

Public Document Pack

BELFAST CITY COUNCIL

SUMMONS TO ATTEND A SPECIAL MEETING OF THE COUNCIL

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

Notice is hereby given that a special meeting of the Council will be held remotely via Team on Monday, 10th August, 2020 at 6.00 pm, for the transaction of the following business:

1. Summons
2. Apologies
3. Declarations of Interest
4. Minutes of the Council (Pages 1 - 16)
5. Official Announcements
6. Change of Membership on Committees/Outside Bodies
7. Minutes
 - a) Strategic Policy and Resources Committee (Pages 17 - 58)
 - b) Planning Committee (Pages 59 - 92)

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

Chief Executive

This page is intentionally left blank

Council

SPECIAL MEETING OF BELFAST CITY COUNCIL

Held in the City Hall on Wednesday, 1st July, 2019
at the hour of 10.45 o'clock a.m., pursuant to Notice.

Members present: The Right Honourable the Lord Mayor
(Alderman McCoubrey) (Chairperson);
Aldermen Copeland, Dorrian and Rodgers; and
Councillors Carson, Donnelly, Flynn, Hutchison,
M. Kelly, Kyle, Long, Lyons, Maskey, McLaughlin,
McReynolds, Pankhurst, Walsh and Whyte.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

The Chief Executive explained that only a quarter of the Members, based on party strengths, were requested to attend the Annual Meeting. She advised that it was in accordance with social distancing measures which were operational due to the coronavirus pandemic. A technical apology was therefore reported for all other Members.

Battle of the Somme Anniversary

Moved by the Lord Mayor (Alderman McCoubrey),
Seconded by the Deputy Lord Mayor (Alderman Dorrian) and

Resolved – That we, the Lord Mayor and Citizens of the City of Belfast, on the 104th Anniversary of the Battle of the Somme, desire again to record our feelings of gratitude to the brave men of the 36th (Ulster) Division, the 16th (Irish) Division and other forces who, by their glorious conduct in that battle, made an imperishable name for themselves and their people and whose heroism will never be forgotten.

The Council stood in silence for one minute as a mark of respect to all those who had lost their lives in the Battle of the Somme.

Lord Mayor
Chairperson

This page is intentionally left blank

Council

MEETING OF BELFAST CITY COUNCIL

Held Remotely via Microsoft Teams on Wednesday, 1st July, 2020
at 6.00 p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor
(Alderman McCoubrey) (Chairperson);
The High Sheriff (Councillor Verner);
Aldermen Copeland, Dorrian, Haire, Kingston,
Rodgers and Sandford;
Councillors D.Baker, S. Baker, Beattie, Black,
Brooks, Bunting, Canavan, Carson, Cobain,
Matt Collins, Michael Collins, Corr, De Faoite,
Donnelly, Ferguson, Flynn, Garrett, Gormley,
Groogan, Groves, Hanvey, Howard, Hussey,
Hutchinson, M. Kelly, T. Kelly, Kyle, Long, Lyons,
Magee, Magennis, Maskey, McAllister, McAteer,
McCullough, McDonough-Brown, McKeown,
McLaughlin, McMullan, McReynolds, Mulholland,
Murphy, Newton, Nicholl, O'Hara, Pankhurst, Smyth,
Spratt, Walsh and Whyte.

Summons

The Chief Executive submitted the summons convening the meeting.

Apologies

Apologies were reported on behalf of the Deputy Lord Mayor, Councillor McCusker, and Councillor Heading.

Declarations of Interest

Councillor Flynn declared an interest in relation to the item contained within the minutes of the Strategic Policy and Resources Committee, under the heading "Recovery Programme", in relation to the waiving of fees for St. George's Market Traders, on the basis that he was a member of the Market Traders Federation, and he left the meeting whilst it was under discussion.

Councillor McDonough-Brown also declared an interest in respect of the item contained within the minutes of the Strategic Policy and Resources Committee, under the heading "Recovery Programme" in relation to the possible weekend closure of the Ormeau Road, in that his employer the Royal Society of Ulster Architects had been lobbying for the closure of the Ormeau Road, and he left the meeting whilst the item was under discussion.

**Meeting of Council,
Wednesday, 1st July, 2020**

Minutes of the Council

Moved by the Lord Mayor (Alderman McCoubrey),
Seconded by Councillor Kyle and

Resolved - That the minutes of the proceedings of the Annual meeting of the Council of 1st June and the Special meeting of 8th June be taken as read and signed as correct.

Official Announcements

The Lord Mayor, on behalf of the Council, extended his condolences to the family and friends of Noah Donohoe following his recent untimely death and paid tribute to the people of North Belfast and the search and rescue team. Representatives of all Parties also expressed their sympathy.

Strategic Policy and Resources Committee

Moved by Councillor Black,
Seconded by Councillor Murphy,

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

Amendment

Dual Language Street Signs Policy

Moved by Councillor Beattie,
Seconded by Councillor Maskey,

That the decision of the Strategic Policy and Resources Committee of 19th June, under the heading "Dual Language Street Signs Policy", be amended to proceed with the original motion, as proposed by Councillor Wash and seconded by Councillor McLaughlin at the February 2020 meeting of Council, namely for the Council to amend its Irish language street signage policy to the following:

- i. continue with the 1/3rd of the eligible electorate in the street to initiate the process;
- ii. change the policy to reflect that it will be the majority of respondents to the survey that will decide if the process has been successful. Therefore, it will be 50% +1 of respondents that will determine if the petition to erect bilingual signage has been successful. Non-respondents will not be considered as a negative response; and

**Meeting of Council,
Wednesday, 1st July, 2020**

- iii. those respondents who respond as 'Don't Care' are not considered to be a negative response and will be treated as a void vote.'

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

Dual Language Street Signs Policy

At the request of Councillor Ferguson, the Chief Executive confirmed that the further legal advice to be submitted to the Committee would include the views of the Committee on the Administration of Justice (CAJ).

Amendment

Recovery Programme (Temporary Road Closures)

Moved by Alderman Kingston,
Seconded by Councillor Pankhurst,

That the decision of the Strategic Policy and Resources Committee of 19th June, under the heading "Recovery Programme", be amended to provide that the temporary road closures, as outlined in the third bullet point, should be expedited with the exception of public Translink Buses.

On a vote by show of hands, nineteen Members voted for the amendment and thirty-eight against and it was declared lost.

Amendment

Recovery Programme (Temporary Road Closures)

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

That the decision of the Strategic Policy and Resources Committee of 19th June, under the heading "Recovery Programme", be amended to remove the final paragraph under the third bullet point, and to add the following *"And to also consult locally on any proposals relating to the Ormeau Road and any other arterial route before adopting a Council position."*

On a vote by show of hands, seventeen Members voted for the amendment and thirty-eight against and it was declared lost.

**Meeting of Council,
Wednesday, 1st July, 2020**

Recovery Programme (Temporary Road Closures)

At the request of Councillor O'Hara, the Council agreed that the list of temporary road closures be amended to also include Union Street, between Donegal Street and Little Donegal Street, under the third bullet point.

At the request of Councillor McMullan, the Council agreed that the first paragraph, under the third bullet point, in relation to the Council writing to the Department for Infrastructure seeking to expedite the temporary road closures be amended to include consultation with disabled people and older people, for example, The Inclusive Mobility and Transport Advisory Committee (IMTAC).

Amendment

Recovery Programme (St. George's Market fees)

Moved by Councillor Groogan,
Seconded by Councillor O'Hara,

That the decision of the Strategic Policy and Resources Committee of 19th June, under the heading "Recovery Programme", be amended, under the first bullet point, in relation to the decision not to waive the stall fees for market stall holders at St. George's Market, to agree to bring back a paper on the cost of waiving the stall fees for market stall holders at St George's Market and to enter into discussions with the stall holders around their proposals to assist with the economic recovery of the Market.

The proposer agreed, at the request of Alderman Rodgers, that the Council should also invite a deputation of Market Stall Traders to discuss the issue at the next Committee.

Resolved - That the decision of the Strategic Policy and Resources Committee of 19th June, under the heading "Recovery Programme", be amended, under the first bullet point, in relation to the decision not to waive the stall fees for market stall holders at St. George's Market, to agree to submit a report on the cost of waiving the stall fees for market stall holders at St George's Market to the next Committee and to enter into discussions with the stall holders around their proposals to assist with the economic recovery of the Market and also invite a deputation of market stall traders to the Committee to discuss the matter.

Adoption of Minutes

Subject to the foregoing additions and amendment, the minutes of the proceedings of the Strategic Policy and Resources Committee of 19th June were thereupon approved and adopted.

**Meeting of Council,
Wednesday, 1st July, 2020**

Chief Executive's Decisions taken under Delegated Authority

People and Communities Committee

Amendment

'Wild Light's Show' – Botanic Gardens, December 2020 – January 2021

Moved by Councillor Smyth,
Seconded by Councillor Flynn,

That the decision of the Chief Executive of 9th June, under the heading "Wild Light's Show' – Botanic Gardens, December 2020 – January 2021", be amended to provide that an environmental assessment be carried out before the September 2020 meeting of the People and Communities Committee, and reported back to that Committee, instead of closer to the date of the event. We are becoming more increasingly aware of light pollution and the impact it can have on wildlife habitats. Therefore, it is imperative that this Committee is given a clear understanding of the environmental impact of this event and that it is solely not left to Council officers. Fees charged and permission for use of the facility should also be based on the outcome of a full environmental assessment outlined in any potential risk to local environment and habitats. This should be clearly outlined to the Committee before any decision is made on permissions for use or fees charged to the organisers.

On a vote by show of hands, thirty-eight Members voted for the amendment and eighteen against and it was declared carried.

Adoption of Decisions

Subject to the foregoing amendment, the decisions of the People and Communities Committee of 9th June, taken by the Chief Executive, in accordance with the authority delegated by her by the Council on 16th March, 2020, be approved and adopted.

City Growth and Regeneration Committee

Resolved – that the decisions of the City Growth and Regeneration Committee of 10th June, taken by the Chief Executive, in accordance with the authority delegated by her by the Council on 16th March, 2020, be approved and adopted.

Licensing Committee

Resolved – that the decisions of the Licensing Committee of 17th June, taken by the Chief Executive, in accordance with the authority delegated to her by the Council on 16th March, 2020, omitting matters in respect of

**Meeting of Council,
Wednesday, 1st July, 2020**

which the Council has delegated its powers to the Committee, be approved and adopted.

Planning Committee

Resolved – that the decisions of the Planning Committee of 16th June, taken by the Chief Executive, in accordance with the authority delegated to her by the Council on 16th March, 2020, omitting matters in respect of which the Council has delegated its powers to the Committee, be approved and adopted.

Brexit Committee

Amendment

Update on the Negotiations between the UK and the EU on their future

Moved by Councillor de Faoite,
Seconded by Councillor Whyte,

That the decision of the Chief Executive of 11th June, under the heading “Update on the Negotiations between the UK and the EU on their future”, be amended to the following: the Council notes with dismay the failure of the UK Government to request for an extension to the Brexit transition period before the end of June deadline and agrees to write to the Prime Minister, Taoiseach, President of the European Commission and the EU Commission’s Chief Negotiator outlining our concerns; noting the ongoing COVID-19 crisis and the extreme challenges facing businesses and workers in the city; and requesting that the UK Government and the European Union work together to enable the extension of the Brexit transition period.

On a vote by show of hands, thirty-nine Members voted for the amendment and eighteen against and it was declared carried.

Update on implications of NI Protocol for Port Health Function

At the request of Councillor Walsh, the Council agreed to amend the minute of the meeting of 11th June, under the above mentioned heading, to provide that a report be submitted to the Committee on the impact that the recent reported changes to Larne Harbour would have on the Belfast Harbour, and to invite a deputation from the Harbour Commissioner and DAERA to present at a future Committee meeting to discuss the matter.

Adoption of Decisions

Subject to the foregoing amendments, the decisions of the Brexit Committee of 11th June, taken by the Chief Executive, in accordance with the authority delegated by her by the Council on 16th March, 2020, be approved and adopted.

**Meeting of Council,
Wednesday, 1st July, 2020**

Notices of Motion

Black Lives Matter

In accordance with notice on the agenda, Councillor Matt Collins proposed:

“This Council loudly condemns the disgraceful racist murder of George Floyd and expresses support and solidarity to the Black Lives Matter movement globally in its pursuit of justice and against racism in all of its forms.

The Council is also deeply concerned at the manner in which members of the BAME community were treated by the PSNI for attending socially distant protests in support of the Black Lives Matter movement in Belfast and Derry, on 6 June 2020. This treatment included fines, cautions and threats of prosecutions.

The Council notes that human rights organizations including Amnesty International and the Committee for the Administration of Justice, have expressed serious concern about police actions on the day. Further notes the disproportionate police approach compared with other gatherings, events, and indeed instances at workplaces, where minimal levels of social distancing have occurred.

This Council opposes the fines and does not support any future prosecutions arising from these protests in Belfast and Derry. Finally, the Council calls for the immediate implementation of a racial equality strategy which should be prioritised and invested in by government.”

The motion was seconded by Councillor Ferguson.

Amendment

Moved by Councillor Canavan,
Seconded by Councillor Magee,

That the motion standing in the name of Councillor Matt Collins and seconded by Councillor Ferguson be amended as **follows**:

“This Council loudly condemns the disgraceful racist murder of George Floyd and expresses support and solidarity to the Black Lives Matter movement globally in its pursuit of justice and against racism in all of its forms.

The Council is also deeply concerned at the manner in which members of the BAME community were treated by the PSNI for attending socially distant protests in support of the Black Lives Matter movement in Belfast

**Meeting of Council,
Wednesday, 1st July, 2020**

and Derry, on 6th June, 2020. This treatment included fines, cautions and threats of prosecutions.

The Council notes that human rights organizations including Amnesty International and the Committee for the Administration of Justice, have expressed serious concern about police actions **at socially distancing Black Lives Matter protests in Derry and Belfast.**

The Council notes that the Policing Board are conducting a thematic review of the policing response to Covid which will consider whether the operational use of the powers is in accordance with the law, is compliant with human rights and is being used proportionately. This Council further notes that the Police Ombudsman is commencing an investigation which will examine the issuing of fixed penalty notices served on members of the public at the Black Lives Matter protests at Customs House Square and the Guildhall Square on 6th June 2020.

This council supports the right of peaceful protest within the law.

Finally, the Council calls for the immediate implementation of a racial equality strategy which should be prioritised and invested in by government.”

The proposer agreed, at the request of Councillor Nicholl, to amend her proposal to provide for the addition of the following wording after the final paragraph:

“Finally, the Council calls for the immediate **update** on the **existing** racial equality strategy and **the implementation of a refugee integration strategy** which should **both** be prioritised and invested in by government.”

Councillor Brooks requested that the proposer agree to remove the term Black Lives Matter to be replaced by the following wording to the proposed amendment: “Black community and all those campaigning against the pursuit of racism.”

Councillor Canavan declined the request.

After discussion, the proposed amended motion as set out hereunder, was put to the meeting:

That the motion standing in the name of Councillor Matt Collins and seconded by Councillor Ferguson be amended as follows:

“This Council loudly condemns the disgraceful racist murder of George Floyd and expresses support and solidarity to the Black Lives Matter movement globally in its pursuit of justice and against racism in all of its forms.

The Council is also deeply concerned at the manner in which members of the BAME community were treated by the PSNI for attending socially

**Meeting of Council,
Wednesday, 1st July, 2020**

distant protests in support of the Black Lives Matter movement in Belfast and Derry, on 6th June, 2020. This treatment included fines, cautions and threats of prosecutions.

The Council notes that human rights organizations including Amnesty International and the Committee for the Administration of Justice, have expressed serious concern about police actions at socially distancing Black Lives Matter protests in Derry and Belfast.

The Council notes that the Policing Board are conducting a thematic review of the policing response to Covid which will consider whether the operational use of the powers is in accordance with the law, is compliant with human rights and is being used proportionately. This Council further notes that the Police Ombudsman is commencing an investigation which will examine the issuing of fixed penalty notices served on members of the public at the Black Lives Matter protests at Customs House Square and the Guildhall Square on 6th June, 2020.

This council supports the right of peaceful protest within the law.

Finally, the Council calls for the immediate update on the existing racial equality strategy and the implementation of a refugee integration strategy which should both be prioritised and invested in by government.”

On a vote by show of hands, the amendment was carried by 32 votes to 25 and duly passed as the substantive motion.

Suicide Awareness Training

Proposed by Councillor M. Kelly,

Seconded by Councillor Long,

“This Council recognises the Covid-19 pandemic will exacerbate the current mental health crisis in our City.

The Council previously agreed to work with others to make Belfast a Zero Suicide City to include challenging the taboos of mental health and suicide and ensuring that there is adequate training and resources for all the citizens so that Belfast can react positively to assist those in need.

All of us need to be aware of the signs and understand the questions to ask someone we are worried about and what help they can get. Therefore, Council agrees:

1. That Training in mental health and suicide intervention is crucial; therefore Council will investigate resourcing further SafeTALK and Mental Health First Aid training programmes for staff.

**Meeting of Council,
Wednesday, 1st July, 2020**

2. To appoint mental health champions in each Council Department in to act as a point of contact for an employee who is experiencing a mental health issue or emotional distress, helping the person get appropriate help, and also provide early intervention for someone who may be developing a mental health issue.
3. As a practical first step, to encourage Councillors and staff to undertake a short, free online course in Suicide Awareness training (developed by Mersey Care Foundation Trust and widely used across the NI Health and Social Care Trusts) – this teaches people how to recognise the warning signs and safeguard someone who could be contemplating suicide, talking openly to them and then directing them to appropriate services.”

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Strategic Policy and Resources Committee.

Restoration and Listing of Historic Street Signs

Proposed by Councillor Hussey,

Seconded by Alderman Kingston,

“This Council:

1. notes the valuable contribution that Belfast’s historic tiled street signs make to the character of the areas in which they are situated and laments the loss of so many of these signs over the years.
2. further notes that a number of freestanding tiled street signs in Belfast have been listed and thereby protected from destruction or removal, but that most such signs have no protection at all.
3. requests its officers :-
 - a. to take all necessary steps to effect the repair and restoration of the freestanding tiled street signs identified below;
 - b. to take steps to identify other such signs and to take all necessary steps to effect the repair and restoration of those signs;
 - c. to request that the Department for Communities adds those signs which are of particular quality and merit to the list of buildings of special architectural or historic interest.
4. The street signs referred to above are situated at the junctions of :-
 - (a) Kensington Road/Knock Road.
 - (b) Cherryvalley Park/Kensington Road.
 - (c) Kingsden Park/Knock Road.

**Meeting of Council,
Wednesday, 1st July, 2020**

- (d) Knockland Park/Barnett's Road.
- (e) Summerhill Parade/Barnett's Road.
- (f) Belmont Road/Massey Avenue [the unlisted sign].
- (g) Wandsworth Road/Belmont Road [2 signs].
- (h) Belmont Church Road/Sydenham Avenue.
- (i) Belmont Church Road/Belmont Road [the unlisted sign].
- (j) Eastleigh Drive/Kincora Avenue.
- (k) Clonlee Drive/Upper Newtownards Road.
- (l) Beersbridge Road/Upper Newtownards Road."

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Planning Committee.

Opening our Streets for Everyone

Proposed by Councillor McKeown,

Seconded by Councillor Whyte,

"The coronavirus pandemic has shown that there is a real appetite among the people of Belfast to walk and cycle more, which is benefitting their physical and mental wellbeing. This energy and enthusiasm needs to be supported so it can be sustained.

While potentially transformative work is being undertaken by the Department for Infrastructure to install pop-up cycle lanes, pedestrianise streets and widen footpaths, there is a significant opportunity for Belfast City Council also to play its role in the recovery and the enhancement of our city by taking the car out of many of our streets.

The Council therefore agrees that a programme of temporary road closures be rolled out across the city on specific days, such as at weekends, in consultation with local communities, disability organisations and businesses. This will help in the recovery – socially, economically and environmentally – by making room for people to get around in a socially-distanced way, affording local businesses extra space to operate more safely, and supporting the move towards reduced car use and a cleaner, greener, healthier city for all.

To facilitate this in a managed way, the Area Working Groups will be reconvened remotely at the earliest opportunity to help identify potential sites in each part of the city. Any closures must not adversely impact residents, businesses, or people with a disability or accessibility issues. Closures must also take account of public and road safety."

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Strategic Policy and Resources Committee.

**Meeting of Council,
Wednesday, 1st July, 2020**

Littering

Proposed by Councillor Groogan,

Seconded by Councillor Smyth,

“This Council recognises the blight that littering across our city presents and the significant cost to the Council in dealing with it.

We commit to doing all in our power to reduce the instances of littering, to ensure adequate resourcing is put into enforcement and to enhance opportunities for people to properly dispose of waste whether on street, in our parks or public spaces. This council will commit to providing recycling bins in parks and public spaces and where appropriate, provide additional general waste bins in communities.”

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the People and Communities Committee.

Lord Mayor
Chairperson

Council

SPECIAL MEETING OF BELFAST CITY COUNCIL

Held Remotely via Microsoft Teams on Friday, 10th July, 2020
at 3.00 p.m., pursuant to notice.

Members present: The Right Honourable the Lord Mayor (Alderman McCoubrey) (Chairperson); the Deputy Lord Mayor (Councillor McCusker); the High Sheriff (Councillor Verner); Aldermen Copeland, Dorrian, Haire, Kingston, Rodgers and Sandford; and Councillors D. Baker, S. Baker, Beattie, Black, Brooks, Bunting, Canavan, Carson, Cobain, Matt Collins, Michael Collins, Corr, De Faoite, Donnelly, Ferguson, Flynn, Garrett, Gormley, Groogan, Groves, Hanvey, Heading, Howard, Hussey, M. Kelly, T. Kelly, Kyle, Long, Lyons, Magee, Magennis, Maskey, McAteer, McCullough, McDonough-Brown, McKeown, McLaughlin, McReynolds, Mulholland, Murphy, Newton, Nicholl, O'Hara, Pankhurst, Smyth, Spratt, Walsh and Whyte.

Summons

The Deputy Chief Executive submitted the summons convening the meeting.

Apologies

Apologies for inability to attend were reported from Councillors Hutchinson, McAllister and McMullan.

Declarations of Interest

No declarations of interest were reported.

Consideration of the events at Roselawn Cemetery and Crematorium on Tuesday, 30th June, 2020 and a decision on the steps which should now be taken

The Lord Mayor explained that a requisition had been received from five Members seeking to have the following motion discussed:

Moved by Alderman Dorrian,
Seconded by Councillor Mulholland,

“This Council recognises the public anger over the disparity in the arrangements permitted for grieving families at Roselawn Cemetery & Crematorium on Tuesday 30th June.

**Special Meeting of Council,
Friday, 10th July, 2020**

This Council recognises the clear public perception that special treatment was given to one family while others were denied the right to attend the cremations of their loved ones. We wish to record our sincerest apologies to the families affected, this is a situation which should never have been allowed to happen.

Accordingly, this council:-

agrees to commission an independent person to investigate this situation and to provide a written report to the council;

further agrees that its officers will identify a suitably independent person to draft the terms of reference in consultation with councillors, and that those terms of reference will be subject to the approval of full council; and

directs its officers to provide that independent person with all relevant and necessary documents (including, but not limited to, emails and CCTV footage) which are within their possession, custody or power.”

On a recorded vote thirty-six Members voted for the motion and twenty-one no votes, and it was declared carried.

<u>For 36</u>	<u>Against 0</u>	<u>No Vote 21</u>
The Lord Mayor (Alderman McCoubrey); The Deputy Lord Mayor (Councillor McCusker); The High Sheriff (Councillor Verner); Aldermen Copeland, Dorrian, Haire, Kingston, Rodgers and Sandford; and Councillors Brooks, Bunting, Cobain, De Faoite, Flynn, Groogan, Hanvey, Heading, Howard, Hussey, M. Kelly, T. Kelly, Kyle, Long, Lyons, McCullough, McDonough-Brown, McKeown, McReynolds, Mulholland, Newton, Nicholl, O’Hara, Pankhurst, Smyth, Spratt and Whyte.		Councillors D. Baker, S. Baker, Beattie, Black, Canavan, Carson, Matt Collins, Michael Collins, Corr, Donnelly, Ferguson, Garrett, Gormley, Groves, Magee, Magennis, Maskey, McAteer, McLaughlin, Murphy and Walsh.

The Council further agreed that the Council would make no further comment on the matter, given that an investigation would now be taking place.

Lord Mayor
Chairperson

Strategic Policy and Resources Committee

Thursday, 9th July, 2020

SPECIAL MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Black (Chairperson);
Aldermen Dorrian, Haire, Kingston and Sandford;
Councillors Beattie, Bunting, Carson, Garrett,
Groogan, Heading, Long, Lyons, McAllister,
McDonough-Brown, McLaughlin, Murphy,
Nicholl, Spratt and Walsh.

Also attended: Councillors de Faoite, Flynn, T. Kelly, Kyle and O'Hara.

In attendance: Mr. R. Cregan, Director of Finance and Resources;
Mr. J. Walsh, City Solicitor;
Mr. R. Black, Director of Neighbourhood Services;
Mrs. S. Toland, Director of City Services;
Mrs. A. Allen, Neighbourhood Services Manager;
Mrs. L. McLornan, Democratic Services Officer; and
Mrs. S. Steele, Democratic Services Officer.

Apologies

No apologies were received.

Declarations of Interest

No declarations of interest were reported.

Restricted Item – Delegated Matter

Bonfire Update

The Committee was reminded that the Council's Bonfire Governance Arrangements stated that the Press and public will be excluded from meetings in relation to bonfire-related issues having regard to the sensitive nature of the business to be transacted and for the protection of officers who might be required to provide information to assist in decision-making. In addition the information provided was to be treated as sensitive and confidential.

Accordingly, the Committee agreed that the Press and public be excluded from the meeting.

The Committee was advised also that, in accordance with Standing Order 37a - Duties of Committees: Strategic Policy and Resources Committee, it had full delegated authority to take decisions in relation to bonfire related issues.

**Special Strategic Policy and Resources Committee,
Thursday, 9th July, 2020**

The Director of Neighbourhood Services presented a report which provided details on a number of bonfire sites and current issues on which the Committee was asked if it wished to make any decision.

Adam Street

The Director of Neighbourhood Services indicated that a bonfire had been partially constructed close to an interface gate. He advised that there had not been a bonfire at this location for significant number of years. The Committee was advised that no community resolution had been possible to date and that the NI Fire and Rescue Service had indicated that it had concerns regarding a local warehouse within close proximity to the bonfire. He outlined that Department for Communities and the Department for Infrastructure, as the main landowners, had indicated their wish to remove the bonfire, given the above circumstances and had requested access to the Council contractor.

Proposal

Moved by Councillor Beattie
Seconded by Councillor McDonough Brown,

That the Committee agrees to give the Department for Communities and the Department for Infrastructure access to its contractor to enable the removal of the bonfire at Adam Street, including the associated Officer support to manage the contractor, noting that there would be a full cost reimbursement from both DfC and DfI.

On a vote by show of hands, fourteen Members voted for the proposal and six against and it was declared carried.

Pitt Park

The Director advised the Members that a bonfire had been held at this location for a number of years and advised that Belfast City Council was the landowner. However, there was some concern this year in that NIFRS felt that it was slightly larger than it had been in previous years and had indicated it was not possible to rule out possible damage to neighbouring property.

A Member stated that he had liaised with the NIFRS immediately prior to the meeting and that it was his understanding that the matter was being addressed.

The Committee noted the update in respect of the bonfire.

Ashdale Street

The Members were advised that, whilst material had been gathered at the site, the erection of the bonfire had not yet commenced. The Director advised that Belfast City Council was the landowner of the site. A number of Members expressed concerns at the proposed location for the bonfire given its close proximity to local shops. The Committee was advised

**Special Strategic Policy and Resources Committee,
Thursday, 9th July, 2020**

that a bonfire had been located at this site in 2019 but that, following concerns raised by the NIFRS, the bonfire builders had consented to its removal.

A Member advised that elected representatives had been liaising with the bonfire builders at the site and indicated that they were willing to remove the materials from the site.

Following discussion, it was agreed that the Council contractor be appointed to remove the materials at Ashdale Street carpark, in the event that they were not removed by the bonfire builders.

Contractor and Resources

The Committee agreed that any decisions regarding the aforementioned decisions would be undertaken subject to the capacity of a contractor and any necessary police support and ongoing risk assessments. It was noted that this might include further requests from other landowners, who might request the use of the Council's contractor.

Call-in

The Committee agreed, in accordance with Standing Order 47 (a) (2) (c), that the aforementioned decisions would not be subject to call-in, on the basis that an unreasonable delay could be prejudicial to the Council's or the public's interest.

Chairperson

This page is intentionally left blank

Strategic Policy and Resources Committee

Friday, 31st July, 2020

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Black (Chairperson);
Aldermen Dorrian, Haire, Kingston and Sandford;
Councillors, Beattie, Bunting, Carson, Garrett, Groogan,
Heading, Lyons, McAllister, McDonough-Brown, McLaughlin,
Murphy, Nicholl, Spratt and Walsh.

Also attended: Councillors Kyle, McKeown, O'Hara and T. Kelly.

In attendance: Mr. R. Cregan, Director of Finance and Resources;
Mr. J. Walsh, City Solicitor;
Mr. A. Reid, Strategic Director Place and Economy;
Mr. R. Black, Director of Neighbourhood Services;
Mr. J. Greer, Director of Economic Development;
Mrs. S. Grimes, Director of Physical Programmes;
Mr. J. Hanna, Senior Democratic Services Officer; and
Mrs. E. McGoldrick, Democratic Services Officer.

Apologies

An apology was reported from Councillor Long.

Minutes

The minutes of the meeting of 19th June were taken as read and signed as correct.

Declarations of Interest

Councillors Black, Bunting and Murphy declared an interest in agenda item 3b – Micro Grant Funding, in so far as they either worked for or were associated with Groups which had applied for funding, and left the meeting whilst this item was under consideration.

Presentation

St George's Market Traders Committee – Re: St George's Market Update

It was reported that Ms. C. Laverty, Chairperson, Mr. M. Graham, Vice Chair, and Ms. H. Sharkey, Secretary, St. George's Market Traders Committee were in attendance and outlined the current position in relation to the Market and requesting the Committee to consider the waving of the stall fees for a period of time.

Subsequent to the presentation, the Committee considered the following report.

B2922

“1.0 Purpose of Report or Summary of main Issues

1.1 The purpose of this report is to update members on:

- The financial implications of any decisions to waive the stall fees for market stall holders at St. George’s Market
- The ongoing work between the Markets Team and the Traders’ Committee to assist with the economic recovery of the market.

2.0 Recommendations

2.1 The Committee is asked to:

- Note the costs of waiving stall fees at St George’s Market – based on figures for three and six month periods
- Note the ongoing work between the Traders’ Committee and the Markets Management team to support the recovery of the market.

3.0 Main report

3.1 At the July meeting of Council, members agreed that the decision of the Strategic Policy and Resources Committee of 19th June, under the heading ‘Recovery Programme’, be amended in relation to the decision not to waive the stall fees for market stall holders at St. George’s Market.

3.2 Members asked that a report be brought back on the cost of waiving the stall fees for market stall holders at St George’s Market and to enter into discussions with the stall holders around their proposals to assist with the economic recovery of the market. They also agreed that the Council should invite a deputation of Market Stall Traders to discuss the issue at the next Committee.

3.3 Both Smithfield Market and St George’s Market closed to the public due to COVID-19 on 22 and 23 March 2020 respectively. In line with NI Executive guidance, both markets have since re-opened, with St George’s Market re-opening to the public on 3 July 2020. In preparation for re-opening, officers developed mobilisation plans and risk assessments, These took into consideration a number of factors to ensure the safety of staff, traders and customers and critically to give assurances to the public that the markets are safe buildings to enter. This includes arrangements to manage social distancing in open areas, engagement with traders to support them in ensuring compliance within their stalls and provision of additional equipment such as hand washing facilities and hand sanitisers as well as signage and messages to provide appropriate

levels of assurance to the public. Staff also developed guidance for traders and customers and worked with the Facilities team to ensure that social distancing can be maintained within staff and office areas.

3.4 Engagement with the National Market Traders' (NMTF) Committee was central to informing decisions around the operational elements of the re-opening of the market. This included discussions on the reduced level of capacity and how this could be managed; revised layouts to manage social distancing and changes to opening hours. Some of the key operational decisions include:

- **Reduction in the number of stalls: at a standard weekend market, St George's can accommodate up to around 200 stalls each day. The pre-COVID19 occupancy rates were 225 stalls on Friday, 189 on Saturday and 186 on Sunday. Taking account of social distancing measures, 84 stalls have currently been provided on the market floor**
- **Changes to opening hours: initial operating hours for each day were agreed as 10am to 3pm (note: current operating hours are: 6am-3pm on Friday; 9am to 3pm on Saturday and 10am to 4pm on Sunday). These mirror the reduced opening times in many retail units across the city centre**
- **Managing the movement of visitors: based on input from the council's Corporate Health and Safety Unit (CHSU), a one-way operating system was put in place, with limited points of access and egress. Additional staffing, security and cleaning cover was put in place to provide additional levels of assurance to the public. No seating areas have been provided for customers at this point.**

3.5 It was agreed with NMTF that these decisions would be kept under regular review once the market was open. Any changes would be dependent on ensuring compliance with relevant NI Executive guidance and would be conditional on working within agreed financial projections.

3.6 In advance of the market opening in July 2020, the traders asked the council to provide an exemption period of six months from the payment of stall fees (currently £25 per stall for hot foot traders and £16 per stall for all other traders). St George's Market had budgeted for a small surplus (around £31,000) for the 20/21 financial year. Taking account of the loss of income during lockdown, the additional overheads required to operate the market post-COVID (in particular additional security and cleaning costs) and the reduction in income as a result of the social distancing constraints, the re-opening of the market will have significant financial implications for the council, with additional costs

estimated at £346,150. A six month stallage freeze would result in a total cost to Council of £550,408 which is an increase of £204,258 against the operating budget of £346,150 agreed at CMT in June 2020. A three month stallage freeze would result in a total cost to Council of £440,408 which is an increase of £94,258 against the operating budget of £346,150 agreed at CMT in June 2020.

- 3.7 Since the re-opening of the market, the NMTF Committee continues to work with the Markets Management Team to support the recovery of the market. In line with the rest of the city centre, footfall levels in the market are currently around 30% of the numbers in previous years. It is important to note that the market has only been open for three weekends up to this point and that, week on week, visitor numbers have increased incrementally. These are consistent with figures that have been monitored across the rest of the city centre – where retail units were open a number of weeks ahead of the market.
- 3.8 It is also important to note that the Committee and the Markets Management are working on plans to enhance the market, with new seating areas being introduced in the coming weeks (with additional management and cleansing regimes being put in place) and proposals for some animation and music to be re-introduced, once the regulations permit. There is also a phased plan to increase the number of stalls in the market once the social distancing guidelines are revisited. While indicative dates for these developments are in place, it is impossible to confirm these at this point, due to ongoing changes to guidelines and concerns about the possible need for additional restrictions at some point. There have also been negotiations around a revision to the initially-agreed opening hours, subject to support from all market traders.

Financial and resource implications

- 3.9 St George's Market had budgeted to make a small surplus of £31,311 in this financial year. Taking account of the loss of income during lockdown, the additional overheads required to operate the market post-COVID (in particular additional security and cleaning costs) and the reduction in income as a result of the social distancing constraints, the re-opening of the market will have significant financial implications for the council, with increased costs estimated at £346,150.
- 3.10 A six month stallage freeze from 1 August 2020 would result in a total cost to Council of £550,408 which is an increase of £204,258 against the operating budget of £346,150 agreed at CMT in June 2020. There is currently no provision in any departmental budget to cover these increased costs and will increase the forecast corporate deficit by this amount.

3.11 If a three month stall fee holiday was to be applied, from 1 August 2020, the cost to Council will increase by an additional £94,258 to £440,408. There is currently no provision in any departmental budget to cover these increased costs and will increase the forecast corporate deficit by this amount.

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

No specific equality/good relations implications. No negative impact on rural areas.”

The Committee:

- Agreed to waive the stall fees at St George’s Market for a three month period; and
- Noted the ongoing work between the Traders’ Committee and the Markets Management team to support the recovery of the market.

Restricted Items

The information contained in the reports associated with the following 4 items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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

Finance Update

The Committee was reminded that, at its meeting on 19th June 2020, an update was provided on the impact of the Covid-19 pandemic on the Council’s financial position and a strategy to address the forecast deficit and the mitigation measures which had and will be taken as the situation evolves. Going forward it was agreed to provide Members with a monthly update on the financial position and specifically for the special July Committee meeting to provide further information on ongoing work in the following areas:

1. the financial impact of the re-opening of leisure centres;
2. the employee savings arising from the review of vacant posts;
3. the additional expenditure controls to be exercised by the Council as part of the financial strategy adopted at the June meeting; and
4. the specified reserve allocations which have previously received Committee approval.

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

In addition, in order to provide all Members with up-to-date financial information it was being recommended that Financial Regulation G12 was enhanced to provide monthly updates to Standing Committees for the 2020/21 financial year.

Accordingly, the Director of Finance and Resources submitted a report in this regard.

The Committee:

1. Noted the contents of the report; and
2. Agreed that financial information be reported to the Strategic Policy and Resources Committee on a monthly basis, with the same report going to subsequent standing committees for noting only for the 2020/21 financial year.

Micro Grant Funding

The Committee was reminded that, at its meeting on 19th June, it had agreed to establish a two strand funding programme (strategic funding and micro funding) which would be aimed at supporting both strategic community partners and grassroots organisations. This programme would be using the £636,097 of community provision funding not being distributed up to the end of September, 2020.

The Director of City and Neighbourhood Services submitted a report which provided an update for Members with regards to the current position concerning the £150,000 micro funding programme which opened on 6 July. The report sought approval for groups that had been assessed as meeting the criteria being recommended for funding, agreeing that the deadline for activities be extended and seeking delegated authority for any future applications being assigned to the Director of City and Neighbourhood Services Department for approval.

The Committee:

- approved the current applications which have been assessed as meeting the criteria (as set out in appendix 1 to the report);
- approved an extension of the programme until the end of October;
- agreed, given the importance of timely awarding of funding to enable summer activity to take place, to assign delegated authority, under the Council's scheme of delegation, to the Director (Operational) City and Neighbourhood Services for future authorisation of funding allocations and extensions to the proposed October deadline under this scheme; and
- agreed that any future Department for Communities funding through the Community Support Programme, in support of COVID recovery, could be allocated to this programme.

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

**Revised District Council's Good Relations
Action Plan 2020/21**

The Committee was informed that the Council had received a Letter of Offer from The Executive Office (TEO) towards the 2020/21 District Council Good Relations Programme (DCGRP) based on the action plan which had been submitted to TEO in February, 2020.

As a result of the impact from the COVID pandemic, a draft Revised Good Relations Action Plan for 2020/21 and associated programme budget had been drawn up and submitted to TEO by its stipulated deadline of 24th July 2020, with the caveat that Council approval was required.

This was the first of a series of revisions to the Belfast City Council Good Relations Action Plan in line with the direction of travel which had been agreed by the Strategic Policy and Resources Committee on 19th June, 2020 and ratified at the Council meeting on 1st July, 2020. Specifically, the revision included the Good Relations contribution to the new Support to Community Partners Fund Summer 2020 and the continuation of support to thematic communities of interest which had been funded by the Council as part of the first tranche of COVID-19 emergency thematic funding.

Further revisions to the plan would take in to account emerging community need as part of overall community recovery across Belfast and would be brought forward in due course in that context.

The Committee:

- noted the award of £571,893.01 from The Executive Office towards the District Council Good Relations Programme 2020/21 and approved the associated draft Revised Action Plan;
- agreed the Revised Action Plan, with the following awards being allocated retrospectively from 1st July 2020:
 - Roma Helpline Project - up to £12,000 until 31st December, 2020 to Forward South, with the option to extend to March 2021 pending evaluation and funding being available;
 - Race Relations Coordinator Project – up to an additional £18,000 towards the cost of the Race Relations Coordinator post until 31st March, 2021 to East Belfast Community Development Association; and
 - Support to Refugee and Asylum Seekers Project – up to £15,000 to Embrace NI towards the provision of a bi-lingual helpline and outreach service to enhance and support the integration of refugee and asylum seeker communities in Belfast.
- Agreed that briefings be provided to those Parties who so wished on the Action Plan.

**Department for Communities Covid-19
Town Centre Revitalisation Fund**

The Committee considered a report which provided an update on the recent announcement by the Department for Communities (DFC) to bring forward a Town Centre Revitalisation Fund and to obtain approval for priority areas to be considered for support under the programme. The report highlighted the background and purpose of the Fund, the proposed areas for support and the delivery arrangements/next steps.

Moved by Councillor Groogan.
Seconded by Councillor Beattie,

That the Committee agrees that a review of the Stakeholder Group be undertaken with a view to broadening the membership to include such groups/organisations as the Public Health Authority, Sustrans, Trade Unions, the Federations of Small Businesses and community and residents groups.

During a lengthy discussion on the matter, several amendments and suggestions were made by both Members and officers as a means to progress the matter.

However, as there was no consensus, these were subsequently withdrawn and the Committee agreed to vote on the proposal standing in the name of Councillor Groogan, when ten Members voted for and nine against and it was declared carried.

The Committee also:

- (1) noted the work underway in support city recovery including the introduction of a DFC Town Centre Revitalisation Fund; and
- (2) agreed the priority areas and associated proposed budget allocations that will be supported through the Town Centre Revitalisation Fund subject to Department of Finance business case approval.

**Minutes of Party Group Leaders
Consultative Forum**

The Committee approved and adopted the minutes of the meeting of the Party Group Leaders' Consultative Forum of 24th July, 2020.

Strategic Issues/Belfast Agenda

Leisure Services Reopening Update

The Committee considered the following report:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 **The purpose of this report is to update Members' on the remobilisation of GLL staff and the reopening of Leisure Services as permitted by the Executive Office (TEO) within the easing of Covid-19 restrictions.**

2.0 Recommendations

2.1 The Committee is requested to:

- Note the information provided below and the centre re-opening plans as detailed.

3.0 Main report

Key Issues

3.1 All BCC indoor leisure centres and associated outdoor facilities closed on 16th March 2020 due to the Covid-19 outbreak and in response to government restrictions.

3.3 The easing of TEO Covid-19 restrictions has been delivered in phases with announcements relating to different aspects of leisure services released continuously since mid-June 2020.

3.3 Reopening approval has been built around a large number of TEO and industry/sport National Governing Body (NGB) guidelines. The key measures required include revised protocols and assurances in relation to:

- 1. Social distancing (reduced capacities)**
- 2. Enhanced air handling and fresh air intake levels (indoor spaces)**
- 3. Hand sanitising and enhanced cleaning regimes**
- 4. Customer behaviour instructions and enforcement**
- 5. Track and trace data capture**

3.4 To date TEO has approved the reopening of:

3.4.1 OUTDOOR PITCHES

BCC pitches opened for booking on 29th June and have been available for use since 6th July. This has included synthetic pitches at eight leisure centres (see table below) managed by GLL.

The service currently allows for pitch hire only with no changing or toilet facilities available.

Use is restricted to club and community sports programme use and is subject to compliance with TEO approval and team sport NGB Covid-19 secure guidelines.

Pitches are open at peak hours only. Typically 5.00pm – 10.00pm Monday to Friday and 10.00am – 3.00pm Saturday and Sunday.

Opening hours remain under review and will be amended on a site by site basis subject to demand and further easing of Covid-19 restrictions and associated operating guidance.

3.4.2 FITNESS SUITES AND STUDIO CLASSES

Fitness suites and group exercise classes opened on 14th July at nine leisure centres (see table below) managed by GLL. Fitness suite opening hours are typically as they were before lockdown.

Group exercise class timetables have been amended and in most cases reduced to comply with social distancing protocols and permitted 'Covid secure' activities/exercises).

Access is restricted to registered members only and on a pre booked basis. This is essential to comply with TEO track and trace data capture requirements.

Booking slots are currently restricted to one hour to allow for 50 a minute workout

A rolling entry system is in place controlled by 'queue marshals'. Reception desks have been closed but a welcome host/queue marshal is on duty in each reception area.

All bookings and payments must be made online (mobile App, PC or at the 'in centre' kiosks)

Machines/exercise station availability has been reduced to comply with social distancing guidance. This, along with customer behaviour changes, has significantly reduced gym capacities.

Significant capacity reductions are in place based on 2m social distancing criteria. For example, at the centres we have recently reopened, fitness suite capacity is at approximately 50% of pre lockdown level.

Some gyms were not reopened in phase 1 as, due to room size and air turnover rates, they cannot comply with Covid Secure operational guidelines. This impacted on centres with smaller fitness suites of less than 350m². This size restriction dictates a maximum customer capacity that does not justify the cost of opening the building solely for the fitness suite and classes. Some of the smaller fitness suites will be considered for opening in phase 2 (early August) at which point centres may open up main halls, courts and swimming pools. At that stage the buildings will be opened and staffed anyway, thereby allowing the fitness suites to be open at little or no additional cost. Even with very low

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

customer capacities. Fitness suites at the following centres fall into this category:

Table 1

Centre	Justification for not opening fitness suite and group exercise classes in phase 1
Ballysillan	<ul style="list-style-type: none"> • Small fitness suite (adapted original café space) • Inadequate air handling potential • Low customer capacity • Under consideration for opening at phase 2 in early August
Girdwood	<ul style="list-style-type: none"> • Small narrow fitness suite • Low customer capacity • Under consideration for opening at phase 2 in early August
Ozone/ Tennis Centre	<ul style="list-style-type: none"> • Small fitness suites (2) (both narrow and not designed for the purpose) • Inadequate air handling potential • Low customer capacity • Under consideration for opening at phase 2 in early August
Whiterock	<ul style="list-style-type: none"> • Small fitness suite (adapted 1st floor space from original purpose) • Inadequate air handling potential • Low customer capacity • Under consideration for opening at phase 2 in early August
Belvoir	<ul style="list-style-type: none"> • Small fitness suite • Inadequate air handling potential • Low customer capacity • Restricted general customer circulation areas with narrow corridors

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

	<ul style="list-style-type: none">• May remain closed until Covid-19 restrictions are removed
Loughside	<ul style="list-style-type: none">• Two very small fitness suites (converted office/storage spaces).• Low ceilings with inadequate air handling potential.• Extremely low customer capacity.• Restricted general customer circulation areas with narrow corridors• May remain closed until Covid-19 restrictions are removed

Changing and shower facilities are not currently available and only designated toilets are open. This will remain under review and subject to future TEO approvals and industry lead body guidance amendments.

Hand sanitising points and equipment/supplies/instructions for workout station self-cleaning by customers is in place.

Substantially enhanced cleaning regimes are now the norm with regular deep cleans scheduled throughout the day.

Shift patterns have been amended to increase fitness suite staff cover in order to ensure compliance with social distancing and appropriate customer behaviours.

Air handling has been reset to meet 'fresh air' intake requirements and increased 'turn over' rates.

Group exercise class capacities have been allocated 9m² per person with grids marked on all floors. Some classes have been moved from studios to main halls to facilitate larger participant numbers,

3.4.3 BROADER INDOOR LEISURE FACILITIES (EXCLUDING SWIMMING POOLS)

An EO announcement in June indicated that a broader range of indoor leisure services would be permitted from 7th August 2020. Within the NI leisure industry this was generally interpreted to include swimming pools along with main halls, courts, etc.

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

TEO subsequently announced, on 9th July, that indoor leisure centres (excluding pools) would be permitted to open from 17th July.

It is hoped that a further EO announcement will approve the opening of swimming pools. BCC/GLL are planning for the widening of the leisure offer, including swimming pools, from early August, subject to TEO approval. It is anticipated that the initial reopening of pools will be for lane swimming only with casual/family swimming and learn to swim lessons to follow as soon as operational guidance is agreed.

At this stage it will not be possible to open our leisure water facilities at Shankill and Andersonstown. Leisure water has not been included in TEO approval at this stage. The new £25m centre at Andersonstown was due to open just after the lockdown was announced. Formal commissioning was interrupted by the Covid-19 restrictions and in particular because the supplier/installer of the leisure water features is based in Canada and to date has not been in a position to arrange for the required technical commissioning team to travel to Belfast. This will remain under review pending TEO approval and formal commissioning of the Andersonstown leisure water zone.

Centre pools we are not intending to open are as follows:

Table 2 Justifications for not planning to opening specific pools at phase 2.

Centre	Justification for not opening the swimming pools at phase 2
Ballysillan	<ul style="list-style-type: none">• Only four 25m lanes available allowing for the operation of 2 double lane width programmable spaces in line with current Covid safe guidance.• Although this could work from an operational perspective, swimmer numbers would be low and may not justify the financial cost of lifeguarding and pool water treatment.• Adequate ceiling height and air circulation.• Difficulty to function on the same operating model as other centres.

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

	<ul style="list-style-type: none"> No access to the poolside from spectator gallery (closed in café area) thereby not allowing for the one way customer flow principle.
Brook	<ul style="list-style-type: none"> Only four 25m lanes available allowing for the operation of 2 double lane width programmable spaces in line with current Covid safe guidance. Although this could work from an operational perspective, swimmer numbers would be low and may not justify the financial cost of lifeguarding and pool water treatment. Difficulty to function on the same operating model as other centres. No access to the poolside from spectator gallery thereby not allowing for the one way customer flow principle.
Shankill	<ul style="list-style-type: none"> Leisure features not approved for opening at this stage. Only three 25m lanes available meaning that only one double lane width could be utilised.

Broadening services to include the opening of additional spaces and activities requires substantial planning and staff training. The lead in time required for detailed risk assessments and staff training rendered 17th July impractical.

Table 3 below sets out the current reopening plans at 20th July.

Centre	Fitness & Classes	Synthetic Pitches	Main Hall	Swimming Pool
Andersonstown LC	Opened 14/07/20	5-a-side not currently open	Not applicable	Preparing for opening in early August
Better Gym Belfast	Opened 14/07/20	Not applicable	Not applicable	Dry centre
Better Gym Connswater	Opened 14/07/20	Not applicable	Not applicable	Dry centre
Brook LC	Opened 14/07/20	Opened 06/07/20	Preparing for opening in early August	Not planning to open at phase one due

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

		(5-a-side not currently open)		to Covid-Safe considerations and financial sustainability
Falls LC	Opened 14/07/20	Not applicable	Preparing for opening in early August	Preparing for opening in early August
Grove LC	Opened 14/07/20	Not applicable	Preparing for opening in early August	Preparing for opening in early August
Lisnasharragh LC	Opened 14/07/20	5-a-side not currently open	Preparing for opening in early August	Preparing for opening in early August
Olympia	Opened 14/07/20	Opened 06/07/20	Preparing for Opening in early August	Preparing for opening in early August
Ozone & Tennis Centre	Not currently open. Under consideration for next phase	Opened 06/07/20	Preparing for opening in early August	Dry centre
Shankill LC	Opened 14/07/20	Not applicable	Preparing for opening in early August	Unable to meet Covid-Safe protocols
Ballysillan LC	Not currently open. Under consideration for next phase	Opened 06/07/20	Preparing for opening in early August	Not planning to open at phase one due to Covid-Safe considerations and financial sustainability
Girdwood CH	Not currently open. Under consideration for next phase	Opened 06/07/20	Preparing for opening in early August	Dry centre
Whiterock LC	Not currently open. Under consideration for next phase	Opened 06/07/20	Preparing for opening in early August	Preparing for opening in early August
Belvoir AC	Unable to meet Covid-Safe protocols	Not applicable	Unable to meet Covid-Safe protocols	Dry centre
Loughside RC	Unable to meet Covid-Safe protocols	Grass pitches will open in line with BCC seasonal schedule	Unable to meet Covid-Safe protocols	Dry centre

3.4.4 SWIMMING POOL SERVICE IMPACTS

Subject to TEO approval, when swimming pools reopen, the service offering and customer restrictions will result in a very

different pool experience for most users. Social distancing, pool capacity restrictions and limited shower/changing availability will impact on the customer experience for clubs, learn to swim lessons, fitness lane swimmers and casual/family users. Within the anticipated Covid safe operational requirements, casual swimming, general customer behaviours and shower/changing provision present the main challenges. It is anticipated that pool capacities will be at less than 50% of pre lockdown numbers. Key points for swimming pool operations include:

- Lane swimming and club coaching are the most controllable and therefore safest pool activities
- Clubs will be required to comply with published Swim Ireland guidance
- Casual/family use presents the greatest challenges
- Changing and showering will be discouraged and at best will be restricted. Pool users will be encouraged to arrive 'pool ready' and plan to shower at home.
- Advanced booking for registered users only will become the norm for the foreseeable future.
- Booking slots (session duration) will be restricted to facilitate a 'roll in roll out' capacity management system.

In the first phase of reopening pools, only the main pools will be open. Minor pools and pools with restricted access options will remain closed until all operational systems have been fully tested or until further restriction easing is announced.

3.5 OPERATIONAL AND BEHAVIOURAL GUIDANCE

Reliance on Sport National Governing Body (NGB) and industry lead body operational guidance will be a key requirement. For both wet and dry facilities, clubs will be required to comply with their respective sport NGB Covid safe guidance. Sports will not be permitted to recommence until their NGB has Sport NI approved Covid safe protocols in place.

3.6 DIRECT DEBIT/INCOME IMPACT

A substantial percentage of the leisure income is derived from Direct Debit pre-paid monthly membership payments. 14,000 Health and Fitness members were contacted on 2nd July informing them that their Direct Debit payments would be reactivated from 14th July. This was done on an 'opt out' basis whereby members could (a) allow their payments to restart without taking any action, (b) freeze their membership at no cost or (c) choose to cancel. At 17th July circa 1,000 members had opted to freeze their memberships with a further 700 choosing to cancel. This 12% loss is lower than expected but is an ongoing process and expected to

increase. Set against the loss of existing (pre lockdown) members, over 300 new Health and Fitness membership have been sold since reopening the gyms on 14th July. Up to date figures for freezes, cancellations and new member sales will be verbally presented at the meeting.

Since lockdown almost all GLL staff have been on furlough with only 26 of 600 team members working to deliver essential building checks. To facilitate reopening staff are being brought back off furlough on a phased basis. At 17th July circa 120 staff are back in work delivering outdoor pitch and fitness products. This number will rise as additional services are reopened.

3.7 BCC APPROACH AND ALIGNMENT WITH OTHER NI COUNCILS

It should be noted that BCC/GLL have set exemplary standards in Covid Safe planning for leisure operations. BCC officers are actively engaged with industry lead bodies and TEO advisory panels. BCC intervention (including a fact finding tour of Olympia LC) was instrumental in ensuring that local authority fitness suites were included, along with private sector gyms, in the EO approval announcement and that group exercise was included in the permitted services.

The BCC approach set out above is in line with other NI Local Authorities. Most of the eleven NI Councils are working to a similar timeline with three scheduling their phased reopening approximately four weeks later.

3.8 BUSINESS RISK AND FINANCIAL SUSTAINABILITY

The reopening strategy is not without risk. As we continue to reopen additional services and move towards normal operations, we assume liability for all/most of the associated fixed costs. Income has always been a key driver in the business model and in maintaining a sustainable net deficit. In the current climate, income is very much an unknown variable and at best, for the foreseeable future, will be restricted by capacity reductions and the loss of income from services that will remain closed. The main areas to be aware of include:

- Pre-paid monthly membership reactivation percentage and the impact on income.
- Possible second wave of membership freeze/cancellations when service restrictions become clear and customers experience the 'new norm'.
- Reliance on public confidence and the desire to return to indoor fitness and leisure.

- Customer behaviour and resulting PR for BCC (social media).
- Covid-19 infection spikes and any future reintroduction of restrictions or return to lockdown

3.9 SUMMARY

The key message is that we are working hard to restore services with the number one priority being the safety of our customers and staff.

Our ability to return to normal is almost entirely subject to TEO approvals and the associated operational guidance. This is a rapidly moving environment with announcements and clarifications emerging on a daily basis.

The reopening schedule is not without both financial and reputational risk. In a very uncertain environment BCC officers continue to work closely with GLL to identify risks and to agree and implement appropriate mitigations to minimise any impacts.

3.10 Financial & Resource Implications

The financial impact of the lockdown period has been significant.

- During this period there has been £0 taken in income.
- Note that during the lockdown period the overall membership base reduced by 20%, and this has decreased by a further 12% since opening.
- During this four month period the centres were forecast to take £2.8m in income and therefore a financial gap was created.
- All staff have been paid fully during the lockdown period and the majority of staff have been on furlough.
- This has allowed GLL to process furlough claims for staff not working and therefore recoup some of this financial gap. The monthly job retention scheme claim is circa £450k.
- During lockdown maintenance of the centres and a steady state of operation as has been maintained therefore while utility bills have reduced costs still exist in each centre.
- There were a team of 20 staff that have also been paid in full throughout lockdown that were not part of the furlough scheme as they supported daily building checking and maintenance checks.
- The job retention scheme has minimised the impact to date in drawing any further pressure on mgt fee payments, however the scheme does reduce from August to October on an incremental scale.

- In relaunching the centres from the 10th July, 120 staff are now working and no longer can be included within the job retention claims to government and therefore are fully costed.
- The income modelling has been based on a cashless model and membership only approach, with a focus on the gym sim and group ex activities from August.
- At this stage the modelling for August based on the proposal of openings could ensure a break even position which is essential as centre gradually reopen.
- The goal is to balance the reopening of centres and volume of staff return, in line with the covid secure requirements to ensure centres could return to a 'new normal' by October.
- During this period GLL will minimise all non-essential expenditure to protect any financial risk to council.
- Once a full 4- 6 weeks of opening has been achieved a more robust forecast can be developed based on the actual return of members and real costs. A further report will be provided to Members detailing the overall financial implications in September.

4.0 Equality or Good Relations Implications

None.”

The Committee noted the contents of the report.

Open Ormeau and Temporary City Centre Road Closure Proposals

The Committee considered the undernoted report:

“1.0 Purpose of Report

- 1.1 Belfast City Council have received a proposal entitled Open Ormeau. The aim of the proposal is to provide sufficient space for people to walk on the pavements whilst socially distancing, provide space for queues outside shops at peak times and to provide space for businesses/organisations, particularly restaurants, cafes and bars to expand outside so that it is viable for them to open on a table-service-only model whilst upholding social distancing requirements. In order for this proposal to be fulfilled, a number of temporary road closures will be required. A further revised proposal was received on 27th July (Appendix 1).

At its meeting on 19th June this Committee and as ratified by Council on the 1st July:

'agreed to write to the DfI seeking it to expedite the temporary closure of the following roads under the Road Traffic Legislation Order (3A):

- Donegall Place;
- Castle Place;
- Church Lane;
- Brunswick Street; and
- James Street South.

And to also seek the weekend closure of Ormeau Road and to further explore the weekend closure of other arterial routes throughout the city to enable hospitality and assist retailers. It was agreed that the proposals on road closures would be subject to consultation with stakeholders including at the Stakeholders Group Meeting on Friday, 26th June. The correspondence would also include consideration of resident's car parking permits;'

Council further agreed that the list of temporary road closures be amended to also include Union Street.

The purpose of this report is to update members on Belfast City Council's financial and regulatory position in regard to the proposed road closure on Ormeau Road. The report will also provide information on the timelines and requirements associated with an application for an event road closure licence.

The report also provides an update on the other temporary road closures as proposed by Committee and Council.

2.0 Recommendations

2.1

- Note receipt of the proposal for Ormeau Road with amendment submitted on 27th July
- Note the time implications for applying for a licence for the required road closures and the consequent resource implications of the current proposals.
- Agree that officers continue to work with Open Ormeau promoters to aid the design and facilitation of a singular future trial recognising the significant lead time and consultation demanded by the legislation, subject to council approval and budgets constraints and consideration of a satisfactory approach to road closure.
- To note concerns expressed by business community representatives around further temporary pedestrianisation in the city centre and to note that officers will continue to work with DfI and stakeholders to seek to bring forward satisfactory proposals in a future report.

- Note the status and stakeholder feedback on the temporary city centre road closure and pedestrianisation proposals as ratified by Council on the 1st July 2020 and to note that officers will continue to work with Dfl and stakeholders on these, with a future report to be brought back to Committee.
- On the basis of the concerns expressed by stakeholders including the business community representatives in respect of the temporary closure of Donegall Place, agree that this is not progressed in the immediate short-term but that the proposal is instead considered through an accelerated Phase 2 of the Bolder Vision Connectivity Study;

3.0 Main report

3.1 Open Ormeau Proposal

Belfast City Council have received a proposal entitled Open Ormeau. The aim of the proposal is to provide sufficient space for people to walk on the pavements whilst socially distancing, provide space for queues outside shops at peak times and to provide space for businesses/organisations, particularly restaurants, cafes and bars to expand outside so that it is viable for them to open on a table-service-only model whilst upholding social distancing requirements. In order for this proposal to be fulfilled, a number of temporary road closures will be required.

- 3.2** This Committee agreed to write to the Dfl seeking it to expedite the temporary closure of a number of roads at roads under the Road Traffic Legislation Order (3A). Subsequent to this, officers have been liaising with representatives from the Ormeau to determine the exact nature of the proposal and with Dfl to seek to work out a way to close Ormeau road to traffic to facilitate the proposal
- 3.3** To this juncture through engagement with the Department for Infrastructure there has been no indication that the department will seek a road closure order under article 7 of the Road Traffic Regulations Order. It is our understanding that the Department can use Article 7 Temporary Traffic Regulations to manage the safety of the public attending significant large off-road events if requested to do so and if it is satisfied that there is a potential risk to the public and some form of traffic control is needed to manage traffic entering and leaving the event.
- 3.4** The original proposal involved the closure of inner lanes to expand the walkways along this section of the road, but still permitted some traffic through at reduced speeds during certain times over a number of weekends (17th July – end of September). The proposal received significant attention in local press and social

media outlets. As a result the promoters and Belfast City Council received a number objections from local business, elected representatives and city stakeholders. As a result the promoters adjusted their proposal with the salient detail of a new revised proposal provided below and the complete proposal contained within Appendix 1.

- Reduced to three August weekends in a row trialling different time slots to test out the impacts (positive and negative) in a controlled manner:
 - Sunday 16th August 1pm to 10pm
 - Saturday 22nd 9am to 11pm
 - Saturday 29th 4pm to 11pm and Sunday 30th all day until 11pm
 - Possible bonus evening on a Monday, Tuesday or Wednesday in August to help restaurants take advantage of the 'Eat Out to Help Out' scheme

3.5 Legislative & Regulatory Context

The proposal in its current format will require a road closure application, as under current guidance any activity that will prohibit or restrict traffic on a public road, would necessitate a road closure order. There are currently two routes to secure a road closure order.

- Event Road Closure Order – managed by Belfast City Council
- Emergency Road Closure Order – managed by Dept. for Infrastructure

This process and requirements for an Event Road Closure Order managed by Belfast City Council is summarised below.

- 3.6 The Roads (Miscellaneous Provision) Act (Northern Ireland) 2010 defines special events as any sporting event, social event or entertainment which is held on a public road or the making of a film on a public road.
- 3.7 The Council can make an Order to restrict or prohibit temporarily the use of the road, or any part of it, by vehicles or by pedestrians.
- 3.8 To close a public road for a special event, the event organiser must apply to the Council's Building Control division and is required to provide a traffic management plan and depending on the nature of the proposal, also provide a full management plan, stewarding plan, etc.

- 3.9 The Council must publicly advertise the proposed road closure and place a 21-day Notice in the newspaper for public notification**

The notice must

- (a) identify the promoter of the special event;
 - (b) identify any affected road;
 - (c) specify any restrictions or prohibitions which the relevant authority proposes to include in the order;
 - (d) specify the dates on which and times between which the restrictions or prohibitions would apply;
 - (e) specify any alternative routes for traffic or pedestrians;
 - (f) state where the application may be inspected;
 - (g) state that representations are sent to the council within 21 days from the date of the notice
- 3.10 A 21 day period must be allowed for representations, objections or comments of support to be submitted. The Council must also consult with statutory bodies – DfI Roads, PSNI, NIAS and NIFRS and the Council also consults with Translink. After receiving the consent of the DfI, the Council can determine if a Road Closure Order is to be made**
- 3.11 An application must include a Traffic Management Plan, and possibly depending on the nature, an event management plan. Therefore there will most certainly be a requirement to engage a traffic management company.**
- 3.12 The proposers of Open Ormeau do not feel that they have the resources to apply for the Road Closure Order and so have asked BCC to take this responsibility on.**
- 3.13 The project promoters include the Ballynafeigh Community Development Association and Ciaran Fox from the RSUA. The promoters state they have engaged in substantial consultation with residents and businesses and the response has been largely positive with a few objections. However as already referenced Belfast City Council officers have received submissions from other parties opposing the proposal, including Victoria Square who have described the proposal as a ‘major concern’. Concerns have been voiced via politicians, and correspondence from businesses in the area indicate that the proposals will significantly affect passing trade and access.**
- 3.14 Given the objections already received to the road closure Belfast City Council is obliged to discuss and attempt to resolve before any notice can be published. Thereafter, in all likelihood a decision to grant the order would need to be placed before Licensing Committee for a decision on whether to grant the Order.**

3.15 Ministerial Communiques

On June 12th 2020 Infrastructure Minister Mallon sent a communique to all councils suggesting that as planning authorities, councils take a flexible and pragmatic planning approach to the use of on-street seating for cafes and bars, beer gardens and similar outdoor areas to accommodate physical/social distancing. To date Belfast City Council Building Control have waived all fees related to Pavement Café Licensing and have received 40 applications as of 24th July 2020.

3.16 On the 23rd July 2020 further correspondence was received from Nicola Mallon confirming that officials will work closely with Councils regarding any closure applications being taken forward by or through councils.

3.17 As members may be aware on the 27th July the Infrastructure Minister announced that a review of the special events legislation is live. However the closing date for consultation on this review of the legislation is not until 24th September 2020.

3.18 In considering the support agreed by this council in July and the time constraints implied by the legislation and the objections received it is proposed that officers to continue to work with Open Ormeau promoters to aid the design and facilitation of a singular future trial recognising the significant lead time and consultation demanded by the legislation. This is subject to council approval and budgets constraints and consideration of a satisfactory approach to road closure.

3.19 Other City Centre Road Closures

Council Officers, in collaboration with the DfI, have engaged with various stakeholders in relation to the proposed city centre temporary road closures as proposed via Council. A City Re-Opening Stakeholder Group, led by the Council, includes representatives from Belfast Chamber, the three BID areas (BID One, Linen Quarter and Cathedral Quarter), BCCM, PSNI, Translink, local traders, Victoria Square and Castle Court, Retail NI and Hospitality Ulster.

3.20 Donegall Place

Stakeholders collectively raised a number of concerns on the proposal for immediate temporary closure of Donegall Place. Concerns related to the disruption that this proposal would have to the city centre trade at a time when businesses are focusing on survival, and the potential negative impacts to the public

transportation system should these services be removed and relocated without detailed consultation, and without a planned alternative transportation network and provision of adequate associated infrastructure and timetable scheduling. A strong view was expressed that this proposal should not be progressed in the immediate short-term but that the proposal is instead considered through an accelerated Phase 2 of the Bolder Vision Connectivity Study

- 3.21 The stakeholders did however acknowledge, and support, the need to have a holistic and informed discussion regarding the future infrastructure provision for the Primary Retail Core and arterial routes connecting the city centre to the local communities, and that these discussions would be best served through the next stages of the Connectivity Study.

3.22 Castle Place

The Stakeholder Group acknowledged that the temporary measures introduced to Castle Place during the road closures of the Bank Buildings fire had a positive impact on the area, and brought forward the discussion of how we use the city centre going forward. The Stakeholder Group were supportive of incorporating temporary meanwhile use within the Castle Place area, noting that the access requirements of local businesses and blue badge users would need to be considered and addressed. Stakeholders within this Group were however of the view that a joint closure now of Donegall Place and Castle Place together could not be supported due to the collective impact that both closures would have for diversion routes and, in particular, the potential impact on the public transportation network.

- 3.23 Council officers are continuing to engage with the BIDOne team and local traders to identify potential proposals that could be delivered in Castle Place although Members should note that concerns have been raised by local traders and city stakeholders, including the PSNI and Extern. These concerns, in particular, relate to the increasing levels of anti-social behaviour within the area, and the potential for this issue to escalate should any meanwhile use provision become a focal point for ASB. Officers continue to work through the issues with city stakeholders and will report back to subsequent committee meetings.

3.24 Brunswick St from Franklin St to James St South & Union St

The Linen Quarter Bid and Cathedral Quarter BID, in collaboration with council officers and DfI, are bringing forward proposals for a social distancing hub on Brunswick Street from Franklin St to James St South, and at the Union Street area to enable local

hospitality traders to utilise the space for pavement cafes and enhanced outdoor social distancing measures and details of the scheme will be brought to subsequent committee meetings when finalised.

3.25 Financial and Resource Implications

For Belfast City Council to apply for an event road closure license at Ormeau it would imply the following requirements and associated approximate resource implications per closure. These are analogous estimates based on other similar road closures.

- Production/event management - £2,000
- First aid - £2,000
- Waste Management - £2,000
- Insurance - £3,000- £5,000
- Stewarding Costs to manage ingress/egress - £3,000 - £4,000
- Approximate total per closure - £15,000

Currently there is no budget provision within Place & Economy Departmental annual budget.

- 3.26** Given the complex nature of the proposed road closure at Ormeau and the significant concerns realised by a number of parties it is reasonable to expect that a considerable amount of officer resource would be required to deal with engagement, consider that feedback and possibly amend designs and ultimately organise and manage the road closures.

3.27 Equality & Good Relations Implications

All applications for Road Closure must show that the applicant has carried out neighbourhood notification along with consultations with all residents, businesses, bus and taxi companies which may be affected by the proposal. The proposers of Open Ormeau indicate that they have carried out some initial engagement and consultation with residents and businesses, however, if BCC decide to act as the applicant for this Road Closure it would need to satisfy itself that all possible engagement that should be done, has been done. This could result in a significant time and staff resource implication.”

The Committee adopted the recommendations.

Physical Programme and Asset Management

Physical Programme Update

The Committee considered the following report:

“1.0 Purpose of Report or Summary of Main Issues

1.1 The Council’s Physical Programme covers over 200 projects under a range of funding streams together with the projects which the Council delivers on behalf of external agencies. This report outlines a proposed movement under the Capital Programme together with a proposed realignment of BIF funding.

2.0 Recommendations

2.1 The Committee is requested to –

- agree to the inclusion of a new IT project under the council’s IT Programme due to business criticality– Enhanced, additional telephony licensing for telephony environment - and move to Stage 3 Committed with a maximum £80,000 budget allocated.
- Note the reduced scope of the Royal British Legion BIF proposal (from £500k to £300k) and to agree, in the absence of the West AWG, to reallocate £115,000 of this reduced scope towards two previously agreed LIF projects which have significant funding deficits (Berlin Swifts – additional £65,000 and St. James’s Farm – additional £50,000) in order to allow these projects to be fully delivered. Both projects are at/nearing contract award stage

3.0 Main report

Capital programme 2020/21 - Project movements

3.1 *IT Programme – Additional licensing for telephony environment*

Under the Council’s IT Programme of work, additional licensing for the telephony environment has been identified as being business critical and opportunity to ensure continuity of service provision. With almost all staff home working as a result of Covid 19, one of the key lessons learned from a business continuity perspective, is the need to extend and enhance telephony features for remote workers to allow operations to continue unhindered.

3.2 The Council is already in the process of upgrading the telephone system, as part of programme of work to improve the system in terms of resilience but also introduce enhanced features and

services being delivered as part of the council's extensive Customer Focus Programme. The go-live is expected in coming months. The new telephony system will allow contact centre and switchboard features to be made available remotely, but it requires further licensing for increased numbers of home workers. This will support a sustained period of home working / recovery plans and provide improved business continuity while overall recovery and continued service delivery management takes place. Members are asked to note that this is required to be undertaken now as part of the ongoing Customer Service Programme as this will save significant time and effort by procuring and applying the licenses in advance of the upgrade work already in motion.

- 3.3 Members are asked to agree that this project moves to Stage 3 Committed in order to expedite the necessary procurements and it is recommended that a maximum budget of £80,000 is allocated. The Director of Finance & Resources has confirmed the affordability of these projects due to the corporate criticality requirements and to ensure business continuity is maintained.

Area Working Groups - BIF realignment

Members will be aware that the Area Working Groups are currently not sitting due to the ongoing impact of Corona and associated resource impacts. All decisions regarding BIF and LIF allocations are normally taken via the AWGs with the resultant recommendations being brought into SP&R. However due to time pressures Members are being asked to consider and agree a proposed realignment of BIF/LIF funding from the West AWG.

The SP&R Committee has previously agreed an in principle allocation of £500,000 towards the Royal British Legion project (BIF29) in October 2016. Members will be aware that in the last round of the AWGs an update on all projects under LIF, BIF and SOF programmes was provided. It was agreed by each AWG that a letter would be issued to those groups where there had been no information or progress for some time. This included the Royal British Legion project. The Group subsequently confirmed that they wished to remain part of the Programme but with a reduced project scope to a maximum of £300,000. This would allow for a £200,000 reallocation which is below the minimum threshold for a BIF project.

There are two LIF projects within West which have previously been agreed by the SP&R Committee – WLIF2-08 Berlin Swifts (£65,000 agreed in September 2015) and WLIF02-10 St. James's Community Farm (£82,000 agreed in October 2015). Since this time both projects have been worked up in detail and both have funding deficits (Berlin Swifts - £65k and St. James's - £50k) due to a number of reasons including raising construction costs,

unforeseen issues etc. Officers have worked very closely with both projects on trying to secure match funding but this has proved unsuccessful to date. This has meant that both projects have to be substantially value-engineered which is hampering their ability to be able to deliver on the full scope of the projects. With a reallocation of funding from the unrequired portion of the RBL project funding both projects could be delivered to their full scope. Members are asked to note that this is being brought forward now as both projects are at an advanced stage in terms of the tendering process. Members are therefore asked to agree the reallocation of an additional £65,000 towards the Berlin Swifts project and an additional £50,000 towards the St. James's Community Forum project.

Members will note that this leaves a residual amount of £85,000 which will be brought back into the next West AWG for consideration in terms of reallocation. This is in other line with the other AWGs that have reallocations to consider.

3.10 Financial & Resource Implications

Financial –

- IT Programme – Additional licensing for telephony environment, with maximum £80,000 budget allocation.
- West AWG – realignment of unrequired amount from BIF12 will allow two LIF projects to be fully delivered. These projects have both previously been considered by the AWG and recommended for funding and have been through the full due diligence process. This is not additional overall funding but is a reallocation.

Resources – Officer time to deliver as per project requirements.

3.11 Equality or Good Relations Implications/ Rural Needs Assessment

All capital projects are screened as part of the stage approval process.”

The Committee adopted the recommendations.

Finance, Resources and Procurement

Contracts Update

The Committee:

- Approved the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (Table 1)

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

- Approved the **addition to table1** and the use of Standing Order 56 for internal internet provision;
- Approved the award of Single Tender Actions in line with Standing Order 55 exceptions as detailed in Appendix 1 (**Table 2**)

Table 1 – Publically Advertised Tenders

Title of Tender	Proposed Contract Duration	Estimated Total Contract Value	Senior Responsible Officer	Short description of goods/ services
Measured Term Contract for building repairs including plastering & brickwork	Up to 3 years	£60,000	S Grimes	Building repairs including plastering & brickwork
Measured Term Contract for new metal fencing installations	Up to 3 years	£60,000	S Grimes	New metal fencing installations
Measured Term Contract for new soft flooring installations	Up to 4 years	£80,000	S Grimes	Soft flooring installations
Measured Term Contract for swimming pool filtration & Ozone generation, callouts, repairs, planned maintenance & minor works	Up to 4 years	£150,000	S Grimes	Swimming Pool maintenance
Measured Term Contract for mechanical services, callouts, repairs & planned maintenance	Up to 4 years	£600,000	S Grimes	Mechanical services, callouts, repairs & maintenance
Measured Term Contract for pitch lighting callouts,	Up to 3 years	£50,000	S Grimes	Callouts, repairs & planned maintenance for pitch lighting

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

repairs & planned maintenance				
Measured Term Contract for building repairs including plastering & brickwork	Up to 3 years	£60,000	S Grimes	Building repairs including plastering & brickwork
Brook Changing Pavilion, Existing pitch lighting LED replacement	Up to 3months	£40,000	S Grimes	Replacement of pitch lighting
Duncrue Complex, Building Energy Management System Trend IQ installation for unsupported Software - All sites	Up to 3months	£30,000	S Grimes	Building Energy Management System - All sites
Henry Jones Changing Pavilion, upgrading pitch lighting including columns	Up to 3months	£41,000	S Grimes	Pitch lighting including upgrade columns
Tender for the procurement and implementation of enhanced used licensing on the corporate telephone system	One off Purchase	£80,000	R Cregan	Licensing on the corporate telephone system
Peace IV Delivery of Events as part of wider Peace IV Programme	Up to 2 years	£70,000	N Grimshaw	Delivery of events as part of the Peace IV programme of work
Procurement Cards	Up to 2 years	£240,000	R Cregan	Use of CPD framework for the use of procurement cards for lower value transactions not covered by SRM ordering system.

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

Addition to Table 1 – Tenders:

Title of Tender	Proposed Contract Duration	Estimated Total Contract Value	Senior Responsible Officer	Short description of goods/ services
Internet Service Provision	1 year	£51,000	R Cregan	Internet Service Provision for internet connectivity for the council.

Table 2- Direct Award Contracts (Single Tender Action)

Title of Tender	Supplier	Total Value
Event management and support services to deliver a collaborative PPP programme to attract real estate investors, developers, occupiers and funders & provide sustainable inclusive growth.	Lanyon Communication	£60,000
Specialist advice on rating matters including a review of the Council's Assessments in the Valuation List	Institute of Revenues Rating and Valuation (IRRV	£90,000

Issues raised in advance by Members

Light up the City Hall Request - World AIDS Day, 1st December (Councillor Nicholl to raise)

The Committee noted the request by Councillor Nicholl to light up the City Hall on World Aids Day on 1st December, noted that request would coincide with the Christmas lights and that such requests could not normally be accommodated at that time and agreed that the City Solicitor explore how the Council could facilitate some type of lighting up or recognition and report back to the Committee.

**Strategic Policy and Resources Committee,
Friday, 31st July, 2020**

Roselawn Cemetery (Councillor McLaughlin to raise)

The Committee agreed that a further equality screening be undertaken in relation to the proposed new 2 chapel crematorium and refurbishment of the existing crematorium at Roselawn refurbishment, with the outcome reported back to the Cemeteries and Crematorium Working Group in the first instance.

Frederick Douglass Statue (Councillor Beattie to raise)

The Committee agreed that a letter be forwarded to the Department for Communities requesting it to consider the installation in Rosemary Street of a statue in remembrance of Frederick Douglass, a slavery abolitionist.

New Lodge Bonfire (Councillor Beattie to raise)

The Committee agreed that Council officers examine alternative means to manage the New Lodge bonfire site and to report back to a special meeting of the Committee to be held the following week.

Chairperson

This page is intentionally left blank

Strategic Policy and Resources Committee

Wednesday, 5th August, 2020

SPECIAL MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Black (Chairperson);
Aldermen Dorrian, Haire, Kingston and Sandford;
Councillors Beattie, Bunting, Carson, Garrett,
Groogan, Heading, Long, Lyons, McAllister,
McDonough-Brown, McLaughlin, Murphy,
Nicholl, Spratt and Walsh.

Also attended: Councillors de Faoite, Flynn and Kyle.

In attendance: Mr. R. Cregan, Director of Finance and Resources;
Mr. J. Walsh, City Solicitor;
Mr. R. Black, Director of Neighbourhood Services;
Mrs. S. Toland, Director of City Services;
Mrs. A. Allen, Neighbourhood Services Manager;
Mrs. L. Caldwell, Head of Marketing and Corporate
Communications;
Mr. J. Hanna, Senior Democratic Services Officer; and
Mrs. S. Steele, Democratic Services Officer.

Apologies

No apologies were reported.

Declarations of Interest

No Declarations of Interest were reported.

Restricted Item

The information contained in the reports associated with the following 3 items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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

**Special Strategic Policy and Resources Committee,
Wednesday, 5th August, 2020**

Bonfire Update

The Director of City and Neighbourhood Services provided the Committee with an update on the current position in relation to the August bonfires throughout at the following sites: New Lodge, Distillery Street, Manor Street/Clifton Park Avenue, Divis/Lower Falls, Jamaica Way and Falls Park.

He referred also to the decision of the Committee of 31st July regarding the possible use of a private security contractor in support of the bonfire material removal contractor in New Lodge and provided an update in relation to the actions which had been undertaken by officers.

The Director advised the Members of specific issues which required the Committee's consideration at the Distillery Street and Divis/Lower Falls sites where further direction was required from the Council given the specific circumstances which had arisen and where the landowner was unknown.

He provided the Members with a copy of the Pro forma template which had been issued by the PSNI directly after the July 2020 bonfires which contained the information which must be provided to the Police by the landowner in advance of any planned operations to remove bonfire material. He pointed out that this was being completed by landowners every time a request was made by them to the PSNI for police support around any planned operations to remove bonfire materials.

The Director also provided the Committee with a draft Memorandum of Understanding (MoU) which had been drafted by the Department for Communities (DfC) in relation to Bonfire Management Agreement. The draft had been shared with relevant partners for comment. The DfC had hoped to have the MoU in place this week to inform its legal action against the PSNI but had been advised that Council officers would have to get authority from the Council that it was content to explore this as an option in the first instance and that Committee approval would have to be sought for any proposed amendments. Accordingly, it was proposed that the MoU be brought forward for initial engagement to the Party Group Leader before formal Consideration at Committee.

After discussion, the Committee:

- Agreed that the Memorandum of Understanding be brought forward for initial engagement to the Party Group Leaders before formal Consideration at Committee;
- granted authority for officers/contractors to access the sites at Distillery Street/Lower Falls;
- agreed that the situation at New Lodge be kept under review and that officers explore the necessary steps by which a security contractor (if willing and able) could be appointed, which would be subject to further consideration by the Committee; and
- noted that, in accordance with Standing Order 37a - Duties of Committees: Strategic Policy and Resources Committee, it had full delegated authority to take decisions in relation to bonfire related issues.

**Special Strategic Policy and Resources Committee,
Wednesday, 5th August, 2020**

Call-in

The Committee agreed, in accordance with Standing Order 47 (a) (2) (c), that the aforementioned decisions would not be subject to call-in, on the basis that an unreasonable delay could be prejudicial to the Council's or the public's interest.

Request from Minister for Department for Communities

The Committee was advised that, immediately prior to the commencement of the meeting, a request had been received from the Minister for the Department of Communities asking the Council, within the remit of its contract, to access the Council's contractor for the removal of bonfire materials at Galliagh in Derry. The Minister had indicated that, subject to the agreement of the contractor and confirmation of terms, the Department would fully recompense the Council for the full costs of the operation.

After discussion, the Committee agreed to accede to the request.

**Independent investigation –
Roselawn Cemetery – 30 June 2020**

(With the exception of the Director of Finance and Resources, the City Solicitor, the Head of Corporate Communications and Marketing, the Senior Democratic Services Officer and the Democratic Services Officers, all other members of staff left the meeting whilst this item was under consideration.)

The Committee considered a report which sought approval for the Terms of Reference for the Roselawn investigation/review and seeking authority enabling approval for the individual to conduct the investigation to be confirmed by consensus of the Party Group Leaders' Consultative Forum.

Moved by Alderman Dorrian.
Seconded by Councillor Long,

That the Committee agrees to grant the approval and authority sought.

On a recorded vote, ten Members voted for the proposal and none against, with seven no votes and it was declared carried:

<u>For 10</u>	<u>Against 0</u>	<u>No Vote 7</u>
Aldermen Dorrian, Haire and Kingston; and Councillors Bunting, Groogan, Heading, Long, Lyons, Nicholl and Spratt.		Councillor Black, Beattie, Carson, Garrett, McLaughlin, Murphy and Walsh.

**Special Strategic Policy and Resources Committee,
Wednesday, 5th August, 2020**

Call-in

The Committee agreed, in accordance with Standing Order 47 (a) (2) (c), that the aforementioned decisions would not be subject to call-in, on the basis that an unreasonable delay could be prejudicial to the Council's or the public's interest.

Chairperson

Planning Committee

Tuesday, 21st July, 2020

SPECIAL MEETING OF PLANNING COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

- Members present: Councillor Hussey (Chairperson);
Councillors Brooks, Carson, Collins,
Garrett, Groogan, Hanvey,
Maskey, McCullough, McKeown,
Murphy, Nicholl and O'Hara.
- In attendance: Mr. A. Thatcher, Director of Planning and
Building Control;
Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

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

Declarations of Interest

In relation to Item 4c, LA04/2020/0474/F - Construction of film studios complex, Councillor O'Hara advised that he was on the Board of the Belfast Harbour Commissioners but explained that, as it was a Council appointment, that it did not constitute a conflict of interest and that he could fully participate in the discussion on the item.

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 8th June and 10th July.

Planning Appeals Notified

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

Miscellaneous Items

Departmental Performance Update (to 31 March 2020)

The Committee considered the undernoted report and the associated appendix:

“1.0 Purpose of Report or Summary of main Issues

1.1 To provide the Planning Committee with an overview of the performance of the Council’s Planning Service during 2019/20 in line with statutory and local performance indicators, as well as practical outcomes. A Performance Report for 2019/20 is provided on mod.gov.

2.0 Recommendation

2.1 Members are asked to note the Performance Report for 2019/20 available on mod.gov.

3.0 Main report

3.2 Background

Officers regularly reports performance to the Planning Committee as it’s a valuable indicator of the overall operation and effectiveness of the Council’s Planning Service. This captures key performance information according to both regional and local indicators in relation to planning applications, enforcement and appeals. It also includes key outcomes of the development management process and provides a narrative around performance in the context of overall improvement of the Council’s Planning Service. Members are asked to note the report and ask any questions that may arise.

3.2 In addition, on 02 July 2020 the Department for Infrastructure published its annual Northern Ireland Planning ‘Statistical Bulletin’. This provides finalised activity and performance figures for the planning system in Northern Ireland for 2019/20. It includes a statistical breakdown of the performance of each of the 11 councils and the Department itself as Planning Authorities. A copy of the Statistical Bulletin can be found at the link below:

<https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-april-2019-march-2020>

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

4.0 Financial & Resource Implications

4.1 Performance is an indicator of an efficient and effective planning service, which supports value for money and effective use of resources.

5.0 Equality or Good Relations Implications / Rural Needs Assessment

5.1 No adverse impacts identified.”

During discussion, a number of Members thanked the Planning team for its continued hard work in reaching its targets.

A number of Members requested that information on the following issues be included in future performance reports:

- a breakdown of housing applications, in terms of whether they are social, affordable or private housing, and also the geographical locations of the applications in terms of whether they are located in the city centre or outside of the city centre;
- how many times has the Planning Committee granted an application despite statutory objections;
- how often the Committee disagrees with officers' recommendations, and by illustrating whether they were major or local applications;
- information regarding the average time for enforcement cases; and
- annual figures relating to how many decisions the Planning Appeals Commission overturned, particularly appeals made from Committee decisions and those made from officers' decisions.

The Committee noted the update that had been provided and agreed that the information which had been requested should be included in future updates.

Award of Contract to Replace the Planning Portal

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

1.1 To advise the Planning Committee that a contract has been awarded to replace the Northern Ireland Planning Portal with a new IT system, expected to be implemented late 2021/early 2022. The replacement Planning Portal will allow applicants to submit online applications for the first time and is expected to greatly improve the efficiency of the Council's Planning Service. It will also support increased flexibility for remote working.

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

2.0 Recommendation

2.1 Members are asked to note the report.

3.0 Main report

Background

3.1 The Northern Ireland Planning Portal (NIPP) provides the public website interface which citizens use to find information and comment on planning applications. It also provides back-office software that the Council's Planning Service uses to process planning applications and enforcement cases, as well as supporting the administration of regional property certificates.

3.2 The NIPP was implemented by the former Department of Environment in 2010 as a regional IT solution and was inherited by the 11 councils as a shared system in 2015 on the transfer of planning powers to local government. The NIPP is provided by a third-party supplier, DXC. The contract for the Planning Portal is managed by the Department for Infrastructure (DFI) and will expire at the end of December 2021.

3.3 Since 2016, DFI and the 11 councils have been part of a regional project to explore options for replacing the NIPP. In January 2019, DFI published an Outline Business Case (OBC) which recommended that the NIPP is replaced by another shared regional IT system, based on a 'Commercial Off The Shelf' product with some local configuration for each Planning Authority. All 12 Planning Authorities signed up to the next phase of the project which was to undertake a procurement process. This was completed in March 2020. DFI subsequently published a Full Business Case (FBC) proposing to award the contract to TerraQuest Solutions, the preferred supplier.

Award of Contract

3.4 In April 2020, the Strategic Policy and Resources Committee agreed the award of contract subject to the following:

- the Department and a minimum of 10 councils agree the award of the contract by the end of June 2020;**
- the capital cost to Local Government will be split evenly between councils and operating costs will be split according to fee income (as set out in the Funding Proposal accompanying the Full Business Case), but fixed for at least three years to aid financial planning;**

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

- implementation of the six recommendations of the Gateway Review 3 report (independent assurance report); and
- BCC is part of the first wave of councils to implement the new IT system (as previously requested).

3.5 DFI and 10 councils (including BCC) have agreed the FBC and the contract has been awarded accordingly, with the new IT system to be shared by these 11 Planning Authorities. Only Mid Ulster Council has withdrawn from the process and it will procure its own standalone system. The new regional IT system is expected to be implemented late 2021/early 2022 and BCC will be part of the first wave. The award of contract is for an initial 10 years with 5 + 5 year options according to the performance of the new system.

New supplier – TerraQuest Solutions

3.6 The contract has been awarded to TerraQuest Solutions. The company was one of five suppliers to submit Selection Questionnaires and these were shortlisted to two suppliers for the final tender stage. The procurement was based on Competitive Procedure with Negotiation overseen by the Central Procurement Directorate (Department of Finance). The tenders were assessed on the basis of 60% quality and 40% cost. TerraQuest Solutions' bid won in both categories.

3.7 TerraQuest Solution's winning bid is made on behalf of a consortium which includes PortalPlanQuest (PPQ) and DEF Software (DEF). PPQ operates the Planning Portal in England (a national website that hosts around 90% of online planning application submissions in England). It is also contracted to deliver this service in Wales. DEF Software provides digital and cloud-deployed back-office systems to local councils for Planning, Building Control and related services. DEF currently has 35 live UK sites including council planning services in both England and Wales.

Benefits of the new IT system

3.8 The benefits are summarised in the table below.

Public Access website	Back-office IT system
Ability to submit online planning applications including online payments	Automated uploading of applications, drawings and documentation (i.e. no need for manual data entry or scanning online applications)

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

Public Access website	Back-office IT system
Ability to submit online enforcement complaints	Improved workflow for staff with assignment of configurable task notifications prioritised according to a Red/Amber/Green traffic light system
Ability to submit online requests for Property Certificates (part of the property conveyance process)	Ability to assign, allocate, reallocate work electronically within the system, as well as checking reports and signing off decisions (to support a paperless office approach)
Shared regional approach to online submissions providing consistency across the vast majority of NI	Automated notification reminders to staff, customers and consultees to complete tasks / submit information / provide a consultation response
The online process will drive quality applications at submission through identification of validation and configurable local information requirements	Ability for each council to configure their own templates e.g. standard customer letters, delegated and committee reports, and model planning conditions
Improved access to information for customers including availability of planning constraint layers (both textually and GIS)	Enhanced reporting and monitoring of performance and outcomes (by teams, individuals and wider service)
	Fully integrated Electronic Documentation Management System to support a paperless office approach
	Communications Portal to support communication within the system between BCC staff and customers, and BCC staff and consultees
	Module for monitoring S76 agreements; enhanced monitoring of planning conditions
	Better support for remote working including field work using mobile devices
	Potential efficiencies in the Property Certificate process as a result of increased automation

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

Public Access website	Back-office IT system
	Better integration with other service area's IT systems through APIs

Implementation

- 3.9** The Council has played a lead role in the project to date, being one of three councils to agree the specification for the new IT system on behalf of local government, representation on the tender panel and providing staff to the core project team. It is vital that the Council continues to have a lead role during the design and implementation stage to ensure that its requirements are met. A BCC Senior Planning Officer has been seconded to the core project through Interchange as the Business Lead, an influential role, and will represent BCC's interests well. BCC will continue to be represented on the Planning Portal Governance Board which has strategic oversight of the project.
- 3.10** Officers have established an internal implementation team projected managed by a Business Support Officer within the Planning Service. This reports to an internal project board, chaired by the Director of Planning and Building Control, with representatives from the Planning Service, Digital Services and Audit, Governance and Risk Service and other services contributing as required. Planning and Digital Services staff will be drawn into the internal project team as and when required during the implementation phase.

Governance

- 3.11** The Planning Portal Governance Board will retain overall strategic control of the project. The Governance Board is chaired by DFI and includes the 10 councils. The new supplier is also represented. BCC is represented by the Planning Manager (Development Management) and Head of Digital Services.

Contingency

- 3.12** The current NIPP is supported until the end of December 2021. There is currently no contingency for technical support for the Planning Portal beyond that date. The new IT system is not scheduled to go live in full until February 2022, although BCC will be part of the first wave implementation planned for late 2021. Notwithstanding, the timetable may slip due to various risks including the Coronavirus pandemic. DFI is assessing contingency options for providing continued technical support

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

for the current NIPP post December 2021 to ensure business continuity, and regularly reports to the Planning Portal Governance Board on this issue. The need to replace the current NIPP is a service risk, which is being continuously monitored.

4.0 Financial & Resource Implications

4.1 The cost of the new IT system will be shared between DFI and the 10 councils. The Department will fund 55% of the overall costs. In terms of local government costs, capital costs will be split evenly between the 10 councils with operating costs split according to fee income. The overall cost to BCC will be £2,062,000 over 21 years (£98k pa).

5.0 Equality or Good Relations Implications / Rural Needs Assessment

5.1 **No adverse impacts identified.”**

A Member requested that the Trade Unions be consulted in respect of any staffing implications.

In response to a further Member’s question, the Planning Manager confirmed to the Committee mitigation measures which would be put in place to ensure a smooth transition between the old and the new systems.

The Committee noted the update which had been provided.

Restricted Item

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

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

LDP Timetable and Update

(Councillor Nicholl left the meeting at this point in proceedings)

The Development Planning and Policy Manager and the Principal Planning Officer provided the Committee with an update on the progress of the draft Plan Strategy (dPS) for the Belfast Local Development Plan (LDP) including the revision of the Timetable, recent correspondence from the Planning Appeals Commission (PAC in relation to the

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

potential Independent Examination, the updated response to recent consultation on the Affordable Housing definition and work on the development of Supplementary Planning Guidance (SPG) which would support the final plan.

The Members were reminded that a number of workshops on SPG, which were due to be held in March and April, had been postponed due to Covid-19. It was proposed that these could be rearranged and held remotely in due course.

The Committee:

- noted the updates on the proposed revision of the Timetable;
- noted the correspondence from the PAC and proposed approach to a Council response;
- noted the updated response in relation to the Department for Communities (DfC) re-consultation on the Affordable Housing definition; and
- agreed that the workshops in relation to the Supplementary Planning Guidance be rearranged and held remotely in due course.

Planning Applications

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

**LA04/2018/2876/F - Residential development comprising 16 units
(10 semi-detached and 6 detached) on Lands opposite 13, 15, 17
and 32 Somerdale Park**

(Councillor Nicholl re-joined the meeting at this point in proceedings)

Before presentation of the application commenced, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to acquaint itself with the location and the proposal at first hand.

The Committee also noted, as the application had not been presented, that all Members' present at the next meeting, would be able to take part in the debate and vote on this item.

**LA04/2020/0639/F - Alteration and extension to Church Hall
Braniel Methodist & Presbyterian Church, Lower Braniel Road**

The Principal Planning officer provided the Committee with the key aspects of the application, for which Belfast City Council was the applicant.

She outlined the main issues which had been considered in the assessment of the application, including the design, scale and massing, the impact of the proposal on the character and appearance of the area, the impact on the living conditions of the neighbouring properties and road safety.

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

She explained to the Committee that the design and external appearance of the extension was considered acceptable and would bring community benefits through the provision of additional community facilities. She added that there would be no detrimental impact on the character or appearance of the area.

The Members were advised that DFI Roads had offered no objection to the proposal.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2020/0474/F - Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works on lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park)

The Principal Planning officer outlined the details of the major application, which would form Phase II of the current complex which was approved under LA04/2015/1605/F. He explained that the site was un-zoned "white land" within the Belfast Urban Area Plan (BUAP) and that it was located within the development limits of the City in the draft Belfast Metropolitan Area Plan (dBMAP).

The Committee was advised of the main issues which had been considered during the assessment, including the principle of the proposed use at the location, scale, massing and design, traffic and parking, landscape, habitat regulations assessment, drainage and flooding, contaminated land, the pre-application community consultation report and developer contributions.

The Principal Planning officer explained that DFI Roads, Environmental Health, NIEA, Shared Environmental Services, Rivers Agency, NI Water and Belfast City Airport had all been consulted in addition to the Council's Economic Development Team, the Tree Officer and the Landscape Team, and that no objections from consultees had been made.

The Members were advised that one representation had been received, which cited an error in the description of the site address and relating to letters not having been made available to view on the portal. He pointed out that these issues had both since been rectified. The representation had also raised concerns relating to the rationale behind the Council's decision that an Environmental Statement was not required for the application and he pointed out that this had been addressed within the report.

The Principal Planning officer outlined that the application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (natural habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Services on behalf of the Council, which was the competent authority

**Special Meeting of Planning Committee,
Tuesday, 21st July, 2020**

responsible for authorising the project and any assessment of it required by the regulations.

He explained that the proposed development was estimated to represent an investment of £45million, generate in excess of 200 construction jobs and approximately 1,000 creative industry jobs.

The Members' attention was drawn to the Late Items pack, where an additional condition was deemed necessary, to ensure that the office component of the studios was not used for any purposes other than ancillary to the main use, as use of non-ancillary offices at the location would be contrary to the draft development plan zoning.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions, and to deal with any new issues raised by third parties.

LA04/2020/0446/F - Part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11 26-44 Little Patrick Street (Temporary)

The Principal Planning officer provided the Committee with the key aspects of the application which sought temporary permission for the part change of use from purpose built managed student accommodation (PBMSA) to aparthotel development covering floors 5-11.

He outlined the key issues in the assessment of the proposal, including access, movement, parking and transportation, road safety, waste management and other environmental factors. He advised the Members that it had been assessed against and was considered to comply with the SPPS, BUAP, dBMAP, PPS3, PPS13 and PPS16.

The Committee was advised that there were no objections raised by consultees, but that a response from DFI Roads was outstanding. The planning officer added that no written representations had been received.

In response to a Member's question as to whether this would set a precedent, he explained that each application was always considered on its own merits.

In response to a question from a further Member regarding the time period of two years, the agent confirmed to the Committee that the use could revert back to PBMSA prior to September 2023.

The Committee granted approval to the application, with delegated power to the Director of Planning and Building Control for the final wording of the conditions and updated Section 76 legal agreement, and to deal with any new issues that may be raised.

Chairperson

F963

Page 69

This page is intentionally left blank

Planning Committee

Tuesday, 28th July, 2020

PRE DETERMINATION HEARING
HELD REMOTELY VIA MICROSOFT TEAMS AT 3.00PM

Members present: Councillor Hussey (Chairperson);
Councillors Brooks, Carson, Collins,
Garrett, Groogan, Hanvey, Hutchinson,
Maskey, McCullough, McKeown,
Murphy, Nicholl and O'Hara.

In attendance: Mr. A. Thatcher, Director of Planning and
Building Control;
Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

No apologies were received.

Declarations of Interest

No declarations of interest were reported.

**Pre Determination Hearing re: LA04/2017/2341/O –
Demolition, redevelopment and part change of use to create
a mixed use development comprising retail, offices,
cafe/restaurant, residential, hotel, cultural/community
space, parking, servicing, access and circulation arrangements,
the creation of new streets, the configuration of Writers Square,
public realm works, landscaping and associated site and road
works including works to alter listed buildings, restoration of
retained listed buildings and facades, and partial demolition of
North Street Arcade, retaining its facades on land bounded by
Royal Avenue, York Street and Church Street to the North; North
Street to the west; Rosemary Street to the south and High Street
to the south; and Donegall Street to the east. The site is located
approximately 300m west of Laganside Bus Station, 300m
northeast of City Hall and 900m northwest of Central Train Station.**

The Chairperson welcomed the Members to the Pre-Determination Hearing for the outline application. The Committee was reminded that a Pre-Determination Hearing was to hear the views of interested parties and statutory consultees, and for Members of the Committee to seek clarification from these parties on the facts surrounding the development. The Committee was reminded that no decision may be reached at the

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

Hearing, as Committee Members and planners might wish to consider the views made prior to making a determination at the scheduled Committee meeting which would held later that evening.

The Senior Planning officer explained that the application had been considered by the Planning Committee at its meeting on 21st January, 2020, following a Pre Determination Hearing on 16th December, 2019. At that meeting, the Committee had resolved to approve the application, with conditions and a Section 76 Planning Agreement, and had delegated power to the Director of Planning and Building Control to finalise the wording. She explained that, under the Planning (Notification of Applications) Direction 2017, it had been necessary to notify the Department for Infrastructure (DFI) of the decision, as the resolution to approve was contrary to the views of a statutory consultee, namely, the Historic Environment Division (HED).

The Committee was advised that, on 6th May, the DFI had advised the Council that it did not consider it necessary for the application to be referred to it for determination. It also confirmed that the associated applications for Listed Building Consent and Conservation Area Consent did not need to be referred. The DFI had advised that it was important that the Council satisfied itself that, before determining the application, it had fully assessed all required details pertaining to the listed buildings and that all necessary expert advice in relation to built heritage matters had been duly considered.

The Senior Planning officer explained that the DFI had also advised that the Council should ensure that, in the event the application was to be approved, all conditions proposed, particularly in relation to the listed buildings proposals, were necessary and reasonable, as well as enforceable, precise and relevant to planning and to the development as advised in the Development Management Practice Note 20. The response also highlighted the Minister's view on the importance of maximising the delivery of social and affordable housing particularly for projects of this nature where a housing need existed.

She advised that the application had therefore been returned to the Planning Committee for a decision, and that Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 required it to hold a Pre-Determination Hearing to give the applicant and interested parties the opportunity to be heard. She added that further representations had been received in the intervening period, and that she would also deal with various points of clarification further to the Planning Committee meeting of 21st January, 2020.

She provided the Committee with a detailed presentation of the outline application for a mixed-use scheme comprising offices, 367 residential units, restaurants/cafes, a hotel, retail units on the ground floor and cultural and community space. She explained that the proposal also sought to reconfigure Writer's Square, to pedestrianise North Street, the creation of new public squares ("Central Square" and "Assembly Square" at the junction of North Street and Rosemary Street) and the creation of new pedestrian links between North Street and Donegall Street.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

The Committee was advised that the currently approved scheme for the site, which had been granted permission in 2012, hereafter known as the extant scheme, was for a larger site than the current proposals. She explained that the extant scheme was an important material consideration in the determination of the current application and was given significant weight as it was capable of being implemented. The Senior Planning officer explained that Phase 1 of the extant scheme had already commenced and was therefore live in perpetuity.

At the Planning Committee of 21st January, an objector had requested that the Committee imposed a planning condition to remove Block 1 from any permission due to concerns regarding the perceived impact of the proposed block on New Cathedral Buildings. The Planning officer explained that officers had discussed this with the applicant, who was not willing to remove Block 1 from their application. Legal Services had advised that it would not be lawful to impose such a condition, as to do so would take away what the applicant had applied for. The relationship between Block 1 and New Cathedral Buildings had been assessed and was considered to be acceptable.

In relation to the number of proposed residential units, the Members of the Committee were advised that the maximum number of residential units could vary marginally depending on the detailed design proposals which would be submitted at reserved matters stage. The Senior Planning officer confirmed that it would not exceed 36,000sqm and that a potential increase in the number of residential units above 367 units would also result in an increase in the total number of social (10%) and intermediate housing units (10%).

She advised the Committee that officers had reconsidered the Active Ground Floor Uses within zones A, B and C, and had considered that the inclusion of “retail use” within these zones was unlikely to support an active night time economy given that city centre shops typically opened only one night per week until 9pm. Officers had therefore recommended that ‘retail’ was removed from the list of uses within Zones A-C and that an active night time economy would be achieved primarily through café and restaurant uses.

The Members were advised that, since the Planning Committee meeting of 21st January, 109 additional objections and one letter of support had been received. The Senior Planning officer provided the Committee with the detail of issues which had not previously been raised. With respect to the installation of artwork within the development, including into the reconfigured Writer’s Square, she confirmed to the Committee that the developer had agreed to provide an in-kind contribution to a maximum value of £350,000 towards the provision of public art within the development.

With regards to the potential for “piecemeal” development and demolition, she pointed out that the demolition and development of the site would be required to be carried out in accordance with the Indicative Phasing Plan submitted to ensure that the impact on the Conservation Areas was minimised.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

The Committee was reminded that, unlike the extant scheme, underground parking was no longer proposed and that there would be no impact on the Streets Ahead project in that regard.

In relation to the parking levels, which were significantly reduced compared to the extant scheme, she explained that they were supported by a range of sustainable transport measures including travel plans, travel cards and the introduction of a car club. She added that DFI Roads had raised no objections to the proposed development and that the proposed parking and existing infrastructure were considered satisfactory to serve the development.

The Senior Planning officer drew the Committee's attention to the Late Items pack which sought to clarify that the developer's contribution towards the Belfast Bikes scheme would amount to £45,000 and not £95,000 as stated in the case officer's report.

The Committee was advised that, since the Committee meeting of 21st January, officers had reviewed and refined the proposed conditions for the outline application in discussion with the applicant and were included within the case officer's report.

The Members were advised that Planning officers had been working alongside the Legal Services Team to develop the Section 76 Agreement to secure the following planning obligations:

- 10% Intermediate Housing within the application boundary (which the applicant has to enter into an agreement to transfer to a Registered Housing Association before 50% of the overall residential units have been occupied);
- 10% Social Housing at (a) Academy Street, (b) an alternative location within the city centre within 300m of the application site or (c) within the application site (which the applicant has to enter into an agreement to transfer to a Registered Housing Association prior to occupation of any residential unit);
- Relocation of the existing Choice facility (SHAC) (Nos. 32-40 Donegall St) to provide 50 fit for purpose replacement units at (a) Academy Street, (b) an alternative location within the city centre within 300m of the application site or (c) within the application site;
- Travel Plan to promote the sustainable transport measures;
- Travel Cards providing 100% subsidised public transport around the Greater Belfast area for each residential unit for 3 years;
- A financial contribution of £90k to provide a 25 dock Belfast Bikes Station;
- Provision of six car club spaces and discounted membership fees for residential units for three years;
- Public Realm works at Writers Square, Long Lane, North Street, Central Square, Assembly Square and Mews Lane (Braddells Entry);

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

- Employment opportunities in both construction and operational phases which will be identified through the Employability and Skills Plans; and
- Delivery of Public Art.

The Senior Planning officer confirmed that the existing Choice Facility would not be demolished until such times as the relocation premises had been constructed and passed to Choice Housing Association. She explained that NIHE was considering the applicant's proposal to provide both the relocated Choice Facility (50 units) and the 10% social housing at Academy Street.

The Committee was advised that NIHE had raised concerns about density and management of this number of units in a single location and that discussions were ongoing between NIHE and the applicant which may lead to a resolution of those issues. She pointed out that if Academy Street was unsuitable, the developer had the option to provide it within 300m of the site in the City Centre, subject to approval of the site by the Council. An alternative fall-back would be the provision of the social housing within the application site itself. She confirmed to the Members that there was appropriate contingency built into the Section 76 Agreement to ensure that the social housing and relocation of the Choice facility was delivered within close proximity to the site, or within the site itself.

The Urban Design Officer presented a number of detailed slides which demonstrated the urban design aspects of the scheme. He outlined that the design approach, including the retention of a much higher number of facades in the proposals, would keep the historic plot widths of the area. He provided the Committee with example extracts of the Design Code for the scheme, including the materials used, and with details of the 11 parameter plans which had been submitted by the applicant. The Members were also provided with the details of the permeable routes through the site.

He highlighted a number of the changes between the extant scheme and the proposed outline application.

In relation to Open space provision, the Senior Planning officer advised the Members that Policy OS 1 of PPS 8 set out a presumption in favour of retaining existing open space and, at present, Writer's Square was the only area of public open space within the development, comprising 3,637 sqm. The Committee was advised that the current proposal included the creation of new pedestrianised areas at Assembly Square, Central Square, part of North Street, Long Lane and the Mews Lane adjacent to Braddells. The definition of open space as set out in PPS 8 included 'civic spaces, including civic and market squares and other hard surface areas designed for pedestrians' and that the new pedestrianised areas fell within the definition. As such the proposal would result in a net increase of 3,135 sqm (86%) of open space (total 6,772 sqm) across the site. The creation of additional open space also contributed to the requirement in Policy OS 2 to provide it as an integral part of the proposed residential development.

The Chairperson then welcomed Ms. N. Golden, Historic Environment Division, as a statutory consultee, to the meeting. She highlighted to the Committee that:

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

- there were significant changes in terms of height, scale and massing between the extant scheme and the current proposal;
- the Conservation Area, named after the cathedral, was one of the oldest parts of the city and a key tourist attraction, despite neglect in some parts. The area had retained much of its character, distinguished by 3-5 storey buildings and narrow plot widths, where the Grade A listed Cathedral was clearly dominant and that HED considered that hierarchy should remain clear and unequivocal as a result of any new proposal;
- while the current proposal sought to reintroduce narrow passageways from east to west, the consequence of improved permeability was increased height at a number of locations, to the extent that the taller elements, in particular the residential tower, Block 3.7, and the office block at the junction of North, Rosemary & Waring Streets, Block 9, were visually dominant;
- the residential tower, at 15 stories high, was approximately three times as high as many of the existing buildings in the Conservation Area;
- while the proposed residential use was considered positive and essential to sustain life and vitality in the city centre, HED maintained its advice that no building should exceed the ridge height on the Cathedral;
- the daylight study did not take into account the Assembly Rooms;
- HED's advice remained that the proposal was contrary to PPS6 BH11 criterion (c) in terms of the impact of height, scale and massing of the development in the setting of listed buildings;
- at previous meetings the argument had been made that the scale of development proposed was required to make the scheme financially viable. Due to the significant adverse impact imposed on the listed buildings, HED's advice was that evidence should be sought to support that argument before making a final decision on this important historic part of the City Centre.

The Chairperson then welcomed Mr. A. Cahoon, Director of Killycrot Estates, to the meeting, who was objecting to the application and who was also speaking on behalf of Save CQ, the Cathedral Quarter Trust and the Belfast Cathedral.

He advised that he felt it would be prudent for the Committee to consider the decisions made in respect to the development in the context of Covid-19 pandemic, and the changing needs of commercial, leisure, tourism and public open spaces. He stated that:

- the organisations that he represented today had a shared interest in accessible public space, housing for balanced communities, successful retail, leisure, tourism, arts and creative economies and the heritage of the Cathedral Quarter and that they shared specific

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

concerns about overshadowing, right to light and the redevelopment of open space;

- he was the owner of New Cathedral Buildings, a commercial building directly adjacent to Writers' Square, and that the application would have significant implications for its sole tenant, the Police Ombudsman for Northern Ireland.;
- he felt Strategic Planning Policy Statement for Northern Ireland (SPPS) paragraph 4.12 in respect of 'Safeguarding Residential and Work Environs' covered loss of light and overshadowing for commercial buildings and that the potential for loss of light and overshadowing on New Cathedral Buildings should have been included in any Daylight, Sunlight and Overshadowing study undertaken;
- a Daylight, Sunlight and Overshadowing study, added to the Council's Planning Portal after the Planning Committee of 21st January, clearly illustrated that the front elevation of New Cathedral Buildings would be negatively impacted by loss of light and overshadowing from Block 01 and Block 02 all year round;
- the proposal failed to satisfy the provisions of PPS 8 OS 1, in that the loss of Writers' Square as currently proposed would have significant detrimental effects on the amenity and character of the area and the substitute was smaller and less useful than Writers' Square;
- the proposed area of open space was dependent upon the pedestrianisation of North Street which was not included in any of the Department for Communities 'Belfast: Streets Ahead' schemes; and
- he welcomed the opportunity to work constructively with the Planning Service, the Planning Committee and Castlebrooke Investments to resolve their differences, whether to do with existing or proposed buildings or heritage or tourism assets.

The Chairperson welcomed Mr. S. Hamilton, Chief Executive of Belfast Chamber of Trade and Commerce, Mr. C. O'Brien, Planning Agent, Mr. D. Stelfox, Architect, to the meeting.

Mr. S. Hamilton stated that Belfast Chamber represented over 400 businesses in the city. He advised the Members that the current proposal addressed many of the previously raised concerns around public space and heritage. He welcomed the redevelopment of the North Street Arcade, additional public space, additional residential accommodation and the additional connectivity throughout the scheme. He stated that that part of the city centre had seen better days and, particularly as the City dealt with the impact of the coronavirus pandemic, the rejuvenation that the scheme would bring, and the jobs it would create both in construction and on completion, was exactly the sort of positive vision that the city and its people needed.

Mr C. O'Brien advised the Committee that, since the meeting of 21st January, where the Committee had approved the scheme, they had been working with the Planning

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

officers to finalise the conditions and the Section 76 Agreement. The Section 76 agreement set out the legal obligations for the applicant to provide a range of benefits, including 10% intermediate housing on-site, an additional 10% social housing (at Academy Street, within 300m, or on-site) and the re-provision of the existing Choice social housing to a fit-for-purpose accommodation at Academy Street.

In addition to the Section 76 obligations which were outlined in the Case officer's report, he added that the heritage-led scheme would also create:

- 600 construction jobs and 1,600 full-time jobs once operational;
- a GVA of £213million per annum, and £23million in rates generation over 20 years;
- a significant increase in city centre living, with up to 400 units, including affordable housing, and thereby helping towards the aims of the Belfast Agenda;
- a range of sustainable and green travel measures to improve air quality and to reduce congestion and CO2 emissions; and
- £17.5m of investment in the public realm which would be in public use 24/7.

He advised the Members that they had offered to meet with Killycrot Estates but they had declined. He requested that the Committee would re-confirm its support for one of the biggest private sector investments ever to be made in Belfast, enabling the regeneration of a part of the city centre that had been allocated for development since the 1990s.

Mr D. Stelfox explained that he had spent the last 30 years restoring the built heritage of Belfast. He advised that he felt that the design was driven by the historic buildings within the conservation area, resulting in an eclectic variety of building plots and heights which reflected the existing character of the area. He highlighted to the Members that all of the buildings that made a positive contribution to the character of the area were being retained in part or in whole, restored and brought back into active use, and that HED had confirmed they were content with the proposals for both the listed Assembly Rooms and Braddells.

He added that:

- the reinstatement of the arcade was a highly positive aspect, which emerged as a direct response to consultations, and brought wider benefits of connectivity and opportunities for small traders;
- the improved pedestrian connectivity both existing north-south, and new east-west connections, would better tie together the Cathedral Quarter, the University and Royal Avenue;
- the reconfiguration of Writer's Square into a more inclusive, usable and active space would ensure that it continued to be a hub for gatherings. The scheme would almost double the quantum of usable public realm compared to the existing site, and provided much more than the extant scheme.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

During discussion, a number of Members asked questions regarding the social housing element of the scheme, particularly regarding the number of potential sites within the 300m boundary, and whether there would be any zoning issues associated with those sites; whether the applicant had spoken to NIHE regarding a firm proposal; the SHAC site; the size, mix and final location of the social/affordable units and the Choice Housing relocation.

Mr. C. O'Brien advised the Committee that there was a need to deal with the relocation of Choice, and that the Academy Street site fitted well with providing social housing, with the critical mass of private sector housing on site. He confirmed that Choice Housing had been engaged in that process for a long time and had indicated that it was happy with the arrangements. He emphasised that it was an important timing issue.

He advised the Members that he understood that NIHE was happy with that arrangement but they had recently voiced concerns about the management issue of having social housing and the number of units in one location. He explained that NIHE had stated they would consider this a few weeks ago but they had not replied as yet.

He explained that the Section 76 Agreement stated that, if NIHE couldn't agree with the Academy Street proposal, then it had to be within 300m within the boundary of the site, and, again, if a suitable site was not available within that boundary, then it had to be on site.

The Chairperson advised the Members that Ms. F. McGrath, NIHE, was in attendance. She explained that NIHE was broadly content with the three proposals but was not quite ready to sign off on Academy Street, as there were some issues still to be resolved in terms of the house types. She advised that the proposal would assist them in the provision of 10% social housing and explained that NIHE would respond to the applicant on the issue as soon as possible.

The officers advised that they would provide clarification on the key points at the Committee meeting.

A number of speakers referred to the ongoing Covid 19 pandemic and questions were raised regarding the future need for office and commercial space in the city centre. In response, Mr. C. O'Brien explained that the application would comprise Grade A office space to the most modern standards, including, for example, door sensors.

In relation to a Member's question regarding the pedestrianisation of North Street, the Chairperson advised the Committee that Mr. C. Dickinson, DFI Roads, was in attendance. Mr. Dickinson advised the Members that North Street would remain an adopted road and that it would be fully pedestrianised. However, he explained that the recent Primark fire had illustrated the need for an adaptable road network in the event of an emergency situation. The Director of Planning and Building Control advised that DFI and the applicant had been working together on this issue.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

In response to a further question regarding Policies OS 1 and 2, in relation to open space, Mr O'Brien advised that the application provided more open space than the policy requirement and that the policy stated that less than 15% was acceptable in city centre locations.

A Member highlighted that a children's play area was no longer included. Mr O'Brien confirmed that there was private open space within the scheme and expected that play facilities would be included as part of that. He also added that the scheme would predominantly be 1 or 2 bedroom flats.

A further Member stated that the Council had passed a motion in January 2019, calling on Castlebrook Investments not to use the name "Tribeca" for the scheme.

A further Member raised concerns regarding the balancing of the scheme with the economic viability; the height of the residential block and the block on the corner of Rosemary Street; the overshadowing of the Cathedral giving it the dominance that it deserved; overshadowing of North Street arcade; and the main residential courtyards of A3, A4 and A5 which breached the guidelines.

Mr O'Brien provided clarification on a number of the questions. He also advised the Committee that they did not believe the scheme was acceptable because it was the only way of making it economically viable, but rather that they had designed a scheme to enhance the conservation area, after months of discussion with consultees, and which included numerous benefits, including £17million of public realm investment.

Mr. Stelfox advised that he felt that the proposed scheme improved the current setting of the Cathedral and pointed out that Writer's Square, in its current form, had a less than ideal layout.

Further clarification was provided by the agent and architect in response to Members' questions on issues including the car club scheme, the significantly reduced amount of parking in the current scheme, public use of Writer's Square for rallies etc, the setting of Block 9 and the management of noise.

The Chairperson then invited Members to ask the officers any further questions.

A Member asked a number of questions regarding the open and amenity space figures, whether the figures in the report included areas in the curtilage of buildings, and further questions on the pedestrianisation of North Street and the possible pedestrianisation of other areas of the city centre.

The Director of Planning and Building Control advised that it might be useful if officers were to answer these questions at the subsequent Planning Committee meeting, which would allow them time to consider the points in the intervening period.

A further Member requested further information on what work had been undertaken by DFI Roads in respect of car clubs. Mr Dickinson, DFI, advised that research had been undertaken and that he was content that it was a viable approach and

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

that it would be secured through the Section 76 Agreement. It was suggested that the issues of car clubs be included in a future Planning Workshop with DfI invited to attend.

A further Member requested further information from officers relating to the 300meter buffer zone in relation to the potential location of the social housing and whether development land existed in that area.

A further Member requested further information on the Gross Value Added (GVA) figure of £213million per annum. He stated that, as it was presented as fact in the Case officer's report, he would like to know when the estimate was taken, in that it was presumably before the Covid-19 pandemic, as well as who carried out the work and on what basis was it calculated. In response, Mr O'Brien advised the Committee that in terms of the Economic Impact Assessment, they applied the typical densities for new Grade A office accommodation and for residential units and shops in order to work out how many people would be employed, living and working in the space.

The Committee noted the information which had been provided and noted that no decision would be taken on the application until the application was formally presented at a Committee meeting later that evening.

(The Committee adjourned for a ten minute break at this point)

**Pre Determination Hearing re: LA04/2018/2097/F and
LA04/2018/2034/LBC - Change of use & refurbishment
of Wilton House to provide 8 apartments including alterations
to rear & side elevation of Wilton House and demolition of
existing rear return & erection of new build 5 storey residential
development to provide 23 dwellings (15 new build) including
entrance lobby, courtyard, bin storage and new ramped access
off College Square North**

The Planning Manager (Development Management) provided the principal aspects of the planning application and of the Listed Building Consent application to the Committee. He explained that they were previously considered by the Planning Committee at its meeting in December 2019, where the Committee resolved to grant consents to the application with conditions, contrary to the officers' recommendation.

At the December 2019 meeting, it was confirmed that, under the Planning (Notification of Applications) Direction 2017, it was necessary to notify the application for Listed Building Consent to the Department for Infrastructure (DFI) as the resolution to approve the application was contrary to the views of a statutory consultee, namely, HED.

The DFI had since advised the Council that it did not consider it necessary for either of the applications to be referred to it for determination. The DFI had advised that it was important that the Council satisfied itself that, before determining the application, it had fully assessed all required details pertaining to the listed buildings and that all necessary expert advice in relation to built heritage matters had been duly considered.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

The Chairperson advised the Committee that Ms. J. Stokes, HED, was in attendance and she was welcomed to the meeting. She outlined to the Members that:

- when a building is listed, it is listed in its entirety, internally and externally and, with care, most listed buildings could be extended and adapted to accommodate some degree of change, while ensuring that the essential character of the building was retained and its features of special interest intact;
- unlike a normal planning process, a plan and an external elevation was not enough to show how a new use would work internally. A new use would require new services including plumbing, fire proofing and safe escape, for example;
- HED welcomed a new use to the listed building which was on the Buildings at Risk register, but its reuse and any development must balance in the listed building's favour as it was protected by legislation;
- Wilton House formed part of a late Georgian terrace of note in Belfast;
- the development of the listed building was insufficiently detailed and therefore failed to address policy and that only two drawings had been submitted to address the building and these were schematic only without any relevant detail;
- the development to the rear failed to take account of the setting of the listed building;
- the bulk of the existing proposal was too great and represented overdevelopment of the setting – including issues with amenity/ancillary requirements; and some windows at 45degree oriels.

A Member sought clarification from Ms. Stokes regarding the development to the rear and how realistic it was to expect a developer to incorporate something akin to the former stables which would have been situated there. Ms. Stokes advised the Committee that HED would expect to see a structure which respected the dominance of the listed building and which stepped down towards the rear.

The Committee then welcomed Mr P. Stinson, agent, to the meeting. In addressing the refusal reasons as detailed within the Case officer's report, they advised the Committee that:

- weight should be afforded to the fact that the proposal would secure the future of a currently vacant Listed Building, which was on the At Risk register;
- significant amendments had been made to the proposal since submission – focusing on improving the relationship between the new build and the existing building;
- HED had accepted the principle of a separate new building on the site and considered that the separation distance went some way in

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

achieving subservience and providing an acceptable relationship between old and new;

- in considering the acceptability of the design, the unsightly appearance of the existing rear return and the contribution it made to the character and appearance of the conservation area should weigh in the planning balance;
- balance was required in respect of the private amenity space, and that, due to its city centre location, the proposal was around 300 metres from the public grounds of the City Hall and that a park was close by on Durham Street;
- 80% of the units would face away from the Courtyard and that all units met the recommended internal space standards in Addendum PPS7, even though there was no such requirement for a city centre development; and
- The Travel plan included providing residents with membership of the Belfast Bikes scheme, taking advantage of the nearby hub.

A Member asked the agent and architect to explain why details relating to the current condition of the building and the historic fabric, as requested by HED, had not been submitted. Mr H. McConnell, architect, advised that they had provided drawings detailing which walls were to be demolished or retained, and which windows were being reinstated. He advised the Committee that a conditions survey only provided a picture of the building at a point in time and that there had been significant anti-social behaviour on the site, including fires. He explained that the application was coming forward on the basis of a refusal, and that it was being brought forward by a local, Belfast-based developer who had already incurred significant expense on the project to date.

The Committee noted the information which had been provided and noted that no decision would be taken on the application until the application was formally presented at a Committee meeting later that evening.

Chairperson

This page is intentionally left blank

Planning Committee

Tuesday, 28th July, 2020

SPECIAL MEETING OF PLANNING COMMITTEE
HELD REMOTELY VIA MICROSOFT TEAMS AT 7.30PM

- Members present: Councillor Hussey (Chairperson);
Councillors Brooks, Carson, Collins,
Garrett, Groogan, Hanvey, Hutchinson,
Maskey, McCullough, McKeown,
Murphy, Nicholl and O'Hara.
- In attendance: Mr. A. Thatcher, Director of Planning and
Building Control;
Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

No apologies were received.

Declarations of Interest

No declarations of interest were reported.

Request for Pre-emptive Site Visits

The Committee agreed to undertake a pre-emptive site visit to the following sites:

- LA04/2020/0757/F Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container at West Pitch, Downey House, Pirrie Park Gardens; and
- LA04/2018/1411/F Upgrade of existing gravel pitch to synthetic sand dressed hockey pitch, with floodlighting, fencing, acoustic barrier, storage container at East Pitch, Downey House, Pirrie Park Gardens.

Planning Applications

LA04/2017/2341/O - Demolition, redevelopment and part change of use to create a mixed use development comprising retail, offices, cafe/restaurant, residential, hotel, cultural/community space, parking, servicing, access and circulation arrangements, the creation of new streets, the configuration of Writers Square, public realm works, landscaping and associated site and road works including works to alter listed buildings, restoration of retained listed buildings and facades, and partial demolition of North Street Arcade, retaining its facades on land bounded by Royal Avenue, York Street and Church Street to the North; North Street to the west; Rosemary Street to the south and High Street to the south; and Donegall Street to the east. The site is located approximately 300m west of Laganside Bus Station, 300m northeast of City Hall and 900m north west of Central Train Station.

The Director of Planning and Building Control provided the Committee with the following points of clarification on the issues which had been raised by Members at the Pre Determination Hearing:

Social Housing

- the 20% social and affordable housing was a negotiated position in advance of the anticipated LDP policy with a requirement for 20% provision;
- the previous Committee resolution was for 10% social housing at Academy Street – i.e. a single option;
- the new recommendation allowed more flexibility – with strict limits on the provision of social/affordable before occupation of all of the development;
- that flexibility would give 3 options: either in Academy Street; off-site, but within 300m of it; or on-site. All options were equal in planning terms and that there was no preference from officers on the final location. This was to allow for commercial flexibility and to ensure that no one site was held to ransom for the developer;
- there were a number of sites within the 300m boundary which could accommodate such provision, without any zoning issues;
- NIHE supported these three options, and acknowledged that there was no policy requirement for this currently;
- the detail of the size, mix and final location of the social/affordable units was to be determined at Reserved Matters (RM) stage, which was standard practice in a 2 stage planning application process. It will also require Social Housing Provider and thus NIHE sign-off at an appropriate stage when the detail is known and to secure NIHE funding;

**Special Meeting of Planning Committee,
Tuesday, 28th July, 2020**

- in regards to the Choice Housing relocation, this was a commercial arrangement between the developer and Choice. The planning process would be to secure adequate re-provision of this – which the Section 76 Agreement would do. Again, as it was standard practice to secure it at this stage, with full details by RM stage, or through the Section 76 process if off site.

North Street

- As previously confirmed, this was being designed as being fully pedestrianised, which includes DfI sign off;
- DfI had included emergency provision for access by emergency vehicles; and
- if wider plans for the city centre came to fruition, this would be in the context of North Street being fully pedestrianised, if approved. Consideration of the outline application should be limited to the detail of the application, and not the wider city position and that would address the context of any approvals that existed.

“Tribeca”

- For clarity, the Notice of Motion regarding the name of the development was noted by the Council in January 2019, but that it was not a material consideration relevant to the determination of the application.

Covid 19 Impact

- in terms of the level of commercial provision, and the impact of Covid19, the planning system worked within a 20-30 year policy formulation context, and allowed for various fluctuations in economic conditions;
- we had the context of a Belfast Agenda and an emerging LDP supporting ambitious growth of the city;
- it was important that the planning system achieved a longer term vision to ensure that the city was able to recover from economic downturns as necessary, and that included the current Covid 19 impact.

The Divisional Solicitor provided clarification to the Members on the Section 76 Agreement, which required that the social housing would be built in accordance with the NIHE standards. In relation to issues raised regarding the public realm she confirmed that there was an obligation to keep it open to the public, apart from in emergency circumstances, and that virtually all of the closure requests would require the agreement of the Council.

The Planning Manager then provided the Committee with additional detail on the car club provision and information on impacts on daylight and shadow analysis in relation to the Cathedral and New Cathedral Buildings. He also highlighted to the Committee that

**Special Meeting of Planning Committee,
Tuesday, 28th July, 2020**

the extant permission did not provide any affordable housing and that the proposed outline application provided opportunity to do this.

The Senior Planning officer provided further information regarding the provision of restricted areas within the proposed open space and regarding children's play space.

A number of Members stated that they still required further clarification on the social housing element of the scheme. Further Members requested further information on the car clubs, new open space, Gross Value Added detail and the Section 76 Agreement.

The Director of Planning and Building Control suggested that, in order to provide the Committee with some assurance, if one of the affordable housing elements was to be off site, that the proposed location could be brought before the Committee for its approval and sign-off.

Proposal

Moved by Councillor Murphy,
Seconded by Councillor Groogan and

Resolved - That the Committee agrees to defer consideration of the outline application for further information on:

- the social housing element of the scheme, including the suitability of Academy Street;
- amenity/open space provision – with a focus on the creation of new open space;
- the economic impact and the Gross Value Added (GVA) detail;
- the car clubs; and
- the Section 76 negotiations.

It was further agreed that Choice Housing be invited to attend the meeting at which the application was being considered.

(Councillor Nicholl left the meeting at this point)

LA04/2018/2097/F & LA04/2018/2034/LBC - Change of use & refurbishment of Wilton House to provide 8 apartments including alterations to rear & side elevation of Wilton House and demolition of existing rear return & erection of new build 5 storey residential development to provide 23 dwellings (15 new build) including entrance lobby, courtyard, bin storage and new ramped access off College Square North

The Planning Manager provided an overview of the application to the Committee.

He explained that officers were recommending refusal of the applications for the following six reasons:

**Special Meeting of Planning Committee,
Tuesday, 28th July, 2020**

1. The proposed new build at the rear, by reason of its design, form and scale, would be over-dominant in relation to Wilton House and the adjacent terrace and would be detrimental to the street-scene;
2. Insufficient evidence had been submitted detailing the current condition of the Listed building and survival of the historic fabric and how important features were to be conserved, reused and repaired. The proposal would therefore result in unacceptable harm to the Listed building's essential character through potential loss of historic fabric and elements of significance;
3. The proposed new build at the rear, by reason of its design, form and scale, would be over-dominant in relation to Wilton House and the adjacent terrace, to the detriment of the setting of surrounding Listed Buildings;

Furthermore, by reason of its design, form and scale of the new build, the proposal would be detrimental to the character and appearance of the Conservation Area.

4. The proposed development would be served by inadequate private and communal amenity space and would provide inadequate living conditions for future occupants;
5. The proposed development would provide a highly unsatisfactory living environment for future occupants by reason of poor levels of light to the windows and rooms in the rear north facing elevation of Wilton House and south facing elevation of the new build at the rear, and in the inner courtyard; and
6. The proposal provided inadequate covered bicycle parking spaces in a suitable location to off-set the absence of on-street vehicle parking provision, and, moreover, the application failed to demonstrate that adequate provision was made for disabled parking.

A Member explained that he had concerns regarding the refusal reasons for the application. He stated that, in relation to reasons 1 and 3, he felt that the new build element was not over dominant and was subservient; that, in relation to reason 2, this could be dealt with through conditions; that, in relation to reason 4, the vacant, city centre building should be brought back into use and that a balance had to be struck with nearby amenity spaces; that, in relation to reason 5, the applicant had changed the orientation of the windows to provide additional daylight; and that, in relation to reason 6, subscriptions would be provided to residents to the Belfast Bikes scheme and that private bikes could be stored within the apartments.

The Planning Manager advised the Committee that, in response to refusal reasons 1 and 3, the professional advisors, including Planning officers, Urban Design officer, the

**Special Meeting of Planning Committee,
Tuesday, 28th July, 2020**

Conservation officer and HED, believed that the proposed new build at the rear would be over-dominant and unsympathetic in relation to Listed Wilton House and the adjacent terrace, to the detriment of the setting of surrounding Listed Buildings. He explained that the blue grey brick materials proposed would make the new build element conspicuous and the contrast in architectural styles was jarring.

He added that the applicant had consistently advised that a certain quantum of development had to be carried out to the building in order to ensure commercial viability but that no information had been submitted to support that.

In relation to refusal reason 2, he explained that, by granting permission, it would establish the principle and acceptability of the use of the building for residential purposes. He advised the Committee that, without this information on the building, they did not know if the interventions by the developer were in fact appropriate or suitable for the building and that was why it was fundamental to have that information upfront rather than by means of a condition.

A Member asked, in relation to reason 4, whether there was a policy requirement for communal space and if it could be balanced with the context of the building in its current condition, and the fact that the proposal would bring it back into use. The Planning Manager confirmed that Policy QD1 of PPS7 and Creating Places required suitable levels of amenity space for new residential development. He advised that the proposed amenity space was particularly poor in both quality and quantity and that it was the view of Planning officers that this was not outweighed by the benefits of restoring the building. In respect of reason 5, the Planning Manager advised that the amenity space would be particularly dark, damp and those apartments facing onto it would have a poor outlook.

Ms. N. Golden, Historic Environment Division, advised the Committee that, when a lot of detail was to be resolved at conditions stage, it was not only time consuming but it was also costly to the tax payer, as opposed to the developer. She reiterated that it was necessary for the information to be provided up front before a decision was made.

The Chairperson invited the agent to respond to the question which had been raised regarding refusal reason 6. Mr. Stinson advised the Committee that, through the Travel Plan, residents would be provided with travel cards and a Belfast Bikes subscription, and that they could also keep personal bicycles within their apartment, which he explained was seen as desirable for security reasons.

The Chairperson then asked the agent to advise why the Committee should not accept refusal reason 1. Mr Stinson advised that they had made amendments to the scale, form and design in order to make the additional building more subservient to the main building and believed that the current unsightly extension should be taken into consideration.

In response to questions from the Chairperson, the agent confirmed that he believed the issues relating to refusal reasons 2 could be conditioned, and, in relation to reason 3, that he felt that the new build element was not over dominant and was subservient.

**Special Meeting of Planning Committee,
Tuesday, 28th July, 2020**

In relation to the lack of amenity space provided within the development, the agent advised the Committee that they recognised that there was a constrained element but that a balance should be struck in light of the fact that they were seeking to bring a vacant listed building back into use and, due to its city centre location, the proposal was around 300 metres from the public grounds of the City Hall and that a park was close by on Durham Street.

A Member requested that, as the Committee had heard from the agent, that it would then hear from Ms. J. Stokes, HED, in response to the issues which had been raised.

Ms. Stokes explained that HED agreed that the current rear extension was unsightly but that it had been built in 1959 and that the policy that they were adhering to was adopted in 1999. She emphasised that policy had changed and that they were not working on the same baseline and that they were striving to get the best.

In relation to refusal reason 2, she explained that there was not adequate detail within the planning application as to how the new use would operate as a residential property or what interventions were required, and that HED could not support a consent on what had been provided.

A further Member stated that, while he welcomed historic listed buildings being brought back into use, putting another extension which was deemed inappropriate for the setting by both officers and HED, would not solve the problem. He also expressed concern regarding the proposal that residents would be expected to keep their bicycles in their apartment.

In response, Mr. McConnell explained that, as the applicant had invested significant amount of money in to the application, they would carry out work such, as damp surveys, after a consent was granted. In relation to the keeping of bicycles in apartments, he explained that many people who were cycling the city centre were purchasing bikes valued between £1,500 and £3,000+ and that, even when lockable bike boxes were provided, residents would still choose to store them within their apartment.

Proposal

Moved by Councillor Groogan,
Seconded by Councillor McKeown

That the Committee agrees to refuse the application for the reasons as detailed within the case officer's report.

On a vote by show of hands, six Members voted for the motion and seven against and it was accordingly declared lost.

**Special Meeting of Planning Committee,
Tuesday, 28th July, 2020**

Further Proposal

Moved by Councillor Brooks,
Seconded by Councillor Carson,

That the Committee approves the application, in accordance with the aforementioned rebuttal for each refusal reason, and delegates authority to the Director of Planning and Building Control for the final wording of conditions and any required Section 76 Planning Agreement.

On a vote by show of hands, seven Members voted for the motion and six against and it was accordingly declared carried.

Chairperson