

People and Communities Committee

Tuesday, 13th October, 2015

MEETING OF PEOPLE AND COMMUNITIES COMMITTEE

Members present: Councillor Corr Johnston (Chairperson);
the High Sheriff (Alderman McKee);
Aldermen McCoubrey and Rodgers; and
Councillors Austin, Beattie, Bradshaw,
Brown, Copeland, Corr, Garrett, Jones,
Lyons, Magennis, McCabe, Newton, O'Neill
and Sandford.

Also attended: Alderman Stalford, and Councillors Boyle and Dudgeon.

In attendance: Mr R. Cregan, Director of Finance and Resources;
Mr J. Walsh, Town Solicitor;
Mrs. R. Crozier, Assistant Director of Parks
and Leisure;
Mrs. S. Toland, Lead Operations Officer/
Head of Environmental Health; and
Miss. E. McGoldrick, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillor Heading.

Minutes

The minutes of the meeting of 8th and 11th September were taken as read and signed as correct.

Declarations of Interest

Councillor Bradshaw declared an interest in respect of item 6a) Blythefield Park Alpha Fund Application. She pointed out that she worked for that organisation.

Restricted Items

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

Debt Write Off - Leisure Services

The Committee authorised that the outstanding account, amounting to £14,342.19 as detailed in the report, would be written off in accordance with Section M11/12 of the Council's Financial Regulations.

Residual Waste Update

The Committee was informed that, in September, the Minister of the Environment had issued a Notice of Opinion to refuse the arc21 application for the residual waste treatment project, in pursuance of powers under the Planning Act (NI),2011, and had instructed the Department of the Environment 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 in his opinion be refused.

The Committee noted the contents of the report which outlined the opportunity to appeal this decision and approved the continuation of the existing NILAS compliance arrangements for the treatment and disposal of the Council's residual waste.

The Committee noted that further updates would be submitted to Committee when fuller consideration had been taken by the arc21 joint committee on the issue in October.

The Committee also noted that arc21 would be minded to lodge an appeal and would seek the Council's (alongside the other constituent councils) support in this.

Committee/Strategic Issues

Committee Workplan

The Committee was reminded that, following the workshop of 11th August, officers had developed a workplan for approval which included the emerging strategic direction of both the Council and the city. The Director summarised the plan and outlined how the committee significantly contributed to the long term vision and priorities for the city which included the following key actions:

- Living Here: Improve the city living experience; Deliver fit-for-purpose city services; Reduce health inequalities and Improve community relations;
- Infrastructure and Services: Ensure fit-for-purpose city infrastructure; and
- Enablers: Strong City Leadership and Citizenship.

He outlined that a number of issues which had been discussed at the workshop had wider corporate relevance which included the creation of apps, IT improvements and improvements in communication and would form part of the Strategic Policy and Resources Committee work plan and would therefore be taken through that Committee.

The Committee approved the Committee Plan for 2015/16 as set out in the appendix of the report (copy available on Modern.gov).

Environment

Fuel Poverty Measures and Cavity Wall Insulation

The Committee was provided with an update on the issues arising from the presentation that had been received on 11th August from Mr. John Ross of the Southern Regional College, together with a representative of the Cavity Wall Installers Association, which included:

- The inspection and commissioning of cavity wall installations;
- The remedial action being taken to alleviate the problems of faulty installations;
- The effectiveness of the Energy Performance Certificate Systems; and
- Other Fuel Poverty Measures of the Council: Affordable Warmth Scheme.

The Committee noted the contents of the report in relation to the Fuel Poverty measures which were being undertaken by the Council and in particular the issues outlined above.

New Biodiversity Strategy for Northern Ireland

The Committee was informed of the publication of a new Northern Ireland Biodiversity Strategy which set out how Northern Ireland planned to meet its international obligations and local targets to protect biodiversity, together with key implications for the Council.

The Committee was notified that the Council had an existing Local Biodiversity Action Plan which was due for renewal in 2016 which would be brought to Committee for approval in due course.

The Committee agreed to the review of the Belfast Local Biodiversity Action Plan, taking into account the new Northern Ireland Biodiversity Strategy.

Belvoir Forest Area of Scientific Interest

The Assistant Director advised the Committee that the Department of the Environment had confirmed the declaration of Belvoir as an Area of Special Scientific Interest (ASSI) for its parkland and wood pasture habitat and associated species

She explained that the Council owned and managed Moreland's Meadow which was within the ASSI and that the entire ASSI was within the Lagan Valley Regional Park.

She pointed out that the scientific interest of the site related to specialist biological communities which were associated with veteran and ancient trees and deadwood and that the site also supported an important wide range of plants and animals.

The Committee noted the designation of Belvoir as an Area of Special Scientific Interest and the promotion of its importance and usage.

Physical Programme and Asset Management

Balmoral Bowling club - Request for long term lease

The Committee was advised that a request had been received from the Balmoral Bowling Club expressing an interest in entering into a long term lease with the Council in respect of the Belvoir Bowling Green. The Assistant Director explained that the asset had been transferred as part of Local Government Reform and that the Club had indicated that they were in a good financial position to take over the maintenance of the bowling green, saving the Council the cost of maintenance.

The Committee agreed to recommend to the Strategic Policy and 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.

Foxes Lodge Proposed Future Development

The Assistant Director outlined the contents of a report which sought authority to progress plans to develop land within the City Cemetery on which the former Foxes Lodge was located.

She reminded the Committee of the planned alteration to the traffic flow within the City Cemetery as a consequence of the proposed rapid transit scheme which would require an alternative egress. She explained that the proposal was to provide exit gates opposite Brittain's Parade, adjacent to Foxes Lodge and advised that this would be a widely used exit point. She added further that it was the view of officers that the existing building in its current condition should be demolished.

She advised that officers were also mindful that the Council had recently secured significant development funding from the Heritage Lottery Fund to develop a project to promote the existing heritage of the cemetery and that any demolition works would seek to preserve historically significant elements of the lodge which might be incorporated into any proposed Development.

Accordingly, the Committee adopted the following recommendations:

1. The demolition of the existing building of Foxes Lodge, preserving where appropriate original features to be incorporated within the future development, subject to affordability; and

2. The development of a garden of remembrance within the City Cemetery, subject to affordability and receipt of the necessary statutory approvals.

Partnership Agreements - Implementation Funding

The Committee considered the following report:-

“1.0 Purpose of Report or Summary of main Issues

The Committee is reminded that at its meeting in June 2015 the Committee:

- 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.
- Agreed to receive annual monitoring reports on these partner agreements.

This report sets out additional arrangements to ensure a smooth transition to the new partnerships.

2.0 Recommendations

Following consideration of this report the Committee is asked to:

- 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.
- Agree that the need for additional funds is reviewed to assess effectiveness and future need.

3.0 Main report

Key Issue

The partnership arrangements are a significant change to the operation of the sites as set out. 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.

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.

It is proposed that a small amount of funding in Year One could be claimed by each of the new partners to:

- Ensure the partner club fulfils its responsibilities and duties as outlined in the:
 1. Partnership agreement
 2. Associated service operations schedule
 3. Key holding agreement
 4. Conditions of hire as provided by Council
- 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.
- 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.
- 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

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.

The funding can be provided on receipt of a business case setting out the approach for 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."

The Committee adopted the recommendations as outlined in paragraph 2.0.

Regularisation of Legal Arrangements

The Committee considered the following report:-

1.0 Purpose of Report or Summary of main Issues

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:

- Clarendon Playing Fields
- Hammer open Space
- Willowbank.

2.0 Recommendations

It is recommended that the Committee agree to:

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;
2. Review the existing facilities management at Hammer Open Space which relates to the existing pavilion;
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.

3.0 Main report

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.

Clarendon Playing Fields

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.

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.

Hammer Open Space

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.

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.

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 in place regarding the assets.

Willowbank Park

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.

Financial & Resource Implications

The financial implications will be established as part of the review process.

Equality or Good Relations Implications

There are no equality or good relation implications.”

The Committee agreed to the recommendations as outlined in the report.

Finance, Procurement and Asset Management

Blythefield Park Alpha Fund Application

The Assistant Director advised the Committee that the Greater Village Regeneration Trust (GVRT) wished to seek support from the Committee to apply for Alpha funding for improvement works at Blythefield Park. She outlined the contents of the application (a copy of this was available on Modern.gov) and explained that the GVRT intended to work alongside The Conservation Volunteers as well as local volunteers to carry out the project. She pointed out that the proposal had many key environmental, social, wellbeing, health and economic benefits and that the proposed improvements included:-

- Environmental education programme;

- Outdoor Trail Gym;
- Creation of 2 woodland areas with timber pergola;
- Planting of 50 native trees;
- Outdoor gym instructor for 40 weeks;
- Living willow arches; and
- Benches.

The Committee agreed to support the application of the Greater Village Regeneration Trust to apply for Alpha funding for improvement works at Blythefield Park.

Active Communities

The Assistant Director advised the Committee that correspondence had been received from Sport NI indicating that its funding for the Active Communities programme would cease at the end of March, 2015.

She outlined that the Council was the lead partner in delivering the Active Communities programme with financial support for coaches' salaries and delivery costs from Sport NI and that the Council managed the programme through delivery contracts with three partners: Disability Sport NI; Greenwich Leisure Limited; and Belfast Community Sports Development Network and provided finance for management costs.

After discussion, the Committee agreed that a report be submitted to the Committee for consideration regarding the assessment of the completion of the Active Communities programme to include the impact, participation levels, and possible alternative options available.

Operational Issues

Off Street Car Parking - Regional Delivery Model

The Lead Operations Officer reminded the Committee that the transfer of the Off-Street Parking functions from the DRD to local councils occurred on 1st April by virtue of the Off-Street Parking (Functions of District Councils) Act 2015. She explained that in preparation for the transfer, it was agreed that local government would establish a Regional Off-Street Parking Group, a sub-group of the Local Government Chief Executives' Group (LGCEG), to take forward the operational actions required to ensure the smooth transfer of the function and assets on 1st April.

She advised that, at the last meeting of the Regional Group on 30th June, the representatives from the councils had 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. She explained that the Group had unanimously agreed to support the option to 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 three years.

The Committee approved the proposal put forward by the 'Off-Street Parking Subgroup' to:

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 three years - with the option to extend beyond this time if required.

The Committee also noted that the subgroup included representatives from all 11 councils and the proposal was also endorsed by the Local Government Chief Executives' Group in August.

Control of Graffiti in Belfast - Update Report

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

The Committee was reminded that, arising from discussion on the People and Communities Committee minutes, the Council, at its meeting on 1st September, had agreed that a report be submitted to the Committee which would outline the Council's powers and steps which could be taken to remove graffiti from private properties in the City.

With the permission of the Chairperson, Councillor Dudgeon reminded the Committee of the issues he had previously raised regarding the Council exercising the power to remove graffiti on private property and outlined a zero tolerance approach to graffiti.

During discussion, the Head of Cleansing Services clarified the issue of Council powers, in relation to removal of graffiti, and informed the Committee of the resource implications if the Council were to undertake graffiti removal on private dwellings in the future.

The Committee noted the contents of the report, in particular the information provided on the complex issues and significant costs associated with tackling graffiti removal across Belfast and the responsibilities of property or site owners to carry out maintenance at their own expense.

The Committee also noted that a progress report would be presented to Committee in approximately four months.

Belfast PCSP and DPCSP Funding 2015/16

The Committee considered the following report:-

“1.0 Purpose of Report

1.1 The purpose of this report is to update Members on the current financial position of Belfast PCSP and DPCSP.

2.0 Recommendations

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

3.0 Main report

- 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) *'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'*.
- 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 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.
- 3.8 These arrangements were:
 - PCSPs should immediately suspend entering into any new financial commitments; and
 - PCSPs should only continue with work it was already contracted to complete.
- 3.9 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.

- 3.10 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.
- 3.11 There may be a small possibility of further funding becoming available later in the year but Department of Justice Officials cannot provide any guarantees.
- 3.12 Belfast PCSP and DPCSP's will now consider over the coming months a number of key issues as a result of the budget cuts:
- How the partnerships can maximise the resources of its partners in a collaborative way without the need for additional funding.
 - The development of a more robust evidence base for how funding is allocated at both a geographical and project level.
 - 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.
- 3.13 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.

3.14 **Financial and Resource Implications**

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.

Equality or Good Relations Implications

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."

The Committee noted the contents of the report and agreed that a further report be submitted for consideration regarding a review of the work of the PCSP's, evaluating their value and the outcomes of the current PCSP arrangements.

Safer Belfast CCTV system in wider university area

The Committee was reminded that, in March 2010, Belfast Community Safety Partnership had commissioned the installation of a CCTV system following ongoing antisocial behaviour within the Holylands, which consisted of 12 cameras located at strategic locations throughout the Holylands area and an additional 2 cameras at Broadway roundabout.

The Lead Operations Officer advised that, following assessments in March, 2013 and May, 2015, it was found that the CCTV system was performing below an acceptable level. She explained that the PSNI was also not in a position to continue to monitor and record the existing number of 12 cameras, but might be prepared in future to maintain a recording capacity for up to five strategically placed cameras which could be monitored during critical periods only (for example, Freshers week, St.Patrick's day, Halloween). She added further that there would be no routine monitoring throughout the rest of the year.

She outlined that discussion with the original funders and with other potential partners would need to be undertaken as soon as possible regarding the future of the system to consider a range of options, with a view to submitting long term recommendations to Committee later in the year. She explained that, in the meantime, an interim position would be needed as the Council managed this on behalf of the partner agencies.

After discussion, the Committee agreed the use of mobile CCTV, as an interim measure (up to £3,000), for the future of the CCTV system in the Holylands and noted that a report would be brought back for consideration to review the long term options for CCTV in the area later in the year.

Street Naming - Dual language application

The Committee considered the undernoted application to erect an additional street nameplate in a language other than English:

<u>Street Name</u>	<u>Second Street Name</u>	<u>Language</u>
Waterville Street	(Sráid an Choireáin)	Irish

It was reported that, in accordance with Council policy, a survey of 17 residents had been conducted which had determined that at least two-thirds of the total numbers of residents surveyed in the street had been in favour of the proposal.

Accordingly, the Committee approved the erection of an additional street nameplate.

Fifth Anniversary of Parkrun

The Committee was reminded that, at its meeting on 8th September, it had been agreed that a report be submitted for consideration regarding the possible events that could take place to mark the fifth anniversary of the Parkrun in November.

The Assistant Director outlined the range of events that could potentially take place, which included an evening reception in Belfast Castle and an awards ceremony at the Waterworks Park, alongside providing light refreshments at a number of other Parkrun events across the City.

After discussion, the Committee granted authority for:

1. A number of celebratory events to take place over a number of Council facilities during the weekend of 6th and 7th November to mark the 5 year anniversary of the 1st park run on the island of Ireland; and
2. To provide financial assistance for a number of celebratory events scheduled to take place at several Council facilities as outlined in the report.

Planting of Trees - Knocknagoney Park

The Committee was reminded that, at its meeting on 8th September, it had agreed that a report be submitted for consideration regarding the options for the planting of an avenue of trees in Knocknagoney Park.

The Assistant Director summarised the report and advised that the cost for the supply and planting of sixty-three large trees would be £25,000 and would be accommodated within the Parks and Leisure Budget.

The Committee agreed that an avenue of trees, consisting of sixty three large *Tilia platyphyllos* 'Rubra' – "Redtwigged 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 2015.

River Farset Public Art Project

The Committee was advised that a request had been received from Cultúrlann McAdam ó Fiaich to install a site specific art sculpture in Cave Hill Country Park. The Assistant Director explained that the project was a partnership between Cultúrlann and the Spectrum Centre and that the art piece would form part of the Farset Project, a programme that was aimed in bringing communities living beside the river together to celebrate the story of the Farset in the foundation of the City of Belfast. She advised that the project was 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.

She also advised that The Belfast Hills Partnership (BHP) proposed 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 and sought the Committee's approval to secure external funds for the installation of a new pathway.

She pointed out that, although there had 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.

The Committee granted approval for:

- Cultúrlann McAdam ó Fiaich to install a site specific sculpture in Cave Hill Country park subject to the necessary approvals including planning approval; and
- 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).

Tropical Ravine - Partnership Working

The Assistant Director outlined the contents of the report regarding the 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 the Botanic Gardens.

She reminded the Committee that an important collection of rare and endangered plants were to be conserved and developed as part of a new project to restore the Tropical Ravine in Belfast's Botanic Gardens and that the refurbished Tropical Ravine would include conservation of a listed building, preservation of a heritage plant collection and improved visitor experience for both citizens and tourists.

She explained that Committee approval was 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.

The Committee adopted the following recommendations:

- To support the working with other horticultural institutions for the purpose of training, knowledge and exchange of plants, both in the UK and Ireland; and
- To support the development of partnerships for mutual gain with other horticultural bodies including exchange visits.

HMO's Consultation Response

(Councillor Boyle, who was not a member of the Committee but was in attendance, declared an interest in relation to this item, insofar as he was the owner of HMO's)

The Committee considered the following report:-

“1.0 Purpose of Report or Summary of main Issues

- 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 6th 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.

2.0 Recommendations

- 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 all HMOs 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.
- 3.7 The draft response supports the introduction of accreditation schemes for this type of 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.
- 3.8 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.
- 3.9 In addition the draft response welcomes the following new powers
 - 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.
- 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. However there is concern regarding the language used where someone 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.
 - 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.
 - 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.
 - 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.

3.10 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 enforcement of Fire Safety in HMO's

3.11 Financial & Resource Implications

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.

3.12 Equality or Good Relations Implications

There are no relevant equality considerations associated with the delivery of the strategy.”

With the permission of the Chairperson, Councillor Boyle addressed the Committee and raised concerns surrounding the accreditation scheme and purpose built student accommodation along with the length of time to obtain planning permission.

(Councillor Boyle then left the meeting whilst this item was under consideration.)

After discussion, the Committee endorsed the draft response to the Houses in Multiple Occupation (HMO) Bill Consultation as outlined in Appendix 1 (copy available on Modern.gov) and agreed to the Council making an oral submission to a future meeting of the Department of Social Development Committee.

DSD Consultation on Draft Charities (Accounts & Reports)- Draft Response

The Committee was advised of the requirement to agree a response to the consultation document from the Department of Social Development on its regulation for Accounting and Reporting by Charities which provided for the preparation and scrutiny of accounts and annual reports prepared by charities.

The Committee approved the draft Council response to the consultation on Draft Charities (Accounts & Reports) as outlined in the report (copy available on Modern.gov).

Air Quality - Consultation Response

The Committee was reminded that on 20th February, 2014, the European Commission had launched legal proceedings against the UK for its failure to meet Limit Values for NO₂ and extensions had been agreed with Member States which had a credible and workable plan for meeting air quality standards within five years of the original deadline (January 2015).

The Lead Operations Officer outlined that the UK had now completed the draft air quality plan to be submitted to the European Commission and that the consultation was seeking views on the key elements from this plan and the UK's approach for meeting NO₂ levels, including draft plans for each of the 38 zones currently not in compliance.

She reminded the Committee that, at its meeting on 9th June, it had approved for consultation a draft air quality action plan for the city that had included measures designed to ensure Belfast complied with EU limit values for NO₂ by 2020 or before and that they had been included in the proposed plan by the Department for Environment, Food and Rural Affairs (DEFRA) for submission to the Commission in December.

She outlined that the Department had wrote to councils in March 2015 indicating cuts to the overall budget allocated to air quality management and that the draft response had highlighted the need to ensure the monies allocated to councils remained sufficient to allow them to carry out all current legislative duties placed on them.

The Committee endorsed the draft Council response to the consultation on Air Quality as outlined in the report (copy available on Modern.gov).

Update - Amateur Boxing Strategy

The Assistant Director provided an update on the progress that had been made to date in the delivery of Phase 1 of the Amateur Boxing Strategy, including the four strategic challenges under which actions had been developed:

- Pathways; Boxers, coaches and officials;
- Coach education and development;
- Club support and development; and
- Governance.

She advised that as part of the programme a finale event was proposed to be held to allow the boxers involved to showcase their skills in the City Hall and that the BBC would wish to film the finale event as part of the BBC Get Inspired Active Academy with the footage included in the preview programme of "Sports Personality of the Year".

After discussion, the Committee agreed that a report be submitted to the Committee for consideration to review the boxing strategy to include the reach of the programme and future provision.

The Committee agreed also to recommend the free use of the Ulster Hall instead of the City Hall for the finale event for the boxing development squad on 10th November 2015 and that the BBC would be permitted to film the event as part of the preview programme for Sports Personality of the Year.

King George V 90 Fund - (Additional Item tabled)

With the permission of the Chairperson, the Assistant Director of Parks and Leisure tabled a report regarding The King George V 90 Fund, and advised funding was available through application to Fields in Trust for capital projects that met one of the following objectives:

- Increased participation in sport or play;
- Improved facilities for sport and play;
- Build community cohesion and well being; and
- Enhancing the local environment

She explained that the award of up to £45,000 for two King George V Playing Fields from a total grant value of £90,000 was available and that applications must be made by the landowner of the King George V playing field and could also be supported by local user groups such as sports clubs and "Friends of" groups.

The Committee agreed that the Council engages with potential partners with a view to submitting an application to the King George V Fund as outlined in the report.

Issues Raised in Advance by Members

Animal Cruelty

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

The Committee was reminded that, at the meeting of Council on 1st October, the following resolution was passed unanimously:

This Council regards cruelty against animals as a despicable crime; believes that more could be done to protect animals from cruelty and prevent reoffending. Therefore, this Council calls on the Minister for Justice to work with the Minister for Agriculture and Rural Development and local councils to make it compulsory that those convicted of animal cruelty be prohibited from owning animals for a minimum period of time, establish and place those convicted of animal cruelty on a central register and outlaw the transferring of any animals to anyone on this register.

Following on from this, Alderman Stalford outlined his suggestion to the Committee regarding raising the awareness of this issue with the public, which included the implementation of information stickers on wheelie bins to tackle animal cruelty.

After discussion, the Committee agreed, in principle, that the Council could provide stickers for residents which they may place on their black wheelie bins, in a future edition of City Matters, to promote the details of council authorities for residents to contact if they suspected cruelty or neglect to animals, subject to a report being submitted for approval regarding the detailed financial implications of such a scheme.

After further discussion, the Committee also agreed that a report be submitted to the Committee for consideration regarding the mechanisms for Members to contact staff across the Department out of hours and the weekend/out of hours services available.

Chairperson