

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

18th January, 2024

MEETING OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the on Friday, 19th January, 2024 at 9.30 am, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. Routine Matters

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest

2. Restricted Items

- (a) Presentation by Living with Water Team (Pages 1 - 14)
- (b) Update on Temporary Contracts and Agency Workers (Pages 15 - 30)
- (c) Pay and Grading Review (Pages 31 - 42)
- (d) Update on Special Area Working Group – Neighbourhood Regeneration Fund Stage 2 Development (Pages 43 - 54)
- (e) Revenue Estimates 2024/25 and Medium-Term Financial Plan (Pages 55 - 72)

- (f) North Foreshore Update (Pages 73 - 78)
- (g) Consumer and Product Safety (Pages 79 - 82)
- (h) PEACEPLUS and Shared Island Update (Pages 83 - 100)
- (i) Belfast 2024 Update (Pages 101 - 114)
- (j) Waste Collections – Purpose Built Managed Student Accommodation (Pages 115 - 120)

3. **Matters referred back from Council/Motions**

- (a) Motion – Memorial Wall – Covid 19 (Pages 121 - 122)
- (b) Quiet Streets – Rosetta Way; and Controlled Crossing – Knockbreda Road- Response from Department for Infrastructure (Pages 123 - 128)

4. **Belfast Agenda/Strategic Issues**

- (a) Chief Officer Recruitment (Pages 129 - 132)
- (b) Consultation on Non-domestic and Domestic rating measures to support budget sustainability by raising additional revenue (Pages 133 - 188)
- (c) Overdose Prevention Facilities (Pages 189 - 192)
- (d) Belfast 2024
Moved to restricted items.
- (e) Belfast Region City Deal – update (Pages 193 - 200)
- (f) Alleygates - Phase V (Pages 201 - 208)
- (g) Innovate UK funding opportunity to scope a Net Zero Shipping Corridor between Belfast and Liverpool and to resubmit an application to the Net Zero Living Places fund (Pages 209 - 214)
- (h) Building Regulation fees for applications including insulation (Pages 215 - 218)
- (i) Lagan Valley Regional Park (Pages 219 - 226)
- (j) Council's Powers of Vesting - Tribeca (Pages 227 - 234)

5. **Physical Programme and Asset Management**

- (a) Physical Programme Update (Pages 235 - 238)
- (b) Asset Management (Pages 239 - 244)

6. **Finance, Procurement and Performance**

- (a) Contracts (Pages 245 - 252)

7. **Equality and Good Relations**

- (a) Minutes of Shared City Partnership Meeting 8th January (Pages 253 - 262)

8. **Operational Issues**

- (a) Minutes of Party Group Leaders Consultative Forum (Pages 263 - 266)
- (b) Requests for use of the City Hall and the provision of Hospitality (Pages 267 - 272)
- (c) National Famine Memorial Day 2024 (Pages 273 - 276)
- (d) Coronation Gift (Pages 277 - 280)
- (e) Portrait of King Charles III (Pages 281 - 282)

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

- (a) Request for BCC to act as a Sponsor for a Community Asset Transfer for West Belfast Partnership Board - Councillor Black to raise

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Belfast
City Council

STRATEGIC POLICY AND RESOURCES
COMMITTEE

| | |
|---------------------------|--|
| Subject: | Motion – Memorial Wall – Covid 19 |
| Date: | 15th December, 2023 |
| Reporting Officer: | Nora Largey, Interim City Solicitor/Director of Legal and Civic Services |
| Contact Officer: | Jim Hanna, Senior Democratic Services Officer |

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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Call-in

Is the decision eligible for Call-in?

Yes

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No

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| 1.0 | Purpose of Report/Summary of Main Issues |
| | To bring to Members' attention a motion in relation to a Memorial Wall – Covid 19, which the Standards and Business Committee considered at its meeting on 4 th January. |
| 2.0 | Recommendation |
| | The Committee is asked to consider the motion and take such action thereon as may be determined. |
| 3.0 | Main Report |
| 3.1 | <p><u>Key Issues</u></p> <p>The Standards and Business Committee, at its meeting on 4th January, considered the following motion which had been received for submission to the Council on 8th January:</p> <p><u>Memorial Wall – Covid-19</u></p> <p>"This Council recognises the pain, suffering and loss caused during the Covid-19 pandemic and the trauma of those bereaved and those still suffering with long covid. This Council will facilitate a memorial wall which allows people to remember their loved ones."</p> <p>Proposer: Councillor Emmet McDonough-Brown</p> <p>Seconder: Councillor Christine Bower</p> <p>As the Strategic Policy and Resources Committee is responsible for Managing and maintaining the corporate land bank and city assets, including the City Hall and for allocating resources based on the corporate and city priorities, the motion was referred, in the first instance, to this Committee.</p> <p><u>Financial and Resource Implications</u></p> <p>3.2 None at this stage.</p> <p><u>Equality or Good Relations Implications / Rural Needs Assessment</u></p> <p>This motion, if agreed, may have potential equality, good relations and rural needs implications and should be subject to our normal screening process as appropriate.</p> |
| 4.0 | Documents Attached |
| | None |



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| Subject: | Quiet Streets – Rosetta Way; and Controlled Crossing – Knockbreda Road: Response from Department for Infrastructure |
| Date: | 24th November, 2023 |
| Reporting Officer: | Nora Largey, Interim City Solicitor/Director of Legal and Civic Services |
| Contact Officer: | Jim Hanna, Senior Democratic Services Officer |

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| Restricted Reports | | | | | | | | | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 40px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | |
| <p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 30%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | | After Committee Decision | <input type="checkbox"/> | After Council Decision | <input type="checkbox"/> | Sometime in the future | <input type="checkbox"/> | Never | <input type="checkbox"/> |
| After Committee Decision | <input type="checkbox"/> | | | | | | | | |
| After Council Decision | <input type="checkbox"/> | | | | | | | | |
| Sometime in the future | <input type="checkbox"/> | | | | | | | | |
| Never | <input type="checkbox"/> | | | | | | | | |

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

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | To present the response received from the Department of Infrastructure regarding Quiet Streets – Rosetta Way; and Controlled Crossing – Knockbreda Road: Response from Department for Infrastructure. |

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| 2.0 | Recommendation |
| 2.1 | The Committee is asked to note the response. |
| 3.0 | Main Report |
| 3.1 | <p>Members will recall that the City Growth and Regeneration Committee, at its meeting on 11th October, noted correspondence which had been received from Mr. Graeme Salmon and from Ms. Julie Harrison, dated 4th May and 29th August respectively, in response to the Council's request for a controlled crossing at Knockbreda Road and the creation of a Rosetta Way "Quietway".</p> <p>The Council, at its meeting on 1st November, in considering the minutes of that meeting, agreed that a letter be forwarded to the Department for Infrastructure, calling on it to:</p> <ul style="list-style-type: none"> i. initiate the actions required for the delivery of the Rosetta Way "Quietway"; ii. proceed with the implementation of Quiet Streets/Low Traffic Neighbourhoods and other road safety schemes at a local level, rather than await the outcome of the review of such schemes in England, which had been initiated by the Prime Minister; and iii. provide information on the timeline for the completion of the design and audit of the agreed puffin crossing on the Knockbreda Road and proceed to install the crossing as soon as possible thereafter. |
| 3.3 | The Council agreed also that the Department be requested to respond to the correspondence which had been forwarded to it on 11th July, following the adoption by the Standards and Business Committee, on 27th June, of a motion on the Standard of Repairs to Roads and Footpaths. |
| 3.4 | Accordingly, Democratic Services wrote to the Permanent Secretary. A response has been received from the Divisional Roads Manager, on his behalf, a copy of which is attached. |
| 3.5 | In his response he advises that currently the limited staff resources for active travel in the Belfast area is focused on the delivery of the Belfast Cycling Network Delivery Plan short term scheme list. |
| 3.6 | While there are also working closely with councils to better understand their 5-year greenway programme, there is currently no policy for the introduction of 'Quiet Streets', and they have no plans to consider the implementation of any schemes. |
| 3.7 | Regarding the controlled crossing on Knockbreda Road. As highlighted in the letter dated 4 May 2023, the Department is now focusing its attention on a crossing situated close to the Knock Eden Park junction on Knockreda Road and have instructed its consultants to carry out the detailed design and a further safety audit for this location. |
| 3.8 | He further advises that this has now been received and will be brought before Eastern Divisions approval 'A Group' system, in January 2024. Following this they will write to Belfast City Council to advise on progress and the effect on adjacent residents, so the Council can carry out its consultation. |
| | <u>Financial and Resource Implications</u> |
| 3.9 | None associated with this report. |

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| 3.10 | <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None associated with this report.</p> |
| 4.0 | Document Attached |
| | Response from the Divisional Roads Manager, Department for Infrastructure |

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**Network Traffic, Street Lighting and
Transportation**

Eastern Division

Mr Henry Downey
Democratic Services Officer
Belfast City Council
City Hall
Belfast BT1 5GS

DowneyH@BelfastCity.gov.uk



Department for
Infrastructure

An Roinn

Bonneagair

Department for

Infrastructure

www.infrastructure-ni.gov.uk

Annex 7
Castle Buildings
Stormont Estate
Tel: 0300 200 7899
Email: traffic.eastern@infrastructure-ni.gov.uk

Being Dealt With By: Graeme Salmon
Direct Line: 02890526238

Your reference:
Our reference: STOF-0556-2023

Date: 22 December 2023

Dear Mr Downey

**QUIET STREETS – ROSETTA AND CONTROLLED CROSSING - KNOCKBRED
ROAD**

Thank you for your letter 14 November 2023 to the Permanent Secretary about the creation of a Rosetta Way 'Quietway' and an update on the provision of a controlled crossing on Knockbreda Road. As this is an operational matter for Eastern Division your query has been forwarded to us for response. I apologise for the delay in replying.

I can advise that currently our limited staff resources for active travel in the Belfast area is focused on the delivery of the Belfast Cycling Network Delivery Plan short term scheme list.

While we are also working closely with councils to better understand their 5-year greenway programme, there is currently no policy for the introduction of 'Quiet Streets', and we have no plans to consider the implementation of any schemes.

Regarding the controlled crossing on Knockbreda Road. As highlighted in our letter 4 May 2023 the Department is now focusing its attention on a crossing situated close to the Knock Eden Park junction on Knockbreda Road and have instructed our consultants to carry out the detailed design and a further safety audit for this location.

I can advise that this has now been received and will be brought before Eastern Divisions approval 'A Group' system, in January 2024. Following this we will write to Belfast City Council to advise on progress and the effect on adjacent residents, so the Council can carry out its consultation.

I hope this information is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Des McFarlane', with a stylized flourish at the end.

DES MCFARLANE
Divisional Roads Manager



| | |
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| Subject: | Chief Officer Recruitment |
| Date: | 19 January 2024 |
| Reporting Officer: | Christine Sheridan, Director of Human Resources |
| Contact Officer: | Christine Sheridan, Director of Human Resources |

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| Restricted Reports | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If Yes, when will the report become unrestricted? | |
| After Committee Decision | <input type="checkbox"/> |
| After Council Decision | <input type="checkbox"/> |
| Some time in the future | <input type="checkbox"/> |
| Never | <input type="checkbox"/> |

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

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| 1.0 | Purpose of Report or Summary of Main Issues |
| 1.1 | Members will be aware that there are 3 permanent Director level posts which are vacant and due to be recruited in the coming months. |
| 1.2 | The purpose of this report is to seek permission to recruit the post of Director (Operational) of City and Neighbourhood Services, (two posts) and City Solicitor/Director of Legal and Civic Services and for the constitution of the selection panels to comprise the Chief Executive (or his nominee) and a Council Director, along with three Elected Members from the Council's SP&R Committee. |
| 2.0 | Recommendations |
| 2.1 | It is recommended that the post of Director (Operational) of City and Neighbourhood Services, (two posts) and City Solicitor/Director of Legal and Civic Services be recruited on a permanent basis and that the selection panels for the posts comprise the Chairperson of the SP&R Committee: the Deputy Chairperson of the SP&R Committee (or their |

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| | nominees); and one additional elected member from the SP&R Committee from a political party not already represented by the Chair and Deputy Chair; along with the Chief Executive (or his nominee) and a Council Director. | | | | | | | | | | |
| 2.2 | It is important that the Elected Members nominated to constitute the selection panels for these posts, provide a balance where practicable in terms of both gender and community background. | | | | | | | | | | |
| 3.0 | Main report | | | | | | | | | | |
| 3.1 | The posts of Director (Operational) of City and Neighbourhood Services, (two posts) and City Solicitor/Director of Legal and Civic Services will be publicly advertised in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment & Selection. | | | | | | | | | | |
| 3.2 | <p>A recent exercise undertaken to analyse where BCC job applicants became aware of BCC job opportunities in 2022/2023 has proved that hard copy print of job adverts in local newspapers is no longer an effective recruitment source or an effective return on investment for BCC. As a result, it was agreed by the SP&R Committee in August 2023 that the recruitment for the two Strategic Director posts would not be advertised in the local papers and advertised more widely on sources that have proved to be effective such as the Council's own website, online job boards and social media etc. Following completion of the two previous Strategic Director recruitments, elected members are asked to agree that Chief Officer posts will not be advertised in local papers, going forward.</p> <p>The hard copy print of all other BCC job adverts will continue to appear in the three local papers and this will be kept under review.</p> | | | | | | | | | | |
| 3.3 | <p>Recruitment Timetable – Director (Operational) of City and Neighbourhood Services (two posts)</p> <table border="1"> <tr> <td>Public Advertisement / Closing Date</td><td>Friday 2 February 2024/ Friday 16 February 2024</td></tr> <tr> <td>Panel Short-listing Meeting (Stage 1)</td><td>*Thursday 22 February 2024 from 2pm to 4pm</td></tr> <tr> <td>Virtual Assessment Centre</td><td>Thursday 29 February 2024 (all day)</td></tr> <tr> <td>Outcome of Assessment Centre (Stage 2)</td><td>*Thursday 7 March 2024 at 10am</td></tr> <tr> <td>Final Interviews</td><td>*Friday 15 March 2024 (all day required at the minute)</td></tr> </table> | Public Advertisement / Closing Date | Friday 2 February 2024/ Friday 16 February 2024 | Panel Short-listing Meeting (Stage 1) | *Thursday 22 February 2024 from 2pm to 4pm | Virtual Assessment Centre | Thursday 29 February 2024 (all day) | Outcome of Assessment Centre (Stage 2) | *Thursday 7 March 2024 at 10am | Final Interviews | *Friday 15 March 2024 (all day required at the minute) |
| Public Advertisement / Closing Date | Friday 2 February 2024/ Friday 16 February 2024 | | | | | | | | | | |
| Panel Short-listing Meeting (Stage 1) | *Thursday 22 February 2024 from 2pm to 4pm | | | | | | | | | | |
| Virtual Assessment Centre | Thursday 29 February 2024 (all day) | | | | | | | | | | |
| Outcome of Assessment Centre (Stage 2) | *Thursday 7 March 2024 at 10am | | | | | | | | | | |
| Final Interviews | *Friday 15 March 2024 (all day required at the minute) | | | | | | | | | | |

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| | Recruitment Timetable – City Solicitor/Director of Legal and Civic Services | |
| | Public Advertisement / Closing Date | Friday 15 March 2024/ Friday 29 March 2024 |
| | Panel Short-listing Meeting (Stage 1) | *Wednesday 10 April 2024 from 2pm to 4pm |
| | Virtual Assessment Centre | Thursday 18 April 2024 (all day) |
| | Outcome of Assessment Centre (Stage 2) | *Wednesday 24 April 2024 from 3.45pm to 5.15pm |
| | Final Interviews | *Wednesday 8 May 2024 (all day required at the minute) |
| 3.4 | <p>*Elected Members will be required to attend on these three key meeting dates. Elected Members may also be required to attend a 2-hour R&S training course on non-discriminatory R&S techniques in advance of these meeting dates. An observer from the Local Government Staff Commission (LGSC) and a Professional Assessor may also attend these meetings but they will not have any voting rights.</p> <p>Both selection panels will have the authority to make these appointments and the outcome of the recruitment and selection processes will be reported back to SP&R and full Council for notation.</p> | |
| | <u>Financial & Resource Implications</u> | |
| 3.5 | There are no financial or resource implications associated with this report as the posts have already been budgeted for in the revenue estimates and any quotes for Assessment Centres will be managed in line with the Council's agreed procurement thresholds. | |
| | <u>Equality or Good Relations Implications/Rural Needs Assessment</u> | |
| 3.6 | There are no equality, good relations or rural needs implications associated with this report. These posts will be recruited in full accordance with the LGSC's Code of Procedures on Recruitment and Selection and be conducted in a fair, systematic and objective manner with all appointments based strictly on the merit principle. | |
| 4.0 | Appendices – Documents Attached | |
| | None. | |

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|---------------------------|---|
| Subject: | Consultation on Non-domestic and Domestic rating measures to support budget sustainability by raising additional revenue. |
| Date: | 19 th January 2024 |
| Reporting Officer: | Trevor Wallace, Director of Finance |
| Contact Officer: | Trevor Wallace, Director of Finance |

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| Is this report restricted? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | | | | | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 30px; height: 20px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | | | | | | |
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| Sometime in the future | <input type="checkbox"/> | | | | | | | | | | | | | |
| Never | <input type="checkbox"/> | | | | | | | | | | | | | |

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

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| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | The purpose of this report is to ask the Committee to approve the draft response to the Consultation on Non-domestic and Domestic rating measures to support budget sustainability by raising additional revenue. |

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| 2.0 | Recommendations |
| 2.1 | <p>The Committee is asked to:</p> <ul style="list-style-type: none"> (i) consider the draft consultation response which has been submitted as a draft response in-line with the closing date for consultation; and (ii) approve its formal submission, subject to any comments or amendments provided at Committee. |
| 3.0 | Main report |
| 3.1 | <p>In September 2023 the Secretary of State for Northern Ireland wrote to Permanent Secretaries of Northern Ireland Departments directing that they launch public consultations on measures to support budget sustainability by raising additional revenue.</p> |
| 3.2 | <p>On the 11th of October the Department of Finance published a document setting out the financial context for the revenue raising consultations. This was followed on the 7th of November 2023 with the launch of a 14-week consultation on the revenue raising potential associated with the removal of rating measures. The consultation is seeking views from those who may be directly affected and from the wider body of ratepayers. There are seven proposals for changes to rating measures identified by the Secretary of State:</p> <p>Domestic sector:</p> <ul style="list-style-type: none"> • Maximum Capital Value cap. • Early Payment Discount, • Landlords Allowance, <p>Non-domestic sector:</p> <ul style="list-style-type: none"> • Industrial Derating, • Non-domestic Vacant Rate relief, • Freight Transport relief, • Halls of Residence exemption. <p>The closing date for this consultation is the 13th of February 2024.</p> |
| 3.4 | <p>In addition, the Department is seeking views on four questions relating to the overall fiscal position.</p> <ul style="list-style-type: none"> • Is there other revenue raising measures that should be considered? • Are there any services/ programmes that should be stopped or reduced to divert funding to more critical services? • Are there public services that could be delivered in a different way? • Are there public services that could be delivered by others (e.g. local government, voluntary and community sector or private sector) or are there are other areas in which greater collaboration could deliver better outcomes? |

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| 3.5 | The consultation response has been by David Magor, IRRV, on behalf of the council based on City Council responses in the past, various committee minutes and comments from members at LPS briefings. |
| 3.6 | Appendix 1 presents the Councils proposed response to the consultation, incorporating the Notice of Motion approved at SP&R on 15 th December 2023 as the response to question one, removal of the £400k cap. |
| 3.7 | Appendix 2 and 3 are the consultation documents produced by the Department of Finance. |
| | Financial & Resource Implications |
| 3.8 | None |
| | Equality or Good Relations Implications / Rural Needs Assessment |
| 3.9 | To be determined by the Department of Finance. |
| 4.0 | Appendices – Documents Attached |
| | Appendix 1 – Draft Consultation Response Appendix 2 – Revenue Raising Consultation – Domestic Sector Appendix 3 – Revenue Raising Consultation – Non-Domestic Sector |

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Department of Finance Consultation on Non-domestic and Domestic rating measures to support budget sustainability by raising additional revenue

Introduction

In September 2023 the Secretary of State for Northern Ireland wrote to Permanent Secretaries of Northern Ireland Departments directing that they launch public consultations on measures to support budget sustainability by raising additional revenue.

On the 11th of October the Department of Finance published a document setting out the financial context for the revenue raising consultations. This was followed on the 7th of November 2023 with the launch of a 14-week consultation on the revenue raising potential associated with the removal of rating measures. The consultation is seeking views from those who may be directly affected and from the wider body of ratepayers. There are seven proposals for changes to rating measures identified by the Secretary of State:

Domestic sector:

- Early Payment Discount,
- Landlords Allowance,
- Maximum Capital Value cap.

Non-domestic sector:

- Non-domestic Vacant Rate relief,
- Industrial Derating,
- Freight Transport relief,
- Halls of Residence exemption.

The closing date for this consultation is the 13th of February 2024

In addition, the Department is seeking views on four questions relating to the overall fiscal position.

- Is there other revenue raising measures that should be considered?
- Are there any services/ programmes that should be stopped or reduced to divert funding to more critical services?
- Are there public services that could be delivered in a different way?
- Are there public services that could be delivered by others (e.g. local government, voluntary and community sector or private sector) or are there are other areas in which greater collaboration could deliver better outcomes?

The consultation document states.

“The answer to the financial challenge government faces in delivering public services will lie in a combination of these solutions and are ultimately political choices. However, the focus of the consultations being launched is to explore revenue raising options”.

The consultations are structured around a series of questions. This report outlines the background to each question in italics and responds appropriately. The report also offers a range of additional proposals for consideration in relation to the four additional matters mentioned above.

Domestic Rates

Removal of the maximum capital value cap (“the cap” or “max cap”) from the rating system

Domestic rate bills are calculated based on, among other things, the capital value of the property. LPS assesses capital values at a given date, currently 1 January 2005. Occupiers of domestic property with an assessed capital value of more than £400,000 are billed for rates as if the property was valued at £400,000. The cap has a projected 2023/24 cost – in terms of revenue foregone – of approximately £11M, of which £5.4M is a cost to the NI Executive. It applies to around 7,900 domestic properties in Northern Ireland. The majority (65%) of the domestic properties which benefit from the cap are located in the Ards & North Down and Belfast council areas. The properties in these two council areas account for 74% of the cost of the relief.

Question One – Should the maximum capital value cap be removed?

This Council notes that, for ordinary domestic Belfast rate payers, it is a struggle to make ends meet at present, especially with rates reaching 7.99% in 2023/2024. For the better off in society, rates are not such a struggle to pay.

There is a maximum capital value cap on Domestic Rates known as the Max Cap, which is currently set at £400,000, that limits the rates those in more affluent homes are compelled to pay. The Max Cap has not been altered since 2009. It is prescribed in legislation: The Rates (Maximum Capital Value) Regulations (Northern Ireland) 2007, as amended.

A rebalancing of the rates burden needs to take place so that all rate payers pay their fair share. There is no good reason for the poorer to pay more in percentage terms when they are struggling financially.

Question Two - What, in your view, would be the impact of removing this support?

It would create hardship for some ratepayers particularly those who are asset rich and income poor. There would need to be an awareness campaign to reduce the impact of the change.

An income-related rebate scheme is available to rate payers, there is an argument to modify the scheme in the short term to cushion the impact.

The change could prompt a number of value appeals particularly because ratepayers who benefitted from the cap saw no need to challenge their values when capital values were introduced. LPS could find the determination of the “tone” of those values quite difficult because of the passage of time. It is worth recalling that the values were based on the amount a domestic property could reasonably have sold for as a freehold property on the open market on 1 January 2005, which is the date in legislation that is specified as the date of valuation.

Removal of early payment discount from the rating system

If domestic ratepayers make payment in full, in a single amount, by a date specified on the rate bill, then a discount of 4% is applied to the rate bill. This is a longstanding feature of the domestic rating system which was put in place to encourage ratepayers to pay in a single amount early in the rating year as this was administratively less complex and less expensive than managing instalments. Over the years, payment by Direct Debit, which is the most efficient method of collection, has become a more popular payment method among ratepayers. In 2022/23, over 158,000 ratepayers (approximately 20%) availed of the early payment discount. The projected cost in 2023/24 is £7.9M. It is paid for entirely by the NI Executive. The cost of this discount fluctuates from year to year, depending on how many ratepayers take advantage of it.

Question Three – Should the early payment discount be removed?

Yes, it should be removed immediately. Those affected can elect to pay by instalments. (see the response to question four).

Question Four - What, in your view, would be the impact of removing this support?

No significant impact.

In an earlier consultation the DOF expressed the view that the removal of early payment discount would eliminate a major disincentive in the take up of direct debit payment. If that is the case it should result in significant administrative savings for LPS.

It may increase the number of reminder notices and court actions, but the impact will be minimal.

Removal of landlord allowance from the rating system

Landlords who are either responsible, or volunteer, for rates liability for property they rent out can receive an allowance if the full amount is paid by 30th September each year. Since 2015, this allowance has been 10% for both voluntary and compulsory landlord liability. Landlords who pay rates in respect of more than 210,000 properties received the allowance in 2022/23. In this context ‘landlords’ includes those organisations which manage the entire social housing sector. The landlord allowance

has a projected 2023/24 cost of approximately £14.2M, of which £7.5M is funded by the NI Executive. The remainder is paid for by district councils. The cost of this allowance fluctuates year to year.

Question Five – Should the landlord allowance of 10% be removed?

Th Council believes this allowance should be retained for the NIHE and Housing Associations, however, it does believe the present schemes are over generous especially compared the early payment discount afforded to domestic ratepayers... As an alternative to complete removal consideration could be given to a reduction to 5% which has been suggested in previous consultations.

Question Six -What, in your view, would be the impact of removing this support?

Some landlords will make tenants liable which will impact on collection and administration. If a landlord adopts this approach their tenants will be more aware of the rate rebate scheme which would undoubtedly increase take-up. There has not been any research into the impact of inclusive rents on rate rebates apart from the obvious fact that tenants are less aware of the potential entitlement. There is no doubt the complete removal of the discount will help ensure the rate rebate scheme is properly used.

Non-Domestic Rates

Removal of Industrial Derating from the rating system

Industrial Derating awards a 70% reduction to the normal rate liability for property deemed to be used for manufacturing purposes. Areas within a factory which are not used for manufacturing (such as offices) do not benefit from the relief. The application of Industrial Derating is subject to strict interpretation of the Rates (Northern Ireland) Order 1977 and caselaw established by the Lands Tribunal. The relief is awarded to around 4,500 manufacturing properties, half of which are located in four council areas: Armagh City, Banbridge and Craigavon, Belfast, Mid Ulster and Newry, Mourne & Down. The relief has a projected cost in 2023/24 of £71.5M. The cost of the relief is paid for entirely by the NI Executive, through revenue foregone from the Regional Rate, and annual Derating Grant payments to compensate district councils for the loss to their district rate revenue.

Question One - Should Industrial Derating be removed?

Industrial de-rating should be kept in its present form. The City Council believe it is critical to maintaining the economic health of manufacturing in Northern Ireland and together with changes in corporation tax provide a stable foundation to attract and maintain economic activity in this important sector. It can be also argued that the sector has been hit very hard over the last few years and the relief allows businesses to compete with the mainland UK and the Republic of Ireland.

Question Two - What, in your view, would be the impact of removing this support.

The City Council believes that there should be a long term commitment to Industrial Derating until 2030 in order to maintain economic stability and encourage new players to Northern Ireland.

The importance of the sector to the wider economy and the impact of any job losses cannot be ignored. Manufacturing is an important sector employing approx. 95k people and generating over £11bn in external sales (i.e. sales outside NI).

It has been argued strongly that higher energy costs and NI's geographic location on the periphery of Europe results in higher transport costs for both inputs and outputs, which places companies at a competitive disadvantage in international markets, therefore retention of the relief is important in creating a level playing field.

Any move to reduce or remove the entitlement should be carefully considered because of the interaction with the rules on Subsidy Control (formerly State Aid). In the current climate any removal of a relief or exemption might be difficult to restore without contravening the rules.

Removal of Non-Domestic Vacant Rate (NDVR) relief of 50% from the rating system

When non-domestic property belonging to a prescribed class becomes vacant, rates are not payable for three months from either the date it becomes vacant or the date LPS determines as a 'Completion Day'. After that, rates liability is set at 50% of the normal "occupied" rate. The 50% level is set out in primary legislation. This proposal is to remove the 50% reduction so that the full occupied rate is charged for these properties, as it is for vacant domestic property. There are currently around 4,700 non-domestic properties in receipt of the relief, 45% of which are located within three council areas: Armagh City, Banbridge and Craigavon, Belfast and Newry, Mourne & Down. This relief has a projected cost of £19.7M in 2023/24. The cost is shared, approx 50/50, by the Northern Ireland Executive and district councils.

Question Three – Should Non-Domestic Vacant Rating relief be removed?

The City Council is of the opinion that the existing property relief system that is in place should be retained. This relief affords business (and occupiers) a period post vacation of the premises to endeavour to get the premises occupied. For longer term vacancies it supports the party liable for the business rates charge during this period of extended void.

Empty property relief should continue at 50% for the time being but it should be kept under review if the economic situation improves. To fully understand the impact of non-domestic vacant rating we believe there should be a detailed study of the yield and the impact of exclusions. This should be considered in the context of the numerous avoidance mechanisms that are being employed in other parts of the United Kingdom. This should also include the potential to restrict the amount of time the relief is available for. The council is of the view the current application of the relief indefinitely needs reviewed.

Question Four - What, in your view, would be the impact of removing this support?

Northern Ireland and particularly the city of Belfast is going through a significant period of change that is likely to last several years. During this period of change there will be new and altered buildings which will be available on the market. During the marketing period landlords should still be able to benefit from the 100% relief for the initial period of vacancy to support any efforts to find tenants. Removal of this relief is not supported by the Council and would damage efforts to achieve timely lettings.

The change of approach to the treatment of vacant properties after the initial void period elapsed will not have a beneficial impact on property development and regeneration. If you do not retain the relief it would fuel the inability of the property owner to pay the rates bill in the absence of rental income and reduce the capital available to the landlord to invest and upgrade their properties.

Removal of Freight Transport relief from the rating system.

Freight Transport relief is a long-standing measure within the Northern Ireland rating system. It provides 75% rate relief to premises that are occupied for the purpose of handling and shipment of goods that are neither owned by, nor intended for the use of, the operator. Freight Transport relief is awarded to 17 properties that are mainly associated with harbours and ferry terminals. It has a projected 2023/24 cost of £2.32M. It is paid for entirely by the NI Executive, through revenue foregone from the Regional Rate loss and annual Derating Grant payments to compensate district councils for the loss to their district rate revenue.

Question Five – Should Freight Transport relief be removed?

No, this relief only accounts for a modest loss of revenue and is only available in very limited circumstances. The DOF have reviewed this relief in the past and it was considered that as the overall sum involved is relatively modest it should remain at 75%. Most of the relief is awarded to ratepayers in the harbour and freight terminal. These operations are an important part of the overall economy, and any disturbance of this key activity should be avoided.

Question Six - What, in your view, would be the impact of removing this support?

The City Council believe the relief should remain, as it is part of the framework that enhances the economy of Northern Ireland. Even though it is a relatively low amount impacting on a small number of ratepayers, this should not diminish its importance. Regard should be had with the interaction with the Subsidy Control rules if it were removed. Any removal of a relief or exemption might be difficult to restore without contravening the rules.

Removal of the student Halls of Residence exemption from the rating system

Under current NI rating law properties occupied by the two universities here are fully rateable. Although the universities themselves are fully rateable, the 17 halls of residence connected with the universities are currently fully exempt from rates.

- 14 are owned or managed by eligible institutions (i.e., a university or higher education institution).*
- 3 are privately operated under appointment by an eligible institution. There are also Purpose-Built Student Accommodation (PBSA) buildings which are occupied by private organisations but these are not eligible for exemption.*

In recent years there have been calls from the operators of those buildings for parity with those that are exempt. The proposal to remove exemption would ensure consistency of treatment between university and college-owned halls of residence (which currently receive an exemption) and new Purpose Built Student Accommodation (which is not eligible for exemption). The exemption has a cost of just over £2M in revenue foregone. The cost is shared by the Northern Ireland Executive and district councils.

Question Seven – Should exemption for Halls of Residence owned or managed by universities and colleges be removed?

Yes, the Council supports removal of the exemption.

It should be noted that many full-time students living away from home already pay rates through their rental payments to the landlord of the private rented accommodation.

As stated in the Council's previous response to this question, the Council believes that the current exemption is also unfair to all residents in Belfast that a proportion of occupiers make no contribution to local services irrespective of their personal financial circumstances.

Question Eight - What, in your view, would be the impact of removing this support?

The removal of the exemption would increase the overall tax base for the Council to help offset the additional costs incurred by the Council in providing services to new student accommodation developments in the City.

It is likely that the removal of the exemption would result in an increase in rent to cover the rate element. The current legislation requires the landlord of the exempt residence to pass on to the student tenant the benefit of the exemption.

As things stand, the new private halls built in and around Belfast City Centre are unlikely to qualify for the current exemption unless any of the named educational bodies nominate most persons who are to occupy the accommodation and the saving is passed on to the students.

There is a remote possibility that developers of the PBMSA blocks may be discouraged from investing in future projects in Northern Ireland although there is little evidence of a reduction in this activity.

In terms of “rating harmonisation” it should be noted that in England, Wales and Scotland halls of residence are not included in the non-domestic rating list. They are regarded as domestic properties and are specifically exempted from council tax. Students are also disregarded for council tax and any individual dwelling fully occupied by students is also exempt from council tax.

City Council response to elements of the questions relating to the overall fiscal position.

Is there other revenue raising measures that should be considered?

In reviewing alternatives, the Department must not lose sight of the intrinsic features of the property tax which make it a desirable fiscal tool. Recent evidence concerning the problems of specific countries in the European Union (i.e. Greece, Portugal, Republic of Ireland, Spain and Cyprus) shows that both the International Monetary Fund and the World Bank regard the property tax as an essential and stable element for financing public services. The City Council would not want to see the role of the property tax diluted to such an extent that it becomes an unreliable source of local authority funding. However, it is important that the property tax keeps pace with the economic and social change for that reason the scope of the tax should be constantly under review. There are elements of the current legislation that have not been considered by this “revenue raising” exercise. It is the view of the City Council that all aspects of the structure of the rating system should be considered and subjected to a “fit for purpose” exercise.

The City Council believes there are a range of options that could be considered to increase the revenue potential in Northern Ireland which are not part of the existing rating system:

Vacant and Derelict Land Levies

Taxing land value as a supplement to rate income could be a significant source of revenue as well as a tool to encourage the use of vacant sites. To deliver a precise land valuation for each individual vacant land parcel in Northern Ireland would be a challenge and could be fraught with complexity; however, as it would be additional to the non-domestic rating system the volume of parcels to be valued would be much lower as one would only be seeking to place a value on vacant sites and derelict land and buildings.

The content of each vacant site record could include digitised elements of the Ordnance Survey map to give context to location and information from the Land Registry. This proposal envisages the formation of a data base that could create comprehensive vacant land maps with zones of value for land based on the most up to date evidence. The map could have overlays recording to the permissions being considered and would facilitate the use of the concept of “highest and best use” which would form the value base for the additional tax.

The 'Vacant Land Levy' (VLL) and the Derelict Land Levy (DLL) are distinct from Land Value Tax as they only place a tax on stalled and derelict sites to prevent the practice of land banking and to bring land into economic use. The levies are designed to tackle the opportunity cost of land, which has been identified for development, remaining undeveloped.

Tourism Taxes

Tourism has the capability to stimulate local economies. It can create employment, earn foreign currency, and attract investment both internally and externally. It adds value locally, regionally, and nationally and generally stimulates economic and social activity.

The economic activity of tourism makes it an attractive opportunity to raise revenue. The rationale for specific tourism-related taxation varies from country to country and by the type of levy imposed. Recent trends provide clear evidence of the expansion of this form of income linked to tourism's continued growth and outreach. OECD policies for sustainable and inclusive growth recognised tourism's potential as a driver for sustainable development.

Hotel and accommodation levies are the most common example of specific indirect tourism taxation. It is usually designed as a charge on stays at hotel establishments; it can be an ad valorem tax (with the rate as a percentage of prices) or an ad quantum amount (unit tax) per night.

The Tourist BID is a modification of the conventional BIDs system. A conventional BID covers a geographical area whereas a Tourist BID is applied to the "visitor economy" across a local authority area or a larger area which could be represented by several authorities or a specific region with the aim of devoting revenue to promoting the area to visitors.

A Cruise Ship Levy has been introduced in Scotland. This is additional to any harbour charges that may be made. It has raised significant revenue and is based on a visitor fee based on the total number of passengers on the ship.

Earmarked or assigned proportion of VAT.

The following is an extract from the report of the Fiscal Commission NI in December 2021

"The NI Executive controls most of the spending on public services that happens within Northern Ireland – almost £9 in every £10 of 'identifiable' public spending. Other than rates on businesses and households it has no real substantive powers to vary taxes and raises less than £1 in every £20 of Northern Ireland tax revenue. In that it contrasts to the Scottish and Welsh governments which do have some, limited, tax powers. Our interim report, sets out to explore the case for additional powers

over taxation. In doing so it considers the economic context, current fiscal powers, the possible reasons for additional devolution, and the potential risks and rewards from such devolution. It goes on to look at the whole array of UK taxes and reaches some preliminary conclusions regarding which taxes might be the best candidates for devolution and, importantly, those which are less suitable at this point in time.”

The City Council would encourage the Executive to explore the possibility of earmarking or assigning additional levies of national taxes to directly fund local services. A starting point could be to examine what is happening in Scotland and Wales with devolved taxing powers. Value Added Tax offers the opportunity to create an additional levy which could be earmarked to fund particular activities.

Increase and broaden the range of fees and charges for specific local authority services.

Local authorities have a general power of competence which permits them to raise charges for specific services. This is already a major source of local authority income but has significant potential to raise more providing the source is stable from year to year.

Traffic related charges

There are numerous opportunities to raise income through traffic related management charges. They have been successfully implemented in many parts of the UK and they offer a stable policy related opportunity to raise revenue. Charges in this category are

- Parking, both on street and off street.
- Licences for charging points.
- Business parking levies
- Congestion charging
- Road pricing such as usage and tolls
- Emission levies
- Average speed zones

Are there public services that could be delivered in a different way?

Although not ruling out the potential for local government to deliver new services, such as through transfer of function, councils require both the legal vires to deliver, and the provision of corresponding and negotiated ongoing funding.

Councils **will not** take on a new function without transfer of agreed levels of accompanying funding, thus negating the potential for cost savings. It is therefore difficult to see how a transfer of delivery would provide a saving for government.

Our experience as a sector is that grant funding can be removed arbitrarily (e.g. animal welfare funding), so this is not a satisfactory arrangement.

A more sustainable system including all costs, would need to be found – to include e.g. maintenance budgets.

Councils are actively involved in working collaboratively with each other, with NDPBs and with government departments to deliver shared outcomes e.g. through community planning, but would observe that there are distinct barriers in terms of sharing/pooling budgets, and movement of money between councils and departments (e.g. to give effect locally using developer contributions). More effective legislation and policy would be helpful to drive change in this regard.

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Consultation Paper Domestic Rating Measures

November 2023



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Foreword

Overview of the current domestic rating system

The rating system in Northern Ireland is a devolved tax with no direct links to similar taxation systems in England, Scotland or Wales. There are two different rates levied in Northern Ireland: a domestic rate for residential properties and a non-domestic rate for businesses.

The total revenue raised through both domestic and non-domestic rates within Northern Ireland is approximately £1.37 billion, with approximately 45% of this being funded by domestic rating. This is used to pay for both local district council services as well as regional services delivered by the Northern Ireland Executive such as education, health and roads.

Regional Rate revenue alone provides approximately 4% of the Northern Ireland Executive's public spending. A high level breakdown of total rating revenue raised in 2022/23 is provided in the following table:

| Source | Revenue |
|---------------------|---------|
| Non-domestic sector | £773M |
| Domestic sector | £603M |
| Total | £1.37Bn |

In Northern Ireland each domestic property has an individual capital value (CV) assessed, and ratepayers are charged rates based on these assessed values. The CV reflects the value of the property as at 1 January 2005, that is, the valuation date. To ensure the rate burden is distributed fairly, new property being valued for rates purposes is also valued at 1 January 2005 levels.

Land & Property Services (LPS), within the Department of Finance, administers the rates system and has little discretion in doing so as everything is governed by legislation or case law, some of which goes back over 100 years. Rates paid by households and businesses make a vital contribution to funding the public services delivered by the Executive and District Councils in Northern Ireland.

There is harmonisation across the UK in relation to valuation practice and procedure for business rates, as far as legislation permits. However, the domestic rating system in Northern Ireland is unique compared to the rest of the United Kingdom where Council Tax, a banded valuation system of property taxation, is used and where households also pay additional, separate charges for water and sewerage.

The systems of reliefs and exemptions are similar in their policy intent, but different in the specifics of how they operate in practice. Reliefs, allowances, and exemptions are the main means through which the rating system can be used as a tool of social, economic and environmental policy. Those differences have developed over many years because of different policies and priorities set by the Northern Ireland Executive at various points in time.

Providing any rate relief means either foregoing revenue or charging other ratepayers more. An exemption or relief is often viewed from the perspective of who it benefits, but there is a real cost, as every pound raised through the rating system in Northern Ireland stays here as a resource to help pay for hospitals, schools, and other essential regional services.

There have been detailed policy reviews of the rating system in Northern Ireland, most recently in 2016 and 2019. These reviews consulted on the options for changing the various reliefs, exemptions, and allowances for both domestic and non-domestic rates, but have not resulted in any substantive changes to the rating system other than to implement more frequent non-domestic General Revaluations. The most recent comprehensive review of Business Rating, the report for which was completed just prior to the Covid-19 pandemic, can be accessed at the following link.

[Business Rates Public Consultation | Department of Finance \(finance-ni.gov.uk\)](#)

Executive summary

In September 2023 the Secretary of State, Rt Hon Chris Heaton-Harris, directed Northern Ireland Departments to undertake a consultation exercise on revenue raising measures.

The Department of Finance is seeking views on 7 rates proposals: 4 in the non-domestic sector, and 3 in the domestic sector. It will be a matter for an incoming Executive to decide on which, if any, measures are taken forward.

The proposals are presented in such a way as to highlight a means of identifying and maximising revenue through the removal of rate support, discounts and allowances. As such they highlight the fastest and quickest means of realising the revenue gain to address the budget shortfalls facing central government. It is recognised within the Department of Finance that further consultative and policy work will need to be done should such measures proceed to implementation, particularly in relation to the further analysis of any impacts and mitigation measures that may accompany that implementation or that have been brought to the Department's attention during the consultation process.

It is important therefore that the Department garners as wide a range of stakeholder views as possible, including views on the wider impact of the proposals, so that future policy development in this area is fully informed.

Consultations on rating policy tend to be dominated by those who may be directly affected but it is also important to gather the views and opinions of the wider body of ratepayers. For this reason, the Department welcomes views from organisations and individuals on the package of revenue raising proposals taken as a whole. Views are also invited in relation to additional revenue raising proposals, which may include the removal or reduction of any other rate support measures.

The financial context of this exercise is presented in the following link.

[Financial context for revenue raising consultations | Department of Finance \(finance-ni.gov.uk\)](https://finance-ni.gov.uk/financial-context-for-revenue-raising-consultations)

The key stages and target completion dates are:

| Key stage | Date |
|-----------------------------|-----------------------|
| Direction from SoS | 20 September 2023 |
| Launch consultation | 7 November 2023 |
| Stakeholder engagement | 7 November + 14 weeks |
| Close consultation | 13 February 2024 |
| Publish consultation report | w/c 18 March 2024 |

Structure of the consultation

There are **THREE DOMESTIC** rating measures being consulted on:

Part 1

Removal of the maximum capital value cap (“the cap” or “max cap”) from the rating system.

Part 2

Removal of the early payment discount from the rating system.

Part 3

Removal of the landlord allowance from the rating system.

Further resources

For more general information about the rating system in Northern Ireland, the following document may be useful:

A guide to rates

[A guide to rates | Department of Finance \(finance-ni.gov.uk\)](#)

About this consultation

Who can respond to this consultation?

The Department of Finance, acting on direction from the Northern Ireland Office, is seeking views on these proposals from all interested parties, individuals and groups from across Northern Ireland on the matters covered by this consultation.

Purpose of this consultation

The proposals set out here will have a direct impact on many peoples' lives. The Department of Finance recognises the need to keep the public informed on such important matters and to allow people the opportunity to comment on the policy proposals.

This consultation therefore invites people to answer a number of questions in relation to these revenue raising measures. The questions are posed throughout the document. A complete list of questions can also be found at the end of the consultation document at page 17.

Scope of the consultation

The consultation applies to all of Northern Ireland whether a member of the public, a business, organisations or professional bodies.

Duration of the consultation

The consultation will run for 14 weeks, it closes to responses on 13 February 2024.

How to respond to this consultation

You can respond to this consultation online through the link to Citizen Space.

[NI Direct - Citizen Space](#)

You can also send your consultation responses to:

Revenue Raising Consultation
Land & Property Services
Department of Finance
Lanyon Plaza
7 Lanyon Place
Belfast, BT1 3LP

When responding, please state whether you are doing so as an individual, or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled. We will acknowledge your response.

The consultation document will be available in other formats upon request. You can email any queries to: revenueaising@finance-ni.gov.uk

Associated documents

There are two DoF consultation documents available to you, this one on domestic rating measures and one on non-domestic rating measures. Also, associated draft impact screening assessments have been made available on the consultation website.

See [Department of Finance \(finance-ni.gov.uk\)](https://finance-ni.gov.uk) for all related papers, which can also be obtained in hardcopy on request, using the contact details above.

How we consult

Consultation principles

- consultation must be at a time when proposals are still at a formative stage;
- the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response;
- consultation is only part of a process of engagement;
- adequate time must be given for consideration and response; and
- government responses should be published in a timely fashion.

Confidentiality

Your rights

Under the Data Protection legislation, you have the right:

- to be informed of the personal data held about you and to access it;
- to require us to rectify inaccuracies in that data;
- to (in certain circumstances) object to or restrict processing;
- for (in certain circumstances) your data to be ‘erased’;
- to (in certain circumstances) data portability; and
- to lodge a complaint with the Information Commissioner’s Office (ICO) who is our independent regulator for data protection.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tell us.

DoF Privacy Notice

The DoF Privacy Notice, explaining how we use your personal data, can be viewed at: [Department of Finance Privacy Notice | Department of Finance \(finance-ni.gov.uk\)](#)



Part One

Removal of the maximum capital value cap (“the cap” or “max cap”) from the rating system

Domestic rate bills are calculated based on, among other things, the capital value of the property. LPS assesses capital values at a given date, currently 1 January 2005. Occupiers of domestic property with an assessed capital value of more than £400,000 are billed for rates as if the property was valued at £400,000.

The cap has a projected 2023/24 cost – in terms of revenue foregone – of approximately £11M, of which £5.4M is a cost to the NI Executive. It applies to around 7,900 domestic properties in Northern Ireland.

The majority (65%) of the domestic properties which benefit from the cap are located in the Ards & North Down and Belfast council areas. The properties in these two council areas account for 74% of the cost of the relief.

Parity

There is no direct parity with the position in other parts of the UK as they have Council Tax rather than domestic rates. Council Tax uses a banded value system: with 8 bands in England and Scotland, and 9 bands in Wales. In Northern Ireland domestic rates are assessed on individual discrete property values. The Council Tax banding system has the effect of putting in place a cap as every property in the highest band, regardless of what it is worth, pays the same amount of Council Tax.

When it was introduced, the rationale for the cap was to ensure that no ratepayer in Northern Ireland would pay more than the average highest band Council Tax bill in England. Currently, the highest domestic rate bill in Northern Ireland is a maximum £4,219; the highest Council Tax bill in Great Britain is a maximum £5,090¹.

Further information

[Valuation of domestic properties for rates | nidirect](#)

[How rate bills are calculated | nidirect](#)

¹Band I Council Tax bill in Blaenau Gwent, Wales.

Interaction with other support measures

There may be an increase in lone pensioner allowances, or disabled persons allowances, as well as means tested support for those ratepayers in the “asset rich, income poor” cohort of ratepayers. The Low-Income Rate Relief scheme was implemented as a top-up to Housing Benefit in anticipation of a capital value system of rating with no maximum capital value. Housing Benefit and Low-Income Rate Relief are being phased out for working age welfare claimants and replaced by Universal Credit and a new Rate Rebate scheme.

Housing Benefit and Low-Income Rate Relief are still available to pensioners who are not in receipt of Universal Credit.

CONSULTATION QUESTIONS

Q1**Should the maximum capital value cap be removed?****Q2****What, in your view, would be the impact of removing this support?****Click to answer questions** 

Impact screening

A Departmental initial Draft Impact Assessment screening exercise has determined that there will be further impact assessment requirements in relation to one area for this proposal, namely rural impact assessment. Evidence from consultees is sought on this area to inform this work.



Part Two

Removal of early payment
discount from the rating system

If domestic ratepayers make payment in full, in a single amount, by a date specified on the rate bill, then a discount of 4% is applied to the rate bill.

This is a longstanding feature of the domestic rating system which was put in place to encourage ratepayers to pay in a single amount early in the rating year as this was administratively less complex and less expensive than managing installments. Over the years, payment by Direct Debit, which is the most efficient method of collection, has become a more popular payment method among ratepayers. In 2022/23, over 158,000 ratepayers (approximately 20%) availed of the early payment discount.

The projected cost in 2023/24 is £7.9M. It is paid for entirely by the NI Executive. The cost of this discount fluctuates from year to year, depending on how many ratepayers take advantage of it.

Parity

There is no equivalent discount in the other parts of the UK which have Council Tax and do not offer early payment discounts.

Further information

[Rates discount deadline approaching | nidirect](#)

Interaction with other support measures

There is no interaction with other support measures. The early payment discount is applied after any other allowances which the ratepayer may be entitled to. The early payment discount has no bearing on the underlying tax regime.

CONSULTATION QUESTIONS

Q3

Should the early payment discount be removed?

Q4

What, in your view, would be the impact of removing this support?

[Click to answer questions](#) 

Impact screening

A Departmental initial Draft Impact Assessment screening exercise has been conducted in respect of this proposal and has currently screened this proposal out in respect of any further Impact Assessment requirements. Evidence of any wider impacts will however be assessed should consultees wish to provide this to the Department to inform policy making in this area.



Part Three

Removal of landlord allowance
from the rating system

Landlords who are either responsible, or volunteer, for rates liability for property they rent out can receive an allowance if the full amount is paid by 30th September each year.

Since 2015, this allowance has been 10% for both voluntary and compulsory landlord liability. Landlords who pay rates in respect of more than 210,000 properties received the allowance in 2022/23. In this context 'landlords' includes those organisations which manage the entire social housing sector.

The landlord allowance has a projected 2023/24 cost of approximately £14.2M, of which £7.5M is funded by the NI Executive. The remainder is paid for by district councils. The cost of this allowance fluctuates year to year.

Parity

There is no equivalent discount in the other parts of the UK which have Council Tax and there is no landlord allowance within that system.

Further information

[Request Landlord Article 21 rating allowance | nidirect](#)

Interaction with other support measures

There is no interaction with other support measures. The landlord allowance has no bearing on the underlying tax regime.

CONSULTATION QUESTIONS

Q5

Should the landlord allowance of 10% be removed?

Q6

What, in your view, would be the impact of removing this support?

[Click to answer questions](#) 

Impact screening

A Departmental initial Draft Impact Assessment screening exercise has been conducted in respect of this proposal and has currently screened this proposal out in respect of any further Impact Assessment requirements. Evidence of any wider impacts will however be assessed should consultees wish to provide this to the Department to inform policy making in this area.

List of consultation questions

Removal of the maximum capital value cap (“the cap” or “max cap”) from the rating system

-  **Q1** Should the maximum capital value cap be removed?
-  **Q2** What, in your view, would be the impact of removing this support?
-

Removal of early payment discount from the rating system

-  **Q3** Should the early payment discount be removed?
-  **Q4** What, in your view, would be the impact of removing this support?
-

Removal of landlord allowance from the rating system

-  **Q5** Should the landlord allowance of 10% be removed?
-  **Q6** What, in your view, would be the impact of removing this support?

Click to answer questions 



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Consultation Paper

Non-Domestic Rating Measures

November 2023



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Foreword

Overview of the current non-domestic rating system

The rating system in Northern Ireland is a devolved tax with no direct links to similar taxation systems in England, Scotland or Wales. There are two different rates levied in Northern Ireland: a domestic rate for residential properties and a non-domestic rate for businesses.

The total revenue raised last year through both domestic and non-domestic rates within Northern Ireland is approximately £1.37 billion, with about 55% of this being funded by non-domestic rating. This is used to pay for both local district council services as well as regional services delivered by the Northern Ireland Executive such as education, health and roads.

Regional Rate revenue alone provides approximately 4% of the Northern Ireland Executive's public spending. A high level breakdown of total rating revenue raised in 2022/23 is provided in the following table:

| Source | Revenue |
|---------------------|---------|
| Non-domestic sector | £773M |
| Domestic sector | £603M |
| Total | £1.37Bn |

Non-domestic rates are a property tax that is usually levied on the occupier, in direct proportion to a property's assessed rental value (also known as Net Annual Value or "NAV"). From 1 April 2023 the NAV reflects the rental value of the property as at 1 October 2021.

Land & Property Services (LPS), within the Department of Finance, administers the rates system and has little discretion in doing so as everything is governed by legislation or case law, some of which goes back over 100 years. Rates paid by households and businesses make a vital contribution to funding the public services delivered by the Executive and District Councils in Northern Ireland.

There is harmonisation across the UK in relation to valuation procedure and practice, as far as legislation permits. The systems of reliefs and exemptions are similar in their policy intent, but different in the specifics of how they operate in practice. Reliefs, allowances, and exemptions are the main means through which the rating system can be used as a tool of social, economic and environmental policy. Those differences have developed over many years because of different policies and priorities set by the Northern Ireland Executive at various points in time.

Providing any rate relief to the business sector means either foregoing revenue or charging other ratepayers more. An exemption or relief is often viewed from the perspective of who it benefits, but there is a cost, as every pound raised through the rating system in Northern Ireland is a resource to help pay for hospitals, schools, and other essential regional services.

There have been detailed policy reviews of the rating system in Northern Ireland, most recently in 2016 and 2019. These reviews consulted on the options for changing the various reliefs, exemptions, and allowances for both domestic and non-domestic rates, but have not resulted in any substantive changes to the rating system other than to implement more frequent non-domestic General Revaluations. The most recent comprehensive review of Business Rating, the report for which was completed just prior to the Covid-19 pandemic, can be accessed at the following link.

[Business Rates Public Consultation | Department of Finance \(finance-ni.gov.uk\)](#)

Executive summary

In September 2023 the Secretary of State, Rt Hon Chris Heaton-Harris, directed Northern Ireland Departments to undertake a consultation exercise on revenue raising measures.

The Department of Finance is seeking views on 7 rates proposals: 4 in the non-domestic sector, and 3 in the domestic sector. It will be a matter for an incoming Executive to decide on which, if any, measures are taken forward.

The proposals are presented in such a way as to highlight a means of identifying and maximising revenue through the removal of rate support, discounts and allowances. As such they highlight the fastest and quickest means of realising the revenue gain to address the budget shortfalls facing central government. It is recognised within the Department of Finance that further consultative and policy work will need to be done should such measures proceed to implementation, particularly in relation to the further analysis of any impacts and mitigation measures that may accompany that implementation or that have been brought to the Department's attention during the consultation process.

It is important therefore that the Department garners as wide a range of stakeholder views as possible, including views on the wider impact of the proposals, so that future policy development in this area is fully informed.

Consultations on rating policy tend to be dominated by those who may be directly affected but it is also important to gather the views and opinions of the wider body of ratepayers. For this reason, the Department welcomes views from organisations and individuals on the package of revenue raising proposals taken as a whole. Views are also invited in relation to additional revenue raising proposals, which may include the removal or reduction of any other rate support measures.

The financial context of this exercise is presented in the following link.

[Financial context for revenue raising consultations | Department of Finance \(finance-ni.gov.uk\)](https://finance-ni.gov.uk/financial-context-for-revenue-raising-consultations)

The key stages and target completion dates are:

| Key stage | Date |
|-----------------------------|-----------------------|
| Direction from SoS | 20 Sept 2023 |
| Launch consultation | 7 November 2023 |
| Stakeholder engagement | 7 November + 14 weeks |
| Close consultation | 13 February 2024 |
| Publish consultation report | w/c 18 March 2024 |

Structure of the consultation

There are **FOUR NON-DOMESTIC** rating measures being consulted on:

Part 1

Removal of Industrial Derating from the rating system.

Part 2

Removal of Non-Domestic Vacant Rate (NDVR) relief of 50% from the rating system.

Part 3

Removal of Freight Transport relief from the rating system.

Part 4

Removal of the student Halls of Residence exemption from the rating system.

Further resources

For more general information about the rating system in Northern Ireland, the following document may be useful:

A guide to rates

[A guide to rates | Department of Finance \(finance-ni.gov.uk\)](https://www.finance-ni.gov.uk/guides/a-guide-to-rates)

About this consultation

Who can respond to this consultation?

The Department of Finance, acting on direction from the Northern Ireland Office, is seeking views on these proposals from all interested parties, individuals and groups from across Northern Ireland on the matters covered by this consultation.

Purpose of this consultation

The proposals set out here will have a direct impact on many peoples' lives. The Department of Finance recognises the need to keep the public informed on such important matters and to allow people the opportunity to comment on the policy proposals.

This consultation therefore invites people to answer a number of questions in relation to these revenue raising measures. The questions are posed throughout the document. A complete list of questions can also be found at the end of the consultation document at page 21.

Scope of the consultation

The consultation applies to all of Northern Ireland whether a member of the public, a business, organisations or professional bodies.

Duration of the consultation

The consultation will run for 14 weeks, it closes to responses on 13 February 2024.

How to respond to this consultation

You can respond to this consultation online through the link to Citizen Space.

[NI Direct - Citizen Space](#)

You can also send your consultation responses to:

Revenue Raising Consultation
Land & Property Services
Department of Finance
Lanyon Plaza
7 Lanyon Place
Belfast, BT1 3LP

When responding, please state whether you are doing so as an individual, or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled. We will acknowledge your response.

The consultation document will be available in other formats upon request. You can email any queries to: revenueraising@finance-ni.gov.uk

Associated documents

There are two DoF consultation documents available to you, one on domestic rating measures, and this one on non-domestic measures. Also, associated draft impact screening assessments have been made available on the consultation website.

See [Department of Finance \(finance-ni.gov.uk\)](https://finance-ni.gov.uk) for all related papers, which can also be obtained in hardcopy on request, using the contact details above.

How we consult

Consultation principles

- consultation must be at a time when proposals are still at a formative stage;
- the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response;
- consultation is only part of a process of engagement;
- adequate time must be given for consideration and response; and
- government responses should be published in a timely fashion.

Confidentiality

Your rights

Under the Data Protection legislation, you have the right:

- to be informed of the personal data held about you and to access it;
- to require us to rectify inaccuracies in that data;
- to (in certain circumstances) object to or restrict processing;
- for (in certain circumstances) your data to be ‘erased’;
- to (in certain circumstances) data portability; and
- to lodge a complaint with the Information Commissioner’s Office (ICO) who is our independent regulator for data protection.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tell us.

DoF Privacy Notice

The DoF Privacy Notice, explaining how we use your personal data, can be viewed at: [**Department of Finance Privacy Notice | Department of Finance \(finance-ni.gov.uk\)**](#)



Part One

Removal of Industrial Derating from
the rating system

Industrial Derating awards a 70% reduction to the normal rate liability for property deemed to be used for manufacturing purposes. Areas within a factory which are not used for manufacturing (such as offices) do not benefit from the relief. The application of Industrial Derating is subject to strict interpretation of the Rates (Northern Ireland) Order 1977 and caselaw established by the Lands Tribunal.

The relief is awarded to around 4,500 manufacturing properties, half of which are located in four council areas: Armagh City, Banbridge and Craigavon, Belfast, Mid Ulster and Newry, Mourne & Down.

The relief has a projected cost in 2023/24 of £71.5M. The cost of the relief is paid for entirely by the NI Executive, through revenue foregone from the Regional Rate, and annual Derating Grant payments to compensate district councils for the loss to their district rate revenue.

Parity

Removal of Industrial Derating will bring the position in Northern Ireland into line with rating policy in all other parts of the UK, where Industrial Derating was phased out in 1963 (in England and Wales) and 1995 (in Scotland).

Further information

[Industrial Derating | nibusinessinfo.co.uk](https://nibusinessinfo.co.uk)

Interaction with other support measures

If the policy were introduced, then there would be a corresponding reduction in the Derating Grant for district councils to reflect removal of the relief. The Derating Grant is paid to councils by the Department for Communities.

In non-domestic rating, a property may not benefit from both Derating and Small Business Rates Relief. If this measure were implemented, properties with a rateable value of up to £15,000, in respect of which Industrial Derating currently applies, would become eligible for Small Business Rate Relief. This would increase the cost of the Small Business Rates Relief by approximately £2 million.

CONSULTATION QUESTIONS

Q1 Should Industrial Derating be removed?

Q2 What, in your view, would be the impact of removing this support?

Click to answer questions 

Impact screening

The Departmental initial Draft Impact Assessment screening exercises have determined that there will be further impact assessment requirements in relation to two areas for this proposal, namely economic assessment and regulatory impact assessment. Evidence from consultees is sought on these two areas, and impacts more generally, to fully inform Policy making in this area.



Part Two

Removal of Non-Domestic Vacant Rate (NDVR) relief of 50% from the rating system

When non-domestic property belonging to a prescribed class becomes vacant, rates are not payable for three months from either the date it becomes vacant or the date LPS determines as a 'Completion Day'.

After that, rates liability is set at 50% of the normal "occupied" rate. The 50% level is set out in primary legislation. This proposal is to remove the 50% reduction so that the full occupied rate is charged for these properties, as it is for vacant domestic property. There are currently around 4,700 non-domestic properties in receipt of the relief, 45% of which are located within three council areas: Armagh City, Banbridge and Craigavon, Belfast and Newry, Mourne & Down.

This relief has a projected cost of £19.7M in 2023/24. The cost is shared, approx 50/50, by the Northern Ireland Executive and district councils.

Parity

Removal of 50% NDVR relief, to increase liability to 100% of the occupied rate, will bring the position in Northern Ireland into line with rating policy in all other parts of the UK.

Further information

[Non-Domestic Vacant Rating | nibusinessinfo.co.uk](https://nibusinessinfo.co.uk)

Interaction with other support measures

If the policy was introduced then there would be a corresponding notional increase in the level of revenue associated with the excluded NDVR categories of property / ratepayer, e.g. listed buildings, insolvency, etc. This is because rather than receiving an exclusion from a 50% liability, they would instead receive an exclusion from a 100% liability. This does not affect the estimated increased level of revenue assessed.

CONSULTATION QUESTIONS

Q3

Should Non-Domestic Vacant Rating relief be removed?

Q4

What, in your view, would be the impact of removing this support?

Click to answer questions 

Impact screening

The Departmental initial Draft Impact Assessment screening exercises have determined that there will be further impact assessment requirements in relation to two areas for this proposal, namely economic assessment and regulatory impact assessment. Evidence from consultees is sought on these two areas, and impacts more generally, to fully inform policy making in this area.



Part Three

Removal of Freight Transport relief
from the rating system

Freight Transport relief is a long-standing measure within the Northern Ireland rating system. It provides 75% rate relief to premises that are occupied for the purpose of handling and shipment of goods that are neither owned by, nor intended for the use of, the operator.

Freight Transport relief is awarded to 17 properties that are mainly associated with harbours and ferry terminals. It has a projected 2023/24 cost of £2.32M. It is paid for entirely by the NI Executive, through revenue foregone from the Regional Rate loss and annual Derating Grant payments to compensate district councils for the loss to their district rate revenue.

Parity

Removal of Freight Transport Relief will bring the position in Northern Ireland into line with rating policy in all other parts of the UK where Freight Transport relief is not available.

Interaction with other support measures

If the policy was introduced, then there would be a corresponding reduction in the Derating Grant for councils to reflect removal of the relief. The Derating Grant is paid to councils by the Department for Communities.

CONSULTATION QUESTIONS

Q5

Should Freight Transport relief be removed?

Q6

What, in your view, would be the impact of removing this support?

Click to answer questions 

Impact screening

The Departmental initial Draft Impact Assessment screening exercises have determined that there will be further impact assessment requirements in relation to two areas for this proposal, namely economic assessment and regulatory impact assessment. Evidence from consultees is sought on these two areas and impacts more generally to fully inform policy making in this area.



Part Four

Removal of the student Halls of Residence exemption from the rating system

Under current NI rating law properties occupied by the two universities here are fully rateable. Although the universities themselves are fully rateable, the 17 halls of residence connected with the universities are currently fully exempt from rates.

- 14 are owned or managed by eligible institutions (i.e., a university or higher education institution).
- 3 are privately operated under appointment by an eligible institution.

There are also Purpose Built Student Accommodation (PBSA) buildings which are occupied by private organisations but these are not eligible for exemption. In recent years there have been calls from the operators of those buildings for parity with those that are exempt.

The proposal to remove exemption would ensure consistency of treatment between university and college-owned halls of residence (which currently receive an exemption) and new Purpose Built Student Accommodation (which is not eligible for exemption).

The exemption has a cost of just over £2M in revenue foregone. The cost is shared by the Northern Ireland Executive and district councils.

Parity

Because our rating systems are different the arrangements in Northern Ireland and Great Britain cannot be directly compared. In England, Scotland and Wales, full-time students are exempt from paying Council Tax whilst living away from home, including in halls of residence and purpose-built student accommodation.

Interaction with other support measures

If the policy was introduced there may be merit in considering if some or all of the savings were used to increase other forms of support within the domestic or non-domestic rating systems.

CONSULTATION QUESTIONS

Q7

Should exemption for Halls of Residence owned or managed by universities and colleges be removed?

Q8

What, in your view, would be the impact of removing this support?

Click to answer questions 

Impact screening

The Departmental initial Draft Impact Assessment screening exercise has been conducted in respect of this proposal and has currently screened this proposal out in respect of any further Impact Assessment requirements. Evidence of any wider impacts will however be assessed should consultees wish to provide this to the Department to inform policy making in this area.

List of consultation questions

Removal of Industrial Derating from the rating system

Q1 Should Industrial Derating be removed?

Q2 What, in your view, would be the impact of removing this support?

Removal of Non-Domestic Vacant Rate (NDVR) relief of 50% from the rating system

Q3 Should Non-Domestic Vacant Rating relief be removed?

Q4 What, in your view, would be the impact of removing this support?

Removal of Freight Transport relief from the rating system

Q5 Should Freight Transport relief be removed?

Q6 What, in your view, would be the impact of removing this support?

Removal of the student Halls of Residence exemption from the rating system

Q7 Should exemption for Halls of Residence owned or managed by universities and colleges be removed?

Q8 What, in your view, would be the impact of removing this support?

Click to answer questions





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| Subject: | Overdose Prevention Facilities |
| Date: | 19 th January 2024 |
| Reporting Officer: | Nora Largey, Interim City Solicitor and Director of Legal and Civic Services David Sales, Director of City & Neighbourhood Services |
| Contact Officer: | Nora Largey, Interim City Solicitor and Director of Legal and Civic Services David Sales, Director of City & Neighbourhood Services |

| | | | | | | | | | |
|--|---|--------------------------|--------------------------|------------------------|--------------------------|-------------------------|--------------------------|-------|--------------------------|
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 40px; height: 20px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | |
| <p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 80%;">After Committee Decision</td> <td style="width: 20%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Some time in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | | After Committee Decision | <input type="checkbox"/> | After Council Decision | <input type="checkbox"/> | Some time in the future | <input type="checkbox"/> | Never | <input type="checkbox"/> |
| After Committee Decision | <input type="checkbox"/> | | | | | | | | |
| After Council Decision | <input type="checkbox"/> | | | | | | | | |
| Some time in the future | <input type="checkbox"/> | | | | | | | | |
| Never | <input type="checkbox"/> | | | | | | | | |

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

| | |
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| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | The purpose of this report is to advise the Committee on the legal considerations in relation to the overdose prevention facilities. |
| 2.0 | Recommendations |
| 2.1 | The Committee is requested to: Note the contents of the report. |
| 3.0 | Main report |
| 3.1 | <p><u>Background</u></p> <p>At its meeting on March 2023, the Council adopted the following Notice of Motion:</p> <p><i>“This Council supports the establishment of an Overdose Prevention Facility in Belfast. This Council will work with key partners in the community, voluntary and statutory sector to bring together a partnership to advocate for the establishment of an Overdose Prevention Facility (OPC) for the city. With almost 350 drug related deaths in the city from 2017-2021 and over 1,000 needles recovered each month, a facility like this will save lives and reduce the amount of discarded drug debris. There are over 200 Overdose Prevention Facilities in 14 countries across the world.</i></p> <p><i>While we are conscious that the Misuse of Drugs Act 1971 is an inhibitor to the establishment of this service and that it would require some form of special legal dispensation from the Act for the facility to be lawful, it is clear that current policy is not saving lives. In the absence of a local Assembly to deliver reform and innovation that can save vulnerable lives, this Council will act as a civic leader by requesting our City Solicitor and Chief Executive to engage with partners and to lobby Belfast Trust, PSNI, the Departments of Health and Justice and the Attorney General to make the case for special dispensation.</i></p> <p><i>“That this Council facilitates an open call to organisations who wish to be involved in the setting up of such a facility to work together to draft a proposal on what this service would include, centred on providing overdose prevention facilities and wrap around support services for those in need, and to write to the relevant agencies to urge them to provide multi-year funding for the Complex Lives strategy.”</i></p> |

| | |
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| 3.2 | <p>Further, at its meeting on 14th November 2023, the Committee asked for an update on progress in respect of this Notice of Motion with specific reference to meetings held, legal advice sought and partners engaged with in relation to the Notice of Motion.</p> <p>Legal position</p> |
| 3.3 | <p>Overdose Prevention Facilities are supervised facilities where individuals can go to safely consume drugs under supervision of trained staff who can intervene to prevent overdose. At present no such facility exists in Northern Ireland and the Misuse of Drugs Act 1971 ('the 1971 Act') is the legislation which governs controlled drugs.</p> |
| 3.4 | <p>The 1971 Act and has the effect of prohibiting such a facility from operating as those operating the premises would be at risk of prosecution. The following are criminal offences under the 1971 Act:</p> <ul style="list-style-type: none"> • To be in possession of a controlled drug • For an individual as either an occupier or being concerned in the management of premises from knowingly permitting activities of production, supply, and use of controlled drugs; • An occupier or manager of premises must do everything they can reasonably do to prevent the production, supply and use of controlled drugs on said premises; and • To supply any article, other than a hypodermic syringe, to a user for them to administer the drug. |
| 3.5 | <p>It is clear having regard to these offences that currently the operating of an Overdose Prevention Facility would lead to a number of criminal offences on the part of the occupier and any staff.</p> |
| 3.6 | <p>Any individual found to be in possession of a controlled drug or operating an Overdose Prevention Facility is liable to prosecution if the Public Prosecution Service for Northern Ireland determine that the two-tier test for prosecution is met.</p> <p>The two-tier test for prosecution is:</p> <ol style="list-style-type: none"> 1. Evidential Test – the evidence which can be adduced in court is sufficient to provide a reasonable prospect of conviction. 2. Public Interest Test – prosecution is required in the public interest. |
| 3.7 | <p>In order for an Overdose Prevention Facility to be operated lawfully, there would have to be legislative change. However the overall drug policy is a retained matter and the Government</p> |

| | |
|------------|---|
| 3.8 | has confirmed that it does not intend to amend the 1971 Act to enable Overdose Prevention Facilities to open. |
| 3.9 | In Scotland however the Lord Advocate, who is the equivalent of the Attorney General, has recently advised that she will introduce policy for prosecutors in Scotland to the effect that it would not be in the public interest to prosecute drug users for simple possession offences within a pilot safer drugs consumption facility. |
| 3.10 | This policy is caveated to the pilot scheme of safer drugs consumptions facilities only and does not extend to any criminal offences other than possession of controlled substances. |
| 3.11 | In Northern Ireland there has been no indication from the Attorney General that such a policy will be introduced in this jurisdiction. A meeting has been arranged between the Attorney General and the Chief Executive, together with other senior officers, on 15 th January 2024 and a verbal update will be provided at the Committee meeting. |
| 3.12 | Members will be aware of the work being taken forward through community planning (Belfast Agenda) to help vulnerable people who may be homeless and have complex needs due to the use of drugs and alcohol. The Complex Lives project seeks to build a one vulnerability model which helps the most vulnerable people to get access to necessary support in holistic and integrated way including housing, addiction support, mental health support and healthcare. Complex Lives seeks to help those most vulnerable who have very challenging needs and many live chaotic lives. They are amongst the hardest to reach, with many not engaging with services that are available to them. Complex Lives improves collaborative working between statutory bodies, voluntary sector organisations and service providers so as to provide the right support to people who need it at the right time and in the right place. |
| | <u>Financial and Resource Implications</u> |
| 3.13 | None at this stage |
| | <u>Equality or Good Relations Implications/Rural Needs Assessment</u> |
| 3.14 | None |
| 4.0 | Appendices – Documents Attached |
| | None |



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| Subject: | Belfast Region City Deal – update |
| Date: | 19 th January 2024 |
| Reporting Officer: | John Walsh, Chief Executive |
| Contact Officer: | Sharon McNicholl, Director of Corporate Services and Deputy Chief Executive |

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| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 40px; height: 20px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | |
| <p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 30%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | | After Committee Decision | <input type="checkbox"/> | After Council Decision | <input type="checkbox"/> | Sometime in the future | <input type="checkbox"/> | Never | <input type="checkbox"/> |
| After Committee Decision | <input type="checkbox"/> | | | | | | | | |
| After Council Decision | <input type="checkbox"/> | | | | | | | | |
| Sometime in the future | <input type="checkbox"/> | | | | | | | | |
| Never | <input type="checkbox"/> | | | | | | | | |

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

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| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | This report is to provide an update to Committee on the progress of the Belfast Region City Deal (BRCD). |

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| 2.0 | Recommendations |
| 2.1 | <p>The Committee is asked to:</p> <ul style="list-style-type: none"> • Note the progress on project development and delivery across the pillars of investment. • Note the update on the Council's Augment the City SME Challenge Competition • Note the update in respect of programme communication and the BRCD Council Panel |
| 3.0 | Main report |
| 3.1 | <p>As previously reported to the Committee, the BRCD Programme is now well into delivery with significant progress made to date. Belfast City Council (BCC) as the Lead Authority and Accountable Body has continued to support the delivery of the programme. A total of 15 Outline Business Cases (OBC) are now approved, with eight Contracts for Funding (CfF) signed and first £3m of claims paid to individual projects.</p> <p>Progress across BRCD Pillars since previous report</p> <p>Innovation</p> |
| 3.2 | OBC approvals and CfFs are in place for four of the five innovation projects, with a number now moving quickly towards to construction and operation. |
| 3.3 | Following approval for planning for the Factory of the Future site at Global Point in Newtownabbey and contract award for the Pre-Construction, the Advanced Manufacturing Innovation Centre (AMIC) has now formally submitted its Full Business Case to the Department for Economy (DfE) for review and approval, with plans for construction work commencing on site in Spring 2024. AMIC has also now completed its Gateway 3 Investment Decision review and was provided with a green RAG rating. |
| 3.4 | Construction work on Studio Ulster also continues to progress well at the Belfast Harbour site and a competitive dialogue process has commenced for the appointment of a supplier for the design, development, supply & installation of equipment for Studio Ulster which will now be operated by Ulster University, via Studio Ulster Ltd. Detailed work has commenced in relation to the Full Business Case which will be submitted to the DfE for review and approval in the coming weeks. |
| 3.5 | iREACH Health has continued to progress well through RIBA Stage 4. In December, Queen's University (QUB) awarded a contract for its works contractor under the Early Contractor Involvement approach. QUB has also submitted its planning application for the Lisburn Road site and are progressing work around site acquisition. Work on the Full Business Case has also commenced. |

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| 3.6 | In relation to GII , QUB are nearing completion of RIBA Stage 3 and is working to launch its Industry Advisory Board. Discussions are ongoing relating to utilities to support the development. |
| 3.7 | Following approval by the Executive Board, the CDHT OBC2 was submitted to Government partners by Ulster University and following detailed review successfully received approval from DfE– the OBC is now being reviewed by the Department of Finance. |
| | Digital |
| 3.8 | The i4c Cleantech Centre at St Patrick's Barracks, received approval for its OBC in November 2023. Mid and East Antrim Borough Council (MEABC) have continued to work at risk to progress and published the ITT Documentation for its Integrated Consultant Team in December 2023. Work has now commenced in relation to drafting the CfF. |
| 3.9 | The Council has now signed a £928,373 contract for Belfast Region City Deal Digital funding with the Department for Economy to deliver the ' Augment the City ' SME challenge competition . The competition, which will launch in early Spring 2024 and run for one year, will provide R&D funding to up to ten local companies, to work with Belfast's tourism partners to develop cutting-edge immersive technologies (such as Virtual or Augmented Reality) that could enhance future tourism investments. |
| 3.10 | The companies with the most promising proposals will also have the opportunity to test their prototypes directly with visitors to the City Hall Visitor Exhibition later in 2024. Funding has been provided under the contract to equip three rooms in the exhibition space with the necessary wireless connectivity to support these state of the art technologies. |
| 3.11 | Members should note that under the terms of the contract with DfE, Belfast City Council has signed an Operating Partnership Agreement with the Centre of Procurement Excellence for Small Business Research Initiatives to effectively manage the competition. |
| 3.12 | Members are also asked to note that following a public procurement process, a contract has now been agreed with Digital Catapult to provide the necessary technical expertise to support the companies, and the city's tourism partners to maximise the research and commercialisation impact of the competition. |
| 3.13 | A draft business case in relation to a potential BRCD Venture Fund is being developed and engagement is taking place on this with Invest NI. A partner workshop, involving representation from all BRCD partners, Government and industry (and facilitated by Catalyst Inc) was held in |

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| | <p>December 2023 in order to initiate the development of proposals for an R&D Grants programme to support SMEs across the region. This is also being led by the Council's City Innovation team.</p> |
| 3.14 | <p>As reported previously to SP&R, BCC was also successful in securing £3.8m funding to support the Belfast Region as a 5G Innovation Region.</p> |
| | <p>Tourism and Regeneration</p> |
| 3.15 | <p>As reported previously, OBC approvals and CfFs are in place for the Carrickfergus, Newry City Centre and Bangor Waterfront regeneration projects.</p> |
| 3.16 | <p>The Gobbins received approval for the OBC in November 2023, a significant milestone for this project. Following receipt of this approval, work has been progressing with Tourism NI and DfE to agree the CfF for this project by February. MEABC have progressed the procurement of the design team for this project at risk and following completion of the ITT moderation in December, the final tender reports are being prepared and MEABC will be in a position to appoint the ICT by mid-February following Council approval and providing the Contract for Funding has been agreed.</p> |
| 3.17 | <p>Following OBC approval the procurement strategy for Destination Royal Hillsborough (DRH) has been agreed and the procurement documentation for the design teams is being prepared. Work has also been progressing with Tourism NI and DfE to agree the CfF for this project by February.</p> |
| 3.18 | <p>Following the unprecedented flooding across the Newry. Mourne and Down District and the priority given to supporting recovery from this incident, Newry. Mourne and Down District Council (NMDDC) have not been in a position to progress the addendum to the Mourne Mountain Gateway Project (MMGP) OBC as expected. NMDDC have however progressed with procurement of the design team and the procurement documentation was issued to market last week.</p> |
| 3.19 | <p>Progress in relation to procurement of Integrated Consultancy Teams (ICTs) and Integrated Supply Teams (ISTs) continues across the tourism and regeneration projects:</p> <ul style="list-style-type: none"> • Bangor Waterfront have completed the pre-qualification process for the ICT for Ballyholme Yacht Club and Pickie Fun Park. The ITT documentation has been issued for Ballyholme Yacht Club and the ITT documentation is being prepared for Pickie Fun Park for issue in March to align with Operator appointments. Ards and North Down Borough Council have engaged external support to assist in the procurement of the Operator for the Marina and Pickie Fun Park so that Operators are in place to input into |

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| 3.20 | <p>the design development process for both projects. The pre-qualification process for the Operator for the Marina concluded in December with ITT documents to be issued this month and pre-qualification documentation for Pickie Fun Park is to be issued at the end of January.</p> <ul style="list-style-type: none"> • Belfast Stories appointed their ICT and Design Assurance teams in November and design development has commenced. • Carrickfergus appointed their ICT in December and project initiation meetings are underway. MEABC have also set up a Working Group and have appointed Excellence in Work to develop the preferred Operating Model for Carrickfergus, which is also likely to include Gobbins and the final recommendation is expected over the coming months. • The ITT documents for the IST for the Theatre and Conference for Newry Regeneration were issued in December and the pre-qualification moderation for the Civic Hub was completed in December with ITT documentation being finalised for issue this month. A planning application has been submitted for both projects and engagement with planners is ongoing to provide any supplementary information required. <p>Subsidy Control</p> <p>As previously discussed, following introduction of the Subsidy Control Act 2022 and the subsequent legal advice to government departments on the need for subsidy assessments to be completed before signing of the CfF, significant work on development of subsidy assessments, has been ongoing in parallel with the drafting of contracts for the tourism projects.</p> <ul style="list-style-type: none"> • The subsidy assessment for the MMGP was referred as a Subsidy of Particular Interest to the Competition and Market Authority (CMA) in November and the CMA published their report on the subsidy assessment on Friday 12th January. • The subsidy assessment for Gobbins has been prepared and following consideration of the CMA report on the MMGP subsidy assessment, the Gobbins subsidy assessment will also be referred to the CMA as a Subsidy of Particular Interest. A draft assessment is at an advanced stage of preparation and will be completed following review of feedback on the assessment for the MMGP. • Following discussions with the CMA, DfE State Aid Unit and BCC Legal advisors, Legal advice is being taken to determine whether the projects within the DRH programme can be considered separately as separate Subsidies of Interest. If agreed, a subsidy assessment against the seven principles will still be required for each project, but the subsidy assessments would not require a mandatory referral to the CMA, instead the details of the subsidy would be uploaded to the transparency database only, allowing quicker progression to signing CfF. |
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| 3.21 | <p>In addition to the work progressed above for Tourism projects, the Innovation projects which are at or are approaching FBC submission stage have progressed work and have sought advice in relation to Subsidy Control (including AMIC and Studio Ulster).</p> <p>Infrastructure</p> |
| 3.22 | <p>As previously reported the OBC is being updated by Department for Infrastructure (DfI) for Belfast Rapid Transit Phase 2 and feasibility studies are being completed on the extensions to Glengormley and Carryduff as requested by the last Minister. Work is also ongoing to determine the city centre routes in order to align with the Eastern Transport Plan, Bolder Vision for Belfast and proposed public realm projects.</p> |
| 3.23 | <p>An external peer review exercise, similar to a Gateway 2, was completed for Lagan Pedestrian and Cycle Bridge in preparation for procurement of a design and build contractor. The resulting action plan has been circulated and the programme was updated and the current target to appoint a design and build contractor is late 2024. The pre-tender cost was developed in September and has identified significant cost increases for this project. An addendum to the OBC has been prepared to reflect this increased cost and DfI have submitted a proposal to cover the funding shortfall from the active travel budget.</p> |
| 3.24 | <p>Following confirmation from DfI that its preferred option for the bridge on the Newry Southern Relief Road is a non-opening 50m fixed bridge, work is proceeding to finalise the draft Statutory Orders and Environmental Impact Assessment Report in advance of their publication and statutory public consultation, currently anticipated for publication in Spring 2024. Prior to completion of the final design stage, DfI held a Community Information Event from 16-18 October, to provide an opportunity for stakeholders to view the emerging final scheme proposals for the Road.</p> <p>Employability and Skills (E&S)</p> |
| 3.25 | <p>The skills assessment process which is now being conducted on a cross-deal basis to understand the labour and skills implications of the city deal investment projects is continuing to progress, but timeframes have been impacted by the vacancy in the E&S Programme Manager post. As reported previously two further skills assessments, aligned to Advanced Manufacturing and Creative Industries sectors, are nearing completion utilising this approach. An Advanced Manufacturing Skills Assessment has been completed and will be shared for approval with the BRCD E&S Board in the coming weeks. The Creative Industries (Virtual Production) assessment is refining its emerging recommendations, with the aim of a final report to the Task and Finish Group this month.</p> |

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| 3.26 | <p>The £7.5m Digital Transformation Flexible Fund project (with £6m from the Complementary Fund, £1.1m from DAERA and £451K from Derry and Strabane City Deal) involving all 11 Councils, led by Newry, Mourne and Down District Council, has been approved and was formally launched in November 2023. Newry, Mourne and Down District Council, on behalf of the partners, are also working with Council colleagues to ensure alignment with the new Enterprise Support Service, Go Succeed.</p> <p>Communications & Engagement</p> |
| 3.27 | <p>As the deal is now in delivery stage it is important to refocus on communication and engagement at both programme and project level. Support has been commissioned to support the development of a Strategic Engagement Plan with an initial focus on local businesses and industry. The first Industry Engagement event is a business breakfast scheduled for Thursday 29 February 2024. Further plans will also be developed to engage with elected members across the region to update on progress and identify further priorities and areas of future investment.</p> <p>BRCD Council Panel</p> |
| 3.28 | <p>The next meeting of the Council Panel will be held on 31st January 2024, hosted by Belfast City Council. At the meeting members will be provided with a programme update, an overview of the plans for strategic engagement and a presentation on Belfast City Council's flagship tourism project Belfast Stories. Following the meeting there will be an opportunity to take a tour of Belfast Stories.</p> |
| 3.29 | <p><u>Financial & Resource Implications</u></p> <p>All costs associated with the BRCD are within existing budgets. As outlined additional resources have also been leveraged from other funding sources to extend the impact of the deal.</p> |
| 3.30 | <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>The approach taken to develop the City Deal has been subject to independent equality screening and rural proofing and states that;</p> <p><i>'BRCD is inherently inclusive, affording an opportunity for the region to grow in a way that will benefit the economy of Northern Ireland as a whole, thereby enhancing the lives and well-being of its citizens. If during further development of the programme it becomes apparent that there may be an adverse impact on certain groups or communities then the partnership commits to carrying out further Section 75 work and including screening and EQIAs as and when appropriate.'</i></p> |
| 4.0 | Appendices – Documents Attached |
| | None |

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Belfast
City Council

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| Subject: | Alleygates Phase V |
| Date: | 19 th January 2024 |
| Reporting Officers: | David Sales, Strategic Director of City and Neighbourhood Services Nora Largey, Interim City Solicitor |
| Contact Officers: | Stephen Leonard, Neighbourhood Services Manager Gavin Bell, Car Parking Manager Conor Bayne, Solicitor |

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| Restricted Reports | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input type="checkbox"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | |
| <p>If Yes, when will the report become unrestricted?</p> <div style="display: flex; justify-content: space-between;"> <div> <p>After Committee Decision</p> <p>After Council Decision</p> <p>Sometime in the future</p> <p>Never</p> </div> <div style="border: 1px solid black; width: 40px; height: 40px; position: relative;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; background-color: white;"></div> </div> </div> | |

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

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | This report provides an update on the Alleygate Phase V programme and seeks approval from Members on the terms of reference for any local inquiry should one be required. |

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| 2.0 | Recommendation |
| 2.1 | <p>The Committee is asked to:</p> <ul style="list-style-type: none"> Consider the contents of this report and to agree the draft Terms of Reference for a local inquiry attached as Appendix One. |
| 3.0 | Main Report |
| 3.1 | <p>The Strategic Director presented a report to the Strategic Policy & Resources Committee in November 2023 on Phase 5 of the Alleygates programme. After discussion, the Committee:</p> <ol style="list-style-type: none"> agreed to proceed with the publication of a Gating Order for the installation of gates in those streets where the threshold for responses to the consultation had been 40% and above; agreed to proceed with a ten-week consultation exercise for all remaining streets, using canvassers, local community groups etc., with Members to be informed when that process had commenced; and noted that a report would be submitted to its next monthly meeting on the terms of reference for a local inquiry, where an objection to a proposed Gating Order had been received. |
| 3.2 | <p>To date, the Council have not received a formal challenge of merit during any previous phase of alleygating, however, due to the unprecedented number of objections received during this consultation phase, there is increased likelihood that a number of challenges may be received. Receipt of a challenge would necessitate the Council holding a local inquiry, which, to date, has not been necessary in previous phases.</p> |
| 3.3 | <p>A draft Terms of Reference for any local inquiry has been drafted for members to consider and approve and this is attached as Appendix One.</p> |
| 3.4 | <p><u>Financial & Resource Implications</u></p> <p>All associated costs are covered within existing budget estimates.</p> |
| 3.5 | <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None</p> |
| 4.0 | Appendices - Documents Attached |
| | Appendix 1 – Draft Terms of Reference |

Alleygating Phase 5 Inquiry: Terms of Reference

The Inquiry will examine, consider and report on Belfast City Council's decision to place alleygates on [insert street name] pursuant to its powers under Part 1 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Section 69D (5) & (6).

The 2011 Act provides that *if, before the expiration of 30 days the district council receives an objection from any person on whom a copy of the notice is required to be served or from any other person appearing to be affected, it shall cause a local Inquiry to be held unless the objection is withdrawn.* However

The Council is only required to hold a local Inquiry where an objection is received from the occupiers of premises adjacent to or adjoining the road and it is considered necessary to hold an Inquiry to consider the proposed order and the issues raised in the objection in more detail. The decision as to whether it is necessary to hold an Inquiry in such circumstances will be for elected members to determine.

The Council must however hold an Inquiry if the objection is received from the owner of any cables, wires, mains, pipes or other apparatus placed along, across, over or under any road to which the order applies.

Any Inquiry shall be held in accordance with the provisions of Schedule A1 of the Interpretation Act (Northern Ireland) 1954, a copy of which is attached to these Terms of Reference.

In carrying out its work, the Inquiry will consider the views and opinions of residents, statutory undertakers, the PSNI, NIFRS and other statutory bodies, and other persons who are directly affected by the installation of alleygates at this location, whilst also affording Belfast City Council with the opportunity to explain its rationale for installing alleygates at this location. The Inquiry will determine, having taken into account the views and opinions of affected persons, whether the objection received on (insert date) has merit and warrants Belfast City Council reversing its decision, or whether Belfast City Council is justified in proceeding with the installation of alleygates at this location.

In meeting its aims, the Inquiry will:

- a) Consider and examine the content of the objection received and afford said objector with an opportunity to further elaborate on his/her concerns;
- b) Consider the evidence available to Belfast City Council, and all steps taken in preparing to make the gating order, which informed its decision to install alleygates at this location, to include allowing Council officers an opportunity to address the Inquiry;
- c) Consider the opinion of other affected residents within the locality and their views on the advantages/disadvantages of installing alleygates at this location;
- d) Consider the opinions of other interested parties, such as (but not limited to) PSNI, NIFRS and other statutory bodies as to the advantages/ disadvantages of installing alleygates at this location;
- e) Produce its report and any recommendations in a timely manner.

The aims of the Inquiry are to:

1. Examine Belfast City Council's decision to install alleygates at the location in accordance with the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, in light of an objection received from an effected resident within said location, and produce a report which shall deal with the following:
 - (i) Consider whether there is evidence of persistent crime and anti-social behaviour at this location;
 - (ii) Determine whether or not the objection received, taking into consideration the views and expressions offered during this inquiry by persons identified as being affected, carries considerable merit or otherwise;
 - (iii) Having considered all opinions expressed during the inquiry, and the evidence (both written and oral) offered, make a recommendation to Belfast City Council as to whether it should make the gating order either without modifications or subject to such modifications as the Inquiry thinks fit.

Outcomes of the Inquiry:

2.
 - (i) Produce a report from the chair of the Inquiry in a timely manner stating his/her views as to whether Belfast City Council are justified in continuing to make the gating order either without modification or subject to such modifications as the inquiry thinks fit;
 - (ii) Make said report available to Belfast City Council to allow it to make an informed decision as to whether or not to proceed with the installation of alleygates at this location;
 - (iii) Identify the lessons to be learned from the above to inform any future Alleygating scheme;
 - (iv) Although the Inquiry's recommendations will only be applicable for Belfast City Council and affect those within the location identified for gating, it's recommendations may have relevance for other councils within the jurisdiction.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Interpretation Act (Northern Ireland) 1954. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE

[^{F1}SCHEDULE A1

PROVISIONS APPLICABLE TO INQUIRIES AND INVESTIGATIONS

| | |
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| F1 | 2005 c.12 |
| Modifications etc. (not altering text) | |
| C1 | Sch. A1 applied (with modifications) by S.I. 1993/3160 (N.I. 15) , art. 69D(7) (as inserted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23) , ss. 1 , 78; S.R. 2012/13 , art. 2(2), Sch. 2) |
| C2 | Sch. A1 applied (1.4.2015) by Local Government Act (Northern Ireland) 2014 (c. 8) , ss. 105(2) , 129 (with s. 124(4)); S.R. 2015/209 , art. 2, Sch. 1 |
| C3 | Sch. A1 applied (1.2.2007) by Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (S.R. 2006/482) , reg. 17(3) (with reg. 3) Sch. A1 applied (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)) , arts. 1(2), 303(6) (with arts. 8(8), 121(3), 307); S.R. 2007/194 , art. 2(2) , Sch. 1 Pt. II (subject to art. 3, Sch. 2) |
| C4 | Sch. A1 applied (1.5.2007) by Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (England and Northern Ireland) Regulations 2007 (S.I. 2007/1067) , reg. 29(3) |
| C5 | Sch. A1 applied (24.6.2007) by Marine Works (Environmental Impact Assessment) Regulations 2007 (S.I. 2007/1518) , regs. 21, 22(a)(iv), Sch. 5 para. 6(2) |
| C6 | Sch. A1 applied by S.R. 2003/136 , reg. 10(5) (as substituted (6.8.2007) by Harbour Works (Environmental Impact Assessment) (Amendment) Regulations (Northern Ireland) 2007 (S.R. 2007/312) , reg. 7(b)) |
| C7 | Sch. A1 applied (6.4.2011) by Marine and Coastal Access Act 2009 (c. 23) , ss. 70(5) , 324(3) (with ss. 76-81 and savings in s. 111); S.I. 2011/556 , art. 3(1)(2)(a) |
| C8 | Sch. A1 modified by Road Traffic Regulation (Northern Ireland) Order 1997 (S.I. 1997/276 (N.I. 2)) , art. 65(3) (as substituted (14.8.2010) by Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c. 14) , ss. 7 , 9(1)) |

Introductory

- 1
- In this Schedule—

“the inquiry” means any inquiry or investigation in relation to which, by virtue of section 23 of this Act, the provisions of this Schedule apply;
“the Department” means the Minister or Northern Ireland department causing the inquiry to be held.

Appointment of person to hold inquiry

- 2
- The Department shall appoint a person to hold the inquiry and to report thereon to the Department.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Interpretation Act (Northern Ireland) 1954. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Notification of time and place of inquiry

- 3 Notification shall be sent to any persons appearing to the Department or the person appointed to hold the inquiry to be interested of the time when, and the place where, the inquiry is to be held.

Powers to require persons to give evidence etc.

- 4 (1) Subject to sub-paragraphs (2) and (3), the person appointed to hold the inquiry may by notice require any person—
- (a) to attend at the time and place set forth in the notice to give evidence or to produce any books or documents in his custody or under his control which relate to any matter in question at the inquiry; or
 - (b) to furnish, within such reasonable period as is specified in the notice, such information relating to any matter in question at the inquiry as the person appointed to hold the inquiry may think fit, and as the person so required is able to furnish.
- (2) A person shall not be required, in obedience to such a notice, to attend at any place which is more than 16 kilometres from the place where he resides unless the necessary expenses are paid or tendered to him.
- (3) Nothing in this paragraph shall empower the person appointed to hold the inquiry to require any person to produce any book or document, or to answer any question, which he would be entitled, on the ground of privilege or otherwise, to refuse to produce or to answer if the inquiry were a proceeding in a court of law.

Modifications etc. (not altering text)

- C9** Sch. A1 para. 4 applied (with modifications) (24.11.2014) by [The Health and Social Care \(Disciplinary Procedures\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/267\)](#), regs. 1(1), **6(15)**
- C10** Sch. A1 para. 4 applied with modification(s) (1.4.2016) by [The Health and Social Care \(Disciplinary Procedures\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/104\)](#), regs. 1(1), **6(14)**

Oaths and statements

- 5 The person appointed to hold the inquiry may administer oaths and examine witnesses on oath, and may accept, in lieu of evidence on oath by any person, a statement in writing by that person.

Offences

- 6 Any person who—
- (a) refuses or wilfully neglects to attend in obedience to a notice under paragraph 4, or to give evidence; or
 - (b) wilfully alters, suppresses, conceals or destroys or refuses to produce any book or document which he may be required to produce by any such notice; or
 - (c) refuses or deliberately neglects to furnish any information which he is required to furnish under paragraph 4(1)(b);

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Interpretation Act (Northern Ireland) 1954. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding level 2 on the standard scale.

Modifications etc. (not altering text)

- C11** Sch. A1 para. 6 applied (with modifications) (24.11.2014) by [The Health and Social Care \(Disciplinary Procedures\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/267\)](#), regs. 1(1), **6(15)**
- C12** Sch. A1 paras. 6, 7 applied (with modifications) (1.4.2016) by [The Health and Social Care \(Disciplinary Procedures\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/104\)](#), regs. 1(1), **6(14)**

Expenses

- 7 (1) The expenses incurred by the Department in relation to the inquiry (including such sum as the Department may, with the approval of the Department of Finance and Personnel, determine in respect of the services of any officer engaged in the inquiry) shall be paid by such of the parties to the inquiry in such proportions as the Department may order.
- (2) The Department may make orders as to the expenses incurred by the parties appearing at the inquiry and as to the parties by whom such expenses shall be paid.
- (3) Any order made by the Department under sub-paragraph (1) or (2) may, on the application of any party to the inquiry, be made a rule of the High Court.]

Modifications etc. (not altering text)

- C12** Sch. A1 paras. 6, 7 applied (with modifications) (1.4.2016) by [The Health and Social Care \(Disciplinary Procedures\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/104\)](#), regs. 1(1), **6(14)**
- C13** Sch. A1 para. 7 applied (with modifications) (24.11.2014) by [The Health and Social Care \(Disciplinary Procedures\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/267\)](#), regs. 1(1), **6(15)**

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Interpretation Act (Northern Ireland) 1954. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(f)(ia) substituted for s. 1(f)(ii)(iii) by [2023 c. 28 Sch. 2 para. 1\(2\)](#)



| | |
|---------------------------|---|
| Subject: | Innovate UK funding opportunity to scope a Net Zero Shipping Corridor between Belfast and Liverpool and to resubmit an application to the Net Zero Living Places fund |
| Date: | 19 th January 2024 |
| Reporting Officer: | John Tully, Director of City and Organisational Strategy |
| Contact Officers: | Debbie Caldwell, Belfast Climate Commissioner |

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|--|---|--------------------------|--------------------------|------------------------|--------------------------|------------------------|--------------------------|-------|--------------------------|
| Restricted Reports | | | | | | | | | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 40px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | |
| <p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 30%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | | After Committee Decision | <input type="checkbox"/> | After Council Decision | <input type="checkbox"/> | Sometime in the future | <input type="checkbox"/> | Never | <input type="checkbox"/> |
| After Committee Decision | <input type="checkbox"/> | | | | | | | | |
| After Council Decision | <input type="checkbox"/> | | | | | | | | |
| Sometime in the future | <input type="checkbox"/> | | | | | | | | |
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| Call-in | |
| Is the decision eligible for Call-in? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

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| 1.0 | Purpose of Report or Summary of Main Issues |
| 1.1 | To update members on a funding opportunity from Innovate UK to support the development of a Net Zero shipping corridor between Liverpool and Belfast. |
| 2.0 | Recommendations |
| 2.1 | <p>The Committee is asked to:</p> <ol style="list-style-type: none"> I. Note the contents of the report and approve the participation of Council staff in the delivery of the scoping study; II. Note that funding (£450,000) from Innovate UK was made available to the Connected Places Catapult on 1st December to undertake a scoping study for a Net Zero shipping corridor between Liverpool and Belfast which is expected to start on 1 January and complete by 31st March 2024; and III. Note that an opportunity to resubmit an earlier application to the Net Zero Living Places Fund and approve the participation of Council staff in the revision and submission of a proposal; IV. A further update will be provided to Members once the scoping study and submission have been completed. |
| 3.0 | Main report |
| 3.1 | <p>Background</p> <p>A Statement of Intent was signed between Belfast, Liverpool, Dublin and Manchester in March 2021 to form a cooperative partnership to develop practical approaches to accelerate the delivery of net-zero commitments in our cities and city regions. The Statement commits each city to:</p> <ul style="list-style-type: none"> • Sharing best practices, knowledge and experience; • Connecting organisations and facilitating R&D, business and investment collaborations; and • Coordinating joint participation at events (including the Net Zero Summit in June 2022) and hosting, where necessary, incoming delegations. |
| 3.2 | <p>Subsequent collaboration between the cities has led to the Circular Economy work between Dublin and Belfast funded through the Shared Island Fund and engagement via events in Manchester and Liverpool. Discussions have also been ongoing for some time with the Connected Places Catapult (CPC) and other stakeholders in Liverpool and Belfast around the concept of a Net Zero Shipping Corridor between the two harbour cities.</p> |
| 3.3 | <p>Funding opportunity 1: Innovate UK</p> <p>In mid-November, the CPC was made aware of an opportunity to access funding (£450K) from Innovate UK, if it was able to identify and develop a proposal by 1st December. This</p> |

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| | <p>provided an opportunity to advance an ongoing discussion on a Net Zero Shipping Corridor between the two cities and to access funds that would enable the scoping of a programme of work to develop this concept into a concrete pipeline of projects. Innovate UK has subsequently approved CPC to use the £450K for the scoping study.</p> |
| 3.4 | <p>The key stakeholders include: CPC, Belfast City Council, Liverpool City Region Combined Authority, Belfast Harbour, Mersey Maritime, Royal Haskoning DHV, Liverpool University, Liverpool John Moores University, Queens University, B9Energy, SIBNI.</p> |
| 3.5 | <p>It is envisaged that most of the scoping work will be carried out by the Universities but it is likely there will be a small budget (c£10K TBC) available to Belfast City Council to coordinate, engage and support the work. If successful, the project will start on 1st January and run through to 31st March 2024. The Climate team is working at pace with CPC and Queens University to mobilise in advance of the start date in January.</p> |
| | <p>Proposed project: Net Zero Shipping Corridor between Belfast and Liverpool</p> <p><u><i>Project rationale</i></u></p> |
| 3.6 | <p>Ports are key hubs for trade and investment and support SME's and employ thousands of workers. They are also increasingly becoming centres for future fuels and decarbonisation. Shipping currently accounts for 3% of global GHG emissions and is set to increase by 130% by 2050. Belfast (13.1 Million Tonnes) and Liverpool (5.6 Million Tonnes) rank as the first and fourth UK ports by domestic tonnage in 2021.</p> |
| 3.7 | <p>Belfast Harbour aims to be one of the greenest ports in the world and has set a Net Zero target of 2030. A local consortium has been developing zero-emission shore-side electricity and hydrogen-powered vessels (including a commuter ferry from Bangor to Belfast) and there are many other ongoing developments in this area.</p> |
| 3.8 | <p>This is an exciting opportunity to connect two important maritime economies and drive decarbonisation, growth and innovation. The project would be a collaboration of businesses, government and academia in the 2 harbour cities.</p> |
| 3.9 | <p>Decarbonising maritime transportation will require research, development, demonstration, and deployment of scalable zero-emission energy sources at a massive scale. It will also require enabling policies that incentivise the transition to zero-emission fuels and technologies as soon as possible, which in turn can reduce greenhouse gas emissions. It also requires green skills.</p> |

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| 3.10 | <p>Net Zero shipping corridors, which showcase zero-emission fuels and technologies along maritime trade routes between two (or more) ports, can encourage the early and rapid adoption of alternatives to petroleum-based fuels in the maritime industry.</p> <p><u><i>The opportunity</i></u></p> |
| 3.11 | <p>Through leveraging the work already being done, the existing assets in Liverpool and Belfast, and the significance of their existing domestic shipping networks, there is a unique opportunity to create a broad feasibility study which could lead to the trialling of green maritime shipping solutions within well used domestic ports, which once trialled would offer a blueprint for decarbonising a significant portion of UK's domestic shipping and establish the United Kingdom as a global leader within this space.</p> <p><u><i>Aims and objectives</i></u></p> |
| 3.12 | <p>The project would be a collaboration between the City Councils and Port Authorities, Industry and academia from Belfast and Liverpool to develop a feasibility study in the two harbour cities. The aims of the project would be to:</p> <ul style="list-style-type: none"> • Mitigate transition risk for the two ports as the global economy decarbonises ensuring that the ports of Liverpool and Belfast serve as gateway to trade and investment in decarbonisation technologies (wind, green hydrogen, tidal etc); and • Position Liverpool and Belfast at the forefront of net zero innovation and as testbeds for commercialising new approaches and technologies. |
| 3.13 | <p>The Study will explore Place Leadership and support, identify existing projects and funding proposals, the regulatory basis, the existing green infrastructure and interventions necessary for an implementable Net Zero shipping' corridor between the two regions, and set out the steps necessary to deploy and deliver on a pilot demonstrating the technologies. The outputs would create a collaboration that could lead to a potential larger programme of activity.</p> <p>Funding opportunity 2: Innovate UK - Net Zero Living Places fund</p> |
| 3.14 | <p>In October, Belfast City Council submitted two bids to Innovate UK under the Net Zero Living Places fund which were both unsuccessful. Innovate UK have since been in touch to say that they are re-opening the competition for unsuccessful bidders to re-submit to the 'Pathfinder' fund between 22-31st Jan. This opportunity was previously included a paper to the Climate and City Resilience Committee in Aug 2023.</p> |
| 3.15 | <p>The project 'Belfast Net Zero pathfinder' will support Belfast City Council to develop priority interventions (specifically heat and renewable power generation) recommended by the Belfast Local Energy Plan and the Queens Island Decarbonisation Plan into delivery</p> |

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| | <p>projects. This project will address market barriers through business model innovation and assessing commercial viability and routes to finance to de-risk the implementation process. The aim is to create a better understanding of how Belfast City Council can act as an enabler for delivery of net zero projects in the city.</p> |
| 3.16 | <p>If successful, the fund will provide total grant funding of up to £150,000. A funding decision is due on 18th Feb with a potential start date on 1st May or 1st June.</p> |
| | <p><u>Financial & Resource Implications</u></p> |
| 3.17 | <p>There are no financial implications as the scoping study will be funded using the Innovate UK funding and delivered by CPC with inputs from the partner organisations.</p> |
| | <p><u>Equality or Good Relations Implications/Rural Needs Implications</u></p> |
| 3.18 | <p>None.</p> |
| 4.0 | <p>Appendices – Documents Attached</p> |
| | <p>None.</p> |

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| Subject: | Building Regulation fees for applications including insulation |
| Date: | 19 th January 2024 |
| Reporting Officer: | Kate Bentley, Director of Planning and Building Control |
| Contact Officer: | Ian Harper, Building Control Manager |

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| Restricted Reports | | | | | | | | | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 40px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | |
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| After Council Decision | <input type="checkbox"/> | | | | | | | | |
| Sometime in the future | <input type="checkbox"/> | | | | | | | | |
| Never | <input type="checkbox"/> | | | | | | | | |

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

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | To update the Committee on the waiving of Building Regulation inspection fees for those applications involving loft insulation which are not part of funded schemes or maintenance contracts. |

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| 2.0 | Recommendation |
| 2.1 | <p>The Committee is asked to determine if:</p> <ol style="list-style-type: none"> 1. the exercise should continue beyond 30 November 2023 ; or 2. the exercise should cease, on the basis of the lack of benefit to applicants being achieved as outlined in the report. |
| 3.0 | Main Report |
| | <u>Key Issues and current position</u> |
| 3.1 | The Committee agreed, at its meeting on 26 June 2023 to continue to waive Building Regulation inspection fees for those applications involving installation of insulation which were not part of funded schemes or maintenance contracts for a further 6 months, through to 30 November 2023. |
| 3.2 | The waiving of fees was carried out from the date of Council ratification on 1 December 2022 until 30 November 2023, subject to review. |
| 3.3 | From 1 December 2022 until 30 November 2023 the Building Control Service has analysed a series of reports. The analysis identified 1,498 building regulation applications that were received for the installation of loft insulation. Overall, the majority of applications were made through schemes, with 98 applicants potentially being eligible for a refund under this initiative. 95 of these were identified in the first 6 month period, with only 3 further potentially eligible applicants identified in the six month extension period. A covering letter and a declaration form were issued to each potentially eligible applicant. |
| 3.4 | To date, out of the 98 letters and declaration forms issued, 12 declaration forms were returned. Through further investigation none of these applicants were due a refund, as the work had either been carried out as part of a government funded scheme or once the notional cost of work for insulation (£400) was deducted from the estimate cost of works, the Building Regulation fee still applied for other works that had been carried out. The applicants were informed in writing. |
| 3.5 | Using this method of analysis and process to identify and contact any applicants who may have paid the fees outside of a scheme has therefore resulted in no refunds being issued to any applicant. |
| | <u>Energy Efficiency</u> |
| 3.6 | Building Control liaised with Corporate Communications and an article was placed in the winter edition of City Matters issued in November 2023. The article focuses on energy advice for your home and included a series of helpful links, sign posting to NIHE, NI Direct, Energy Saving Trust who have developed a range of advice and guidance in this area. |

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| 3.7 | <p><u>Financial and Resource Implications</u></p> <p>The method used in attempting to identify those applicants who may have paid their own fees, issuing of documentation, and dealing with follow up correspondence is labour intensive and undertaken outside existing duties.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> |
| 3.8 | <p>There are no equality, good relations, or rural needs issues identified.</p> |
| 4.0 | <p>Appendices - Documents Attached</p> |
| | <p>None</p> |

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| Subject: | Lagan Valley Regional Park – response from LCCC |
| Date: | 19 th January 2024 |
| Reporting Officers: | David Sales, Strategic Director of City and Neighbourhood Services |
| Contact Officers: | Stephen Leonard, Neighbourhood Services Manager |

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number ☐

1. Information relating to any individual
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7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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Call-in

Is the decision eligible for Call-in?

Yes

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No

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | The purpose of this report is to update Members on a response received from Lisburn and Castlereagh City Council regarding a request to provide match funding for Lagan Valley Regional Park. |
| 2.0 | Recommendation |
| 2.1 | <p>The Committee is asked to:</p> <ul style="list-style-type: none"> Note the response received from Lisburn and Castlereagh City Council in relation to providing match funding for Lagan Valley Regional Park and to note that officers will continue to engage with LCCC on this matter. |
| 3.0 | Main Report |
| 3.1 | At the People and Communities Committee held on 8 August 2023, it was agreed that Council would write to the Department for Infrastructure (DfI) to express its concern at the withdrawal of core funding for Lagan Valley Regional Park for the 2023/24 financial year. |
| 3.2 | At the November 2023 meeting of People and Communities Committee, Members were advised that a response from DfI had been received, which advised that whilst the Department understood that the withdrawal of the discretionary funding of £42,000 for Lagan Valley Regional Park had left the park in a precarious situation, the decision to cut all discretionary spending and therefore the funding to LVRP had been taken at Departmental level due to overall budget cuts that had affected all Departments, and that the Department would not be able to enter into a new Operational Service Agreement with LVRP. Members agreed to recommend to the Strategic Policy and Resources Committee that additional funding of £21,000 be awarded to LVRP from reserves and to write to LCCC asking it to contribute the same amount to address the shortfall in funding from DfI. |
| 3.3 | The Strategic Policy and Resources Committee at its meeting on 24 November 2023 subsequently agreed to allocate £21,000 to the Lagan Valley Regional Park on condition that it be matched by Lisburn and Castlereagh City Council and agreed that a review be undertaken of future funding requirements. |
| 3.4 | Following issue of a letter to Lisburn and Castlereagh City Council requesting formal consideration of this request (attached at Appendix 1), a response was received which advised that LCCC are also having to consider several budget cuts from Central Government and their impact at a local level – a copy of this response is attached at Appendix 2. LCCC have highlighted that this and other similar requests have been discussed at Council and Member workshops and will be considered in the round to ensure Members are fully informed before taking any decisions with a financial impact. |

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| 3.5 | <p>Officers have met with LCCC to discuss future funding requirements and will continue to engage with LCCC going forward. Members will be kept updated on any decision by LCCC in relation to the request for match funding.</p> <p><u>Financial & Resource Implications</u></p> |
| 3.6 | <p>As agreed at SP&R Committee in November 2023, £21,000 will be provided to Lagan Valley Regional Park if LCCC confirm that they will match this funding.</p> <p><u>Equality or Good Relations Implications/Rural Needs Implications</u></p> |
| 3.7 | <p>There are no implications associated with this report.</p> |
| 4.0 | Appendices - Documents Attached |
| | <p>Appendix 1 – Letter to LCCC re Lagan Valley Regional Park</p> <p>Appendix 2 – Response from LCCC re Lagan Valley Regional Park</p> |

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Your reference

Our reference JW/lc

Date 13 December 2023

Mr David Burns
Chief Executive
Lisburn and Castlereagh City Council
Lagan Valley Island
LISBURN
BT27 4RL

Dear David

Lagan Valley Regional Park

As you will be aware, the Lagan Valley Regional Park is a shared asset across our council boundaries and as a result, we along with the Department for Infrastructure, provide annual funding towards the maintenance of the park. However, the Department has now advised that it will not be providing any further funding moving forward.

This funding shortfall of £42k per annum was discussed at a meeting of the Council's Strategic Policy and Resources Committee on 24 November 2023 where it was agreed that Belfast City Council would be prepared to meet half of the deficit (£21k pa), on the condition that Lisburn and Castlereagh City Council meet the other £21k pa.

Could I therefore ask you to arrange for this request to be formally considered and for me to be advised of the outcome. I am happy to meet with you and your Team if this would assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Walsh', written over a large, loopy circular flourish.

John Walsh LLB LLM
Chief Executive

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Our Ref: DB/wh/CE183

10 January 2024

BY EMAIL ONLY

John Walsh
Chief Executive
Belfast City Council
walshjohn@belfastcity.gov.uk

Dear John

Thank you for your letter dated 13 December 2023, regarding Lagan Valley Regional Park and the request for us to contribute an additional £21k towards LVRP.

It is disappointing that the Department for Infrastructure withdrew the funding for 2023/24 for this collaborative project. At our Community and Wellbeing Committee the Members asked that we write to the Department, which we undertook to do so. To date I have not received correspondence from DfI regarding the budget situation for 2024/25.

One of my Directors, Louise Moore, has reached out to your Director, David Sales, a number of times but I am advised that he has moved positions so she is hoping to meet with Stephen Leonard on the 12 January 2024 to discuss the project and related considerations. This will include the Memorandum of Understanding, staffing structure, programmes and funding streams.

Like yourselves we are having to consider several budget cuts from Central Government and in particular their impact at a local level. To date we have discussed these issues in the Chamber and at Member workshops. Therefore, it would not be prudent for us to take through individual deficit requests which have a financial impact, rather we will consider these in the round to ensure Members are fully informed, prior to making any decisions.

I have requested that Louise continues to engage with Stephen in BCC and keep him appraised of our process and related outcomes

Yours sincerely

David Burns
CHIEF EXECUTIVE

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|---------------------------|---|
| Subject: | Council's Powers of Vesting - Tribeca |
| Date: | 19 th January 2024 |
| Reporting Officer: | Nora Largey – City Solicitor & Director of Legal & Civic Services Cathy Reynolds – Director of City Regeneration & Development |
| Contact Officer: | Colin Campbell - Divisional Solicitor Adrian Ferguson - Senior Development Manager |

Restricted Reports

Is this report restricted?

Yes

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No

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Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

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1. Information relating to any individual
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If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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Call-in

Is the decision eligible for Call-in?

Yes

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No

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| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | <p>The purpose of this report is to:</p> <ul style="list-style-type: none"> • Provide members with an outline of the powers of vesting available to the Council in respect of the Tribeca site. • Agree to officers carrying out further work in relation to the possibility of vesting and /or acquisition of the site by agreement including seeking a valuation of the site. |
| 2.0 | Recommendations |
| 2.1 | <p>The Members of the Committee are asked to:</p> <ul style="list-style-type: none"> • Note the contents of the report. • Agree to officers carrying out further work in relation to the possibility of vesting and/or acquisition of the Tribeca site by agreement, including seeking a valuation of the site; consideration of potential funding sources and planning considerations. |
| 3.0 | Main report |
| | <u>Background</u> |
| 3.1 | At its meeting on 29 th September 2023, the Committee agreed that a report on the possible options for the vesting of the Tribeca site be submitted to a future meeting. |
| 3.2 | The Tribeca site was formerly known as Royal Exchange, which was initially granted planning permission in October 2012 (Z/2010/1532/F). |
| 3.3 | This permission was a retail led proposal that allowed the demolition, redevelopment and part change of use of existing buildings to create mixed use development comprising retail, offices, café/bar use, 2no. retail pavilions, 205 apartments including 6 no. live/work units, with associated energy centre, service areas and above ground car parking, cultural/arts centre, hotel, 2-level basement car park and associated access and circulation, creation of new streets and public spaces, reconfiguration of Writers Square, public realm works, landscaping and associated site and road works. It also included works to restore, alter and extend listed buildings and facades and partial demolition of North Street Arcade retaining its facades, partial reconstruction of end blocks and reconstruction of rotunda on original location. |
| 3.4 | Whilst this permission was commenced through the discharge of conditions and some demolition work, none of the redevelopment has taken place. However, the works which have been undertaken had the effect of commencing the 2010 permission. Generally, this means that the permission remains extant in perpetuity. |

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| 3.5 | <p>In 2017 an outline application (LA04/2017/2341/O) was received from the owners of the site for the demolition of a number of buildings and the redevelopment of the area to create a mixed use development comprising retail, offices, café/restaurant uses, residential apartments, including private rented sector units, hotel use, community uses, car parking, associated access, servicing and circulation arrangements, an energy centre, the creation of new streets, the reconfiguration of Writers Square, public realm works, landscaping and associated site and road works. The application also proposed works to alter listed buildings, restoration of retained listed buildings and facades, and partial demolition of North Street Arcade, retaining its facades. This application was granted in November 2020.</p> |
| 3.6 | <p>Since the grant of the 2020 permission, the developer has not begun construction of the development. Whilst the developer has ownership of the vast majority of the lands within the overall site, they have had some difficulty securing certain portions of the overall lands required to develop out the scheme as per the existing planning approval. Whilst they have suggested potential variation of the permission to deal with those issues no such application has been received. A report was brought to SPR Committee on 26th June 2023 seeking approval to Council using its vesting powers to secure one of properties within the site. However Members had agreed to defer consideration of the report until such time as the motion tabled at Standards and Business Committee on 27th June 2023, inviting Castlebrooke Investments and/or any of its subsidiaries or related companies which had an interest in or was responsible for the development of the Cathedral Quarter to attend a future Committee meeting to present their plans and provide an update on their work being undertaken to date to develop the area. Castlebrooke subsequently advised Council Officers they intend on meeting with Party Group Leaders to address this motion but to date no meetings have taken place.</p> |
| 3.7 | <p>At SPR Committee on 22nd September 2023, Members agreed that a report on the possible options for the vesting of the Tribeca site be submitted to a future meeting.</p> |
| 3.8 | <p><u>Key Issues – Vesting / Compulsory Purchase</u></p> <p>Belfast City Council’s power to vest land (or to acquire land without agreement, also known as compulsory purchase) is set out in Section 97(1) of the Local Government (Northern Ireland) Act 1972 (‘the 1972 Act’), which states:</p> <p><i>“Where a council desires to acquire land otherwise than by agreement for any purpose for which it is authorised by a transferred provision so to acquire land, it may apply to the Ministry concerned for an order (in this Act referred to as a “vesting order”) vesting the land in the council, and that Ministry may make a vesting order”</i> the Council can seek to vest</p> |

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| | <p>land where it has legislative authority to do so. It is also generally only permitted where it has provided impossible or difficult to acquire the land by negotiated agreement. The general statutory intention behind a Vesting Order is that there is an intention to implement a scheme which requires the vesting to take place. As previously advised in the report to SP&R on 23/6/23 the Council can only vest land where a specific power is given to vest by another legislative provision. The Council must apply for the Vesting Order to the Department that has oversight of the particular function the Council is relying on to apply for the Order.</p> |
| 3.9 | <p>There are a number of legislative provisions which allow the Council to seek to vest land, including where it wants to do so to provide recreational and cultural activities or for providing tourist amenities. However the most relevant power rests in the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002 which confers on the Council the power to vest land for the purpose of the economic development of its district.</p> |
| 3.10 | <p>Prior to asking the relevant Department to seek a Vesting Order, the Council must be clear on a number of factors:</p> <ol style="list-style-type: none"> 1. The purpose for which the scheme is required. This involves carrying out extensive consideration of the proposal in detail. From which, the Council can make decision on the most suitable vesting power to use. 2. Explain why vesting is necessary and the outcomes which the vesting will achieve. 3. The further costs in financing of the redevelopment, the investment which may be required and whether it will be entirely public funded together with an overarching assessment of the viability of the scheme as a whole. 4. The use of a Vesting Order is generally to be considered, only where it has proved impossible or difficult to acquire the land by negotiated agreement. |
| 3.11 | <p>The process of obtaining a Vesting Order in respect of the site will be complex and require a significant officer resource to satisfy the various steps set out within the 1972 Order, not least of which is securing the approval of the relevant Department, that being the Department of Communities.</p> |
| 3.12 | <p>The timescale on making a Vesting Order depends greatly on the nature of the site, whether an owner(s) is identified, and how willing the owner is at negotiating sale by agreement to the Council. The Council would also need to be clear about what it is</p> |

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| | proposing to do with the vested land which would require a considerable amount of work in advance of applying to a sponsoring Department. |
| 3.13 | If the Department agrees to make a Vesting Order, they must publish their intention to do so and if it receives any objections, it can cause a local enquiry to be held at which the Council and any objector shall have the opportunity to make representations. |
| | Financial Implications of vesting |
| 3.14 | If the Vesting Order is granted, the Council must pay compensation to the landowner whose lands have been vested. The level of compensation and valuation of the site will be complex given its size and the particular circumstances. If no agreement on the amount of compensation can be reached, the valuation can be referred to the Lands Tribunal, who shall determine the level of compensation payable after hearing arguments on same from the Council and the Landowner. |
| 3.15 | At this time, officers cannot advise members as to the potential amount of compensation which may be payable. Generally this only becomes clear after the Vesting Order is made but it may be possible, and based on currently available information, to obtain a 'high-level' valuation of the site to include other heads of claim arising from a Vesting Order. |
| 3.16 | Committee is also asked to note that in addition to compensation to the landowner, Council would also be liable for other associated costs in terms of claimant's legal and professional fees together with other costs not usually considered with purchase by agreement such as disturbance payments, business loss/extinguishment, cost of any public enquiry as a result of a challenge etc. |
| | Finance & Resource Implications |
| 3.17 | There are none associated with this report although Committee should note that there are likely to be significant finance and resource implications if Council wishes to pursue vesting. |
| | Equality or Good Relations Implications/Rural Needs Assessment |
| 3.18 | None at this time |
| 4.0 | Appendices – Documents Attached |
| | Appendix One – Plan of the Tribeca site |

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Belfast
City Council

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|---------------------------|--|
| Subject: | Physical Programme Update |
| Date: | 19 January 2024 |
| Reporting Officer: | Sinead Grimes, Director of Property & Projects |
| Contact Officer: | Shauna Murtagh, Portfolio Manager |

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number ☐

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

☐
☐
☐
☐

Call-in

Is the decision eligible for Call-in?

Yes

☒

No

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | The Council's Physical Programme currently includes over 400 capital projects via a range of internal and external funding streams, together with projects which the Council delivers on behalf of external agencies. The Council's Capital Programme forms part of the Physical |

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| | Programme and is a rolling programme of investment which either improves existing Council facilities or provides new facilities. This report includes an update on the CCTV upgrade and lighting at Henry Jones Playing Fields and approval for a visit to the Foundry in Dublin for members of the Installations – City Hall/City Hall Grounds Working Group. |
| 2.0 | Recommendation |
| 2.1 | The Committee is asked to note the update provided on Henry Jones and to approve a visit to the Foundry in Dublin for Members of the Installations – City Hall/City Hall Grounds Working Group in order to view the statues of Winfred Carney and Mary Anne McCracken prior to their unveiling in the grounds on International Women's Day (Friday 8 th March). |
| 3.0 | Main Report |
| | Henry Jones Playing Fields works |
| 3.1 | At Committee in December Members requested an update on the works at Henry Jones Playing Fields. |
| 3.2 | Members will recall that in September 2023 the Committee approved an upgrade to the current CCTV system and also the installation of lighting in the car park at the Henry Jones Playing Fields, subject to realignment of spend. The Committee agreed also to defer consideration of the installation of perimeter fencing to enable further discussions to be held with the key user groups. |
| 3.3 | The CCTV upgrade and car park lighting works are being taken forward via the Property & Projects Department. Design work is underway and procurement is scheduled to take place within the coming weeks. Both elements of the project are due for completion in Spring 2024. |
| | Statues – City Hall Grounds |
| 3.4 | Members will be aware that the installation of two new statues in City Hall Grounds of Mary Ann McCracken and Winifred Carney has been agreed. The proposed unveiling of both statues is due to take place on Friday 8 March 2024 which is International Women's Day. There is likely to be significant media attention for this and further detail on the proposed programme will be brought to Committee next month. The statues are currently in the foundry in Dublin for casting and approval is sought for the Chair and members of the Installations – City Hall/City Hall Grounds Working Group to visit the Foundry to view both pieces and meet with the artist Ralf Sander. |
| 3.5 | <u>Financial and Resource Implications</u> <i>Finance</i> – to be met within existing realigned budgets <i>Resources</i> – Officer time to deliver as required |
| 3.6 | <u>Equality or Good Relations Implications/Rural Needs Assessment</u> All capital projects are screened as part of the stage approval process |

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| 4.0 | Appendices - Documents Attached |
| | None |

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| Subject: | Asset Management: i) Belfast Castle – Arc 21 Lease Renewal ii) Ormeau Park – NI Water Storm Drain |
| Date: | 19 th January 2024 |
| Reporting Officer: | Sinead Grimes, Director of Property & Projects |
| Contact Officer: | Pamela Davison, Estates Manager |

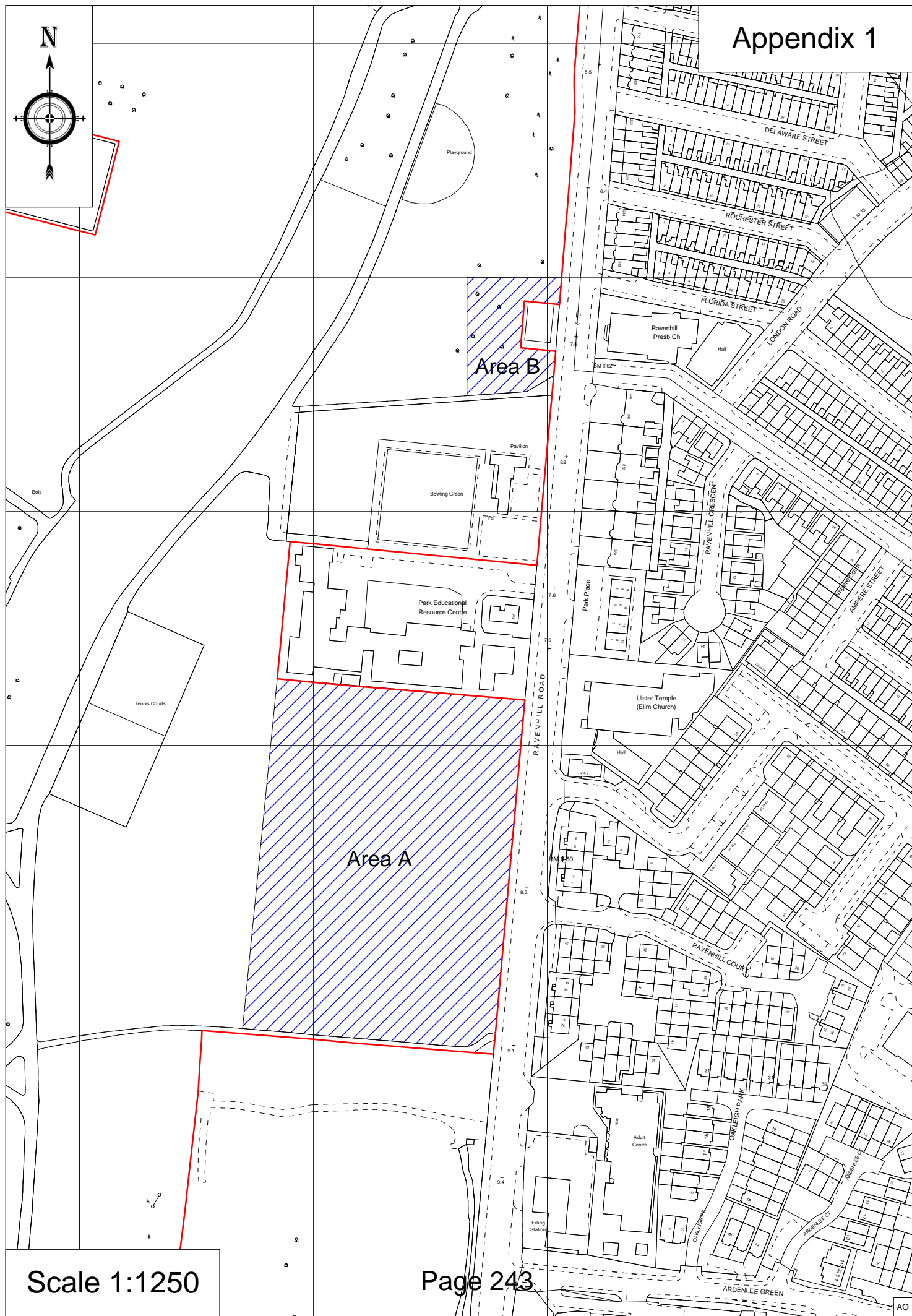
| | | | | | | | | | |
|---|---|--------------------------|--------------------------|------------------------|--------------------------|------------------------|--------------------------|-------|--------------------------|
| Restricted Reports | | | | | | | | | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 40px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | |
| <p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 30%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | | After Committee Decision | <input type="checkbox"/> | After Council Decision | <input type="checkbox"/> | Sometime in the future | <input type="checkbox"/> | Never | <input type="checkbox"/> |
| After Committee Decision | <input type="checkbox"/> | | | | | | | | |
| After Council Decision | <input type="checkbox"/> | | | | | | | | |
| Sometime in the future | <input type="checkbox"/> | | | | | | | | |
| Never | <input type="checkbox"/> | | | | | | | | |

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

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | The purpose of this report is to seek approval from the Committee on asset related disposal, acquisition, and estates matters. |
| 2.0 | Recommendation |
| 2.1 | <p>The Committee is asked to:</p> <p>i) Belfast Castle – Lease Renewal</p> <ul style="list-style-type: none"> - approve the renewal of a Lease with Arc 21 for office accommodation at Belfast Castle. <p>ii) Ormeau Park – NI Water Storm Drain</p> <ul style="list-style-type: none"> - approve a NI Water Storm Drain at Ormeau Park. |
| 3.0 | Main Report |
| 3.1 | <p>i) Belfast Castle – Lease Renewal</p> <p><u>Key Issues</u></p> <p>Arc 21 currently hold a 5-year Lease dated from 1st December 2018, at an annual rent of £21,500 for use of the second-floor office accommodation at Belfast Castle. Based on comparable evidence it is proposed that the rent is reviewed to £24,500 per annum on a Lease for 5 years with a break option for both parties at the end of year two and then annually year after.</p> <p><u>Financial and Resource Implications</u></p> <p>The Council will receive an annual rent of £24,500 if approved by members. Legal services will prepare a Lease on the instructions of the Estates Management Unit.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None associated with this report.</p> |
| 3.2 | <p>ii) Ormeau Park – NI Water Storm Drain</p> <p><u>Key Issues</u></p> <p>As part of the storm sewer upgrade works at Ravenhill Avenue NIW have notified the Council that they need to install a further stretch of storm drain beneath Ormeau Park (see Appendix 1 coloured blue), which will connect via existing pipes under the Ravenhill Road (coloured pink) to link into the existing storm drainage network adjacent to Ballynafoy Close. The storm drain is designed to provide additional drainage as part of the storm sewer upgrade within the Ravenhill Road and surrounding area. An initial proposed route involved the laying of pipework from current infrastructure at Ravenhill Avenue, along the Ravenhill Road carriageway to connect to existing pipework adjacent to Ormeau Park and it was estimated that these works could have taken up to three months. This would have implications for the Ravenhill Road</p> |

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| | <p>which is a main arterial route necessitating further closure periods. Considering the implications since this time officers from the Council have been working with NIW to look at an alternative route through Ormeau Park which will minimise disruption to the Ravenhill Road and local residents but also cause minimal disruption for park users. The proposed route now means that work can be completed within in a month rather than three months subject to Committee approval. Members are asked to note that this remaining works required to be undertaken as part of the sewer upgrade works and that following the installation of the storm drain works the contractor will then progress the reinstatement of the parks lands as agreed.</p> <p><u>Financial and Resource Implications</u></p> <p>Compensation costs to be agreed with NI Water.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None associated with this report.</p> |
| 4.0 | Appendices - Documents Attached |
| | Appendix 1 - NI Water Storm Drain Ormeau Park |

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|---------------------------|---|
| Subject: | Contracts Update |
| Date: | 19 January 2024 |
| Reporting Officer: | Sharon McNicholl Deputy Chief Executive / Director of Corporate Services |
| Contact Officer: | Noleen Bohill, Head of Commercial and Procurement Services |

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

☐

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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Call-in

Is the decision eligible for Call-in?

Yes

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No

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| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | The purpose of this report is to: |

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| | <ul style="list-style-type: none"> • Seek approval from members for tenders and Single Tender Actions (STA) over £30,000 <p>And to ask members to</p> <ul style="list-style-type: none"> • Note contract modifications to contract term and retrospective Single Tender Actions (STAs) • Note an update on quarterly reporting on STAs and Contracts <£30k – see section 6.0 of this report. |
| 2.0 | Recommendations |
| | <p>The Committee is asked to:</p> <ul style="list-style-type: none"> • Approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (Table 1) • Approve the award of STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (Table 2) • Approve the modification of the contract as per Standing Order 37a detailed in Appendix 1 (Table 3) |
| 3.0 | Competitive Tenders |
| | <p>Section 2.5 of the Scheme of Delegation states Chief Officers have delegated authority to authorise a contract for the procurement of goods, services or works over the statutory limit of £30,000 following a tender exercise where the council has approved the invitation to tender</p> <p>Standing Order 60(a) states any contract that exceeds the statutory amount (currently £30,000) shall be made under the Corporate Seal. Under Standing Order 51(b) the Corporate Seal can only be affixed when there is a resolution of the Council.</p> <p>Standing Order 54 states that every contract shall comply with the relevant requirements of national and European legislation.</p> <p>The Committee is asked to approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (Table 1)</p> |
| 4.0 | Single Tender Actions (STAs) |
| | <p>The Council's current Single Tender Action (STA) process, which has been in place since 2020, provides assurance that the Council continues to comply with its obligations under the Public Contracts Regulations 2015 'PCRs' and internal governance arrangements including required controls and approvals. It mirrors the PCRs setting out the exceptional and specific circumstances when a STA can be used (see STA/ Direct Award Reasons Table in Appendix 1).</p> |

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| | <p>To support Officers understanding and to build capability CPS also offer STA Process training on a regular basis.</p> <p>In line with Standing Order 55 the following STAs are being submitted for approval:</p> <ul style="list-style-type: none"> • Contract for up to £370,000, for up to 12 months, awarded to Visit Belfast, for Visit Belfast marketing throughout 2024 including; UNESCO city of music, Belfast 24 and city events. There is currently a formalised agreement with Visit Belfast to act as our marketing partner. No other provider can deliver this additional requirement. • Contract for up to £62,122, for up to 12 months, awarded to Softworks Limited, for the provision of Clockwise System. Continued use of current system required until replacement of system is implemented. (In progress under the HR/Payroll/T&A Project). • Contract for up to £80,000 for up to two years, awarded to Roadvert Ltd for provision and installation of a system for side of vehicle advertising on RCV's. The proposed system will ensure that any advertising can be easily changed with no damage to the vehicle to reflect any changes to the campaign message or future campaigns. A tender process was recently undertaken but no submissions were received. Supplier has provided a similar service/system for BCC previously. <p>Further details on these STAs is set out in Appendix 1 (Table 2) including the reason selected to support justification of each STA.</p> |
| 5.0 | Modification to Contract |
| | <p>The Committee is asked to approve the following modification of the contract as per Standing Order 37a:</p> <ul style="list-style-type: none"> • Up to an additional 3 months, for Contract T2123 for the Provision of an External Mail Collection Service, awarded to Postal Sort. Additional time is required to finalise the Specification and associated tender documents. Work is underway to complete this review and to advertise the tender but additional time of up to 3-months is required to ensure continuity of service whilst tender process is completed. • Up to an additional 9 months and £391,000, for contract Procurement of Public Bike Share Scheme. LOT 1: Design supply maintenance & operation of the scheme. Awarded to NSL Service Group. The contract with the current operator needs to be extended for additional services that have become necessary due to the requirement for a longer transition period that was not foreseen at the outset of the contract. This is needed due to technological advances and improvements to equipment in the bike |

| | <p>share industry over the past 9 years that doesn't allow for a prompt change of operator without having a detrimental impact on the service.</p> <p>Further details on these contract modifications are set out in Appendix 1 (Table 3).</p> | | | | | | | | |
|---------------------------|--|-------------------------|------------------------------|----|--------------|---------------------------|--------------------------------|----|-------------|
| 6.0 | STA and Contracts <£30k Reporting | | | | | | | | |
| | <p>At October's SP&R the Committee agreed that 'the quarterly finance report should, in future, include information on expenditure on Single Tender Actions and on the number and value of contracts under £30,000'.</p> <p>The information for Quarter 3 2023/24 is provided below:</p> <p>STAs awarded FY 23/24 Qtr 3</p> <table border="1"> <tr> <th>Number of STA contracts</th><th>Total value of STA contracts</th></tr> <tr> <td>33</td><td>£235,1243.48</td></tr> </table> <p>Below is a quarterly return by all departments on contracts awarded valued below £30,000 during FY 23/24 Qtr 3.</p> <p>Contracts <£30k awarded FY 23/24 Qtr 3</p> <table border="1"> <tr> <th>Number of <£30k contracts</th><th>Total value of <£30k contracts</th></tr> <tr> <td>43</td><td>£676,952.87</td></tr> </table> | Number of STA contracts | Total value of STA contracts | 33 | £235,1243.48 | Number of <£30k contracts | Total value of <£30k contracts | 43 | £676,952.87 |
| Number of STA contracts | Total value of STA contracts | | | | | | | | |
| 33 | £235,1243.48 | | | | | | | | |
| Number of <£30k contracts | Total value of <£30k contracts | | | | | | | | |
| 43 | £676,952.87 | | | | | | | | |
| 7.0 | Financial & Resource Implications | | | | | | | | |
| | The financial resources for these contracts are within approved corporate or departmental budgets | | | | | | | | |
| 8.0 | Equality or Good Relations Implications / Rural Needs Assessment | | | | | | | | |
| | None | | | | | | | | |
| 9.0 | Appendices – Documents Attached | | | | | | | | |
| | <p>Appendix 1</p> <p>Table 1 - Competitive Tenders</p> <p>Table 2 - Single Tender Actions</p> <p>Table 3 - Modification to Contract</p> | | | | | | | | |

Table 1: Competitive Tenders

| Title of Tender | Proposed Contract Duration | Est. Max Contract Value | SRO | Short description of goods / services |
|--|----------------------------|-------------------------|-----------|---|
| Medical referee services | Up to 5 years | £150,000 | D Sales | Legal obligation to appoint a medical referee to sign cremation forms |
| A grants management system providing online application and management of grants streams | Up to 4 Years | £131,540 | P Gribben | To ensure ongoing provision of a grants management system |

Table 2: Single Tender Actions

| Title | Duration | Est. Max Contract Value | SRO | Description | Supplier | STA Reason Code |
|--|-----------------|-------------------------|-----------|---|--|-----------------|
| Visit Belfast marketing throughout 2024 including; UNESCO city of music, Belfast 24 and city events | Up to 12 months | £370,000 | J Greer | There is currently a formalised agreement with Visit Belfast to act as our Out of State marketing partner. No other provider can deliver this additional requirement. | Visit Belfast | 3 |
| Provision of Clockwise System | Up to 1 year | £62,122 | P Gribben | Continued use of current system required until replacement of system is implemented. (In progress under the HR/Payroll/T&A Project). | Softworks Limited | 3 |
| Provision and installation of a system for side of vehicle advertising on Refuse Collection Vehicles | Up to 2 years | £80,000 | D Sales | The proposed system will ensure that any advertising can be easily changed with no damage to the vehicle to reflect any changes to the campaign message or future campaigns. There were no bids received from a recent tender competition. Supplier has provided a similar service/system for BCC previously. | Roadvert Ltd (Spedian Vehicle Graphic Solutions) | 1 |

Table 3: Modification to Contract

| Title of Contract | Current Contract Duration | Modification required | SRO | Description | Supplier |
|---|---------------------------|----------------------------------|-----------|--|-------------------|
| T2123 - Provision of an External Mail Collection Service | Up to 3 years | Additional 3 months | P Gribben | Additional time is required to finalise the Specification and associated tender documents. Work is underway to complete this review and to advertise the tender but additional time of up to 3-months is required to ensure continuity of service whilst tender process is completed. | Postal Sort |
| Procurement of Public Bike Share scheme. LOT 1: Design supply maintenance & operation of the scheme | Up to 9 years | Additional 9 months and £391,000 | J Greer | The contract with the current operator needs to be extended for additional services that have become necessary due to the requirement for a longer transition period that was not foreseen at the outset of the contract. This is needed due to technological advances and improvements to equipment in the bike share industry over the past 9 years that doesn't allow for a prompt change of operator without having a detrimental impact on the service. | NSL Service Group |

STA/ Direct Award Reasons

| Reason Code | Reasons in line with Public Contract Regulations |
|--------------------|--|
| 1 | No response following advertised procurement exercise |
| 2 | Creation or acquisition of a unique work of art or artistic performance |
| 3 | Competition is absent for technical reasons (no reasonable substitute exists) |
| 4 | The protection of exclusive rights, including intellectual property rights |
| 5 | Extreme urgency brought about by events unforeseeable by BCC, the time limits for a procurement cannot be complied with. |
| 6 | Products manufactured purely for the purpose of research, experimentation, study or development |
| 7 | Additional deliveries which are intended either as a partial or extended replacement of supplies or installations where a change of supplier would result in supplies of different technical characteristics causing incompatibility or disproportionate technical difficulties in operation and maintenance |
| 8 | Supplies quoted and purchased on a commodity market |
| 9 | Supplies or services on particularly time-limited advantageous terms e.g. supplier winding up its business activities |
| 10 | New works and services consisting of the repetition of similar works or services, provided that the possibility of a direct award is disclosed during the original tender process |
| 11 | Other – Reason not in line with Public Contract Regulations (PCR 2015) |

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|---------------------------|---|
| Subject: | Minutes of Shared City Partnership Meeting on 8 th January 2024 |
| Date: | 19 th January 2024 |
| Reporting Officer: | David Sales, Strategic Director of City Operations |
| Contact Officer: | Jim Girvan, Neighbourhood Services Manager Godfrey McCartney, Good Relations Manager |

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| Restricted Reports | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted. | |
| Insert number <input type="checkbox"/> | |
| <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | |
| If Yes, when will the report become unrestricted? | |
| After Committee Decision After Council Decision Sometime in the future Never | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |

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

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | To report to committee on the key issues discussed at the Shared City Partnership meeting held on 8 th January 2024. |

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| 2.0 | Recommendation |
| 2.1 | That the Strategic Policy and Resources Committee approve the minutes and recommendations from the Shared City Partnership Meeting held on 8 th January 2024 including: |
| 2.2 | <p><u>Shared City Partnership Membership (Verbal Update)</u></p> <ul style="list-style-type: none"> That members note the verbal update and agree the approach provided by the Good Relations Manager. |
| 2.3 | <p><u>Good Relations Quarter 3 Report</u></p> <p>The Partnership recommend to the Strategic Policy and Resources Committee that it note the contents of the report.</p> |
| 2.4 | <p><u>PEACEPLUS – Theme 1.1 - Local Action Plan Update</u></p> <p>The Partnership recommend to the Strategic Policy and Resources Committee that it note the contents of the report.</p> |
| 3.0 | Main Report |
| | <u>Key Issues</u> |
| 3.1 | The Shared City Partnership is a Working Group of the Strategic Policy and Resources Committee which consists of Elected members and representatives from various sectors across the city. The minutes from the Partnership are brought before the Committee for approval on a monthly basis. |
| 3.2 | <p>The key issues on the agenda at the 8th January 2024 meeting were:</p> <ul style="list-style-type: none"> Verbal Update on SCP Membership Good Relations Quarter 3 Report Peaceplus – Theme 1.1 – Local Action Plan Update |
| 3.3 | More details regarding the above issues and recommendations are included in the minutes of the meeting attached in Appendix 1. |
| 3.4 | <p><u>Financial and Resource Implications</u></p> <p>All financial implications are covered through existing budgets.</p> |
| 3.5 | <u>Equality or Good Relations Implications/Rural Needs Assessment</u> |

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| | The recommendations of the Partnership promote the work of the Council in promoting good relations and will enhance equality and good relations impacts. |
| 4.0 | Appendices - Documents Attached |
| | Appendix 1 – Minutes of the Shared City Partnership 8 th January 2024 |

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SHARED CITY PARTNERSHIP

Monday 8th January, 2024

MEETING OF SHARED CITY PARTNERSHIP HELD REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Duffy (Chairperson) and
Councillors McLaughlin and Smyth.

External Members: Mrs. B. Arthurs, Community and Voluntary Sector;
Mr. T. Burns, Faith Sector;
Mr. J. Donnelly, Community and Voluntary Sector;
Ms. J. Irwin, Community Relations Council;
Ms. C. McMenamin, Belfast Health and Social Care Trust;
Ms. T. Mimna, Good Relations, TEO;
Interfaith Forum;
Ms. A. Roberts, Community and Voluntary Sector;
Mr. G. Walker, Community and Voluntary Sector; and
Ms. A. M. White, British Red Cross

In attendance: Mr. G. McCartney, Good Relations Manager;
Ms. D. McKinney, PEACE Programme Manager;
Mr. J. Girvan, Neighbourhood Services Manager; and
Mrs. S. Steele, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Alderman Copeland and
Mr. W. Naeem and Mr. P. Anderson.

Minutes

The minutes of the meeting of 11th December, 2023, were taken as read and
signed as correct.

Declarations of Interest

Ms. B. Arthurs declared an interest in respect of agenda item 3, Good Relations
Quarter 3 Report, in that she worked for an organisation that was in receipt of funding
and she left the meeting during consideration of this agenda item.

Ms. T. Mimna declared an interest in respect of item 4, Peace Plus Belfast City
Council Local Action Plan Update, in that she worked for the Executive Office, and she
left the meeting at this stage in the proceedings.

SCP Membership Update (verbal update)

The Good Relations Manager advised the Members that he had been in discussions regarding the two vacant positions with the recently appointed Chief Executive of the Belfast Chamber of Commerce. He reported that she was keen to fill the positions and that he was scheduled to meet her in the next few weeks to further discuss. He undertook to provide a further update in due course.

He also reported that he was still awaiting confirmation from the Northern Ireland Housing Executive (NIHE) as to whom its representative would be. He undertook to provide a further update at the February meeting of the Partnership once he had liaised further with NIHE officials.

Noted.

Good Relations Quarter 3 Report

(Ms. Arthurs, having declared an interest, left the meeting for the duration of this item.)

The Good Relations Manager reminded the Members that, as previously reported, the Council's Good Relations Action Plan contained £294,644.00 towards programme costs, made up of funding from both the Council and The Executive Office's District Council's Good Relations Programme.

The Members were reminded that, during Quarter 1, a total of £184,644 had been allocated to projects across the city. He continued that work on programme development and mobilisation had continued in Quarter 2, however, no allocations had been made as budgets were still being finalised. Work had continued on the delivery of the Action Plan during Quarter 3, during which a total of £61,970.84.00 had been allocated to groups, giving a total spend of £246,614.84.

He then drew the Members' attention to the activity, as summarised below:

| Code | Project Summary | Budget | Progress in Quarter 3 | Total allocated |
|-------------|---|-----------------------------|---|--|
| BCC1 | Good Relations Small Grants Programme. | £154,644 | All projects in receipt of letter of offer and currently being delivered | Full allocation |
| BCC2 | St Patrick's Day Civic Events programme | Increased to £20,000 | Following reprofile of BCC6, it was agreed to provide £20,000 towards the preparation of the Carnival Parade to improve the diversity of the event. | £0. To be allocated in Q4 |
| BCC3 | Positive Cultural Expression Programme | Increased to £30,000 | Beacon Programme delivered. 11 groups supported to deploy a beacon on the 11th July. Increased allocation | Full allocation. £20K in Q1 and £10K in Q3. |

| | | | | |
|-------|---|-----------------|---|--|
| | | | following reallocation of BCC6. | |
| BCC4 | Civic Engagement and Learning Programme | £10,000 | Full allocation delivered in Q1. | Full allocation in Q1 |
| BCC5 | Minority Ethnic Inclusion Programme | £30,000 | September meeting of migrant forum took place. 5 projects supported and delivered. | £10,077.24 allocated |
| BCC6 | Civic Engagement and Strategic Priorities | £0 | Following 2 unsuccessful quotation exercises, this budget was reallocated to BCC2 and BCC3. | Quotation exercise Unsuccessful |
| BCC7 | Interface Engagement and tackling sectarianism and racism | £40,000 | 9 projects allocated support for interface events. Quotation process undertaken for the remainder of this budget. | £31,893.60 allocated |
| BCC8 | Shared Education Schools Programme | £10,000 | Programme being delivered in Q3 and Q4. | £10,000 allocated |
| BCC 9 | Strategic Intervention Programme | £0 | N/A | £0 |
| | TOTAL | £294,644 | | £61,970.84 |

The Partnership noted the update report on the delivery of the Council's Good Relations Action Plan during Quarter 3, which covered the period October – December 2023, and recommended that the Strategic Policy and Resources Committee note the update provided.

Peace Plus Belfast City Council Local Action Plan Update

(Ms. Mimna, having declared an interest, left the meeting for the duration of this item.)

The Partnership considered the following report:

“1.0 Purpose of Report or Summary of main Issues

The purpose of this report is to provide Shared City Partnership members with an update on the submission of PEACE PLUS 1.1. Co-designed Local Community Peace Action Plan for Belfast. Note some correspondence that has been received from SEUPB following engagement with TEO which includes the offer of a £30,000 advance eligible spend available to Councils.

2.0 Recommendations

That Members note the contents of the report and recommend to the Strategic Policy and Resources Committee that they too, note the contents of the report.

3.0 Main report

3.1 Background

SCP members are aware that the development of the £15.1 million Local PEACE Action Plan has been developed in three stages:

Stage 1 Co-design needs and opportunities

Stage 2 Co-design long list of priority projects

Stage 3 Action Plan submission

The plan will be delivered under the following 3 Thematic Areas

1. Community Regeneration and Transformation (Capital Projects)
2. Thriving and Peaceful Communities
3. Building Respect for All Cultural Identities

3.2 Current Status – Stage 3 Submission - Complete

Since the last SCP meeting 11th December both the Officer Team with assistance from consultants compiled significant detail required for both Belfast City Council's Local Peace Plus Local Action Plan and the Funding Application to the Special EU Programmes Body.

Officers can confirm that the Local Peace Action Plan and Funding application (along with mandatory Attachments and appendices) has been submitted to SEUPB on the 14 December 2023. As mentioned at the last meeting to arrive at this position has taken a considerable amount of time in terms of Co-Design and drafting of required documents. It is worth noting that the overall application including all of the above is circa 800+ pages plus worth of documentation which will now be assessed by SEUPB.

As agreed at the last SCP meeting officers will now work with colleagues to develop the skills and capacity of local community organisations to enable them to bid for such opportunities i.e., prepare to procure.

3.3 TEO Engagement

In December TEO as the accountable department for PEACEPLUS have been engaging with local Council officers collectively to discuss some concerns that have been raised with regards to the development and delivery of Local Peace Action Plans.

Members should be aware that some of the issues raised included:

1. Level of risk for Councils who have submitted their action plan to incur expenditure before receiving a Letter of Offer.
2. Financial constraints on Councils who are waiting on reimbursement from PEACE IV.
3. Changing parameters for the submission, assessment, and approval
4. Extended application period which resulted in an increasing gap between programmes.
5. Role and responsibility of the Financial Controller function (now assigned to Councils)

Members should note that the key points mainly applicable to the Belfast PEACEPLUS Local Action Plan, are 1, 2,3 and 5 above.

3.4 SEUPB Correspondence

TEO has subsequently liaised with their ROI counterparts, Department Rural and Community Development and SEUPB on these issues. In response to these discussions, correspondence from SEUPB, as attached, has been issued to Council.

Members are requested to note the correspondence and given the financial constraints and risk to Council, agree that a request for the £30,000 advance is made to SEUPB.

Members are also advised that officers will be meeting with TEO and SEUPB in January 2024 to confirm the assessment process, timeframe, and way forward for the Belfast PEACEPLUS Local Action Plan.

3.5 Financial and Resource Implications

Within existing budget to be claimed retrospectively from SEUPB.

3.6 Equality or Good Relations Implications/Rural Needs Assessment

The Plan has been screened for equality and good relations implications along with completion of a rural needs assessment, and forwarded to Council's Equality Team."

The Members asked that their concern and dismay be noted regarding the ongoing delay with the reimbursement to the Council from the SEUPB of the outstanding Peace IV monies.

Both the Good Relations Manager and the Chairperson, on behalf of the Partnership, commended the work of the Peace Plus officers for the dedication and long hours that they had undertaken to ensure that the Local Peace Action Plan and funding application had been submitted to the SEUPB by the 14th December deadline and asked that their thanks be passed to all the relevant officers.

The Partnership noted the update report on the submission of PEACE PLUS 1.1. Co-designed Local Community Peace Action Plan for Belfast and that some correspondence had been received from the SEUPB following engagement with TEO, which included the offer of a £30,000 advance eligible spend available to Councils and recommended that the Strategic Policy and Resources Committee note the update provided.

Chairperson

Minutes of Party Group Leaders Consultative Forum

Thursday 11 January 2024

Members:

Councillor Michael Long
Councillor Brian Smyth
Councillor Christina Black
Councillor Séamas de Faoite
Councillor Sarah Bunting

Apologies:

Councillor Ciaran Beattie, Alderman Sonia Copeland

Officers:

John Walsh, Chief Executive
Cathy Reynolds, Director of City Regeneration and Development (for Item 1)
Trevor Wallace, Director of Finance (for Item 2)
Christine Sheridan, Director of Human Resources (for Items 3 & 7)
Catherine Christy, Human Resources Manager, Development (for Item 3)
Nora Largey, Interim City Solicitor/Director of Legal and Civic Services (for Items 4,5 & 6)
John Tully, Director of City and Organisational strategy (for Item 7)
Lynsey Cameron, Acting Chief Executive's Executive Manager (secretariat)

Attendees:

Nick Walkley, Avison Young (for Item 1)

1. City Regeneration

Party Leaders welcomed a presentation from Nick Walkley on city regeneration issues. The need to prioritise the city centre for the benefit of the wider city and region was noted. Issues such as city centre living, connectivity and regeneration were discussed. Details on next steps and the proposed regeneration framework will be brought back to Party Leaders.

2. Finance Update

The Director of Finance provided an update on the setting of the district rate for 2024/25. Party Leaders noted the Director is available for briefings next week should they be required, and parties are asked to contact the Director directly to arrange. The Director confirmed the special SP&R committee meeting to agree the rate has been scheduled on 26 January at 9.30am.

The Director of Finance also provided an overview of the response to the DoF consultation on non-domestic and domestic rating measures to support budget sustainability by raising additional revenue. Discussion took place on measures such as the rate level on vacant land/buildings and the introduction of a tourism tax. The draft response will be brought to January SP&R committee for approval.

3. Elected Member Development Programme

The Human Resources Manager updated elected members following December's meeting advising that the recommendations from the previous discussion have now been implemented and that updated documents would be circulated to Party Leaders next week. The Director of HR asked that members advise officers on the best approach to engaging with their party members on this. With regards the strategic project for Charter Plus, an update will be brought to members in due course.

4. Hugh Hanna Statue

The City Solicitor reminded Party Leaders on the request received to relocate the Hugh Hanna Statue. Party Leaders advised that previous concerns raised still apply. It was agreed that options should be brought to a future meeting on potential alternative nearby sites.

5. Illuminate Requests

The City Solicitor outlined for Members a number of illuminate requests received. Further discussion also took place on a request previously received and it was agreed this would be brought to SP&R committee.

Members then noted the following requests would be agreed under the City Solicitors delegated authority.

- **Donor's Day** – 26 January 2024
- **Care Day 2024** – 16 February 2024
- **Holy Month of Ramadan** – 1 March 2024
- **National Day of Reflection** – 23 March 2024

6. Planning Update

The City Solicitor updated the Forum on the live planning applications and informed the Forum of applications that were being presented to the Planning Committee in the coming months. In relation to queries raised by Members the City Solicitor to follow up with those Members.

7. Pay and Grading Review

J Tully updated Party Leaders on the programme and current discussions with the Trade Unions. The structure design, assessment and assimilation process were outlined. Party Leaders noted that the proposed structure will be brought to January SP&R committee. It was noted that the associated costings have been included in the rate proposal.

8. AOB

Coronation Gift – Location of Tree

The City Solicitor referred to the offer of a coronation gift (an Irish Oak Tree) to His Majesty's Lord-Lieutenant for Belfast which was previously discussed. Party Leaders were advised of the potential location in City Hall grounds and the change in tree to a lime tree. The proposal to be brought to January SP&R committee.

Discussion also took place on implementing a traffic 'no idling zone' to the west side of City Hall. The City Solicitor to consider the options around this.

Declaration of Interest Training

The City Solicitor reminded Party Leaders that 2 January dates had been circulated for members training. Following discussion, it was agreed that these dates be cancelled and that revised dates be brought back to Party Leaders for consideration. It was also agreed the training should be a hybrid format.

National Famine Commemoration 2024

The response from Minister Martin was noted by Party Leaders. The City Solicitor advised an update will be brought to the next SP&R committee.

Belfast 2024

Discussion took place on the Belfast 2024 programme with Party Leaders noting the request for a decision on the way forward to be made at the January meeting of SP&R committee.

Tribeca

The Chief Executive advised a report on vesting will be brought to January SP&R committee.

Director of Resources and Fleet

The Chief Executive advised that regrettably a letter of resignation had been received from the Director who will leave her post, due to personal reasons, in April. The Director of HR advised a recruitment process, subject to member approval, will commence in February.

Members portal

Party Leaders requested the senior management contact details and organisational chart on the members portal is updated, with copies also emailed to members. The City Solicitor to action.

Special Party Leaders

Following a member request, it was agreed a special Party Leaders meeting will be convened in February to discuss activities and programming around Christmas, Halloween and also the Night-time Economy.

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Belfast
City Council

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|---------------------------|--|
| Subject: | Requests for use of the City Hall and the provision of Hospitality |
| Date: | 19 January 2024 |
| Reporting Officer: | Nora Largey, Interim City Solicitor and Director of Legal and Civic Services |
| Contact Officer: | Aisling Milliken, Functions and Exhibition Manager |

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

☐

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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☐
☐
☐

Call-in

Is the decision eligible for Call-in?

Yes

☒

No

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | This paper, together with the attached appendix, contains the recommended approach in respect of each of the requests by external organisations for access to the City Hall function rooms received up to 5 January 2024. |
| 2.0 | Recommendations |
| 2.1 | The Committee is asked to: <ul style="list-style-type: none"> • Approve the recommendations as set out in Appendix 1. |
| 3.0 | Main report |
| 3.1 | <p><u>Background Information</u></p> <p>The current criteria for use of the function rooms used to review external applications is Functions permitted</p> <ul style="list-style-type: none"> • functions which support other events in the city and which are of demonstrable economic benefit to Belfast whether organised by the council or not • functions which demonstrably enhance the city's image nationally or internationally as a desirable commercial, business or tourist destination • functions designed to celebrate or commemorate a notable achievement or significant anniversary (25, 50, 100 years) by an organisation or body with close links to the city or province • functions organised by recognised local community or voluntary sector groups for non-profit and non-political purposes |
| 3.2 | <p>Functions not permitted</p> <ul style="list-style-type: none"> • conferences, meetings, seminars, performances, wedding receptions, private parties or receptions and similar booking requests in the prestige function rooms • functions, which have as their principal purpose the generation of commercial gain for the organisers. Charity-fundraising functions are managed by the Lord Mayor's Office. • functions which have no compelling links to the council or the city specifically and which could instead use local private sector facilities • functions which have as their primary purpose the advancement of any political or religious cause or campaign or are otherwise potentially contentious or involve significant reputation risks for the council. • functions which involve exceptionally large or disruptive set-ups or pose a real and tangible risk to the fabric of the building or grounds |
| 3.3 | <p><u>Key Issues</u></p> <p>The existing revised criteria and scale of charges have been applied to the various requests</p> |

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| | received and the recommendations herein are offered to the Committee on this basis for approval. |
| 3.4 | The schedule attached at Appendix 1 covers 5 applications for functions scheduled for 2024. |
| | <u>Financial & Resource Implications</u> |
| 3.5 | None, any recommendations for hospitality will be met from existing budgets. |
| | <u>Equality or Good Relations Implications / Rural Needs Assessment</u> |
| 3.6 | None. |
| 4.0 | Appendices – Documents Attached |
| | Appendix 1 - Schedule of function requests received up to 5 January 2024. |

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JANUARY 2024 CITY HALL FUNCTION APPLICATIONS

| NAME OF ORGANISATION | FUNCTION DATE | FUNCTION DESCRIPTION | CRITERIA MET | ROOM CHARGE | HOSPITALITY OFFERED | CIVIC HQ RECOMMEND |
|--|---------------------|--|--------------|------------------------------|--------------------------------|--|
| 2024 EVENTS | | | | | | |
| Belfast YMCA | 20 March 2024 | Youth in Government Graduation reception for 17/ 18-year-olds that participated in this programme run by YMCA. Numbers attending 70 | D | No charge as charity | Yes, Tea and coffee reception. | Approve No Charge Tea and coffee Reception <i>£500 given to their chosen caterer.</i> |
| Ramadan Tent Project Ltd <i>(based in London but working with local community groups)</i> | 7 April 2024 | Open Iftar 2024 programme – this event aims to bring communities together, develop the understanding of Ramadan and welcoming people of all faiths and none to enjoy in the festivities of Ramadan. Festivities to celebrate Ramadan will include prayers, welcome speeches, lunch, networking and activities on 2024 theme of Heritage. Numbers attending 250 – 500 | B & D | No charge as charity | Yes, Soft drinks reception. | Approve No Charge Soft Drink Reception <i>£500 given to their chosen caterer.</i> |
| BTC - Belfast Tamil Community | 13 or 14 April 2024 | BTC Tamil New Year "Puthandu," is a significant cultural and traditional celebration observed by the Tamil community worldwide. This celebration is an evening of food and entertainment. Numbers attending 300 | C & D | No charge as community group | Yes, Soft drinks reception. | Approve No Charge Soft Drink Reception <i>£500 given to their chosen caterer.</i> |
| Image Nation NI | 1 November 2024 | Belfast Diwali Celebrations – an evening of food and entertainment to celebrate one of the | C | No charge as voluntary group | Yes, Soft drinks reception. | Approve No Charge Soft Drink Reception |

JANUARY 2024 CITY HALL FUNCTION APPLICATIONS

| | | | | | | |
|--------------------------------------|------------------|--|---|-------------|----------------|---|
| | | <p>biggest celebrations in Hindu Calendar.</p> <p>Numbers attending – 350</p> | | | | <i>£500 given to their chosen caterer.</i> |
| Belfast Health and Social Care Trust | 28 November 2024 | <p>Belfast Trust Chairman's Awards 2024 – Awards ceremony to recognise the contributions and achievements of the staff in the Belfast Trust.</p> <p>Numbers attending – 300</p> | C | Charge £825 | No hospitality | <p>Approve</p> <p>Charge £825</p> <p>No hospitality</p> |



Belfast
City Council

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|---------------------------|--|
| Subject: | National Famine Memorial Day 2024 |
| Date: | 19 January 2024 |
| Reporting Officer: | John Walsh, Chief Executive |
| Contact Officer: | Nora Largey, Interim City Solicitor/Director of Legal and Civic Services |

| | | | | | | | | | |
|--|---|--------------------------|--------------------------|------------------------|--------------------------|------------------------|--------------------------|-------|--------------------------|
| Restricted Reports | | | | | | | | | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 40px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | |
| <p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 30%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | | After Committee Decision | <input type="checkbox"/> | After Council Decision | <input type="checkbox"/> | Sometime in the future | <input type="checkbox"/> | Never | <input type="checkbox"/> |
| After Committee Decision | <input type="checkbox"/> | | | | | | | | |
| After Council Decision | <input type="checkbox"/> | | | | | | | | |
| Sometime in the future | <input type="checkbox"/> | | | | | | | | |
| Never | <input type="checkbox"/> | | | | | | | | |

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

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | The purpose of this report is to update Committee members on the Irish Government's response to Belfast City Council's request for Belfast to host National Famine Memorial Day in May 2024. |

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| 2.0 | Recommendation |
| 2.1 | Committee members are recommended to note the report and the response attached to this report as Appendix 1. |
| 3.0 | Main Report |
| 3.1 | Following a Notice of Motion adopted at the Standards and Business Committee on 26 September 2023, the Council wrote to the Minister at the Department of Tourism, Culture, Arts, Gaeltacht, Sport & Media on 8 November 2023 to make a request for Belfast to host the National Famine Memorial Day in May 2024. |
| 3.2 | On 21 December 2023, the Chief Executive of Belfast City Council received a response from the Department stating that the Department has a policy of rotating the province that the commemoration is held in each year, and that last year the commemoration was held in Milford, County Donegal. The letter further states that the Department is currently in the process of identifying a host county from Leinster for the 2024 event. Therefore, it will not be inviting applications from Ulster this year. |
| 3.3 | The letter goes on to state that as the Commemoration will be due to take place in Ulster again in number of years, the Department will keep Belfast City Council's expression of interest on file for consideration. |
| 3.4 | <u>Financial and Resource Implications</u> None. |
| 3.5 | <u>Equality or Good Relations Implications/Rural Needs Assessment</u> None. |
| 4.0 | Appendices - Documents Attached |
| | Appendix 1: Letter dated 21 December 2023 from the Department of Tourism, Arts, Culture, Gaeltacht, Sport & Media. |



Mr John Walsh
StoneA@BelfastCity.gov.uk

21 December 2023

Our Ref: CHG-MO-03014-2023

Dear Mr. Walsh,

Many thanks for your recent correspondence regarding the 2024 National Famine Memorial Day. Firstly, on behalf of Minister Catherine Martin T.D., I would like to convey our gratitude for your expression of interest in hosting the National Famine Memorial day 2024.

The National Famine Commemoration Committee will no doubt be very interested in the detailed plans and proposals for the commemoration outlined in your letter. As background, the committee was first established in 2008 following a Government decision to commemorate the Great Irish Famine with an annual National Famine Memorial Day. The committee's key objective is to develop appropriate arrangements for the annual National Famine Commemoration to ensure that the famine, its victims and its legacy are not forgotten. The commemoration rotates annually among each province of Ireland.

The annual ceremony is hosted by the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media and is presided over by An tUachtarán or An Taoiseach on alternating years. In May 2023, the President of Ireland, Michael D. Higgins, presided over the National Famine Commemoration held in Milford, Co. Donegal.

In line with the policy of rotating the province the commemoration is held in each year, we are currently in the process of identifying a host county from Leinster for the 2024 event. To this end, we will be inviting applications from all Local Authorities in Leinster who may be interested in hosting the 2024 National Famine Commemoration.

Unfortunately we will not be inviting applications from Ulster for 2024, but as the Commemoration will be due to take place in the province again in number of years the Department will keep your expression of interest on file for consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Helen Francis', is written over a horizontal line.

Helen Francis
Private Secretary

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| | |
|---------------------------|---|
| Subject: | Coronation Gift |
| Date: | 19 January 2024 |
| Reporting Officer: | Nora Largey, Interim City Solicitor/Director of Legal and Civic Services |
| Contact Officers: | Sandra Robinson, Protocol and Public Affairs Manager Alan McHaffie, Senior Woodland and Recreation Officer |

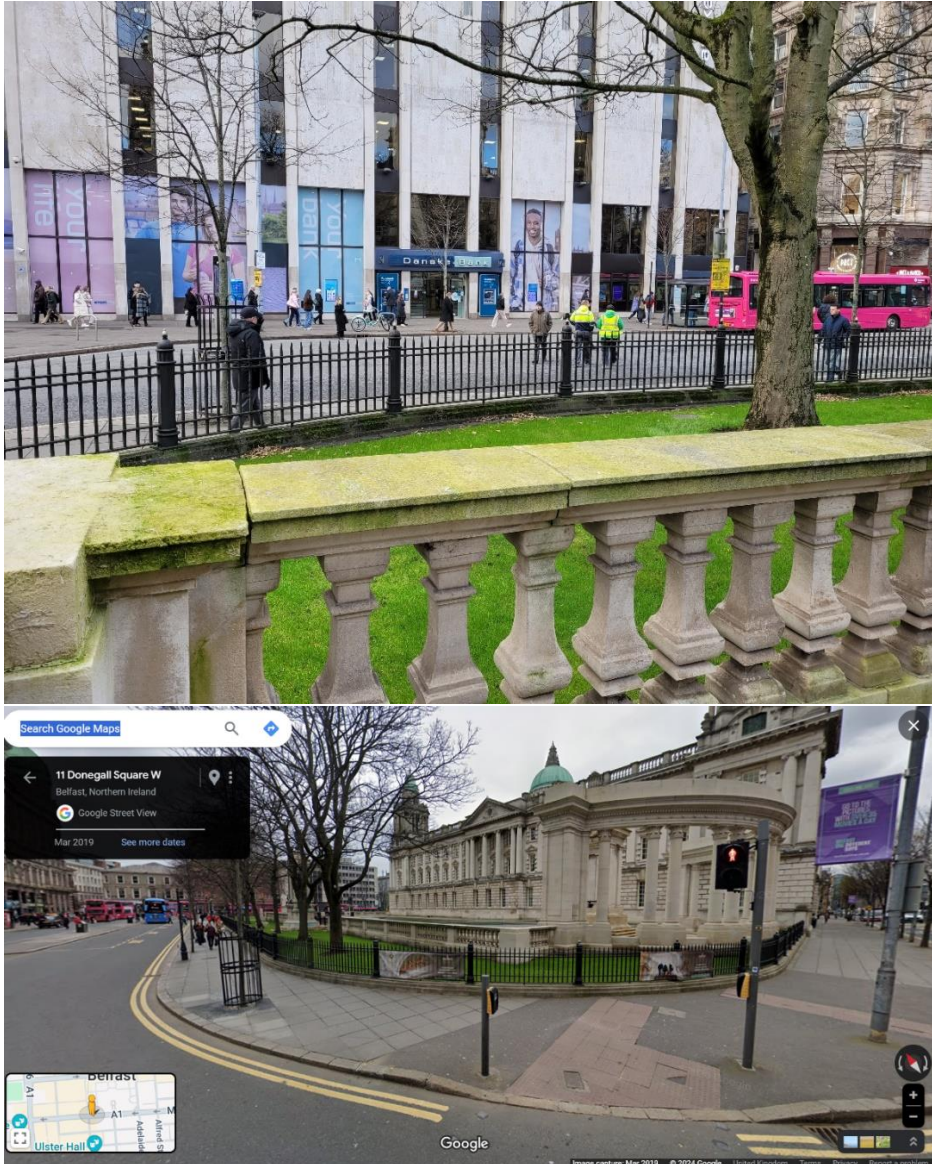
| | | | | | | | | | |
|--|---|--------------------------|--------------------------|------------------------|--------------------------|-------------------------|--------------------------|-------|--------------------------|
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 40px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | | | | | | | |
| <p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 80%;">After Committee Decision</td> <td style="width: 20%;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Some time in the future</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td><input type="checkbox"/></td> </tr> </table> | | After Committee Decision | <input type="checkbox"/> | After Council Decision | <input type="checkbox"/> | Some time in the future | <input type="checkbox"/> | Never | <input type="checkbox"/> |
| After Committee Decision | <input type="checkbox"/> | | | | | | | | |
| After Council Decision | <input type="checkbox"/> | | | | | | | | |
| Some time in the future | <input type="checkbox"/> | | | | | | | | |
| Never | <input type="checkbox"/> | | | | | | | | |

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

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| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | To advise members that His Majesty's Lord Lieutenant for the County Borough of Belfast, Dame Fionnuala Jay-O'Boyle DBE DStJ DDL, has offered the gift of a tree to the City of Belfast, to mark the occasion of the coronation of TM King Charles and Queen Camilla. |

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| 2.0 | Recommendations |
| 2.1 | That the Strategic Policy and Resources Committee agree to accept the offer of a tree and approve the location recommended in the grounds of City Hall. |
| 3.0 | Main report |
| | <u>Background</u> |
| 3.1 | His Majesty's Lord Lieutenant for the County Borough of Belfast offered the gift of a tree to the City of Belfast to mark the occasion. Following discussion at Party Group Leaders, potential locations for the gift were explored in City Hall grounds. As part of this work, the advice of the Council's Senior Woodland and Recreation Officer was sought. |
| 3.2 | The City Hall grounds are surrounded by a variety of mature tree species such as lime, sycamore, and several smaller maples. On undertaking a scoping exercise, a viable site, which could accommodate a single tree would be to the rear of the cenotaph at Donegall Square/Donegall Square west (see Appendix 1). |
| 3.3 | Furthermore, the Senior Woodland and Recreation Officer recommended that a Tilia cordata Greenspire (small leaf lime) is planted, as it is a variety of tree which would be in keeping with the mature lime trees which have been growing within the City Hall grounds for many years and would maintain continuity. This species of tree would also be appropriate given that the grounds of City Hall are a designated conservation area. |
| 3.4 | The Lord Lieutenant has indicated that, should the Committee be content, the planting of the tree would proceed by the end of February 2024, in keeping with the tree planting season. |
| | <u>Financial and Resource Implications</u> |
| 3.5 | None |
| | <u>Equality or Good Relations Implications/Rural Needs Assessment</u> |
| 3.6 | None |
| 4.0 | Appendices – Documents Attached |
| | Appendix 1 – photographs illustrating proposed location for tree planting |

Appendix 1



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| | |
|---------------------------|--|
| Subject: | Portrait of King Charles III |
| Date: | 19 January 2024 |
| Reporting Officer: | Nora Largey, Interim City Solicitor/Director of Legal and Civic Services |
| Contact Officers: | Sandra Robinson, Protocol and Public Affairs Manager |

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| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | |
| <p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input type="checkbox"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime | | | |
| <p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 80%;"> After Committee Decision After Council Decision Some time in the future Never </td> <td style="width: 20%; text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </td> </tr> </table> | | After Committee Decision After Council Decision Some time in the future Never | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| After Committee Decision After Council Decision Some time in the future Never | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | | |

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

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| 1.0 | Purpose of Report or Summary of main Issues |
| 1.1 | To advise members in relation to the UK Government scheme to allow public authorities across the UK to apply for a free, framed portrait of His Majesty King Charles III. |

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| 2.0 | Recommendations |
| 2.1 | That the Committee decide whether to accept the offer of a free, framed portrait of His Majesty King Charles III. |
| 3.0 | Main report |
| | <u>Background</u> |
| 3.1 | The UK government, through the Cabinet Office, recently introduced a scheme to allow public authorities across the UK to apply for a free, framed portrait of His Majesty King Charles III. |
| 3.2 | Public Authorities that fall within certain defined groupings are eligible for this portrait at no cost and Belfast City Council has received communication advising of the process to request a portrait on this basis as a principal local authority. |
| 3.3 | Further details will be provided in due course for public bodies that do not fall within scope of this scheme but wish to purchase a portrait or for public authorities who wish to purchase additional portraits. |
| | <u>Financial and Resource Implications</u> |
| 3.4 | None |
| | <u>Equality or Good Relations Implications/Rural Needs Assessment</u> |
| 3.5 | None |
| 4.0 | Appendices – Documents Attached |
| | None |