration**

Significant support is provided for regeneration of areas in decline and, with the assistance of Planning Service, a proactive design approach is taken to prevent future opportunities for graffiti.

- **Improved security**

Working in conjunction with partners, enhanced security and CCTV systems are developed to increase the detection rate of offenders, following which a robust enforcement process is implemented.

- **Communication**

Advice and guidance regarding how best to protect property and how to report incidents of graffiti is widely communicated. Additionally the cost of graffiti removal and its impacts on local areas are published to encourage partner assistance in preventing graffiti occurrences.

- **Positive interventions**

Education programmes are delivered in schools, colleges and universities which seek to inform potential offenders of the costs and impacts associated with graffiti and its removal.

- **Enforcement**

Where opportunities exist, intelligence is shared through communication and task forums. Evidence is collated and distributed to enforcement agencies for further appropriate action. Additionally overt high visibility patrols, based on targeted intelligence gathering, are carried out to deter graffiti.

3.12 Dublin City Council has developed a Litter Management Plan which includes 1 dedicated city centre graffiti team that removes graffiti from Council owned property and reported contentious graffiti that is visible from public places. During the period 2008 to 2011 Dublin City Council's budget for graffiti removal across the city was €750,000 which was supported with additional funding from the Government anti-graffiti scheme. Dublin City Council proactively encourages all public and private partners to address their responsibilities regarding

graffiti removal and works in partnership to devise effective graffiti removal programmes.

- 3.13 Glasgow City Council has 8 dedicated graffiti removal teams that remove graffiti from Council owned property and sites, as well as removing instances of offensive contentious graffiti in public places. The annual cost of this service to Glasgow City Council is £600,000. Similar to Dublin City Council, Glasgow City Council proactively promotes partners corporate and civic social responsibilities to remove graffiti whilst encouraging a coordinated approach to develop effective graffiti removal programmes.
- 3.14 In line with most other Local Councils, both Dublin City Council and Glasgow City Council have a significantly broader range of functions than Belfast City Council and would therefore have responsibilities for the upkeep of much of the wider public realm. Much of the graffiti they remove would be on properties and sites for which they are responsible.
- 3.15 Research suggests that although Councils and Local Authorities actively promote best practice in dealing with graffiti problems, graffiti prevention presents many challenges, is costly to remove and impossible to eradicate completely. It is recognised however that the extent to which graffiti affects the city can be diminished if it is high on organisations priorities.
- 3.16 In further developing this work, it is recommended that Belfast City Council's future approach should involve the following issues.
- engagement with external partners to raise the profile of graffiti within their organisations, to highlight their responsibilities in relation to graffiti removal on their properties and sites, and to agree actions for them to address the issue of graffiti, including site monitoring and graffiti reduction / removal programmes;
  - creation of an internal group to coordinate activities within Belfast City Council;
  - a review of the present school education and awareness programme to incorporate a comprehensive anti graffiti message;
  - further engagement with communities to explore initiatives for graffiti reduction in their areas;
  - where appropriate, the use of FPNs and Defacement Removal Notices; and
  - It is recommended that Committee write to the Department of the Environment requesting them to review Councils' current enforcement powers, with a view to widening the scope of Council powers to issue Defacement Removal Notices.

**3.17 All future work in respect of graffiti removal must support and align with the Belfast Agenda and Community Planning.**

**3.18 Finance & Resource Implications**

**Cleansing Services has a limited budget and resources to deal with graffiti removal. At present, resources are sufficient to deal with graffiti removal from Council properties and sites together with the removal of reported contentious graffiti from public places. Any increase in the scope of service provision for graffiti removal will have significant cost and resource implications.**

**3.19 Equality or Good Relations Implications**

**Incidents of reported contentious graffiti include political, sectarian and racist remarks. Council recognises the importance of removing such graffiti, where possible, as quickly as possible to reduce interface and community tension.**

**3.20 The Parks and Leisure Department will work in partnership with Cleansing services to remove contentious graffiti. In the instance where high volume of non-offensive graffiti has accumulated, contracted services will be used**

**3.21 All graffiti removal is undertaken in line with Council's equality and good relations policies and procedures."**

During questions from the Members, the Head of Cleansing advised that his team would be engaging with the utility companies and other statutory bodies to address the issues of Graffiti removal and that the Council no longer provided Graffiti removal kits due to the associated Health and Safety implications, but there would be a more detailed discussion on this in the future.

The Committee acknowledged the hard work of the Cleansing Services Team which carried out graffiti removal as part of its function and commended their speed of customer service.

After discussion, the Committee noted the contents of the report and approved the future approach in the control of Graffiti, as outlined above. The Committee also noted that a progress report would be presented to Committee in due course.



<b>Subject:</b>	Belfast PCSP and DPCSP Funding 2015/2016
<b>Date:</b>	Tuesday, 13 <sup>th</sup> October 2015
<b>Reporting Officer:</b>	Siobhan Toland, Head of Environmental Health
<b>Contact Officer:</b>	Alison Allen, Safer City Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report</b>
1.1	The purpose of this report is to update Members on the current financial position of Belfast PCSP and DPCSP.
<b>2.0</b>	<b>Recommendations</b>
2.1	Members are asked to note the contents of the report.
<b>3.0</b>	<b>Main report</b>
3.1	Members will be aware that Schedule 3 of the Justice Act (NI) 2011 provides that the Joint Committee (Department of Justice and NI Policing Board) <i>“shall for each financial year make to the Council grants of such amounts as the joint committee may determine for defraying or contributing towards the expenses of the council in that year in connection with (D)PCSPs”</i> .
3.2	Each year the Joint Committee provides each PCSP with an indication of what their overall funding allocation will be for the incoming financial year. This allows each PCSP to develop their annual Action Plans.

3.3	The indicative allocation to Belfast PCSP for its operation and the operation of DPCSPs was provided in writing on 26 January 2015 as £930,781 for the 15/16 year. This represented a small increase in available funding on the 14/15 year.
3.4	Belfast PCSP and DPCSPs developed their 2015/16 transitional Action Plans on this basis and those plans were submitted to the Joint Committee in February 2015.
3.5	The Council also currently makes a financial contribution of £122,500 (as per yearly Committee agreement) towards the operation of Belfast PCSP and DPCSPs as well as in kind staff and administration costs.
3.6	However, despite the indicative allocation having been provided in January 2015 and the transitional Action Plans having been submitted, the Joint Committee did not issue formal letters of offer to any PCSP.
3.7	<p>It then emerged via correspondence received on 9 June 2015 that the current financial situation across government had led to significant levels of financial uncertainty in Northern Ireland and that consequently the Joint Committee was taking precautionary arrangements.</p> <p>These arrangements were:</p> <ul style="list-style-type: none"> <li>- PCSPs should immediately suspend entering into any new financial commitments; and</li> <li>- PCSPs should only continue with work it was already contracted to complete.</li> </ul>
3.8	Further correspondence was received on 24 June indicating that the Minister would be announcing his intention to issue 50% letters of offer to each PCSP which would allow partnerships to continue to develop some projects. The formal letter of offer was received on 8 September 2015 for £465,390 (50% of the amount as expected). A further mandatory requirement advised that the funding provided for administration should not exceed 20% of the budget allocation.
3.9	Belfast PCSP and DPCSP's have continued to deliver against community safety priorities at a community level, but the budget reduction will have a significant impact on what can now be achieved.

3.10	There may be a small possibility of further funding becoming available later in the year but Department of Justice Officials cannot provide any guarantees.
3.11	<p>Belfast PCSP and DPCSP's will now consider over the coming months a number of key issues as a result of the budget cuts:</p> <ul style="list-style-type: none"> <li>- How the partnerships can maximise the resources of its partners in a collaborative way without the need for additional funding.</li> <li>- The development of a more robust evidence base for how funding is allocated at both a geographical and project level.</li> <li>- The development of a more robust method by which the impact of projects/initiatives can be evaluated in order to demonstrate better value for money.</li> </ul>
3.12	<p>These discussions will need to be completed no later than the end of January 2016 to ensure the decisions of the PCSP on these matters forms part of the Action Plans required by the Joint Committee for the 2016-2019 period.</p> <p><u>Financial and Resource Implications</u></p>
3.13	<p>There is potential for significant implications for Belfast (D)PCSP's as a result of the 50% reduction in Joint Committee funding both at a project and support infrastructure level which PCSP and DPCSP Members are currently considering.</p> <p><u>Equality or Good Relations Implications</u></p>
3.14	<p>There may be equality and good relations implications as a result of the reduction in funding. This will be monitored on an ongoing basis and any significant issues reported to Belfast PCSP.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
4.1	None

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<b>Subject:</b>	Update on Safer Belfast CCTV system in wider university area
<b>Date:</b>	Tuesday, 13 <sup>th</sup> October 2015
<b>Reporting Officer:</b>	Siobhan Toland, Head of Environmental Health
<b>Contact Officer:</b>	Alison Allen, Safer City Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	The purpose of this report is to provide Members with an update on the status of the Safer Belfast Redeployable CCTV system and to recommend an interim position while an Options Report is collated.
<b>2.0</b>	<b>Recommendations</b>
2.1	Members are asked to agree an interim way forward for the future of the CCTV system in the Holylands and to note that a report will be brought back for consideration later in the year.
<b>3.0</b>	<b>Main report</b>
3.1	Members will recall that, through key stakeholder requests, Belfast Community Safety Partnership commissioned the installation of a CCTV system following ongoing antisocial behaviour within the Holylands.
3.2	Project partners who provided the original funding for the pilot in the Holylands were Department of Justice - Community Safety Unit (£48,000), Belfast City Council (£40,000), Belfast Community Safety Partnership (£35,000), NIHE (£24,400), and Belfast District

	<p>Policing Partnership (£5,000). In addition, DRD assisted with the installation process while PSNI agreed to monitor the Safer Belfast Redeployable CCTV system within Musgrave Street. The Council has continued to provide Officer support as well as ongoing maintenance for the system.</p>
3.3	<p>The system was installed in March 2010 and consisted of 12 cameras located at strategic locations throughout the Holylands area. An additional 2 cameras were later installed at Broadway roundabout, which is geographically not part of the Holylands but is deemed to be part of the system. The data from all cameras is relayed via a wireless network to monitoring facilities at Musgrave Street (PSNI) and through the Police cameras located in the emergency coordination centre (ECC) at City Hall when required</p>
3.4	<p>The purpose of the system is to assist in the reduction of crime against people, property and business and to improve the public's perception of safety within the area.</p> <p>The objectives of the CCTV are:</p> <ul style="list-style-type: none"> <li>▪ To assist in the prevention and detection of street crime</li> <li>▪ To deter public disorder and antisocial behaviour</li> <li>▪ To help in the apprehension and prosecution of offenders in relation to crime and public disorder</li> <li>▪ To assist with the policing of major events/festivals and/or incidents</li> <li>▪ To improve the feeling of community safety within the Holylands Area.</li> </ul>
3.5	<p>In March 2013 a CCTV Compliance Audit and Performance Assessment was carried out and it was found that the Holylands CCTV system was performing below an acceptable level.</p>
3.6	<p>Additionally in May 2015 a hardware survey of the system established:-</p> <ul style="list-style-type: none"> <li>▪ Significant water egress at a number of the cameras</li> <li>▪ Unreliability of the wireless transmission system leading to temporary loss of signal, image freezing and latency problems.</li> <li>▪ Poor image quality at night</li> </ul>
3.7	<p>Further discussion with external specialists and internal BCC staff has raised concerns as to whether the system is fit for purpose and if future investment of any kind will help the partners and the Council achieve the original objectives of the scheme as listed above. It</p>

	<p>is the view that the Holylands system is performing below an acceptable level. It is a system with poor image quality and high levels of maintenance down-time and the continued value for money and affordability of the future of the system needs to be reviewed.</p>
3.8	<p>Council has also been advised that the PSNI is not in a position to continue to monitor and record the existing number of 12 cameras. The current PSNI position is:</p> <ul style="list-style-type: none"> <li>▪ PSNI would be prepared to maintain a <b>recording capacity only</b> for five strategically placed cameras at Musgrave Street PSNI Station</li> <li>▪ PSNI would monitor these cameras during critical periods only e.g. Freshers, St. Patrick's, Halloween.</li> <li>▪ There would be no routine monitoring throughout the rest of the year but the recording capacity of the five agreed cameras would remain</li> </ul>
3.9	<p>Discussion with the original funders and with other potential partners will need to be undertaken as soon as possible regarding the future of the system. The partnership could consider a range of options, to take account of affordability and deliverability, and make recommendations to Members later in the year when discussions have taken place with all stakeholder and partner organisations.</p>
3.10	<p>Given that Council manages this on behalf of the partner agencies, Members are asked to agree an interim position.</p>
3.11	<p>Taking into account concerns about ongoing crime and anti-social behaviour in the area, Council could continue to support this initiative through the use of an existing Mobile CCTV contract at key periods in the Holylands. This could be delivered within an existing citywide contract for the delivery of mobile CCTV services and would cost approximately £3,000 per annum.</p>
	<p><u>Ongoing Support</u></p>
3.12	<p>Members will be aware that in addition to the provision of a CCTV system in the area, Council and other partners provide dedicated support to the Holylands area through a Strategic Inter-Agency Group, Partners and Communities Together (PACT) and dedicated operations to tackle ASB, noise, on street drinking and general nuisance in the area over high risk periods (Fresher's, St. Patrick's, Halloween etc). This support and resource invested is still ongoing.</p>

	<p><u>Financial and Resource Implications</u></p> <p>This interim position would cost approximately £3,000 per annum, which has been provided for in the Revenue Estimates.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no Equality or Good Relations implications at present, but this will continue to be monitored.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	None



<b>Subject:</b>	Proposal for a Dual Language Street Sign
<b>Date:</b>	13 <sup>th</sup> October 2015
<b>Reporting Officer:</b>	Trevor Martin, Head of Building Control
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of report or summary of main issues</b>
1.1	To consider an application for the erection of a dual language street sign for an existing street within the City.
<b>2.0</b>	<b>Recommendations</b>
2.1	As at least two thirds of the total numbers of persons surveyed in the street are in favour of the proposal to erect a second street nameplate in Irish at Waterville Street the Committee is recommended to approve the application.
<b>3.0</b>	<b>Main report</b>
	<u>Key Issues</u>
3.1	The power for the Council to consider applications to erect a second street nameplate in a language other than English is contained in Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995.
3.2	Members are asked to consider the following application to erect a second street nameplate showing the name of the street expressed in a language other than English.

The second language is Irish.

3.3

English Name	Non-English Name	Location	Applicant	Persons Surveyed
Waterville Street	Sráid an Choireáin	Off Clonard Gardens	Clonard Neighbourhood Development Partnership	17

3.4

The translation was authenticated by Queen's University, the approved translator for Belfast City Council.

3.5

In accordance with the Council's policy for the erection of dual language street signs surveys of all persons appearing on the Electoral Register for the above street were carried out and the following responses were received.

Survey outcome

3.6

12 people (71%) are in favour of the erection of a second street nameplate; 5 people (29%) did not respond to the survey.

3.7

The Council's policy on the erection of a second street nameplate requires that at least two thirds (66.6%) of the people surveyed must be in favour of the proposal to erect a second street sign in a language other than English.

Financial & Resource Implications

3.8

There is a cost of approximately £200 covering the cost of the manufacturing and erection of the dual language street signs. The cost for these street signs has been allowed for in the current budget.

Equality or Good Relations Implications

3.9

There are no direct Equality implications.

4.0

**Appendices**

4.1

None



<b>Subject:</b>	Parkrun – 5 year celebrations
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	<i>Rose Crozier, Assistant Director of Parks and Leisure</i>
<b>Contact Officer:</b>	Paula Irvine, Community Parks Outreach Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>At the meeting of the Council on 1st September, it was proposed by Alderman Kingston and seconded by Councillor Hutchinson, that:</p> <p><i>“This Council notes that the 5th anniversary of the Belfast ‘Parkrun’ event occurs on Saturday, 7th November. This event is a free and timed five-kilometre event which takes place in over 550 parks worldwide. The Council commends those volunteers who organise and supervise ‘Parkrun’ events at five venues in the City every Saturday, including Council-owned parks, and notes that a further two venues will be added to that list in the near future;</i></p> <p>This paper seeks approval for the City and Neighbourhood Services department to support a number of celebratory events scheduled to take place during the weekend 06 / 07 November 2015. These celebratory events will take place at a number of Council facilities and will mark the 5<sup>th</sup> anniversary of the introduction of Parkrun in Ireland.</p>
<b>2.0</b>	<b>Recommendations</b>
	<p>It is recommended that the committee grant authority for;</p> <ol style="list-style-type: none"> <li>1. a number of celebratory events to take place over a number of Council facilities during the weekend of 06 / 07 November 2015 to mark the 5 year anniversary of</li> </ol>

	<p>the 1st park run on the island of Ireland; and</p> <p>2. to provide financial assistance with a number of celebratory events scheduled to take place at several Council facilities.</p>
<p><b>3.0</b></p>	<p><b>Main report</b></p>
	<p>Parkrun originated in England in 2004 and was introduced in Ireland and the Waterworks Park in November 2010. It now occurs every Saturday morning in the Waterworks, Ormeau Park, Falls Park, Victoria Park and Queens Playing Fields. Colin Glen Park and Stormont Estate are set to be added to the Belfast venues.</p> <p>The founder, Paul Sinton Hewitt CBE, is planning to attend the 5th anniversary events in Belfast and has agreed to attend an evening reception scheduled to take place on Friday 06 November in Belfast Castle. The event organisers have sought financial support from Belfast City Council by way of free use of the castle and the provision of light refreshments.</p> <p>Paul will also attend the Saturday run at the Waterworks Park where the main community event will take place. The run will take place as normal followed by a rewards ceremony in the park. The event organisers have requested that the Council support the event by providing a marquee for the purposes of catering, medals and trophies for award winners and a celebratory plaque that will be mounted permanently in the park and unveiled by Paul Sinton Hewitt.</p> <p>The other 4 Parkrun events that are housed within Belfast parks will also mark the 5<sup>th</sup> anniversary at each of their own runs on Saturday 07 November 2015. Parkrun organisers have requested support at these events by way of light refreshments such as fruit packs for the participants.</p> <p>It is estimated that 50 people will attend the reception in Belfast Castle and it is hoped that Dame Mary Peters will attend and speak at the event.</p> <p>It is estimated that approximately 1000 participants will run at parkrun events in Belfast parks on Saturday 07 November 2015.</p>

	<p><u>Financial &amp; Resource Implications</u></p> <p>It is estimated that the total cost to the Council to support the anniversary events will be no more than £2500.</p> <p><u>Human Resources</u></p> <p>There are no human resource implications expected with this report.</p> <p><u>Asset and Other Implications</u></p> <p>The use of various Council facilities to host celebratory events.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relation implications with this report. Parkrun events across Belfast are inclusive of all members of our communities.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	None

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<b>Subject:</b>	Avenue of Trees at Knocknagoney Park
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Alan McHaffie Senior Woodland and Recreation officer

<b>Is this report restricted?</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>At the People and Communities Committee on September 8<sup>th</sup> a proposal for an Avenue of trees to celebrate the Queen's reign as Head of State was considered.</p> <p>Following discussion the Committee agreed to consider the options for Knocknagoney Park as an alternative to Sir Thomas and Lady Dixon Park, which was considered unsuitable for reasons outlined below.</p>
<b>2.0</b>	<b>Recommendations</b>
	<p>The Committee is asked to agree:</p> <p>That an avenue of trees, consisting of sixty three large Tilia platyphyllos 'Rubra' – "Red-twigged Lime", one tree for each year of Her Majesty's reign, be planted at Knocknagoney Park to celebrate the Queen becoming the longest reigning Head of State in the history of the United Kingdom on 9th September.</p>

3.0	<b>Main report</b>
	<p>At the meeting of the Council on the 1<sup>st</sup> September 2015, it was proposed by Alderman Stalford and seconded by Alderman McGimpsey, that an avenue of trees be planted at Sir Thomas and Lady Dixon Park; the Council noted:</p> <p><i>“The powerful and positive contribution that Her Majesty has made through her very long years of public service. Given the singular nature of this momentous occasion, the Council agrees to commission the planting of an avenue of trees in Sir Thomas and Lady Dixon Park as part of a programme of events to celebrate this singular event in world history.”</i></p> <p>Officers from the Landscape Planning and Development unit assessed the proposal to install the avenue of trees at Sir Thomas and Lady Dixon Park, but it was found that there wasn't a suitable location within the Park, due to the extent of existing mature trees and shrubs. Further site investigations were undertaken to identify a more appropriate Park that had adequate space to allow these trees to grow and develop and would eventually form a striking avenue in years to come.</p> <p>The most suitable site identified by the Landscape Planning and Development unit is Knocknagoney Park as it has both the length and space to create something very significant (see Appendix No1). Knocknagoney Park achieved Green Flag status in July 2015 and the proposed installation of an avenue of trees would form a striking avenue and further enhance the sites' development as a community park.</p> <p>Regarding the tree species, it was suggested that a variety of apple tree could be used to form the avenue. The use of apple trees in a busy open space such as Knocnagoney Park would not be advisable because of the hazards created by falling fruit potentially causing slips as well as being an attraction for people to climb or damage the trees to access the fruit. This has been the experience of the Senior Woodland and Recreation officer where ornamental fruiting trees were previously used as street trees and it led to complaints from the general public regarding slippery surfacing, as well as the attraction of young people throwing fruit at one another.</p> <p>The Landscape Planning and Development unit has sought advice in the planting of tree avenues from one of the leading tree nursery growers in the south of England; Hillier Nurseries and they have also advised against using fruit trees; but instead plant trees such as <i>Tilia platyphllos</i> 'Rubra' – “Red twigged Lime” that develop into a strong shape and form as well as giving additional colour during the autumn and winter periods.</p>

	<p><u>Financial &amp; Resource Implications</u></p> <p>The cost for the supply and planting of sixty three large Tilia platyphyllos 'Rubra' – “Red-twigged Lime” trees will be £25,000 and will be accommodated within the Parks and Leisure Budget.</p> <p><u>Equality or Good Relations Implications</u></p> <p>None</p>
<b>4.0</b>	<b>Appendices</b>
	Appendix 1 – View of recommended planting site.

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<b>Subject:</b>	River Farset – Public Art Project – Cave Hill
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Director of Parks and Leisure, Rose Crozier
<b>Contact Officer:</b>	Community Parks Outreach Manager, Paula Irvine

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>The Council has received a request from Cultúrlann McAdam ó Fiaich to install a site specific art sculpture in Cave Hill Country Park. The project is a partnership between Cultúrlann and the Spectrum Centre.</p> <p>The art piece will form part of the Farset Project, a programme that aims to bring communities living beside the river together to celebrate the story of the Farset in the foundation of the City of Belfast.</p> <p>The project is funded by the Creative Belfast Fund, a joint initiative between Belfast City Council and Arts Council NI to promote arts in the City of Belfast.</p>
<b>2.0</b>	<b>Recommendations</b>
	<p>It is recommended that the committee grants approval for:</p> <ul style="list-style-type: none"> <li>• Cultúrlann McAdam ó Fiaich to install a site specific sculpture in Cave Hill Country park subject to the necessary approvals including planning approval, and for;</li> <li>• Belfast Hills Partnership to install a new pathway and wildflower meadow from the Horse shoe Bend entrance down in to the main Cave Hill Country Park (working in partnership with Cultúrlann to seek and secure external funding)</li> </ul>

3.0	<b>Main report</b>
	<p>The site that has been identified for the art sculpture is a grassy meadow which forms part of an entrance to Cave Hill Country park. Access to the site is at the Horse Shoe Bend. The site is highly visible as it sits quite high up on Squires Hill. It is visible from many parts of Belfast and is on one of the access roads to Belfast International Airport.</p> <p>Early conversations with the Belfast Hills Partnership have provided an opportunity for effective partnership working. The Hills Partnership would like to complement the art sculpture by installing a new pathway from the Horse Shoe bend entrance down to the art piece, across the grassy meadow and on down in to Cave Hill to connect with existing pathways on the Hill. This report therefore also seeks approval for the Belfast Hills Partnership to secure external funds for the installation of a new pathway form the Horse Shoe Bend entrance in to Cave Hill.</p> <p>Although there has been an effective partnership forged between BHP and Cultúrlann both projects would continue to be delivered in isolation if the other was unsuccessful at any stage in its delivery.</p> <p>See <b>Appendix 1</b>– Map of the area showing new pathway and area for Farset sculpture.</p> <p>The source of the Farset river is close to the chosen location and the river albeit culverted runs alongside the site.</p> <p>There will be a 2 stage process:</p> <p><b>Stage 1</b> - will be to invite expressions of interest from artists / artist teams who want to work on the project. At this stage they will need to demonstrate their ability to carry out this type of work. The panel will shortlist up to 5 artists / artist teams to move forward to stage 2.</p> <p><b>Stage 2</b> – Artists / artist teams will be asked to work up the proposals into detailed designs to include scale drawings, Marquette’s / computer renderings as well as details of the processes to be used in development and making.</p> <p>The artwork may need full planning approval.</p> <p>The appointed artist must engage creatively with the community groups specified by the</p>

project manager and community parks outreach manager and devise a programme of workshops, presentations and demonstrations which:

- generate dialogue which identify key values and aspirations which may be reflected in the final artwork;
- effect the transfer of creative skills and processes to local young people

It is important that the artwork responds to the site both in terms of theme and form. Consultation with the local community and other key stakeholders will be important in developing this aspect.

A mock up of the sculpture is not available at this time as the artist has still to be commissioned, however the specification has asked for a robust risk assessment and the design must take in to account public safety, threats of vandalism and damage through climate and extreme weather. The design and materials used should require minimal maintenance.

The Council will take responsibility for the maintenance and upkeep of the piece once installed and handed over. A cost maintenance plan over at least 5 years will be included in the artist's submission; however any maintenance or rectification of fault in work in the first twelve months will be the responsibility of the artist and at their cost.

Investigations into new access links in the Belfast Hills has identified the possibility of improving access from the Horse Shoe bend to Carr's Glen in Cave Hill Country Park. The route is waymarked as part of the long distance route between Ligoniel dams and the zoo but it is across open fields and is currently not managed as part of the path infrastructure and at times can be difficult to navigate through.

Belfast Hills Partnership (BHP) plans to submit an application to the Alpha programme for up to £50,000 with the Landscape Partnership scheme (LPS) contributing any additional required match funding.

In addition to improving the access, it is proposed that the grassland is improved by reseeding the area with locally sourced wildflower and fine grass mix. Where appropriate a variety of woodland bulbs will be planted where there are hedgerows and woodland corridors running alongside rivers and streams. The BHP has already had early discussions with the Council's biodiversity officer who will, where required, provide

	<p>knowledge and guidance in respect of the planting scheme.</p> <p>The Council will take responsibility for the maintenance and upkeep of the new pathway and wildflower meadows once installed and handed over. The pathway will be maintained and inspected as part of the existing path inspection and maintenance regime already carried out by the Council.</p> <p>All the necessary legal and license agreements with the various parties will be drafted by legal services.</p> <p><u>Financial &amp; Resource Implications</u></p> <p>There is no financial implication for Belfast City Council to fund the art work or the site works. The total budget allocated to the sculpture is up to £98,000 to include all design, manufacture and installation. Belfast City Council is required to maintain the artwork and paths etc and this will be absorbed within the existing department's budget.</p> <p><u>Human Resources</u></p> <p>There are no human resource issues expected with this project</p> <p><u>Asset and Other Implications</u></p> <p>The project in its entirety will see significant improvements to an area within Cave Hill that is currently undervalued and under used. The sculpture will be visible across Belfast and should prove a popular visitors' attraction. The introduction of a new pathway and wildflower meadows will encourage greater use and improve visitors' experiences.</p> <p><u>Equality or Good Relations Implications</u></p> <p>The project is a partnership between Cultúrlann and the Spectrum Centre. Local communities and agencies will be engaged throughout the process and consulted on the proposals</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<p><b>Appendix 1</b> - Map of the area defining new pathway in red.</p>

Small stream to be forded or  
diverted with kissing gate and  
fencing

Orange areas show zonal  
planting of woodland bulbs  
and seed

Wildflower and wooded area  
approx. 1.2 hectares

Wildflower meadow approx. 2 hectares

Horseshoe entrance off  
Crumlin Road

Proposed path approx. 430m

Existing access road

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<b>Subject:</b>	Tropical Ravine – Partnership Working
<b>Date:</b>	13 <sup>th</sup> October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Ricky Rice, City Parks Manager

<b>Is this report restricted?</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	<p>To seek approval for development of partnerships with other horticultural institutions both in the United Kingdom and Ireland for Parks staff involved in horticultural development, in particular in association with work in Botanic Gardens.</p> <p>Approval is being requested for staff to receive training, exchange plant material and to acquire knowledge for improved service delivery and recognition of Botanic Gardens as a site of horticultural excellence.</p>
<b>2.0</b>	<b>Recommendations</b>
	<p>Committee is asked to support:</p> <ul style="list-style-type: none"> <li>• Working with other horticultural institutions for the purpose of training, knowledge and exchange of plants, both in the UK and Ireland;</li> <li>• The development of partnerships for mutual gain with other horticultural bodies including exchange visits.</li> </ul>

<p><b>3.0</b></p>	<p><b>Main report</b></p> <p>Members will be aware that an important collection of rare and endangered plants are to be conserved and developed as part of a new project to restore the Tropical Ravine in Belfast's Botanic Gardens. The project has received a £2.3million grant from the Heritage Lottery Fund (HLF) to safeguard the future of the Tropical Ravine House and its significant plant collection and £1.5 million will provided as part of the Investment Programme. The HLF and BCC funding will be used to secure the structure of the building and safeguard the plant collection.</p> <p>The plant collection within Botanic Gardens and especially within the Tropical Ravine has been noted as worthy of preservation. Over many generations plants have been acquired from Glasnevin and Kew Botanical Gardens through informal partnerships. The outcomes of the refurbished Tropical Ravine shall include conservation of a listed building, preservation of a heritage plant collection and improved visitor experience for both citizens and tourists.</p> <p>Glasnevin Botanical Gardens has been supportive in producing a report identifying the heritage and horticultural importance of the plant collection within the Tropical Ravine which was the starting point for the application for funding process of the refurbishment of the building.</p> <p>To make the most of the investment and ensure that staff acquire the knowledge and skills to realise the potential that may be achieved in maintaining and enhancing the heritage status of the plant collection.</p>
	<p><u>Key Issues</u></p>
	<p><u>Financial &amp; Resource Implications</u></p> <p>Travel expenses as required.</p> <p><u>Equality or Good Relations Implications</u></p> <p>None</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<p>None</p>



<b>Subject:</b>	<b>BCC Response to Houses In Multiple Occupation Bill</b>
<b>Date:</b>	13 <sup>th</sup> October 2015
<b>Reporting Officer:</b>	Siobhan Toland, Head of Environmental Health / Lead Operations Officer HESD
<b>Contact Officer:</b>	Stephen Leonard, Environmental Health Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	The Houses in Multiple Occupation (HMO) Bill was formally introduced to the Northern Ireland Assembly on 7 September 2015. In order to assist it with its scrutiny of the Bill, the Department for Social Development Committee has written to the Council inviting their views.
1.2	The deadline for comments was 6 <sup>th</sup> October 2015. The Council wrote to the DSD Committee requesting an extension to this time period to allow Council to consider a draft response. Due to time constraints they were unable to grant this request. This officer response has already been issued with the caveat that it may be subject to change following scrutiny by Members.
1.3	The officer response has also, subject to Member approval, stated that the Council would like to make an oral submission to the DSD Committee. This will allow Members the opportunity to raise issues not included in the original officer response.
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is invited to consider and endorse the draft response and to agree to the Council making an oral submission to a future meeting of the DSD Committee.

3.0	Key Issues
3.1	The Regulation of this sector is due to transfer from Northern Ireland Housing Executive to local Councils. Further consideration will need to be given to resource and capacity implications due to the enhanced scheme proposed by the Department.
3.2	Over 60% of HMOs in Northern Ireland are located in Belfast with the majority being in south Belfast. The consequences of such a high concentration of HMOs in the Holylands and wider university area are well known and have been widely documented.
3.3	The New City Centre Regeneration & Investment Strategy identifies increasing the residential population of the city centre as one of its core principles. Central to our aspirations for the city centre, and with relevance to the provision of HMOs across the city, is the aim of growing the city centre population through the development of balanced communities with an appropriate mix of housing types and tenures.
3.4	In 2014 Council developed a Framework for Student Housing and Purpose Built Managed Student Accommodation as part of a response to the ongoing pressures on the HMO market in Belfast and in response to an increasing amount of planning applications for purpose built student accommodation in the city.
3.5	In March 2012 we published the 'Belfast: A Learning City - Holyland and Wider University Area Strategic Study'. This report highlighted the need for Belfast to promote itself as a 'learning city' and outlined recommendations to make Belfast a destination of choice for students. These included improving the provision of fit for purpose quality student accommodation and to reduce the extent of the impact of large concentrations of HMO's.
3.6	The draft response welcomes the requirement for <b>all HMOs to be licensed</b> . The 2004 Housing Act introduced mandatory licensing for HMO's that are three or more storeys high and are occupied by five or more people forming at least 2 households. This would have resulted in a very small proportion of dwellings in Belfast that would have required licensing. Many smaller HMO's which are poorly managed would have escaped licensing. In our experience this type of dwelling can be particularly problematic and for this reason we support the inclusion of all HMO's in the mandatory licensing scheme.
3.7	The draft response supports the introduction of accreditation schemes for this type of

	<p>accommodation but not the exemption from any licensing fee. It also requests that any future proposals for accreditation schemes should apply to all Purpose Built student accommodation and not just PBSA managed by a Educational establishment or linked to an educational establishment via a nominations agreement.</p>
3.8	<p>The Council would also request that any future regulations consider an accreditation scheme and/or a code(s) of standards for student housing that supports all private sector landlords to adopt a proactive approach to managing tenant behavior and improving the quality of housing in this sector.</p>
3.9	<p>In addition the draft response welcomes the following new powers</p> <ul style="list-style-type: none"> <li>▪ Sections 8 and 12 requiring the Council not to grant a licence that will result in the over-provision of HMOs in the locality in which the living accommodation is situated. The Council agrees that it should be up to councils to decide these localities within its districts.</li> <li>▪ the inclusion in the Bill of a ‘Fit &amp; Proper Person test’ that Councils must have regard to when deciding if an applicant or and applicant’s agent are fit and proper to hold a licence and operate an HMO. However there is concern regarding the language used where some-one has committed an offence rather than having been convicted of committing an offence. Further clarity should be provided around jurisdictions, spent convictions, putting the onus on the applicant to provide any necessary information specified.</li> <li>▪ the inclusion of conditions (as set out in Clause 14) attached to any licence. In particular the proposal to include conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting HMOs.</li> <li>▪ the provisions in the Bill that will allow for the opening of statutory information gateways with a number of government and non-government organisations and bodies. These gateways will provide a robust method for relevant information to be obtained to assist in the identification and regulation of HMOs.</li> <li>▪ the ability to discharge various offences by means of fixed penalties. The Council is concerned however that the Courts are imposing fines significantly less than the fixed penalty charge, therefore rendering the fixed penalty worthless. This matter needs to be urgently addressed to assist Councils in their enforcement role.</li> </ul>
3.10	<p>The draft response requests that the Bill and any future regulation/guidance allow for the Councils and NIFRS to agree local arrangements and protocols around the regulation and</p>

	<p>enforcement of Fire Safety in HMO's</p> <p><u>Financial &amp; Resource Implications</u></p> <p>3.11 It is the intention of the Department to leave the fees in their current format and to consider the matter further with Councils as the operation of the new regime progresses. The draft response requests that a group consisting of the representatives from the Northern Ireland Housing Executive, the Department, Belfast City Council and other local councils is formed to oversee the transfer of HMO regulation to Councils. The draft response requests that one of the main functions of this group would be to consider the cost of administering the new regime</p> <p><u>Equality or Good Relations Implications</u></p> <p>3.12 There are no relevant equality considerations associated with the delivery of the strategy.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
4.1	<p>Appendix 1 - Draft cover response</p> <p>Appendix 2 - BCC Clause by clause response</p>

## Appendix One

Belfast City Council welcomes the opportunity to provide a detailed response to this consultation but is disappointed that the deadline for receipt of submissions is 12.00 midnight on 6<sup>th</sup> October 2015. The deadline provides the Council with insufficient time to have the draft response considered by the relevant Committee and ratified by council. We would ask the Department to note that this response will be considered by committee in October and by full Council at its November meeting and may therefore be subject to change.

This proposed Bill is of particular relevance to the Council for the following reasons;

1. The Regulation of this sector is due to transfer from Northern Ireland Housing Executive to local Councils. Further consideration will need to be given to resource and capacity implications due to the enhanced scheme proposed by the Department.
2. Over 60% of HMOs in Northern Ireland are located in Belfast with the majority of these in south Belfast. The consequences of such a high concentration of HMOs in the Holylands and wider university area are well known and have been widely documented. The main issue is that the streets, the houses and the amenities, not to mention the sewerage infrastructure, were not originally designed for such a large concentration of people. It is essential that this Bill supports both the Council's plan for the city and to restore this area.
3. Belfast City Centre Regeneration and Investment Strategy.  
<http://www.belfastcity.gov.uk/business/developmentplans/Regenerationandinvestmentplan.aspx>  
Council has recently published its City Centre Regeneration and Investment Strategy which is based on the following core principles:
  - Increase the employment population
  - Increase the residential population
  - Manage the retail offer
  - Maximise the tourism opportunity
  - Create regional learning and innovation centres
  - Create a green, walkable, cyclable centre
  - Connect to the city around
  - Shared Space and Social Impact

Central to our aspirations for the City centre, and with relevance to the provision of HMOs across the city, is the aim of growing the city centre population through the development of balanced communities with an appropriate mix of housing types and tenures. It is important that this Bill supports this aim and given the intended transfer of responsibilities for HMO regulation to Councils provides the appropriate legislative tools to manage and license HMO provision appropriately across the city.

4. Belfast: A Learning City – A Framework for student housing and purpose built student accommodation <http://www.belfastcity.gov.uk/buildingcontrol-environment/housing/student-accommodation.aspx>

Belfast traditionally has had lower levels of Purpose Built Managed Student Accommodation than many comparable university cities across the UK. In the absence of a large PBMSA provision HMOs have provided a valuable contribution to the student accommodation market in the City. In 2014 Council developed a Framework for Student Housing and Purpose Built Managed Student Accommodation as part of a response to the ongoing pressures on the HMO market in Belfast and in response to an increasing amount of planning applications for purpose built student accommodation in the city. The Framework document outlined key criteria that should be considered as part of the planning process for PBMSA applications, the criteria were based on Proximity to Education institutions; Design Quality; Management; Impact; and Need.

The Framework document, and criteria in particular, have been used by the Council and its partners as they engage with the planning process, however, now that planning powers have transferred to Council under the provisions of Local Government Reform we are considering additional mechanisms for dealing with the continued numbers of planning applications for PBMSA in the City.

5. In March 2012 we published the 'Belfast: A Learning City - Holyland and Wider University Area Strategic Study'. This report highlighted the need for Belfast to promote itself as a 'learning city' and outlined recommendations to make Belfast a destination of choice for students. These included improving the provision of fit for purpose quality student accommodation and to reduce the extent of the impact of large concentrations of HMO's. In particular
  - Introduce a new management initiative in the Holyland to collaboratively engage with key stakeholders and clarify roles and responsibilities to collectively restore the area
  - Support an accreditation scheme and establish a code of standards for student housing to improve the quality of housing in the private rented sector
  - Support landlords to adopt a proactive approach to improving housing and responsibility for managing tenant behavior, including encouraging landlords in exerting peer pressure on fellow landlords to take this approach
  - Collectively target the Holyland for proactive enforcement to increase awareness of landlord responsibilities – this could be extended to other areas where there are high concentrations of HMOs

It is the Council's view that the new HMO regulations should support the delivery of these key recommendations.

## Fees

The Council feel that fees from landlords should meet the cost of the licensing scheme. We understand that it is the intention of the Department to leave the fees in their current format and to consider the matter further with Councils as the operation of the new regime progresses. The City Council does not agree that we should wait until the new regime starts to review fees.

We would request that a group consisting of the representatives from the Northern Ireland Housing Executive, the Department, Belfast City Council and other local councils is formed to oversee the transfer of HMO regulation to Councils. We would also request that this group is formed as soon as possible and one of its' functions would be to consider the cost of administering the new regime, the transition from the existing registration scheme to licensing, the resources required and future licensing fees.

## HMO Licensing

The Council welcomes the requirement for all HMO's to be licensed. The 2004 Housing Act introduced mandatory licensing for HMO's that are three or more storeys high and are occupied by five or more people forming at least 2 households. This would have resulted in a very small proportion of dwellings in Belfast that would have required licensing. Many smaller HMO's which are poorly managed would have escaped licensing. In our experience this type of dwelling can be particularly problematic and for this reason we support the inclusion of all HMO's in the mandatory licensing scheme.

The City Council understands that a significant number of local authorities in England have had to implement additional or selective licensing schemes to deal with HMO's that were not included in the original mandatory scheme. The Licensing scheme proposed in the Bill will prevent Councils from having to do this.

The City Council accepts that different types of properties will pose different risks and problems and need to meet different standards. We would suggest that the regulations proposed in Sections 13 with regard to suitability of living accommodation and section 54 (Prescribed Hazard) should recognise this and require different levels of compliance linked to the type of property and the risks and problems it poses.

## Meaning of House in Multiple Occupation

A House in Multiple Occupation (HMO) is defined in **Clause 1 as** a building or part of a building (e.g. a flat) that is classed as living accommodation and is occupied by three or more people, who are members of more than two households. Additionally, accommodation is not an HMO unless rents are payable or other consideration is provided in respect of the accommodation. The clause also introduces Schedule 1 (exceptions) and confers a power to amend the definition of "house in multiple occupation".

The City Council welcomes the definition to include any building. However we are concerned that common parts in buildings converted into self contained flats have not been included. This definition may lead to buildings being converted into multiple 2 bedroom flats in order to avoid licensing and the overprovision clause in Section 12. In our opinion these type of conversions pose the same risks and have the same impacts. We

are also aware of circumstances where units within converted buildings can be overcrowded. The widening of the definition to include buildings converted into self contained flats would also permit this matter to be addressed.

The definition of a HMO in the 2004 Housing Act included buildings converted into self-contained flats if the conversion did not meet the standards of the 1991 Building regulations and more than one-third of the flats are let on short-term tenancies. The Council is disappointed that this has been omitted from the proposed definition and as a minimum would like it included to ensure local authorities have the power to protect the safety of the occupants and to manage the impact from this type of building.

### **Accreditation Scheme & Purpose Built Student Accommodation**

Section 5 of Schedule 1 exempts from Licensing any building which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at a specified educational establishment or at an educational establishment of a **specified** description and where the person managing or having control of it is the educational establishment in question or a **specified person or a person of a specified description**. The terms in bold are to be defined by further regulation.

Section 63 of the Bill provides the Department the power to make regulations that lay down the standards of conduct and practice to be followed with regard to the management of houses in multiple occupation. Any building specified in Section 5 of Schedule 1 will need to have in place a code compliant with Sec 63 if they are to be considered for this exemption.

In the past 18 – 24 months Belfast has also experienced an influx of planning applications for Purpose Built Managed Student Accommodation predominantly in the city centre. Currently there are applications for over 5,000 student bed spaces in the planning system at various stages ranging from Pre application discussions to Full applications.

An approach similar to Rates Relief Regulations 2007 would mean that the exemption did not apply to PBSA run by private providers that operate without nomination arrangements from any of the educational establishments. Given the current level of market interest this could create a two-tier system for regulation of Purpose Built Student Accommodation.

The Council support the introduction of accreditation schemes for this type of accommodation but not the exemption from any licensing fee. We would also request that any future proposals for accreditation schemes should include providers of Student accommodation not linked to an educational establishment via a nominations agreement.

The Council would also request that any future regulations consider an accreditation scheme and/or a code(s) of standards for student housing that supports all private sector landlords to adopt a proactive approach to managing tenant behavior and improving the quality of housing in this sector.

### **Two Tier System**

It is proposed that the Department be responsible for administering accreditation schemes. The Council are of the opinion that this would be confusing and believes that local

authorities should be given this power. This would also permit councils to extend accreditation schemes and /or introduce codes of standard(s) that would improve standards across the entire HMO sector.

### **Planning Control & other matters to be considered when deciding upon applications**

Sections 8 and 9 will ensure an application for an HMO licence cannot be determined unless living accommodation occupied as an HMO has planning permission for that use. The Council also welcomes the new power in Sections 8 and 12 requiring the Council not to grant a licence that will result in the overprovision of HMO's in the locality in which the living accommodation is situated.

The Council agrees that it should be up to Councils to decide these localities within its districts.

In addition to planning approval, the City Council would request that Building Control approval should also be obtained prior to an application being made.

### **Fit & Proper Person Test**

The City Council welcomes the inclusion in the Bill of a 'Fit & Proper Person test' that Councils must have regard to when deciding if an applicant or and applicant's agent are fit and proper to hold a licence and operate an HMO.

### **Premises should be fit for Human Habitation**

The Council welcomes the inclusion of this as a criterion that must be satisfied if a licence is to be issued. However we feel that it would be more appropriate to use the term meets the "statutory minimum standard for housing". In our opinion this will make the Bill 'future proof' and would not necessitate change should the review result in changing the standard.

The City Council advocate the adoption of the Housing Health and Safety rating system (HHSRS) as a tool to regulate the entire privately rented sector. This system assesses property using a risk based approach and looks at 29 separate risks to health and safety of the occupant. (Appendix 2)

All tenures of housing should be required to meet the same statutory minimum standard for housing with additional protection for HMO due to their higher risks.

More details comments on Clause 8 can be found in Appendix One.

### **Licence Conditions**

The City Council welcomes the inclusion of conditions (as set out in Clause 14) attached to any licence. In particular the proposal to include conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting HMO's.

We would support the making of regulations requiring Councils to include conditions as specified in the regulations but ask that this does not prevent Councils from having the flexibility to add conditions to address specific concerns with an individual property or an area.

### **Fire Safety Measures**

The City Council is concerned that Fire Safety measures can no longer be imposed through the proposed licensing regime and that responsibility for monitoring and regulating standards in this sector will rest with the Northern Ireland Fire & Rescue Service. Given the high number of HMO's in Belfast the City Council is concerned that the NIFRS will have sufficient resource available to carry out this role in the city.

Fire Safety standards in HMO's falls under the remit of the current registration scheme and in Belfast this work is carried in partnership between the NIFRS, NIHE and the City Council's Building Control Service.

We would request that the Bill and any future regulation/guidance allow for the Councils and NIFRS to agree local arrangements and protocols around the regulation and enforcement of Fire Safety in HMO's.

### **Overcrowding**

The City Council welcomes the inclusion of both the room and space standards for Houses In Multiple Occupation. We would request that consideration be given to extending these standards across the entire private rented sector.

### **Information Sharing**

The City Council welcomes the provisions in the Bill that will allow for the opening of statutory information gateways with a number of government and non-government organisations and bodies. These gateways will provide a robust method for relevant information to be obtained to assist in the identification and regulation of HMOs.

They will also permit the sharing of information that will be required in relation to the assessment of the new fit and proper person requirement.

### **Fixed Penalties & Offences**

The Council welcomes the ability to discharge various offences by means of fixed penalties. The Council is concerned however that the Courts are imposing fines significantly less than the fixed penalty charge, therefore rendering the fixed penalty worthless. This matter needs to be urgently addressed to assist Councils in their enforcement role.

For example, Mid and East Antrim took cases for non- registration of a landlord and not securing the deposit. The fixed penalties for these offences would have been £500 and £1650 respectively. Summonses were issued after these penalties were not paid and the magistrate levied fines of £100 per offence plus costs.

## **Miscellaneous**

The City Council is concerned that the bill provides insufficient powers to deal with landlords that live outside the jurisdiction and would ask for the bill to be amended to require landlords living outside the jurisdiction to appoint a manager living in the jurisdiction.

The City Council notes that management orders are not included in the Bill. Future regulation in respect of these should sit with local councils but require the Councils to work with NIHE and Housing Association partners.

More detailed comments on each of the clauses in the Bill can be found in Appendix 1. Given the very short time period for consultation the Council would wish to attend Committee to provide oral evidence on the proposed Bill.

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## Appendix Two

### **Belfast City Council response on each clause as per the guidelines for written submissions.**

#### PART 1: MEANING OF “HOUSE IN MULTIPLE OCCUPATION”

##### **Clause 1: Meaning of “house in multiple occupation”**

A House in Multiple Occupation (HMO) is defined in Clause 1 as a building or part of a building (e.g. a flat) that is classed as living accommodation and is occupied by three or more people, who are members of more than two households. Additionally, accommodation is not an HMO unless rents are payable or other consideration is provided in respect of the accommodation. The clause also introduces Schedule 1 (exceptions) and confers a power to amend the definition of “house in multiple occupation”.

The Council welcomes the definition to include ‘any’ building. However concern is raised that common parts may not be covered in the case of a self-contained flat. In addition in the circumstances where commercial buildings have been converted may fall outside the scope of the Bill. This is not clear within the proposed definition. It is requested that clarity is provided within any regulations. In addition the Council is concerned in relation to houses converted into multiple flats and how these flats will be treated if there are over occupied by members of the one family. These need to be covered by the HMO definition or else a standard for overcrowding across the private rented sector should be introduced to prevent gross overcrowding in house conversions.

This definition may lead to buildings being converted into multiple 2 bedroom flats in order to avoid licensing and the overprovision clause in Section 12. In our opinion these type of conversions pose the same risks and have the same impacts. We are also aware of circumstances where units within converted buildings can be overcrowded. The widening of the definition to include buildings converted into self contained flats would also permit this matter to be addressed.

The definition of a HMO in the 2004 Housing Act included buildings converted into self-contained flats if the conversion did not meet the standards of the 1991 Building regulations and more than one-third of the flats are let on short-tem tenancies. The Council is disappointed that this has been omitted from the proposed definition and as a minimum would like it included to ensure local authorities have the power to protect the safety of the occupants and to manage the impact from this type of building.

Clause 5 of Schedule 1 exempts from Licensing any building which is occupied solely or principally by persons who occupy if for the purpose of undertaking a full-time course of further or higher education at a specified educational establishment or at an educational establishment of a **specified** description and where the person managing or having control of it is the educational establishment in question or a **specified person or a person of a specified description**. The terms in bold are to defined by further regulation.

Clause 63 of the Bill provides the Department the power to make regulations that lay down the standards of conduct and practice to be followed with regard to the management of houses in multiple occupation. Any building specified in Section 5 of Schedule 1 will need to have in place a code compliant with Clause 63 if they are to be considered for this exemption.

In the past 18 – 24 months Belfast has also experienced an influx of planning applications for Purpose Built Managed Student Accommodation predominantly in the city centre. Currently there are applications for over 5,000 student bed spaces in the planning system at various stages ranging from Pre application discussions to Full applications.

An approach similar to Rates Relief Regulations 2007 would mean that the exemption did not apply to PBSA run by private providers that operate without nomination arrangements from any of the educational establishments. Given the current level of market interest this could create a two-tier system for regulation of Purpose Built Student Accommodation.

The Council support the introduction of accreditation schemes for this type of accommodation but not the exemption from any licensing fee. We would also request that any future proposals for accreditation schemes should include providers of Student accommodation not linked to an educational establishment via a nominations agreement.

The Council would also request that any future regulations consider an accreditation scheme and/or a code(s) of standards for student housing that supports all private sector landlords to adopt a proactive approach to managing tenant behavior and improving the quality of housing in this sector. In determining the appropriateness of any exemptions the City Council would ask how many enforcement notices or other types of enforcement actions have been served / taken in relation to these types of buildings.

In relation to the exemption for 'Buildings Occupied by Owners', the inclusion of houses occupied by owners, may be used by some landlords as a loophole to avoid designation. It would also be difficult to disprove whether an owner actually lives in the property. If an owner lives on the premises then they should be included in the 'head count' as they will assist in forming a different family relationship. We also do not believe it would substantially change the risks in many properties.

Guidance and a methodology provided for enforcement officers in the case of houses occupied by religious communities is requested, as this is often difficult to disprove that the community is living as one.

## **Clause 2: Definition of living accommodation**

Clause 2 defines "living accommodation" for the purposes of clause 1. A building, or part of a building, is living accommodation (i) if it is capable of being occupied as a separate dwelling or (ii) if it forms part of any building or group of building in single ownership and its occupants share a toilet, personal washing facilities or facilities for the preparation or provision of cooked food. "Single ownership" is defined in subsections (2) and (3) in a way which prevents avoidance of the legislation by artificially dividing ownership of a property between members of a family or connected companies.

The Council welcomes the definition within 2(5) pertaining to living accommodation however it is concerned about the application to common parts of self contained flats which are in mixed tenure. The Council would welcome some clarity around this issue.

## **Clause 3: Cases where person is treated as occupying accommodation as only or main residence**

Clause 3 outlines the fact that people count as occupants only if the accommodation is their only or main residence. However, accommodation occupied by a student during term time is regarded as that person's only or main residence. People staying in domestic violence refuges are to be treated as occupying them as their only or main residence.

The Council would request that further guidance is provided in relation to seasonal workers or workers brought in for a contract in a factory for example a 3 month period.

The Council would welcome further clarity within the regulations, including any specification of a duration of time.

#### **Clause 4: Persons who are members of the same household**

Clause 4 specifies the meaning of “household” for the purposes of HMO licensing. This includes members of the same “family”: the definition of family includes married, unmarried and same-sex couples, and step children, as well as blood relatives. Additionally, a person who is a personal or domestic carer in a residential capacity is to be treated as a member of the household for the purposes of this Bill. There is a power for the Department to provide that other persons are treated as being in the same “household”.

The Council would not like to see those who require carers to be included under the HMO regime, therefore welcome this definition of ‘same household’.

#### **Clause 5: Notice regarding evidence of household**

Clause 5 makes provision for a council to serve a notice on the occupants of a house where the council believe there are more than three people residing in the property and these people form more than two separate households. If insufficient evidence is provided that the house is not an HMO, the house is to be regarded as being one.

The Council welcomes this provision however it is imperative that guidance is issued by the Department to help clarify as to what they deem as acceptable proof.

#### **Clause 6: Notice regarding continuation of occupation**

Clause 6 makes provision for a council to serve a notice on a property that has ceased to operate as an HMO, because its occupants have reduced below 3, but which the council believe is likely to become an HMO again within 4 months. For example a student house during the summer months can then be treated as an HMO for certain regulatory purposes, even though it may actually have fewer than 3 people residing in it during those months.

The Council welcomes this provision however it is imperative that guidance is issued by the Department to help clarify as to what they deem as acceptable proof.

### **PART 2: LICENSING OF HOUSES IN MULTIPLE OCCUPATION**

#### **Clause 7: Requirement for HMOs to be licensed**

The Council welcomes the requirement for all HMO’s to be licensed. The 2004 Housing Act introduced mandatory licensing for HMO’s that are three or more storeys high and are occupied by five or more people forming at least 2 households. This would have resulted in a very small proportion of dwellings in Belfast that would have required licensing. Many smaller HMO’s which are poorly managed would have escaped licensing. In our experience this type of dwelling can be particularly problematic and for this reason we support the inclusion of all HMO’s in the mandatory licensing scheme.

The City Council understands that a significant number of local authorities in England have had to implement additional or selective licensing schemes to deal with HMO’s that were not included in

the original mandatory scheme. The Licensing scheme proposed in the Bill will prevent Councils from doing this.

The City Council accepts that different types of properties will pose different risks and problems and need to meet different standards. We would suggest that the regulations proposed in Sections 13 with regard to suitability of living accommodation and section 54 (Prescribed Hazard) should recognise this and require different levels of compliance linked to the type of property and the risks and problems it poses.

### **Clause 8: Applications for HMO licence**

Clause 8 outlines that applications must be made by the owner of the HMO. It also sets out the matters that are to be taken into account when a council is considering an application for an HMO licence. The details of the procedural requirements, in relation to an application for an HMO licence, are contained within Schedule 2.

The Council welcomes the provisions within this clause, however the set licence fee should be on a cost recovery basis.

In addition to planning approval, Building Control approval should also be achieved prior to an application being made.

Within clause 8(e) the term “Fit for Human habitation” is used. This is a general term unless it is referenced to the Housing Order 1981, as amended by The Housing Order 1992. As a general term it will be open to various interpretations. This should be changed to “the living accommodation should meet the statutory minimum standard for housing”.

The “Fitness Standard” as set out in the Housing Order 1981, as amended by The Housing Order 1992 as the statutory minimum standard of housing is currently being reviewed by the DSD so it would not be appropriate to use the term “fit for human habitation”. Using the term meets the “statutory minimum standard for housing” will make the Bill ‘future proof’ and would not necessitate change should the review result in changing the standard.

The City Council advocate the adoption of the Housing Health and Safety rating system (HHSRS) as a tool to regulate the entire privately rented sector. This system assesses the property using a risk based approach and looks at 29 separate risks to health and safety of the occupant. (Appendix 2 contains the Ci Council’s Position paper on A New Statutory Housing Standard for the Private Rented Sector).

### **Clause 9: Breach of planning control**

Sections 8 and 9 will ensure an application for an HMO licence cannot be determined unless living accommodation occupied as an HMO has planning permission for that use. The Council also welcomes the new power in Sections 8 and 12 requiring the Council not to grant a licence that will result in the overprovision of HMO’s in the locality in which the living accommodation is situated.

The Council agrees that it should be up to Councils to decide these localities within it’s districts. In addition to planning approval, the City Council would request that Building Control approval should also be achieved prior to an application being made. The Council welcomes this link to planning control.

## **Clause 10: Fit and proper persons**

Clause 10 specifies matters to which the council shall have regard (in addition to other things it may consider) when deciding whether an applicant or an applicant's agent is a fit and proper person. The material specified is: whether the person has committed certain types of offence, practiced unlawful discrimination or contravened housing law or landlord and tenant law; actions or failures to act in relation to antisocial behaviour affecting a house let by the applicant or for which the applicant was an agent; and other material considered by the local authority to be relevant.

The Council welcomes the provisions within this clause. However there is concern regarding the language used where some-one has committed an offence rather than having been convicted of committing an offence. Further clarity should be provided around jurisdictions, spent convictions, putting the onus on the applicant to provide any necessary information specified.

Additional guidance is required on the provision under 10(5) relating to 'any associate or former associate' has engaged in any of the conduct mentioned.

## **Clause 11: Satisfactory management arrangements**

Clause 11 outlines the considerations that a council may take into account when deciding whether suitable management arrangements are in place at application stage.

The Council would require that guidance to be provided as to the assessment of a 'sufficient level of competence'

## **Clause 12: Overprovision**

Clause 12 states that, in deciding whether the granting of a licence will result in overprovision, councils must have regard to the number and capacity of licensed HMOs in an area, the need for this type of accommodation in that locality and such other matters as the Department may specify through regulations. Although a first-time application for a licence can be refused on the ground that it would result in overprovision of HMOs, an application to renew a licence cannot (see clause 20).

The Council welcomes this provision, however would be concerned that this may become a charter for inconsistency. As such there should be guidance on promoting a consistent approach within councils. The Council recognise the need to control the number of HMO's on any given area, and the issues associated with over provision. The Council would acknowledge the parallel with Council's new planning and community planning roles.

## **Clause 13: Suitability of living accommodation for multiple occupation:**

Clause 8(2)(e), as read with clause 13, states that councils may only grant a licence if they are satisfied that the accommodation is suitable for use as an HMO for the specified maximum number of persons or could be made so by including conditions in the licence. The criteria that the councils must consider are given. It includes a power for the Department to set out minimum standards in regulations.

The Council welcomes this provision, however further guidance should be provided in order to both define and provide clarity around certain terms used throughout this clause, such as 'undue public nuisance', for example would this cover issues around car parking; also terms such as 'type of persons'; 'interior and exterior decoration'

The Council would welcome the addition of other risk areas to the minimum standards such as falls, risk of fumes etc in line with the HHSRS. Within clause 13(5) there is a notable absence of fire safety and means of escape.

The City Council is concerned that Fire Safety measures can no longer be imposed through the proposed licensing regime and that responsibility for monitoring and regulating standards in this sector will rest with the Northern Ireland Fire & Rescue Service. Given the high number of HMO's in Belfast the City Council is concerned that the NIFRS will have sufficient resource available to carry out this role in the city.

Fire Safety standards in HMO's falls under the remit of the current registration scheme and in Belfast this work is carried on behalf of the NIHE by Belfast City Councils Building Control Service.

We would request that the Bill and any future regulation/guidance allow for the Councils and NIFRS to agree regional/local arrangements and protocols around the regulation and enforcement of Fire Safety in HMO's.

#### **Clause 14: Licence conditions**

The City Council welcomes the inclusion of conditions (as set out in Clause 14) attached to any licence. In particular the proposal to include conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting HMO's.

We would support the making of regulations requiring Councils to include conditions as specified in the regulations but ask that this does not prevent Councils from having the flexibility to add conditions to address specific concerns with an individual property or an area.

#### **Clause 15: Temporary exemption notice**

Clause 15 allows a council to issue a temporary exemption notice if the owner of an unlicensed HMO applies for one. The owner must explain the steps to be taken to stop the premises from being an HMO (such as ensuring that the number of occupants reduces below 3, or that sufficient basic amenities for exclusive use are installed so that occupants do not have to share them), and the council must be satisfied that these steps will be successful. The HMO does not need a licence during the term of the notice, which is three months unless extended in exceptional circumstances.

The Council envisages there may in certain circumstances be a need to issue a temporary exemption notice in line with any existing tenancy agreement, i.e. where the HMO was in an area of high housing need and where remaining in the property there was no risk to health. Council officers should be allowed to exercise discretion in such exceptional circumstances. However the Council would not envisage any such notice should be valid for a period longer than 12 months in totality, i.e. inclusive of any extension as per clause 16.

The Council notes the need for protection that the required works will be carried out in full.

#### **Clause 16: Extension of temporary exemption notice**

Clause 16 allows for the extension of temporary exemption notice if the council are satisfied that special circumstances exist. A notice may be extended only once, and only for up to 3 months.

As per Clause 15

### **Clause 17: Safety and security requirements**

Clause 17 specifies that the temporary exemption notice may require the owner to carry out work to improve the safety or security of the occupants for the duration of the notice. This could include minor works or the provision of removable equipment where licence conditions would normally require permanent, fixed items.

The Council notes the provisions within this clause.

### **Clause 18: Revocation of temporary exemption notice**

Clause 18 specifies that if a council is satisfied that an HMO owner has failed to comply with any requirement included in a temporary exemption notice, the council may revoke that notice.

The Council notes the provisions within this clause.

### **Clause 19: Duration of HMO licence**

Clause 19 states that an HMO licence lasts for five years, or a shorter period specified in the licence which cannot be less than six months. It starts on the date when notice of the decision to grant the licence is served on the owner, or another date specified in the licence. In the case of a licence granted because the council did not come to a decision within the period required, the licence will last for one year from the end of that period.

The Council would suggest that a standardised duration period is specified. Clarity on the rationale for a non-specified period would be welcomed.

Guidance pertaining to specifics in dealing with the commencement of the 3 months period within which the council must make a determination on an application is required. The Council is of the opinion that this 3 month period should only commence once council have received a full application, all required supporting documents and appropriate fee. Formalisation of a process where an application is deemed as being duly made would also be welcomed.

Pertaining to this clause, within Schedule 2, 15(6) clarity is required on the deemed licence, i.e. is another application fee required after the specified one year period

### **Clause 20: Renewal of licence**

Clause 20 provides for the renewal of an existing licence which must be made before the current licence ceases to have effect. As noted above, overprovision (Clause 12) is not a ground for refusing an application to renew.

The Council notes the provisions within this clause.

### **Clause 21: Application to renew: effect on existing licence**

Clause 21 specifies that where an application to renew a licence is made the existing licence has effect until: the date of the new licence is granted or (if the renewal application is refused) the date the current licence ceases to have effect. Slightly different rules apply if the refusal is on the ground of breach of planning control.

The Council notes the provisions within this clause.

## **Clause 22: Variation of licences**

Clause 22 sets out the procedure for varying a licence, which a council may do for its own reasons or at the request of the licence holder. If the council proposes the variation, it must give its reasons.

The Council welcomes the provision that a licence can be varied on either an application or on councils own initiative. The Council believe that there should be a fee payable on the application to cover costs incurred by the Council. Further that a fit and proper person test should apply in terms of any proposed changes to management agent.

## **Clause 23: Revocation of licences**

Clause 23 allows a council to revoke a licence at any time. There are a number of possible grounds that may lead to the revocation of a licence. The licence holder or agent is no longer a fit and proper person under Clause 10; the accommodation is not fit for human habitation; the HMO management arrangements are not satisfactory; the accommodation is no longer suitable for use as an HMO and cannot be made suitable; there has been a serious breach of a condition of the licence; there has been more than one breach of a condition (not necessarily a serious one). This Clause also specifies that it does not matter if the council has taken any other action or criminal proceedings have been commenced, the licence can still be revoked.

The Council welcomes the power to revoke a licence, however there is a need for guidance in this matter. There should also be a mechanism for bringing to the council any matters, including anti-social behaviour, change in conditions etc that may necessitate any revocation.

## **Clause 24: Variation and revocation: procedure**

Clause 24 introduces Schedule 4, which makes provision about the procedure for varying or revoking a licence.

The Council welcomes the provision, however guidance should be provided in order to provide clarity, thus inform any documented procedure to deal with the variation and revocation of a licence in line with Schedule 4.

## **Clause 25: Restriction on applications**

Clause 25 prevents the council from considering certain applications. If an application was refused on the ground that a person was not a fit and proper person, the council may not consider an application from that person (for any accommodation) within a year of the refusal. If an application was refused on a ground relating to the accommodation (where the granting of the licence would create a situation of overprovision or where the accommodation is not habitable or suitable for use as an HMO), the council may not consider an application (from anyone) in relation to that accommodation, with the same period. This restriction does not apply if the local authority is satisfied that there has been a material change of circumstances, for example if a physical feature which made the property unsuitable for licensing has been altered.

The Council notes the provisions within this clause.

## **Clause 26: Joint licence holders**

Clause 26 deals with the situation where an HMO is owned jointly by more than one person. The application for a licence may be made by one owner or jointly by more than one. Any joint licence holders can request to be removed from the licence at any time provided one owner continues to hold the licence.

The Council notes the provisions within this clause.

#### **Clause 27: Surrender of HMO licence**

Clause 27 specifies that the holder of an HMO licence may surrender the licence by giving notice to the council, in the specified form, to that effect.

The Council notes the provisions within this clause, however is of the opinion there must be a mechanism to prohibit a management company walking away from their obligations.

#### **Clause 28: Change of ownership: effect on licence**

Clause 28 states that an HMO licence may not be transferred to a new owner. So when a property changes hands, any HMO licence for the property ceases to have effect.

The Council notes the provisions within this clause, in particular that a new application must be made which would be subjected to the appropriate application fee.

#### **Clause 29: Death of sole licence holder: effect on licence**

Clause 29 transfers the licence of a deceased sole licence-holder to that person's executor. The licence expires three months after the date of death, unless the council is satisfied that it is reasonable to extend it in order to wind up the holder's estate.

The Council notes the provisions within this clause, in particular the flexibility to extend the licence as council deem reasonable.

### **PART 3: ENFORCEMENT OF LICENSING REQUIREMENTS**

#### **Clause 30: Unlicensed HMO**

This clause creates a number of criminal offences relating to HMO licensing. An owner of a licensable HMO without a licence is committing an offence (unless the owner has a reasonable excuse). A person who acts as an agent for an HMO which is not licensed also commits an offence. And where the owner of an unlicensed HMO instructs an agent to act in relation to that house, the owner commits an offence.

The Council notes the provisions within this clause and welcome the inclusion of agent responsibility. Council need for guidance on terms within the clause to include 'reasonable excuse' subject to clause 34 and the information required as proof.

#### **Clause 31: Exceeding licensed occupancy or breach of licence conditions**

This clause creates the offence of allowing an HMO to be occupied in excess of the number of persons authorised on the licence. It also creates offences related to breaching conditions in a licence. An owner, agent or other person named in the licence commits an offence if they breach a condition included in a licence. And an owner or agent commits an offence if any other licence condition is breached and they do not take reasonable measures to prevent it.

The Council notes the provisions within this clause. Council need for guidance on terms within the clause to include 'reasonable excuse' subject to clause 34 and the information required as proof.

### **Clause 32: Untrue claim that HMO is licensed**

This clause makes it an offence to claim that a HMO is licensed when it is not. The Council notes the provisions within this clause.

### **Clause 33: Agents not named in licence**

This clause makes it an offence for an owner to authorise an agent to act in relation to house if the agent is not named in the licence. It also makes it an offence for a person to act as an agent in those circumstances.

The Council notes the provisions within this clause.

### **Clause 34: Reasonable excuse**

This clause sets out some circumstances in which the owner of an HMO has a reasonable excuse for the purposes of clauses 30(1) and 31(2) and (3).

The Council notes the provisions within this clause. There is a need for guidance on terms within the clause to include level of information required to satisfy reasonable excuse.

### **Clause 35: Power to require rectification of breach**

Clause 35 specifies that a council can serve a notice on a licence holder requiring action to be taken to rectify or prevent a breach of a condition in an HMO licence. A notice can be served irrespective of whether the council has taken any other action or whether criminal proceedings have been commenced. The action required may include the carrying out of work in or to the HMO.

The Council notes the provisions within this clause.

### **Clause 36: Revocation of rectification notice**

This clause outlines the circumstances in, and process by which, a council may revoke a rectification notice under clause 35. In particular, a notice must be revoked if all the requirements set out in it have been complied with.

The Council notes the provisions within this clause.

### **Clause 37: Failure to comply with rectification notice**

If the owner of an HMO fails to take any action specified in the rectification notice, by the date given in the notice, they will have committed an offence under clause 37. In determining the seriousness of that offence (for example, for the purposes of setting a fine), regard is to be had to the original breach which led to the issuing of the rectification notice.

The Council notes the provisions within this clause.

### **Clause 38: Revocation orders and disqualification orders**

This clause gives a court powers to revoke an HMO licence and disqualify an owner from holding a licence, or an agent from being named on a licence, for a period not exceeding five years. These powers can be used on conviction of an offence under various provisions of the Bill.

The Council notes the provisions within this clause. Further consideration is required for specified template for disqualification orders and revocation orders and whether there is a need to prescribe these. If not, then there need to be a mechanism for liaison with the courts service upon the detail required within such orders.

#### **Clause 39: Revocations and disqualifications: appeals**

This clause specifies that a person may appeal against a revocation order or disqualification order.

The Council notes the provisions within this clause but would ask that clarity be provided on whether temporary exemption matters apply while any appeal is on-going.

#### **Clause 40: Discharge of disqualification orders**

This clause specifies that the court which made the disqualification order may discharge the order with effect from such date as the court may specify, if the court is satisfied that there has been a change in circumstances which justifies doing so.

The Council notes the provisions within this clause.

## **PART 4: STANDARDS OF HOUSING**

### **CHAPTER 1: OVERCROWDING**

#### **Clause 41: Definition of overcrowding**

This clause defines an HMO as being overcrowded when the number of persons sleeping in it contravenes either the room standard or the space standard.

The Council notes the provisions within this clause.

#### **Clause 42: The room standard**

The City Council welcomes the inclusion of both the room and space standards for Houses In Multiple Occupation. We would request that consideration be given to extending these standards across the entire private rented sector.

#### **Clause 43: The space standard**

This clause outlines the circumstances which may be designated as a contravention of the space standard. These relate to the amount of floor space there is in the property for each person resident of it.

The Council welcomes the formalisation of the current space standards used for HMOs.

### **Clauses 44 and 45: Overcrowding notices**

Clauses 44 and 45 give the council the power to issue a notice where they believe an HMO is, or likely to become overcrowded. An overcrowding notice must, for each room, either stipulate the maximum number of persons who may occupy the room or specify that the room is unsuitable for occupation. This makes clear the maximum possible sleeping arrangement in the house.

The Council notes the provisions within these clauses.

### **Clause 46: Requirement as to overcrowding generally**

The requirement under clause 46 requires that the terms of the notice must not be breached by allowing an unsuitable room to be occupied as sleeping accommodation and that the room standard must not be contravened. A notice including this requirement can have the effect of requiring the owner to reduce the occupancy of the house immediately – for example, by terminating a tenancy.

The Council notes the provisions within this clause.

### **Clause 47: Requirement not to permit new residents**

Clause 47 is very similar in its effect to Clause 46, except that it covers occupation by new residents i.e. anyone not resident when the notice was served. This allows the existing situation to continue, even if the house is “overcrowded”.

The Council notes the provisions within this clause.

### **Clause 48: Notice requiring further information**

Clause 48 allows the council to serve a notice requiring further information in relation to overcrowding. The information requested may be, among other things, the number of people sleeping within the HMO, the names of those individuals, the number of households to which they belong and the rooms used by the individuals and households respectively. This information may be used to determine whether an overcrowding notice has been breached, but may not be used in criminal proceedings against the person providing the information.

The Council notes the provisions within this clause.

### **Clause 49: Information notice: supplementary provisions**

Clause 49 provides that a person commits an offence if they fail to provide information requested by an information notice or if they provide false or misleading information.

The Council would welcome guidance on the term misleading.

## **CHAPTER 2: SUITABILITY FOR NUMBERS IN OCCUPATION**

### **Clause 50: Suitability notice**

This clause makes arrangements about HMO suitability notices. Such a notice can be served in relation to any HMO which the local authority considers is not reasonably fit for occupation by the number of persons occupying it.

The Council would ask for guidance required for 50 (3) (b) where falls short of building regulations. Guidance under what circumstances one would evoke such a notice, for example under circumstances where been changes to a property after the licence was issued.

#### **Clause 51: Contents of suitability notice**

Clause 51 directs that a suitability notice must specify what the council considers to be the maximum number of persons by whom the HMO is suitable to be occupied. A suitability notice must contain either the general occupancy requirement or the new residents' occupancy requirement. It may also contain a statement of remedial work.

The Council would ask for guidance in relation to this clause.

#### **Clause 52: Occupancy requirements**

Clause 52 sets out that the general occupancy requirement is that the person on whom the notice is served must refrain from permitting more than the maximum number of persons to occupy the HMO. As with the similar requirement in an overcrowding notice, this can have the effect of requiring the owner to reduce the occupancy of the house immediately – for example, by terminating a tenancy. The new residents' occupancy requirement is that the person on whom the notice is served must refrain from permitting any new resident to occupy the HMO if that person's occupation results in the HMO being occupied by more than the maximum number of persons. This can be used where the council considers that, although the accommodation is unsuitable for its current number of occupants, the balance lies in favour of letting the current situation remain (rather than requiring the immediate departure of one or more residents).

The Council notes the provisions within this clause.

#### **Clause 53: Statement of remedial work**

Clause 53 sets out that a statement of remedial work is a statement of work which the owner of the HMO may undertake and which, if done, will lead to the lifting of the suitability notice. Although the owner is not required to carry out the work, they can choose to do so as an alternative to having the restriction on occupancy imposed by the suitability notice.

The Council would welcome clarity as to the rationale as to why a notice may not state any fire safety measures.

### **CHAPTER 3: HAZARDS**

#### **Clause 54: Definition of a hazard**

Clause 54 defines that a hazard in an HMO is something that constitutes a risk of harm to the health or safety of an actual or potential occupier. The risk may arise from a deficiency in the accommodation forming the HMO, any building or land the accommodation forms part of, or any building or land in the vicinity of that accommodation.

The Council welcomes the inclusion of common parts within this definition.

#### **Clause 55: Hazard notice**

This clause makes arrangements about hazard notices. Such a notice can be served where a council is satisfied that a hazard exists in relation to an HMO. There is also provision for this notice

to be treated as an “emergency hazard notice” that can come into operation immediately where there is an imminent risk to any of the occupiers of the HMO.

The Council welcomes the inclusion of common parts within this definition.

#### **Clause 56: Contents of hazard notice: prohibitions**

A hazard notice may impose prohibitions on the use of any premises as the council considers appropriate in view of the hazard(s) to which the notice relates. Where the hazard affects a flat, the prohibition may cover the use of any part of the building containing the flat or any external common parts. A prohibition may include a requirement to obtain the approval of the council for the use of the property in particular ways.

The Council would request guidance on use and content.

#### **Clause 57: Contents of hazard notice: other matters**

A hazard notice must specify in relation to each hazard: the nature of the hazard; the HMO in which it exists; the deficiency giving rise to the hazard; and the date on which the notice is made.

The Council would think that there is a need the same level of detail in clause 57 as per 56. It is the view of council that it is most likely that repairs are required in the common parts rather than prohibitions, thus covering owner occupiers also, however the same level of detail is absent from clause 57.

#### **Clause 58: Works requirement**

A hazard notice may also contain a works requirement. Clause 58 sets out that a works requirement is that an owner carry out work in order to remove the hazard. The work must be specified in the notice and can be anything which the council regards as appropriate for removing the hazard. If the work is done, the hazard notice must be lifted.

The Council would welcome clarity as to the absence of fire safety measures again,

The Council welcomes the option of carrying out works in default as stated in Schedule 3 but Management Orders would be a better solution to situations where the landlord is not in a position to carry out urgent works to a HMO. These orders could be delivered by the NIHE or Housing Associations.

#### **Clause 59: Approvals as to the use of premises**

This clause states that any approval of the council with regards to a prohibition placed on a property must not be unreasonably withheld and that the owner may appeal to a magistrates’ court against a refusal to give approval.

The Council notes the provisions within this clause.

### **CHAPTER 4: FURTHER PROVISIONS ABOUT NOTICES UNDER THIS PART**

#### **Clause 60: Offences**

This clause sets out the key criminal offences regarding notices under Part 4 of the Bill. These relate to failure to comply with requirements set out in a notice.

The Council welcomes the use of FPN in respect of these offences however it is concerned that fines are currently being issued at levels significantly lower than the fixed penalty level. This matter must be addressed in order to assist Council in discharging their enforcement duties.

### **Clause 61: Further provisions**

Clause 61 introduces Schedule 5, which makes further provisions about notices under this Part.

The Council notes the provisions within this clause.

## **PART 5: SUPPLEMENTARY**

### **Clause 62: HMO register**

Clause 62 requires each council to keep an HMO register containing details of each application for an HMO licence, the decision made on the application and subsequent progress of the licence. The register is to be publicly available, but the council must exclude any information that it considers could put any person or premises at risk.

The Council has a view that having 2 registers in the private rented sector is confusing for both the public and landlords. One single register should cover both sectors and would reduce bureaucracy and administrative costs. The Council would also prefer a nominated office instead of Head Office.

### **Clause 63: Code of practice**

This clause creates a power for the Department to make regulations approving a code of practice laying down standards of conduct and practice to be followed with regard to the management of houses in multiple occupation. The Council welcomes the provision of a code of practice.

### **Clause 64: Fixed penalty: service of notice**

Clauses 64 to 66 provide for fixed penalty notices to be issued, instead of criminal proceedings. Clause 64 allows an authorised officer of the council, who has reason to believe that an offence has been committed, to serve a fixed penalty notice. The notice must set out the offence which is alleged to have been committed, and state the amount of the fixed penalty.

The Council welcomes the provision to issue a FPN, however where non-payment of FPN and courts issue a lower fine than FPN, particularly where FPN sum can be high. Note there is an ability to provide discounted period and clarification should be provided. Experience shows discounted increases likelihood of payment.

### **Clause 65: Fixed penalty: effect of notice**

Where a fixed penalty notice is served on a person in respect of an offence, no criminal proceedings may be commenced against the person for the offence before the time specified in the notice has elapsed. The person may not be convicted of the offence if the person pays the fixed penalty notice.

The Council welcomes the ring fencing of FPN income.

**Clause 66: Fixed penalty: power to alter amounts**

Clause 66 allows for the Department for Social Development to alter the amounts of fixed penalty notices. The Council notes the provision in this clause.

**Clause 67: Appeals**

Clause 67 lists the decisions against which an appeal may be made. Any person on whom the council is required to serve notice of a decision has the right to appeal against the decision to the county court. They must do so within 28 days (or within 7 days of receiving notice of the decision, if later), although the county court may decide to hear a late appeal if there are special circumstances.

The Council notes the provision in this clause.

**Clause 68: Council's statement of reasons for decisions which may be appealed**

This Clause specifies that when any decision to which Clause 67 applies is made, then the council must include a statement informing the person (a) that they may request an explanation of the council's reason for the decision and (b) of the right to the appeal of this decision under Clause 67. Where a statement of reasons is requested, the council must supply that statement within time for the person to be able to appeal the decision. This right to a separate statement of reasons does not apply where the reasons for the decision are included in the original notice of the decision.

The Council would welcome guidance particularly in relation to template responses.

**Clause 69: Powers of court on appeal**

An appeal under Clause 67 is to be by way of re-hearing, but may be determined taking into account matters of which the council were not originally aware. The county court may confirm, vary or quash the decision of the council, or may remit it back to the council for reconsideration.

The Council notes the provisions in this clause.

**Clause 70: Powers to require information and documentation: introductory**

The powers conferred on the council by Clause 71, 72 and 73 are for the purpose of enabling the council to exercise any function on it conferred by this Bill and/or investigating whether any offence has been committed under this Bill.

The Council notes the provisions in this clause.

**Clause 71: Power to obtain information from persons connected to the premises**

This clause allows a council to serve notice on certain persons (defined as "relevant persons") to provide them in writing with details such as: the nature of the person's estate in the premises, the name and address of any other person known to them to have an estate in the premises, any other information which the council may reasonably require and may be known to the person. The notice may also require the person to disclose the relationship between themselves and any other occupiers for the purpose of establishing households and whether the premises are, or contain, an HMO. "Relevant persons" include licence holders, owners, occupiers and agents in relation to premises.

The Council welcomes this provision however in certain circumstances the council may require information before specified 21 days and would welcome this additional provision.

**Clause 72: Power to require persons connected with the premises to produce documents**

This clause allows the council to serve a notice on a “relevant person” (which has the same meaning as in clause 71) requiring the person to produce documents which the council requires and believes are in the person’s custody or control.

The Council notes the provisions in this clause.

**Clause 73: Power to obtain information from other persons**

This clause outlines that the council may require a “relevant person” to provide the council, in writing, any “relevant information” under that person’s custody or control. The clause then goes on to list those considered as “relevant persons” for this purpose (which are different from those for purposes of clauses 71 and 72) e.g. NIHE, educational institutions, estate agents, etc. The clause also sets out what is considered “relevant information” e.g. information which indicates a building or part of a building may be an HMO.

The Council would request the inclusion of PSNI, NIFRS, Health and Social Care Trusts as a relevant person.

**Clause 74: Failure to comply with notice under Clause 71, 72 or 73**

A person commits an offence if they refuse or fail to provide information or a document requested under Clauses 71, 72 or 73 and does not have a reasonable excuse for that failure, or if they supply false information or falsify a document.

The Council notes the provisions in this clause.

**Clause 75: Unauthorised disclosure of information obtained under Clause 73**

An employee of the council commits an offence if they disclose, without lawful authority, any information which the council has obtained under clause 73 and the employee has acquired through their employment and which relates to accommodation that is, or is believed to be, an HMO. This helps to protect the confidentiality of information obtained from other public authorities under that clause, which may have originally been obtained under statutory powers and for other purposes.

The Council notes the provisions in this clause.

**Clause 76: Court to inform council of convictions**

This clause applies where a court convicts a person of any offence under this Bill, with the exception of an offence under Clause 75. It requires the clerk of the court to send to the council details of the conviction and sentence and a note of any revocation or disqualification order made by the court in consequence of the conviction.

The Council notes the provisions in this clause.

**Clause 77: Powers of entry: without warrant**

This clause applies where a council considers that an examination of any living accommodation is required to allow them to establish: whether it is an HMO; whether to grant, vary or revoke a licence or whether any other function under this Bill should be exercised. A person, authorised in writing by the council, may carry out the examination at a reasonable time and must give at least 24 hours notice to the owner and occupiers of the accommodation if practicable. The person may not use force in the exercise of the power conferred by this Clause.

The Council would highlight that under 77(3) specified 24 hours' notice at the initial application, it is not practical to give 24 hours notice where there is reasonable grounds to suspect non-compliance there should be power of entry at reasonable times.

#### **Clause 78: Powers of entry: with warrant**

A lay magistrate may issue a warrant under this clause authorising a person named in the warrant to enter and search the premises specified in the warrant. The warrant may only be issued if two conditions are satisfied:

- 1) A person acting on behalf of the council, reasonably requires to enter or search the premises to establish whether an offence has been committed, a requirement imposed by a notice has been or is being complied with or any of the matters mention in Clause 77(1) (a), (b) & (c) (that is, whether living accommodation is an HMO, whether to grant, vary or revoke a licence, or whether to exercise any function under the Bill).
- 2) The premises are unoccupied or temporarily vacant, or applying to the owners or occupiers for entry would defeat the purpose of the entry or the search, or entry has already been sought under Clause 77 but has been refused.

The clause sets out a number of safeguards governing the issue and execution of warrants.

The Council would highlight that in: 78 (1) lay magistrate and 78 (2) magistrate are mentioned. Is this an intentional difference and if so clarity would be required?

Also the Council would like to highlight that a warrant under these provisions has only 1 month validation, whereas it is 3 months in other Council functions.

#### **Clause 79: Powers of entry: supplementary provisions**

This clause outlines the additional provisions associated with entering premises under Clause 77 or 78, including an offence of obstructing the execution of a warrant. The Council notes the provisions within this clause.

#### **Clause 80: Application by owner where consent withheld**

This clause makes provision for a court of summary jurisdiction to grant the necessary consent to take action where that consent has been unreasonably withheld by a person involved with the property.

The Council notes the provisions within this clause.

#### **Clause 81: Obstructions**

This clause makes provision for where any person required, authorised or entitled to carry out work for, required by, or on behalf of the council is obstructed in carrying out that work. A court of summary jurisdiction may, upon application, order an individual to allow the authorised person to carry out the action in question. Any person failing to comply with this order is guilty of an offence.

The Council notes the provisions within this clause.

### **Clause 82: Effect of moving from accommodation for works to be carried out**

This clause outlines that where a person vacates a premises for the purposes of allowing works to be carried out as required by any notice under the Bill, or a statement of remedial work, their tenancy or other occupancy arrangement is unaffected and is taken to not have been terminated, altered or varied. When the person regains lawful occupation they do so under the same terms.

The Council welcomes and notes the protection afforded to the tenant.

### **Clause 83: HMOs occupied in breach of Act**

This clause confirms that notwithstanding any common law rule that unlawful contracts are not enforceable, a tenancy or licence in respect of an HMO remains enforceable, even if the landlord is required to obtain a licence under Part 2 of the Act but fails to do so.

The Council would seek clarification on the intention of this clause in relation to the payment of rents.

### **Clause 84: Fees**

This clause confers power to make regulations concerning fees, including the maximum amounts to be charged, how fees are to be calculated, and circumstances in which no fee is to be payable or in which fees are to be refunded.

The Council notes the making of regulations. It is councils view fee must be on a cost recovery basis as stipulated in 84 (3).

The Council feel that fees from landlords should meet the cost of the licensing scheme. We understand that it is the intention of the Department to leave the fees in their current format and to consider the matter further with Councils as the operation of the new regime progresses. The City Council does not agree that we should wait until the new regime starts to review fees.

We would request that a group consisting of the representatives from the Northern Ireland Housing Executive, the Department, Belfast City Council and other local councils is formed to oversee the transfer of HMO regulation to Councils. We would also request that this group is formed as soon as possible and its' functions would be to consider the cost of administering the new regime, the transition from the existing registration scheme to licensing, the resources required and future licensing fees.

### **Clause 85: Guidance**

A council must have regard to guidance issued by the Department about the exercise of its HMO licensing functions.

The Council would welcome the provision of comprehensive guidance.

### **Clause 86: Regulations and orders**

This clause confers a power to make consequential and supplementary provision by regulations. It lists the regulations contained within the Bill that are subject to draft affirmative resolution. Regulations which are not listed in the clause are subject to negative resolution. The clause also lists the bodies the Department must consult with when making certain regulations.

The Council notes the provisions within this clause.

#### **Clause 87: General notices**

This clause directs that any “general notices” issued by a council under the Bill must be given in writing and published in such manner as the council considers appropriate. The Council notes the provisions within this clause.

#### **Clause 88: Interpretation**

This clause defines a number of terms used throughout the Bill.

The Council notes the provisions within this clause.

#### **Clause 89: Consequential amendments and repeals**

This clause gives effect to the consequential amendments and repeals set out in Schedules 7 and 8 to the Bill.

The Council notes the provisions within this clause.

#### **Clause 90: Commencement**

Clause 90 enables the Department to make provision by order as to the day or days when the provisions of this Bill, excluding Clause 84 to 86, 90 and 91, come into operation. The listed clauses will come into operation upon receiving Royal Assent.

The Council notes the provisions within this clause.

#### **Clause 91: Short title**

Clause 91 provides that the Act shall be known as the Houses in Multiple Occupation Act (Northern Ireland) 2015.

The Council notes the provisions within this clause.

### **SCHEDULES:**

#### **Schedule 1: Buildings or parts of buildings which are not houses in multiple occupation**

**Schedule 1 contains the detail about the buildings, or parts of buildings that are not classed as HMOs for the purposes of this Bill.**

The Council would re-state its comments regarding its concerns over the meaning of multiple occupation and the exemptions provided in this schedule.

**Schedule 2: Applications for HMO licences: requirements and procedure** Schedule 2 contains the detail about the procedure for the consideration of an application for an HMO licence.

The Council notes the provisions within this clause.

**Schedule 3: Further provision about notices that require works to be carried out** Schedule 3 contains the detail about the provisions relating to notices requiring works to be carried out.

**Part 1: Provision applying to all notices that specify works**

**Part 2: Failure to carry out works required by rectification notice or hazard notice**

The Council notes the provisions within this clause.

**Schedule 4: Variation and revocation of HMO licences: procedure** Schedule 4 contains the detail about how and why a council may go about varying or revoking an HMO licence.

The Council notes the provisions within this clause.

**Schedule 5: Part 4 notices: further provisions** Schedule 5 contains the detail about the serving and operation of Part 4 notices.

**Part 1: Service and date of effect of notices**

**Part 2: Suspension of effect of notices**

**Part 3: Variation and revocation**

The Council notes the provisions within this clause.

**Schedule 6: Definitions for the purpose of Clause 73** Schedule 6 contains definitions of terms used in Clause 73 of the Bill.

The Council notes the provisions within this clause.

**Schedule 7: Consequential amendments** This Schedule contains the detail of the consequential amendments resulting from the introduction of this Bill.

The Council notes the provisions within this clause.

**Schedule 8: Repeals** This Schedule contains the detail of the repeals resulting from the introduction of this Bill.

The Council notes the provisions within this clause.

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<b>Subject:</b>	DSD Consultation - Accounting and Reporting by Charities
<b>Date:</b>	13 October 2015
<b>Reporting Officer:</b>	Donal Durkan Director of Development
<b>Contact Officer:</b>	Cate Taggart Community Development Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	To agree a response to the consultation document from DSD on their regulation for Accounting and Reporting by Charities. The regulation provides for the preparation and scrutiny of accounts prepared by charities and the preparation of annual reports by charities. It also covers the preparation of group annual reports by parent charities.
<b>2.0</b>	<b>Recommendations</b>
2.1	Members are asked to approve the draft Belfast City Council response to the consultation and raise any additional issues, relating to the consultation document, that they would like to be included.
<b>3.0</b>	<b>Main report</b>
3.1	<u>Key Issues</u> The Council was made aware of the consultation on 14/09/2015 and comments are required to be returned by the 30/10/15. The consultations document was distributed to officers across Council and their responses have been included in the provisional draft response attached in <b>Appendix 1</b> .
3.2	The consultation is supported by an online form posing a series of specific questions and space for any additional comments. The full proposal is available online:

<p>3.3</p> <p>3.4</p> <p>3.5</p>	<p><a href="https://www.dsdni.gov.uk/consultations/accounting-and-reporting-by-charities">https://www.dsdni.gov.uk/consultations/accounting-and-reporting-by-charities</a></p> <p>Overall officers consider that the proposals appear to be reasonable. The main concern is that the technical nature of the requirements and the legal language used in the regulation may cause problems for smaller charities. The draft response stresses the need for appropriate communication, training and support for smaller groups.</p> <p><u>Financial &amp; Resource Implications</u></p> <p>There are no financial implications directly to the Council from the regulations. The regulations may have an effect on the quality of, and monitoring of, applications for grants to the Council by Charities.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relations implications from the regulations..</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<p><b>Appendix 1:</b> Draft BCC Response to DSD Consultation – Accounting and Reporting by Charities</p>

# Appendix 1 – Draft Response to DSD CONSULTATION - ACCOUNTING AND REPORTING BY CHARITIES

## Questions

1. To what extent do you agree that the definition of ‘general charity’ is a helpful term to describe all charities which are neither ‘special case’ charities nor ‘investment fund’ charities?

**We believe the definition is clear.**

2. To what extent do you agree that the definition of ‘special case charity’ accurately identifies such charities?

**The definition is very clear – i.e. housing association , institution of further education or higher education institution.**

3. To what extent do you agree with proposals for the ‘accounting reference date’ of a charity?

**This is clear – however from our perspective neighbourhood based groups will need clarification on what the implications these regulations have for them as an organisation. Falling out of this, appropriate support arrangements need to be in place for smaller neighbourhood groups. We suggest that this would require a partnership approach which would include Local Government and in particular Community Services Sections in Local Government.**

4. To what extent do you agree that a limit on the number of changes to the financial year end date (accounting reference date), in the absence of consent from the Commission, to one change in any three year period is a simple and reasonable approach?

**This would appear to be acceptable, provided that the communication , support and training is in place where needed for locally based groups.**

5. To what extent do you agree that regulation 4 correctly identifies the SORP that is applicable to each of the categories of charities identified?

**With the guidance being presented using very legal language, small groups may struggle to understand their responsibilities. Again, consideration needs to be given to appropriate communication and support for smaller groups.**

6. Part 2 of the Regulations sets out the form and contents of the statements of account prepared by charity trustees, the notes to the accounts and the methods and principles for preparing accounts under section 64(1) of the 2008 Act. The Regulations also require the accounts to be prepared using the methods and principles of FRS 102 and the applicable SORP. To what extent do you agree that, by specifying in regulations that charities apply FRS 102 and the applicable SORP, the Regulations do not need to specify the form and contents of accounts, the notes to the accounts and the methods and principles for their preparation?

**This makes sense in that it references the appropriate detailed standard. Again for smaller groups there will be the need to be appropriate communication with support and training being available if required.**

7. To what extent do you agree that it is appropriate to specify in regulations that 'special case' charities should apply the relevant SORP when preparing their accounts?

**No comment.**

8. In your opinion should the Regulations allow charities to limit their disclosure of comparative information to the amounts presented in the total column of the statement of financial activities?

**Yes we concur in that it will make it simpler for smaller organisations.**

9. To what extent do you agree that the regulations dealing with the methods and principles for the preparation of group accounts are better addressed by reference to FRS 102 and the applicable SORP, rather than by detailed scheduling of methods and principles for consolidation in the Regulations?

**Yes we agree.**

10. To what extent do you agree that if the charity audit threshold is increased that the threshold at which group accounts must be prepared should be similarly increased?

**This would be in line with GB.**

11. Are you satisfied that Part 4 of the Regulations provides a sufficient and proportionate framework for audit and independent examination of charity accounts?

**We think to comment on this in detail we would need to seek the advice from an auditor. We would again make a general comment that communication, training and support for smaller organisations needs to be considered when the regulations become fully operative**

12. Are you satisfied that Part 5 of the Regulations provides a sufficient and proportionate framework for annual reporting?

**We think to comment on this in detail we would need to seek the advice from an auditor. We would again make a general comment that communication, training and support for smaller organisations needs to be considered when the regulations become fully operative**

13. To what extent do you agree that the thresholds in Northern Ireland should remain at the 2008 Act levels and be reviewed in 5 years?

**There would be a case to stay as is to allow for a bedding in period but there is also a case to align with the Charity Commission in GB – i.e. for organisations who are UK wide.**

14. To what extent do you agree that the threshold at which an independent examination by a qualified person is required should be increased to £250,000 (the threshold for the preparation of accruals accounts would also be increased to this amount)?

**We think to comment on this in detail we would need to seek the advice from an auditor. Generally, it would be determined by the level of risk involved.**

15. To what extent do you agree that the threshold at which an independent examination by a qualified person is required should be increased to £250,000 (the threshold for the preparation of accruals accounts would also be increased to this amount) and also that the threshold at which an audit is required should be increased to £1 million?

**We think to comment on this in detail we would need to seek the advice from an auditor. Generally, it would be determined by the level of risk involved.**

16. Please let us know if you have any additional comments relating to the proposals.

**In conclusion allowance needs to be given for smaller organisations (of which there are many) who may struggle to meet their responsibilities if there is not a communication, support and training strategy in place to assist them. We would also have some concerns regarding any cost incurred by smaller organisations and how this might be mitigated. We are of the view that a partnership approach, involving all the key agencies with an interest in this area, lead by the Charity Commission may present the solution to the concerns we have raised.**

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<b>Subject:</b>	UK Consultation on Draft plans to improve air quality
<b>Date:</b>	13 <sup>TH</sup> October 2015
<b>Reporting Officer:</b>	Siobhan Toland, Head of Environmental Health / Lead Operations Officer HESD
<b>Contact Officer:</b>	Stephen Leonard, Environmental Health Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	On 20 <sup>th</sup> February 2014 the European Commission launched legal proceedings against the UK for its failure to meet Limit Values for NO <sub>2</sub> . Although the original deadline for meeting the limit values was 1 <sup>st</sup> January 2010, extensions were agreed with Member States which have a credible and workable plan for meeting air quality standards within five years of the original deadline, i.e. by January 2015.
1.2	The UK has now completed the draft air quality plan to be submitted to the European Commission. This consultation seeks views on the key elements from this plan and the UK's approach for meeting NO <sub>2</sub> levels. It also includes copies of the draft plans for each of the 38 zones currently not in compliance.
1.3	The consultation closes on 6 <sup>th</sup> November 2015. DEFRA will submit the final plan to the European Commission in December 2015. A copy of the consultation documentation can be accessed via <a href="https://consult.defra.gov.uk/airquality/draft-aq-plans">https://consult.defra.gov.uk/airquality/draft-aq-plans</a> .
<b>2.0</b>	<b>Recommendations</b>
2.1	To consider and endorse the attached draft response to this consultation.

3.0	Key Issues
3.1	The UK is divided into 43 zones and agglomerations for air quality monitoring and reporting purposes. 38 of these zones, including Belfast, have been assessed as exceeding EU Limits for NO <sub>2</sub> . Each of these zones has draft plans in place to improve NO <sub>2</sub> levels.
3.2	Road transport is the dominant source of pollution in areas where the UK is exceeding NO <sub>2</sub> limit levels.
3.3	Members will recall that the June meeting of the People & Communities Committee approved for consultation on a draft air quality action plan for the city. This included measures designed to ensure Belfast complied with EU limit values for NO <sub>2</sub> by 2020 or before.
3.4	The measures listed in the draft air quality action plan for Belfast have been included in the proposed DEFRA plan for submission to the Commission in December.
3.5	The Department wrote to councils in March 2015 indicating cuts to the overall budget allocated to air quality management. The draft response highlights the need to ensure the monies allocated to councils remains sufficient to allow them to carry out all current legislative duties placed on them.
3.6	Responsibility for meeting air quality limit values in the UK is devolved to the national administrations in Scotland, Wales & Northern Ireland. The Secretary of State for the Environment, Food and Rural Affairs has responsibility for meeting limit values in England. The Department for Environment, Food and Rural Affairs (DEFRA) co-ordinates assessment and air quality plans for the UK as a whole.
3.7	The Council's draft consultation response is attached as Appendix 1.
3.8	<p><u>Financial &amp; Resource Implications</u></p> <p>Costs associated with the delivery of the Council's air quality duties have been estimated and provisions are accounted for within existing budget estimates.</p> <p><u>Equality or Good Relations Implications</u></p>

3.9	There are no relevant equality considerations associated with the delivery of the strategy.
<b>4.0</b>	<b>Appendices – Documents Attached</b>
4.1	Appendix 1 – BCC Draft Consultation Response to DEFRA draft Plans to improve air quality in the UK.

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Department  
for Environment  
Food & Rural Affairs

## Consultation Questions

**Before responding to the questions set out in this consultation, we recommend that you read the draft UK overview document, together with the draft plan or plans for the zone(s) you are particularly interested in.**

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<https://consult.de>

Question 1: Do you consider that the proposed plan set out in the overview document strikes the right balance between national and local roles?

- Yes
- No

If no, please tell us why:

BCC does not agree with the following proposal included in the document:

*“The Department will work with local authorities in Northern Ireland to review the Local Air Quality Management regime, so that funding support is shifted away from monitoring and onto specific outcome-based measures which will improve air quality in problem area.”*

In order to assist councils with their air quality duties, under Part III of the Environment (Northern Ireland) Order 2002, Article 18 states that the Department may make grants or loans to any body or person for the purposes of:

- carrying out an air quality review or assessment
- preparing and implementing an action plan; and
- the assessment or management of the quality of air.

Historically, the Department provided grant funding to councils at up to a 90% rate for the purchase and maintenance of air quality monitoring equipment, completion of research and for the purchase and maintenance of atmospheric dispersion modelling software. Staff costs were also grant funded at a rate of up to 20p per head of population within the local authority district. It should be noted however, that the Department wrote to councils in March 2015 indicating that the overall budget allocated to air quality management had been cut from £500,000 in 2014 to £100,000 in 2015 and that staff costs would no longer be included.

We are concerned that the LAQM grant money allocated to BCC will not be sufficient for us to maintain and carry out the current legislative duties placed on us. Long term funding within DARD or DRD should be secured on a needs basis and not a general policy position of moving away from monitoring to modelling simply to save money. It is critical that specific outcome-based measures are informed by reliable good

quality monitoring data in relation to both national and local policy decisions. As we have seen, relying solely upon modelling for forward projections is a risky proposition; particularly with regard to road NO<sub>x</sub>. We would therefore ask the Department to consider the risk associated with shifting from 'real time monitoring' to modelling.

Question 2: Are you aware of any other action happening in your area which will improve air quality and should be included in the plan? If yes, please identify in the space provided as far as you are able: a. What the additional actions are; b. The zone(s) in which they are being taken; and c. What the impact of those actions might be (quantified impacts would be particularly useful). If there is more than one action please separate them with numbering.

- I am not aware of any other action happening in my area

BCC and relevant partner organisations have just completed a public consultation on a new draft Air Quality Action Plan for the city for the period 2015-2020. The final plan will be available from December 2015 and draws upon all forms of air quality and transport planning activities, including sustainable transport options as well as engineering solutions. It is considered that successful implementation of the measures will improve road vehicle operations and promote and enable a shift onto more sustainable modes of transport to achieve compliance with the nitrogen dioxide EU Limit Value by 2020. This draft plan was made available to Defra and measures from it have feed into the draft UK AQAP. BCC are therefore not aware of any additional measures to improve AQ happening in our area.

Question 3: Within the zone plans there are a number of measures where we are unable to quantify the impact. They are included in the tables of measures. Do you have any evidence for the impact of these types of measures? If yes, please provide the name or code of the zone plan and measure codes of the measure you are referring to in the space provided.

- I do not have any evidence for the impact of these types of measures

BCC and relevant partner organisations have just completed a public consultation on a new draft Air Quality Action Plan for the city for the period 2015-2020. This draft plan was made available to Defra and measures from it to include quantification where possible have feed into the draft UK AQAP. BCC are therefore not able to provide any further quantification evidence in addition to what has already been submitted for the measures proposed.

Question 4: Do you agree that a consistent framework for Clean Air Zones, outlined in section 4.3.6 of the draft UK overview document, is necessary?

Single choice radio buttons (Required)

- Yes
- No
- Not applicable

If yes, do you think the criteria set out are appropriate?

Yes, BCC consider that the criteria set are appropriate.

Question 5: What do you consider to be the barriers that need to be overcome for local authorities to take up the measures set out in section 4 of the UK overview document? How might these be overcome?

- I am not aware of any barriers

Although a duty exists upon Northern Ireland district councils to review and assess air quality, and to develop and manage air quality action plans, responsibility for regional strategic planning, public transport policy and for managing the road network lies with the Department for Regional Development.

Belfast City Council through evidence based monitoring results will continue to seek to influence the Department's policies and proposals, in order to ensure that local air quality issues are afforded due consideration. However, should the DRD not consider it appropriate to take up the measures set out in section 4, we do not have the legislative powers to implement them.

Are there alternative measures which avoid these barriers? If so, please set these out in the space provided.

- I am not aware of any alternative measures

Question 6: Are you aware of any additional action on non-transport sources to improve air quality that should be included in the plan? If so, please set out in the space provided.

- I am not aware of any additional action

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<b>Subject:</b>	Update on the Amateur Boxing Strategy
<b>Date:</b>	13 <sup>th</sup> October 2015
<b>Reporting Officer:</b>	Rose Crozier, Assistant Director of Parks and Leisure
<b>Contact Officer:</b>	Claire Sullivan, Policy and Business Development Unit Manager

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<p><b>Purpose of Report or Summary of main Issues</b></p> <p>The purpose of this report is to update Members on the progress that has been made to date in the delivery of Phase 1 of the Amateur Boxing Strategy and to request permission for the use of City Hall for the finale event for the Boxing development squad on the evening of Tuesday 10<sup>th</sup> November 2015.</p>
<b>2.0</b>	<p><b>Recommendations</b></p> <p>Members are asked to:</p> <ul style="list-style-type: none"> <li>(i) Note the progress made to date; and</li> <li>(ii) Recommend to SP&amp;R the use of City Hall for the finale event for the boxing development squad on 10<sup>th</sup> November 2015 and that the BBC is permitted to film the event as part of the he preview programme for Sports Personality of the Year.</li> </ul>
<b>3.0</b>	<p><b>Main report</b></p> <p>Members are reminded that the Council developed a 10 year amateur boxing strategy for the city in partnership with County Antrim Boxing, Ulster Boxing Council (UBC), Sport Northern Ireland (SNI) and the Irish Amateur Boxing Association (IABA). The final strategy including an action plan was agreed by the former Parks and Leisure Committee in March 2013. It was also agreed that £200,000 per annum would be allocated for 3 years for the implementation of Phase 1 of the strategy and this would include funding to put in place a Sports Development Officer (appointed in December 2013) and two community based coaches (appointed in April 2014).</p>

As the implementation of Phase 1 will end on the 31<sup>st</sup> March 2016 the following is an update to Members of the progress to date and the steps that are being put in place to evaluate the impact of the support that has been provided to boxing across the city.

The Strategy has four strategic challenges under which actions have been developed. A table outlining these actions and what has been achieved under each is attached as

**Appendix 1.** Some highlights of what we have achieved to date are:

- Two Belfast days of boxing have been held – one in March 2014 which involved 18 boxing clubs delivering coaching in the community and 1,000 participants and one in January 2015 which involved 20 clubs and 3,000 participants
- Our 2 Community Based Boxing Coaches to date have run a range of programmes targeting 16,000 participants.
- To date we have run a total of 7 courses supporting 100 coaches
- We have supported the development of 3 new clubs in the Belfast area (Ledley Hall ABC, Upper Ormeau Road ABC and St Michael's ABC)

A steering group comprising representatives from the various boxing bodies was set up to develop the Strategy and it continues to meet to ensure that the implementation of the Strategy meets the needs of boxing in the city. As part of the development of the Strategy, meetings were also held with representatives of all the boxing clubs in the city and these continue to be held on a regular basis. These meetings allow Officers to update the boxing clubs on what is happening and to get their views. At one of these meetings it was identified that a development squad was required in Belfast. The community based coaches have worked with clubs across the city to set up a programme which includes 10 training sessions and has an element to provide mentoring for less experienced coaches. Of the 27 clubs across the city invited to participate in the programme 21 are involved. The programme is aimed at 11, 12 and 13 year olds and 50 young boxers (both male and female) were nominated to participate.

As part of the programme a finale event will be held to allow the boxers involved to showcase their skills. It is proposed that this event will be held in City Hall on the evening of Tuesday 10<sup>th</sup> November 2015 and the Lord Mayor will attend. We have also been informed by the BBC that they would like to film the finale event as part of the BBC Get Inspired Active Academy and the footage will be included in the preview programme of Sports Personality of the Year.

Officers also met with representatives from the Department of Culture Arts and Leisure and Sport NI to discuss the support they are providing to boxing and to ensure that resources are maximised.

Members may also be aware that work is in progress to establish a governing body for boxing in Northern Ireland. Boxing is currently governed on an all island basis and the recognised governing body is the Irish Amateur Boxing association (IABA) based in Dublin. The Northern Ireland Boxing Association (NIBA) has been created as a separate entity and whilst it is not yet a recognised governing body, several Belfast clubs have affiliated with it. Whilst officers will continue to work with all clubs across the city, in relation to some activities, such as using clubs for 'Try it' days, the Council can only work with clubs that are affiliated to a recognised governing body. There are also criteria around some of the Council's funding streams that require the club to be affiliated to a recognised governing body.

Affiliation to a recognised governing body gives Council assurance that a club is operating to a high standard and that they have the correct policies and procedures in place around areas such as:

- Health and safety
- Child protection
- Governance and management
- Coach education and vetting
- Training and vetting of volunteers

This is particularly important in a high impact sport such as boxing to ensure that any risk of injury is mitigated. Affiliation to a recognised governing body also gives Council assurance that the correct insurance is in place which is important if we are to use a club and/or its coaches for an event that is open to the public. Affiliation to a recognised governing body is also essential for progression pathways for competitors, coaches and ring side officials. If a club is not affiliated to a recognised governing body they will not be able to offer their boxers development opportunities and the opportunity to compete at the highest levels such as at European, World, Olympic or Commonwealth level.

Members are asked to note that progress of the new Northern Ireland Government Body will be monitored with a view to including clubs affiliated to it once the body is recognised. It is unclear at this stage what the timescale is for recognising NIBA as a governing body.

	<p>As we are entering the final months of Phase 1 of the implementation of the Strategy officers are in the process of commencing a review of the impact of the support that has been provided on boxing in the city. This will include updating the baseline assessment of all boxing clubs that was undertaken during the development of the Strategy. The findings of the review will be brought to Members in early 2016 with recommendations on how boxing is supported in the future.</p> <p><u>Financial &amp; Resource Implications.</u></p> <p>£200,000 per year for a period of 3 years was agreed for the implementation of the strategy.</p> <p><u>Equality or Good Relations Implications</u></p> <p>The Strategy has been equality screened in line with the Council's equality process. The screening showed that there were potential adverse impacts on a number of groups including females and people with a disability and mitigating actions were added to the Strategy.</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<p><b>Appendix 1 – Summary of action plans</b></p>

## Appendix 1

### Action Plans

Based on the assessment of need carried out as part of the development of their strategic plan IABA identified four strategic challenges under which they outline strategic targets, performance indicators and strategic initiatives. The UBC and Co Antrim Boxing also based their plans on these four strategic challenges. To ensure alignment it was agreed that these were also used as the strands within the Belfast Amateur Boxing Strategy action plans. The following table outlines the four strategic challenges, key actions under them and achievements to date.

Strategic Challenge	Actions	What we have achieved to date
Pathways (boxers, coaches and officials)	<ul style="list-style-type: none"> <li>• promoting boxing among underrepresented groups through try it days</li> <li>• promoting the grants available for individuals through Support for Sport</li> <li>• explore potential funding opportunities for events and competitive fixtures</li> <li>• begin discussions with the education sector in relation to the introduction of a non-contact boxing programme in schools</li> <li>• explore funding for training for Belfast based ring officials</li> </ul>	<ul style="list-style-type: none"> <li>• Two Belfast day of boxing have been held – one in March 2014 which involved <b>18 boxing clubs</b> delivering coaching in the community and <b>1,000 participants</b> and one in January 2015 which involved <b>20 clubs</b> and <b>3,000 participants</b></li> <li>• In partnership with Co Antrim Boxing Board a total of <b>13</b> events have been held to date, with an estimated <b>1,800 spectators</b> – these have involved events for a range of age groups and several have involved teams from other countries including Germany and Spain</li> <li>• The two Community Based Coaches are delivering programmes in a range of schools across the city, including primary and second level and Special Educational Needs</li> <li>• External funding was obtained by Co Antrim Boxing Board to deliver a midnight boxing programme in <b>25 clubs</b> across the city for 10 weeks in the summer of 2014</li> <li>• We have provided funding for courses to be run for referees and judges in Belfast</li> <li>• Our 2 Community Based Boxing Coaches to date have run a range of programmes targeting <b>16,000 participants from across the city.</b></li> </ul>
Coach education and development	<ul style="list-style-type: none"> <li>• develop and support a coach education programme across the city</li> <li>• source funding for delivery of coaching programme aimed at gaining level 1 and 2 qualifications</li> </ul>	<ul style="list-style-type: none"> <li>• To date we have run a total of <b>7 courses</b> supporting <b>100 coaches</b> – these include first aid and in conjunction with the IABA Level 1 and Level 2 coaching courses</li> <li>• We have through the provision of venues and catering supported the IABA Club Development Manager to run a range of training courses in Belfast including Child Protection</li> </ul>
Club support and	<ul style="list-style-type: none"> <li>• promote the funding currently available</li> </ul>	<ul style="list-style-type: none"> <li>• We have supported the development of <b>3 new clubs</b> in the Belfast area, via the</li> </ul>

<p>development</p>	<p>to clubs through the Support for Sport scheme</p> <ul style="list-style-type: none"> <li>• support clubs in the development of club development plans</li> <li>• explore the introduction of Sports Development Officers in Belfast with boxing as a priority target area</li> <li>• develop and deliver a good relations programme for Belfast based clubs</li> <li>• develop a volunteer toolkit and resources</li> <li>• provide start up funding to allow for development of new clubs across the city, through the Support for Sport scheme</li> </ul>	<p>new clubs fund:</p> <ul style="list-style-type: none"> <li>○ Ledley Hall (Inner East)</li> <li>○ Upper Ormeau Road Boxing Club (Sunnyside Street)</li> <li>○ St Michaels Boxing Club (Poleglass)</li> </ul> <ul style="list-style-type: none"> <li>• We are currently working with 2 potential clubs in the East of the city</li> <li>• We have supported <b>4 boxing clubs</b> through the Council's Support for Sport funding in 14/15</li> <li>• We are currently looking at options for the delivery of a good relations programme in Belfast</li> <li>• We are currently putting in place a club support programme which will offer thematic workshops and 1-1 mentoring support</li> </ul>
<p>Governance</p>	<ul style="list-style-type: none"> <li>• work with clubs to achieve Clubmark</li> <li>• work with clubs to develop strong management structure and put in place relevant policies and procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Through our Sports Development Officers we provide ongoing support to boxing clubs and to date we have supported <b>16 boxing clubs</b> to achieve Belfast Clubmark</li> </ul>

## **Briefing Note: Animal Cruelty**

I would like to address the People and Communities Committee following on from the discussion at the most recent council meeting regarding animal cruelty.

Responsibility for the protection of animals at risk has been delegated to Local Government as a consequence of the Review of Public Administration. Yet a recent piece of research conducted by Millward Brown showed that very few people were aware of this fact, with lots of people still believing that if they see a case of animal cruelty or neglect then they should get in touch with the USPCA.

It therefore falls to local councils to make people aware. A well-informed population knowing who to contact if they see neglect or abuse represents a valuable means of stamping out such behaviour. One way in which I believe we could raise public awareness in a cost effective way is to place a sticker on everyone's black wheelie bin advertising the number of the relevant council authorities that people should contact if they suspect cruelty or neglect.

There is a precedent in this area. Council has placed stickers on the bins advertising changes to bin collections due to holidays etc. so this is something we have done in the past. This is merely one suggestion, but I feel it would be effective. Not everyone reads the magazine the council distributes, but almost everyone would see such a sticker and it hopefully would have a positive impact on tackling animal cruelty.

***Alderman Christopher Stalford***  
***DUP - Balmoral***

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