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BELFAST CITY COUNCIL

SUMMONS TO ATTEND THE MONTHLY MEETING OF THE COUNCIL

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

Notice is hereby given that the monthly meeting of the Council will be held remotely via Microsoft Teams on Monday, 10th January, 2022 at 6.00 pm, for the transaction of the following business:

1. Summons
2. Apologies
3. Declarations of Interest
4. Minutes of the Council Meeting
5. Official Announcements
6. Minutes of Strategic Policy and Resources Committee (Pages 1 - 66)
 - a) Minute of the Meeting of the Strategic Policy and Resources Committee of 24th September, 2021 re: Consultation on Signage (Pages 67 - 80)

To consider further the minute of the meeting of the Strategic Policy and Resources Committee of 24th September, 2021, in relation to Consultation on Signage : Andersonstown, Lisnasharragh, Olympia and Templemore Leisure Centres – Options Paper, which had previously been called in, and for which a legal opinion has now been received.
7. Minutes of People and Communities Committee (Pages 81 - 126)
8. Minutes of City Growth and Regeneration Committee (Pages 127 - 146)
9. Minutes of Licensing Committee (Pages 147 - 160)
10. Minutes of Planning Committee (Pages 161 - 176)
11. Minutes of Standards and Business Committee (Pages 177 - 178)
12. Motions to be Debated by the Council
 - a) Notice of Motion – Free Public Transport for Young People (Pages 179 - 180)
 - b) Notice of Motion – End of Hunting of Mammals with Dogs (Pages 181 - 182)

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

Chief Executive

Strategic Policy and Resources Committee

Friday, 17th December, 2021

MEETING OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE

HELD IN THE COUNCIL CHAMBER AND
REMOTELY VIA MICROSOFT TEAMS

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

In attendance: Mrs. S. Wylie, Chief Executive;
Mr. R. Cregan, Director of Finance and Resources;
Mr. J. Walsh, City Solicitor;
Ms. S. Grimes, Director of Physical Programmes;
Mr. J. Tully, Director of City and Organisational
Strategy;
Mr. T. Wallace, Head of Finance;
Mr. J. Hanna, Senior Democratic Services Officer; and
Mr. H. Downey, Democratic Services Officer.

Apologies

An apology for inability to attend was reported on behalf of Councillor McReynolds.

Minutes

The minutes of the meeting of 19th November were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st December, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee

Declarations of Interest

Councillor Walsh declared an interest in relation to agenda item 2d – Requests for Funding – People and Communities Committee, on the basis that he was on the Board of Coláiste Feirste, which was being recommended for ad hoc funding, and left the meeting whilst the item was being considered.

Councillor Black declared an interest in relation to agenda item 5d – Summer Community Diversionary Festival Programme, in that she was involved in an organisation

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which had delivered diversionary activities in August 2021, and left the meeting before the vote was taken.

Restricted Items

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

Resolved – That the Committee agrees to exclude the members of the Press and public from the meeting during discussion of the following 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.

Revenue Estimates and District Rate 2022-23

The Committee was reminded that, at its meeting on 19th November, it had received an update on the development of the revenue estimates and the setting of the District Rate, with an indicative rates increase for 2020/21 in the region of 2.99% having been suggested and a further report to be submitted to the meeting in December. Accordingly, the Director of Finance and Resources submitted a report which set out the current position and provided further information on business as usual cost pressures, efficiencies, rate base projections, Departmental growth proposals and next steps.

After discussion, the Committee:

- i. agreed the following Departmental and Growth proposals:
 - a. Finance and Resources: £331,158 (Strategic Policy and Resources Committee);
 - b. Climate and Inclusive Growth £523,423 (Strategic Policy and Resources Committee and People and Communities Committee);
 - c. Legal Services £46,764 (Strategic Policy and Resources Committee);
 - d. City and Neighbourhood Services Committee £748,683 (People and Communities Committee and City Growth and Regeneration Committee (Zoo));
 - e. Place and Economy Department £125,808 (City Growth and Regeneration Committee); and
 - f. Capital Financing £500,000 (Strategic Policy and Resources Committee).

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- ii. agreed to recommend the following cash limits for 2022/23:
 - a. a cash limit of £48,311,171 for the Strategic Policy and Resources Committee, including £3,270,000 for the Belfast Investment Fund and £3,000,000 for City Deal;
 - b. a cash limit of £87,423,434 for the People and Communities Committee;
 - c. a cash limit of £19,461,512 for the City Growth and Regeneration Committee;
 - d. a cash limit of £1,462,301 for the Planning Committee; and
 - e. a Capital Financing Budget of £22,274,022.
- iii. noted the next steps in setting the District Rate, as outlined within the report;
- iv. agreed that the Director of Finance and Resources would provide the Party Leaders with additional information on projected year-end Departmental underspends;
- v. agreed that the post of Belfast Region City Programme Director be made permanent, in line with the postholder's contract;
- vi. agreed to proceed at risk with the recruitment of the two City Protection Manager posts referred to within the report; and
- vii. agreed that the aforementioned decisions would not be subject to call-in, as that would cause an unreasonable delay in striking the rate by the legislative deadline of 15th February, 2022, which would be prejudicial to the Council's and the public's interest.

Organisational Reviews and Change Programme

The Committee noted the contents of a report setting out the indicative timescales and prioritised work programme for the Organisational Reviews and Change Portfolio projects and agreed that it should receive an update on progress on a quarterly basis.

Employees on Temporary Contracts

The Committee was reminded that, at its meeting on 19th November, it had been provided with a breakdown, on a Departmental and unit basis, of the number of staff currently employed on temporary contracts and the length of time on which they had been on them.

The Committee's attention was drawn to a report providing additional information which had been requested at that meeting on the total number of staff employed in those

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sections which had been identified as having staff in temporary posts and on the actual length of time that those staff who had been identified as being in a temporary post for more than five years had been in that post. It was pointed out that information on the current position of the staff who had vacated temporary posts between June, 2018 and November, 2021, which had also been requested, was not readily available in Departments and would require the diversion of considerable resources from other services to collate it manually. This information would be held electronically moving forward.

The Chief Executive and the City Solicitor reviewed the work which was being undertaken to reduce the number of staff on temporary contracts and confirmed that wider potential solutions were currently being explored.

After discussion, the Committee:

- i. noted the contents of the report;
- ii. agreed that those staff who had been employed on temporary contracts in more than one role should be taken into consideration in future discussions around the wider potential solutions which were currently being explored; and
- iii. agreed that it should receive an update on progress on a quarterly basis, with the next such report to provide details also on the number of agency staff employed across the Council.

**Requests for Funding – People
and Communities Committee**

The Committee acceded to a request which had been made by the People and Communities Committee, at its meeting on 9th November:

- i. to provide 'ad hoc' funding of £51,426 to An Spórtlann, Coláiste Feirste, as financial bridging support, to enable the facility to remain open to the public to the end of March, 2022 and allow the review of the first year of public use provision, which had been requested by the People and Communities Committee, to be completed; and
- ii. to establish a specified reserve to the total of £631,360 from the Council's Covid-19 reserve, to be used to top up the micro/medium grant scheme during 2022/23.

Recruitment of Senior Posts

(With the exception of the Chief Executive, the Senior Democratic Services Officer and the Democratic Services Officer, all officers left the meeting whilst this item was under consideration.)

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Chief Executive

The Committee was reminded that, at its meeting on 22nd October, it had approved the recruitment of the post of Chief Executive on a permanent basis and had agreed the shortlisting and final interview panels.

The Chief Executive submitted for the Committee's consideration a report providing details around the advertisement of the post and recruitment schedule and recommending that it approve the accompanying recruitment documentation, namely, the job specification, person specification, core competencies/indicative behaviours and job advertisement.

The Committee noted the information which had been provided and approved the recruitment documentation.

Director of Neighbourhood Services

The Chief Executive informed the Committee that Mr. Ryan Black, the current Director of Neighbourhood Services, would be leaving the Council at the end of March.

Accordingly, the Committee agreed:

- i. to approve the recruitment of the post of Director of Neighbourhood Services on a permanent basis; and
- ii. that the shortlisting and interview panel consist of the Chairperson and the Deputy Chairperson (or their nominees) and Councillor Bunting.

The Committee noted that the Chief Executive would shortly brief the Party Leaders on the proposed interim arrangements to be put in place until such times as a Strategic Director of City and Neighbourhood Services and a Director of Neighbourhood Services had been appointed and agreed that there was a need to examine, in consultation with the Party Leaders, the operation and functions of the City and Neighbourhood Services Department moving forward.

**A City Imagining Cultural
Strategy – Update on Events**

The Committee considered a report providing an update on the ongoing development of City events, as part of the ten-year cultural strategy, A City Imagining. The report made specific reference to the new approach being adopted to delivering St. Patrick's Day events from 2022 onwards and outlined the three-stage process which had been used to assess applications to deliver pilot projects next year.

The Committee noted the contents of the report and adopted the recommendations therein to:

- i. approve the commissioning of the two highest ranking organisations, namely, Beat Carnival and The Duncairn, to deliver pilot projects in March, 2022 and to allocate funding of £100,000 and £80,000 respectively; and

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- ii. agree to extend the development phase for the two remaining projects, namely, Féile an Phobail and MayWe, to enable each of them to provide an updated proposal for delivery in March, 2022.

Review of Climate Function

The Committee was reminded that, at its meeting on 17th December, 2019, it had, as part of the Revenue Estimates and District Rate setting process, allocated £611,500 towards the establishment of a permanent team to deliver the Council's obligations under climate mitigation/resilience.

He reported that a Commissioner for Resilience role had been created initially and strategies developed to enable the Council and the City to become more resilient to the threats posed by climate change. Temporary roles had also been put in place.

The Continuous Improvement section had since been commissioned to examine the roles which the organisation would need to deliver on its climate mitigation/resilience commitments, both internally and externally, with extensive benchmarking, stakeholder analysis and a review of strategies having been undertaken. He drew the Committee's attention to the resulting staffing structure and associated job roles which had now been created and confirmed that posts would be filled, as appropriate, by redesignation and recruitment, via a Council-wide trawl or public advertisement, in line with the Council's agreed policies and procedures.

The Committee noted the information which had been provided.

**City Hall Recovery Plan –
Update on Progress**

The Committee noted a report providing an update on the progress being made across each of the operational areas in implementing the City Hall Recovery Plan.

Issues Raised in Advance by Members

City Centre Built Heritage

Councillor Murphy highlighted the importance of the built heritage within the city and referred also to the history associated with many buildings and landmarks. He highlighted the recent strategic acquisition by the Council of the former Metro building and proposed that the Committee agree to engage with the owner of another building of architectural and historical significance in the inner North of the City, which was currently empty, with a view to bringing it into Council ownership and exploring potential uses.

The Committee agreed that a report be submitted to a future meeting on how the proposal could be progressed, resourced and managed and that it also identify similar buildings at risk across the City, potential funding streams and any role to be played by Central Government.

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Matters referred back from Council/Motions

**Motion Rent Controls - Response
from Department for Communities**

The Committee was reminded that the Council, at its meeting on 1st November, had passed the following motion, which had been proposed by Councillor O'Hara and seconded by Councillor Groogan:

"This Council supports a system of rent controls in the City.

The Council notes with grave concern the escalating prices of rents in all parts of Belfast, notes the failure of the Executive to regulate the rental market and notes the significant additional number of students moving to the City, with the relocation of the University of Ulster campus to North Belfast. The Council is concerned about the increasing number of Houses of Multiple Occupancy spreading across the City and the escalation of living costs, while wages stagnate and National Insurance contributions increase.

The Council, therefore, calls upon the Northern Ireland Executive to immediately bring forward a Rent Control scheme for the City."

The City Solicitor informed the Committee that a response had been received from Mr. D. Polley, the Director of Housing Supply Policy within the Department for Communities.

Mr. Polley had pointed out that Minister Hargey had stated that the Private Rented Sector was a priority area and that she was committed to improving both standards and affordability in that sector.

He had explained that the Private Tenancies Bill, which was currently progressing through the Northern Ireland Assembly, was the first phase in a legislative programme which, amongst other benefits, would bring forward improvements in safety and provide tenants with greater protection from eviction. The Bill also contained a clause which permitted only one increase in rent in a twelve-month period, thereby protecting tenants from unexpected rises.

He had gone on to state that Minister Hargey was also committed to looking at fair and affordable rents in the private and social sector and had requested that this work begin as soon as possible in the next mandate, as part of a further phase of reform. The Minister also wished to increase affordable housing supply and to expand housing options and, on 18th October, a consultation had been launched on one such affordable housing product, namely, Intermediate Rent.

Intermediate Rent, in terms of rental costs and length of tenancy offered, occupied the space between the social and private rented homes and sought to deliver a new supply of more affordable, good quality, well-managed homes, providing an additional rental choice for lower income households. It could provide a suitable housing option for people and families who were living in the Private Rented Sector and struggling with high rents and poor housing conditions.

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Mr. Polley had concluded by confirming that the aforementioned consultation would close on 14th January 2022, and that a Government response would be published in due course. Subject to approvals for a scheme and its funding, the first homes could be made available during 2023.

The Committee noted the response.

Governance

**Re-Establishment of the North
Foreshore Members' Steering Group**

The City Solicitor reminded the Committee that the North Foreshore Members' Steering Group had been established in 2016 to oversee the management of the North Foreshore, particularly in relation to policy, resource allocation and financial risk.

He explained that the Steering Group had not met since 2019 and suggested that, given the increase in development proposals coming forward, this would be an appropriate time to widen its remit to include the Belfast Castle, Cavehill and Belfast Zoo. The Steering Group would seek to ensure that economic, social and community benefits were fully maximised and would consist of one Member from each of the Political Parties represented on the Council, ideally from that part of the City.

The Committee approved the re-establishment of the aforementioned Steering Group and agreed that it be renamed the Castle, Cavehill, Zoo and North Foreshore Steering Group.

Belfast Agenda/Strategic Issues

Belfast Poverty Commission

The Committee considered the following report:

"1.0 Purpose of Report/Summary of Main Issues

1.1 This report outlines the proposed next steps in establishing a Poverty Commission to support the Council's work on Inclusive Growth and Anti-Poverty action planning.

2.0 Recommendations

2.1 The committee is asked to:

- i note the initial steps to engage with the Poverty Truth Network; and**
- ii nominate representatives to engage with the Poverty Truth Network during a series of exploratory meetings during 13th and 14th January, 2022.**

3.0 Main Report

Poverty Truth Network

- 3.1 The Poverty Truth Network helps cities to determine whether a Poverty Truth Commission would be right for their local area. Poverty Truth Network will accompany cities at every stage of their journey from asking '*whether a Poverty Truth Commission could happen here*' through to the establishment of a commission.
- 3.2 The Poverty Truth Network is a registered charity that supports Poverty Truth Commissions and encourages them to work together. Poverty Truth Network trustees have all been commissioners of local Poverty Truth Commissions and they aim to have at least 50% of their board made up of trustees who have had a direct experience of the struggle against poverty.
- 3.3 Every Poverty Truth Commission is invited to become part of the Poverty Truth Network after their opening event. A commission does this by proposing two of its commissioners to become members of the network.

Approach to establishing a Poverty Commission

- 3.4 An appendix providing a short introduction to the approach and principles of the Poverty Truth Network has been circulated to Members. The key phases of the Poverty Truth Network framework for establishing a Poverty Commission are outlined below. This approach has been applied in a number of locations since first used in Scotland in 2009, including Dundee, Leeds, Birmingham, Northampton, Salford and Swansea.

Phase 1

- 3.5 Organisations and individuals who are interested in establishing a local commission work with the Network to determine whether setting one up is right for the area. A key factor within this process is whether there is sufficient interest and commitment by people with a direct experience of poverty as well as organisations and institutions in the local area for a Poverty Truth Commission. A start up group is established of interested parties to help set up the commission.

Phase 2

- 3.6 Commissioners are recruited who have a direct experience of poverty. They meet regularly for a sustained period of time

(about 6 to 8 months) to get to know each other. They explore their experiences and decide what they would like to communicate about poverty to their area. Civic and business commissioners are recruited to form the other half of the commission. Phase 2 ends with a public event in which the first group of commissioners share their experiences of poverty.

Phase 3

- 3.7 All the commissioners start meeting regularly for full commission conversations to build relationships with each other and identify issues that they would like to address. Issue groups are formed to explore the issues the commission wants to address. One-to-One meetings enable commissioners to encounter and understand each other's world.

Phase 4

- 3.8 A closing event is held to communicate the findings of the commission with the wider public. This will include the work done in issue groups and the effect that the process has had on commissioners. Work continues to help commissioners to embed what they have learnt into their communities, organisations and institutions.
- 3.9 A short video providing further information on the Poverty Truth Network's approach is available at:
<https://povertytruthnetwork.org/commissions/what-is-a-poverty-truth-commission/>

The proposed role of Poverty Truth Network in a Belfast Poverty Commission

- 3.10 The Poverty Truth Network is offering to help Belfast determine whether a Poverty Truth Commission would be right for the city at this time. Poverty Truth Network has offered to support Belfast at each stage of the journey from asking '*whether a Poverty Truth Commission could happen here*' through to the establishment of a commission.
- 3.11 By drawing upon the experience of the different commissions, Poverty Truth Network proposes to help Belfast understand what a Poverty Truth Commission looks like. Poverty Truth Network has offered to explain how they operate and what resources are needed to make one happen. The Poverty Truth Network team is proposing to visit Belfast to communicate about Poverty Truth with key stakeholders and be available for regular online meetings. The Belfast Poverty Commission, if established, would be responsible for their own work.

- 3.12 The Poverty Truth Network supports commissions in a number of different ways. They hold an annual gathering for commissioners from all of the different Poverty Truth Commissions. They also have developed peer support for facilitators of local Poverty Truth Commissions. Regularly facilitators meet online to discuss issues that they are facing and share insights with one another. They also get together in small groups and as a wider team of facilitators to support and encourage one another as well as to identify and develop useful resources.

Proposed Next Steps

- 3.13 It is proposed that the initial work to explore the approach to a Belfast Poverty Commission commences in parallel with ongoing recruitment of the Head of Inclusive Growth and Anti-Poverty, and the work of the Council and Community Planning Partnership to adopt an urgent approach to food poverty and minimising the impacts of fuel poverty in the city this winter.
- 3.14 The Poverty Truth Network has offered to attend a series of exploratory meetings in Belfast with Elected Members, CMT, Community and Voluntary Sector representatives, Businesses, Anti-poverty organisations, people who are struggling with poverty and other key stakeholders during the period 13-14 January 2022.
- 3.15 The committee is asked to note these initial steps to engage with the Poverty Truth Network and nominate representatives to engage with the network during this visit.

Financial and Resource Implications

- 3.16 There are no financial implications to this report. The work of this initial visit on 13th and 14th January 2022 will be funded by the Poverty Truth Network.
- 3.17 If approval is given to proceed, a further report will be brought back to the Committee outlining the proposed approach and associated costs of the commission.

Equality, Good Relations and Rural Needs Implications

- 3.18 Corporate policies will be followed during the development of the Poverty Commission's approach and appropriate screening and mitigating actions delivered where necessary."

The Committee adopted the recommendations.

**Consultation on Draft Smart
Belfast Urban Innovation**

The Committee considered the following report:

“1.0 Purpose of Report/Summary of Main Issues

- 1.1 To present to the Committee the refreshed Smart Belfast urban innovation framework and to seek approval to use this draft as a basis for consultation with stakeholders, prior to the publication of a finalised framework in April, 2022.**

2.0 Recommendations

- 2.1 The Committee is requested to:**

- 1. note the contents of the Smart Belfast urban innovation framework;**
- 2. approve an eight-week stakeholder consultation on the framework, commencing on 11th January 2022; and**
- 3. note the plans for individual party briefings from early in 2022.**

3.0 Main Report

Smart Belfast framework refresh

- 3.1 First devised in 2017, the Smart Belfast framework aims to foster an environment that supports collaborative innovation between our partners from across industry, academia and the public sector in order to address urban and economic challenges. It is based on the understanding that Belfast’s more complex challenges will often require novel solutions that are difficult for the public sector to develop on its own.**
- 3.2 This refreshed framework incorporates the practice and learning of the past four years, and reflects the challenges and opportunities of this pandemic era. We have sought to consider how digital innovation can best contribute to the Council’s priorities for city growth, economic recovery and our response to climate change.**
- 3.3 Smart Belfast also reflects the growing impact of new technologies on urban policy and planning. It seeks to maximise opportunities represented by new investments, including the Belfast Region City Deal digital programme, and the emergence of Innovation City Belfast as a regional partnership for innovation.**

- 3.4 The framework has two main sections. In the first, we set out specific plans for a Belfast ‘Smart District’ and how this location can act as a place where the Council and its partners can directly develop and test real-world innovative policies and interventions in an environment that supports innovation and experimentation.
- 3.5 It is proposed that the Smart District will be particularly important in leveraging innovation to support the delivery of the new Bolder Vision for the city centre. As such the initial geography of the District is co-terminous with the city centre. Thematic areas where the District is likely to make a significant contribution include:
- Re-imagining the future of the high street
 - Supporting the creative environment for the planned Belfast Stories investment
 - Bringing innovation in design and development to support healthy urban neighbourhoods
 - Contributing to sustainable multi-modal travel
 - Supporting the energy transition to zero carbon
 - Digitising and modernising city operations and services.
 - Building community capacity and skills to navigate the opportunities and challenges of our data-driven society and economy.
- 3.6 In the second section of the framework, we describe the wider urban innovation ecosystem that is needed to deliver innovation initiatives. Based on the learning from the last four years and building on global research, we propose eight ‘pillars’ for this ecosystem that partners, collectively, have a role to play in strengthening.

The initial Project Pipeline

- 3.7 A number of major projects associated with the District are already under way or at an advanced development stage. This initial project pipeline includes:
- The delivery of €7.9 million ‘Hub-In’ Horizon 2020 project that aims to transform the Maritime Mile through community-based innovation and local enterprise.
 - The development of a new £20 million ‘Innovation for Societal Impact Fund’ to support collaborative innovation between the city region SMEs, researchers and public bodies. The fund will seek to address major urban challenges while at the same time supporting the growth of our region’s most innovative sectors.

- The £2.5 million Connected Places Catapult ‘Homes for Healthy Ageing’ programme seeking to bring innovation to issues around loneliness in older people.
- The €1m ‘Access to Finance’ project that is working with local SMEs and Economic Development teams to design new tools for designing future grant programmes and interventions.
- The Innovative Procurement Playbook project with Sejong, South Korea, which aims to improve our understanding of the challenges of innovative procurement and of exporting innovative products to international markets.
- We are also working with the mobile industry, asset owners, businesses and public sector partners to develop a £30 million Belfast Region City Deal proposal that aims to accelerate the roll-out of advanced wireless connectivity across the Smart
- District, university campus areas and Titanic Quarter.

Consulting on the New Framework

3.8 From January to April 2022, we will be engaging through a number of channels:

- Party briefings
- The Belfast City Council ‘Your Say’ platform where organisation and individuals can respond formally to a series of questions on each element of the framework
- A public Smart Belfast webinar series will offer insights into urban innovation practice from keynote speakers and more detail on the delivery of the programme
- Community focused workshops on the citizen in a smart city.

3.9 Following a successful consultation, it is proposed that the framework is publicly launched in April 2022.

Financial and Resource Implications

3.10 Resource planning for new projects will form part of the detailed planning for the new framework. Current projects have been identified in the existing City Innovation team budget.

Equality or Good Relations Implications / Rural Needs Assessment

3.11 An equality screening will be carried out as part of the consultation programme.”

The Committee adopted the recommendations.

**Covid-19: Operation of Household Waste
Recycling Centres/Access to Community Centres**

The Committee considered the following report:

“1.0 Purpose of Report/Summary of Main Issues

1.1 The purpose of this report is to inform the Committee of:

- i the recovery operations and practices in place to mitigate the transmission of Covid-19 in relation to the Household Waste Recycling Centres (HWRCs); and
- ii the impact of Covid-19 regulations on the delivery of services and access to bookings at Council community centres.

2.0 Recommendations

2.1 The Committee is asked to:

- note the report on HWRCs; and
- note the outlined restrictions in place due to Covid-19 regulations and the extent of service delivery and bookings being delivered at community centres.

3.0 Main Report

- 3.1 The Strategic Policy and Resources Committee, on 19th November, agreed that a report be submitted to its next meeting addressing the issues which had been raised by Members around gaining access to Household Waste Recycling Centres and Community Centres and providing details of Covid-19 restrictions which were still in place across the Council and their impact upon service delivery.**

Background to HWRCs

- 3.2 In March 2020, the Covid-19 global pandemic struck, resulting in the first national lockdown, regulations on essential travel only and a working from home directive, measures all aimed at containing the transmission of the virus.**
- 3.3 HWRCs were closed for a period of around 8 weeks (mid-March to mid-May 2020) and in the intervening period a recovery plan was developed. This required Local Authorities and contractors to adjust their operational arrangements to ensure that these services were restored and the risk to public health minimised through; hygiene (wash hands often), social distancing and ‘catch it - bin it’ messages.**

3.4 This resulted in a number of adaptations to our operating practices at the HWRCs including:

- Proof of address may be requested as the sites will only be open for those living within the Belfast City Council area. Examples of proof of address include driving licence, utility bill (gas, electricity, broadband supplier), or bank statement;
- Separation of general waste and recycling before arriving at the recycling centre, to reduce delays;
- Vans and light goods vehicles bringing domestic waste on site must book before visiting a recycling centre;
- Further details on the booking system available on the web site and details highlighted below;
- Site visitors will be responsible for unloading their waste to maintain social distancing from staff; and
- If self-isolating or symptomatic of coronavirus (COVID-19) you should not visit a recycling centre or civic amenity site.

3.5 It should be noted that the recovery plan was a phased approach with the four recycling centres opening initially followed by the civic amenity sites. This was to ensure that sufficient staffing resources were available to operate the sites. The civic amenity sites have one additional operational practice currently in place to mitigate against Covid-19 transmission, while at the same time maintaining service provision.

- For Civic Amenity sites, no vehicles permitted direct access to the CA sites. Users are requested to park up and bring waste onto site. For larger items residents should avail of recycling centres.

Bookings for Vans at HWRC

3.6 When the HWRCs re-opened in May 2020, there was an initial period of approximately 8 weeks when vans and light goods vehicles were not permitted on site. However, this was relaxed in July 2020 with the introduction of the booking system. Customers can now view the web site to check if their vehicle needs to be booked in advance. Online booking system for vans and light goods vehicles (belfastcity.gov.uk).

- 3.7** It is a very simple procedure to book a vehicle online as the system captures the email and vehicle details (make and colour) of the customer. An email confirmation is then issued to the customer and they bring this along on their visit. The site staff receive a daily print-out of bookings and can thereby control site access and traffic. This enables residents to access a digital solution and is an increasingly common service delivery platform being adopted by many councils and ties in with the council's aim to seek IT driven solutions.
- 3.8** When introduced in July 2020, there were initially 704 booking slots per week across the four sites. In the summer of 2021, this increased to 1,128 slots per week to meet demand and the average booking demand currently sits at approximately 75%, with slots generally available within 24 hours.
- 3.9** The online booking system greatly assists with maintaining social distancing measures and traffic management at the sites. In the absence of such a system an influx of commercial type vehicles onto a site can result in a number of challenges:
- traffic management - these vehicles can block skip access and be on site for extended periods of time as they deposit their substantial waste load, meaning much lower throughput for cars and possible queues on main roads which could potentially result in site closure by PSNI;
 - capacity issues with skips filling faster and not being available to those residents accessing the site in household cars;
 - potential health and safety issues - associated with larger box type vehicles and those with tail lifts. These vehicles are also more likely to carry additional personnel, resulting in further social distancing challenges; and
 - Potential trade misuse – the HWRCs are for the disposal of household waste only. Commercial waste comprises waste produced by a business or commercial activity in the course of its operations. A commercial operator disposing of commercial waste at a HWRC is placing an additional burden on the domestic rate payer and a potential income loss for the Council in terms of a commercial waste customer.
- 3.10** In addition to the above, this control measure is welcomed by staff as it provides improved traffic management and customer engagement at the site and the potential for reduced work-

related violence when site visitors become accustomed to the system.

- 3.11 The Service believes the online booking system has been invaluable supporting customer and staff safety during Covid and continues to do so. The customer and operational benefits resulting from these changes at the HWRCs are being reviewed and considered for inclusion within the proposed Waste Access and Acceptance policy presently being developed by the Service. The current software is a relatively basic system and the Service will consider how it could be developed to drive positive behaviours, increased recycling along with improved health and safety.

Community Centres

- 3.12 All Community Centres are fully operational with services and bookings permitted in line with current regulations and guidelines. Detailed risk assessments are in place for building operations all of which are approved through Corporate Health and Safety and Trade Unions prior to commencing operations. As restrictions are eased activity specific risk assessments are taken though the recovery assurance protocols to ensure safe and compliant service delivery.
- 3.13 General restrictions in place which affect community centre operations and activities include a requirement for service users to restrict access when exhibiting symptoms of coronavirus and to self-isolate; mandatory use of face coverings; practicing social distancing; and hand sanitising.
- 3.14 Some centres have seen a decrease in the number of bookings. This decrease is mainly due to:
1. Covid anxiety/worry particularly with bookings involving older people or health related;
 2. On-line/virtual contacts replacing booking at centre e.g. counselling sessions;
 3. Groups 'folded' during lock down;
 4. Some bookings have cancelled due to the Covid related restriction on room capacity

In respect to item (4) above, the requirement to adhere to social distancing requires application of maximum room capacities and overall building capacity. Safe management of the specific building and room capacities requires access control through the buzzer system and is afforded only for specific bookings or pre-arranged appointments e.g. designated staff and

contractors. Drop-in and casual access to the buildings are not permitted.

- 3.15 There have been some comments from user groups on the requirement for bookers to have their own risk assessments in place prior to commencing activity following easing of restrictions. To mitigate this concern capacity support is provided to groups and in many instances the groups have noted that the exercise in developing their risk assessment is beneficial and provides assurance to many of their members.
- 3.16 Most recently, approval for independently delivered bookings related to dance and provided hospitality e.g. tea dances and Christmas dinners have been approved through the recovery assurance protocol. Risk assessments for staff supported activities of these types have been drafted and are being processed through the recovery assurance protocol.

Financial and Resource Implications

- 3.17 There are no financial or resource implications associated with this report.

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

- 3.18 There are no equality or good relations issues associated with this report.”

The Committee noted the contents of the report.

**Summer Community Diversionary
Festival Programme**

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 outline the proposed delivery model for the 2022 Summer Community Diversionary Festival Programme and seek approval from the Committee to proceed with the update scheme.

2.0 Recommendations

- 2.1 The Committee is asked to agree to the 2022 Summer Community Diversionary Festival Programme delivery model as outlined within the report.

3.0 Main Report

Background

- 3.1 The Strategic Policy and Resources Committee agreed, in December 2018, to allocate £500k to a summer diversionary and festival programme, this was in context of the Revenue Estimates and District Rate report agreed as part of the rate setting process. The recommendation was approved at the January Council meeting. This programme was delivered in 2019, but due to Covid restrictions, was postponed in 2020.
- 3.2 At the Council meeting on 1st July 2021, Members agreed to develop an interim scheme for 2021 due to the tight turnaround as a result of the pandemic. This allowed groups who were funded in 2019 to access funding to deliver community diversionary festival activity outside of the normal summer dates. This programme was not an open call and funding was awarded to groups who received funding in 2019 up to a maximum of their 2019 funding allocation.
- 3.3 At the Committee meeting in September 2021, Members asked officers to review the existing process, with a view to setting a benchmark to ensure that groups who apply for the scheme in 2022 have the capacity to deliver events in line with the relevant guidelines that the Council has in place for organising events on its land.
- 3.4 To allow for the timely administration of this funding programme, officers have undertaken a review and are seeking approval from the SP and R Committee on the recommended 2022 approach outlined in this report.

Key Issues

- 3.5 When the Summer Community Diversionary programme was developed in 2018, it was based on the following agreements from the Committee:
- the total programme budget was £500,000, with £250,000 allocated to the July programme and £250,000 allocated to the August programme;
 - no financial limit was placed on geographical areas for July and August programmes;
 - £25,000 (min) and £100,000 (max) funding was available for successful applicants;

- eligible community diversionary festival activity was defined as follows; 'Community diversionary festival activity is about the celebration and the promotion of positive cultural expression specifically in the lead up to and over the periods of the 11th July night and the 8th August. It should be developed from within the community. Festival activity should therefore be initiated and led by a community organisation or a community-led partnership. It is not enough to run festival activity for a community – the community must own it and play a strong part in developing and delivering it. All festival activity should also support the diversion of young people who are at risk of becoming involved in anti-social behaviour over the two specified periods.'

Programme 2022

- 3.6 In developing the approach for 2022, officers considered operational learning from the 2021 (and previous schemes) review of similar Council programmes and feedback from Members.
- 3.7 Feedback on the delivery of the scheme has included the need to ensure that applications are of a quality standard and that there is equitable access for groups to apply across all geographic areas of the City.
- 3.8 On an operational basis, to improve the scheme, officers have also identified an opportunity to introduce more robust outcomes to the programme and ensure that organisations report back on the impact of their projects in a more meaningful way. There is also a need to assess the ability of applicants to deliver safe, well managed large-scale events/programmes. The recommended changes also seek to complement relevant council programmes and strategies such as our cultural and good relations strategies.
- 3.9 As part of this report, we would like to remind members that Council offers support for community festivals and a range of diversionary activities through established funding programmes. Groups who apply for this scheme in 2022 may be signposted to these schemes in the event that their application is not suitable or does not meet the criteria or benchmark score for funding from this scheme. These include:
 - Community Festivals fund – grants of up to £10,000 are available. In 2019/20 we invested in 18 grants to support not-for-profit festivals and events in Belfast.

Applications for 21/22 closed on 15th October 2022. Community Festivals Fund operates with match funding from Department for Communities (DfC). DfC are currently unable to confirm this funding for 2022/23;

- Community provision Micro/Medium grants – grants of £1,500 and £5,000 available to support summer programmes, which can include cultural/diversionary programmes;
- In previous years, the Council delivered a Bonfire and Cultural Expression Programme through its District Council Good Relations Programme. This programme was not delivered in 2021 and instead groups were able to access a similar level of support through the Community Provision micro grants (above).

3.10 Based on the above, the Committee is asked to consider and approve the following changes:

Proposed Definition 2022

- The Summer Community diversionary festival programme provides support for the delivery of community based festivals and programmes. All funded activity will make a significant contribution to the reduction of anti-social behaviour linked to key dates over the summer period specifically the 11th July and the 8th August. *All activity should promote positive cultural expression and contribute to achievement of the T;BUC¹ outcomes of increasing participants sense of community belonging and celebrating cultural diversity.*

3.11 **Eligibility Criteria 2022**

- Applications must be received by constituted community/voluntary organisations based in the Belfast City Council area;
- The total programme budget is £500,000, with £250,000 allocated to the July programme and £250,000 allocated to the August programme
- No financial limit is placed on geographical areas for both July and August programmes;

¹ Together; Building a United Community - NI Assembly Good Relations Strategy

- £25,000 (min) and £100,000 (max) funding is available for successful applicants;
- For events being delivered, applicants must confirm that they have technical support and expertise and approvals in place to ensure that all health and safety requirements are met. This will include confirmation that activity being delivered will have appropriate licences or approvals in place. As part of this, officers will provide guidance to applicants in advance of any submissions on what is required and advise groups that their capacity and technical expertise will be assessed at an initial Stage 1 to ensure they have the capability to run festival events. This will follow the same process that is undertaken for all events on Council land with groups expected to complete a 24-point event plan template which will be assessed by officers.

Two-stage Eligibility Assessment Process

- 3.12 A revised process is being recommended for 2022 based on learning from previous years. This new process seeks to mitigate the risk that Council are funding large scale events where the necessary knowledge, skills and capacity to organise and follow the detailed and sometimes complicated processes that are required to host events may not always be available. One of the main objectives of this scheme is to run festivals at times in and around July and August bonfires, where there is potential to have increased ASB and heightened tensions across the city. It is important that we encourage these types of events, rather than smaller scale workshops and youth intervention projects being the main source of activity.
- 3.13 It is, therefore, important for applicants being assessed to demonstrate that they have the necessary knowledge and experience to host large scale events and also have the capacity to deliver these events. If this isn't in place, it results in significant last minute pressure on the groups who receive funding and organise events, but also on Council officers from across a range of functions who are required to fast track important requirements through committee structures such as approval to use our land and entertainment licence applications.

3.14 Amended Scoring Criteria

Stage 1 – Capacity to deliver

1. Capacity to run Festival/similar type events. This will include submission of an event plan template that

outlines initial details of how you will organise your event and will follow a similar process undertaken for all events taking place on Council land.

TOTAL Marks Available – 100 (Scoring threshold 60%)

Only those applicants who achieve the minimum benchmark of 60 at Stage 1 will progress to Stage 2 for assessment. Those applicants who do progress to Stage 2 will retain their score from Stage 1 to be part of their final score.

Stage 2 – Contribution to objectives of the scheme (100 marks available, benchmark 50 marks)

1. The extent to which the application has clearly identified need and provided detail of participants, partners and content that will meet this need (25 marks);
2. The extent to which the project activity will reduce anti-social behaviour linked to key dates over the summer period (including consideration of timings, location/s, partnership working and identification/inclusion of at risk young people (25 marks);
3. The extent to which the project will promote positive cultural expression by increasing participants sense of community belonging and celebrating cultural diversity. This should include examples of potential negative behaviour that the project will address (25 marks);
4. The extent to which the project is well planned and requested amounts represent value for money (25 marks)

Total Marks Available – 100 (Scoring threshold 50%)

Please note that the slightly higher benchmark score of 60 applicable at stage 1 is due to the importance of ensuring applicants have the necessary knowledge and capacity to manage what are important legal, health and safety and compliance requirements.

3.15 Funding Allocation

It is recommended that funding will be allocated on the same basis as previous years with £250,000 for July and £250,000 for August. Final recommendations to Members will combine Stage 1/Stage 2.

3.16 2022 timetable (Draft)

- The programme will open on 21st February 2022 and close on 25th March 2022;
- The programme will be advertised as an open call and information will be available on the Council's website, information sessions will also be held;
- Officers will complete the assessment process and bring final recommendations to Members for consideration as early as possible April 2022;
- Project delivery must take place by 31 August;
- Groups with outstanding documentation from previous funding will not receive payment until all documentation in relation to this fund has been received/signed off.

Financial and Resource Implications

- 3.17 Resources have been included as part of the revenue estimates process.**

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

- 3.18 Equality, Good Relations implications and rural needs assessment will be considered before the scheme is advertised."**

After discussion, it was

Moved by the Chairperson (Councillor Groogan),
Seconded by The High Sheriff (Councillor Long),

That the Committee agrees that applications from groups seeking solely to run workshops and youth intervention projects as the main source of activity also be considered for funding.

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

The Committee subsequently approved the Summer Community Diversionary Festival Programme delivery model for 2022, as set out within the report.

**Consultation Response - Setting of
Decapitalisation Rates in Northern Ireland**

The Committee considered the following report and accompanying response in respect of the Department for Finance's consultation on the setting of Decapitalisation Rates in Northern Ireland:

"1.0 Purpose of Report/Summary of Main Issues

- 1.1 The purpose of this report is to make Members aware of the Department of Finance's consultation on Setting of Decapitalisation Rates in Northern Ireland and to seek Members' approval of the Council's draft response.**

2.0 Recommendations

- 2.1 The Committee is asked to consider the draft response and approve its submission to the Department of Finance, subject to any comments or amendment provided, with the proviso that the response is subject to ratification by the Council on 10th January, 2022.**

3.0 Main Report

Key Issues

- 3.1 Members are advised that, on 20th October 2021, as part of the Northern Ireland Revaluation 2023 exercise, the Department of Finance launched an 8-week Consultation on the Setting of Decapitalisation Rates in Northern Ireland, to seek views on this element of the Contractor's Basis of valuation. While most commercial properties are valued for rates using rental information, the Contractor's Basis is used instead for properties where there is little or no direct rental evidence available. Approximately 12,000 non-domestic properties here are valued wholly or in part using the Contractor's Basis.**
- 3.2 These properties include schools, universities, hospitals, fire and police stations, halls, and airports.**
- 3.3 The decapitalisation rate is a core part of the Contractor's Basis. It is a percentage figure which is used to convert the effective capital value of a property into an annual rental value, and ensures that the costs and benefits of owning a property, compared to renting a property, are taken into account when calculating the rateable value.**
- 3.4 Members should note that the closing date for responses was 15th December 2021, but officers have sought an extension to**

allow the draft response to be brought to this Committee. A copy of the draft response to the consultation follows this report. As the closing date for responses is prior to the January 2022 Council meeting, it is proposed that the response, subject to any comments or amendments from Members, be submitted with the caveat that it is still subject to ratification by the Council.

- 3.5 The consultation is seeking views on 4 key questions.

Question 1 Do you agree the Department should continue to prescribe the decapitalisation rates used in the Contractor's Basis of Valuation?

Question 2 Do you agree that the Department should continue to prescribe two decapitalisation rates in Northern Ireland, i.e. a standard rate and a lower rate?

Question 3 Do you have any views on the methods for setting the decapitalisation rates (including any suggestions for alternative methods), on the range of values generated by each method, or on the merits or otherwise of each method?

Question 4 Do you agree with the proposed approach for setting decapitalisation rates in Northern Ireland?

A copy of the draft response to the consultation is attached. The Committee is asked to consider the draft response and approve its submission to the Department of Finance.

Financial and Resource Implications

- 3.6 There are no implications associated with this report.

Equality or Good Relations Implications/
Rural Needs Assessment

- 3.7 There are no implications associated with this report.”

Council Response

Response to LPS Consultation on the Decapitalisation Rate for the 2023 valuation List – Note for Belfast City Council

The main purpose of a revaluation is to adjust the liability of properties relative to others within the non-domestic rates tax-base. This ensures the rate liability is spread fairly between ratepayers and is based on up-to-date rental values. At each revaluation, all properties are assigned a new rateable value. Preparations are underway for new rating lists to be introduced in Northern Ireland from 1st April

2023. Land and Property Services are responsible for compiling and publishing the new rating lists and will ensure all non-domestic properties are assigned a new rateable value based upon its estimated annual rental value as at the Antecedent Valuation Date (AVD) of 1st October 2021.

This consultation seeks views on the parameters and methodology to enable the prescription of the decapitalisation rate/s to be applied when determining the net annual value of any hereditament by reference to the contractor's principle for the purposes of any NAV list coming into force on or after 1st April 2023. The contractor's principle is the method of ascertaining the net annual value of a hereditament by reference to its actual or notional cost of construction or provision or to its capital value.

The decapitalisation rates for the current valuation list are 2.67% in the case of a church hereditament, educational hereditament or healthcare hereditament and 4% in any other case. These rates were prescribed in the Valuation for Rating (Decapitalisation Rates) Regulations (Northern Ireland) 2020 and took effect for the 2020 non-domestic revaluation.

The corresponding decapitalisation rates for the purposes of the valuation list which came into force on 1st April 2003 were 3.67% and 5.5% respectively and provision is made for those rates to continue to have effect in relation to that list.

The suggested answers to the specific questions are as follows:

Question 1

Do you agree the Department should continue to prescribe the decapitalisation rates used in the Contractor's Basis of Valuation?

Yes, provided that the rates are reached by transparent means the Department should continue to prescribe decapitalisation rates used in the Contractor's Basis of Valuation.

Prescribing rates is the only way to overcome the valuation of properties where rents and receipts and expenditure details are lacking. If the rate applied is lowered this will have an adverse impact on those who are valued by a rental or receipts and expenditure approach. A large number of public buildings would be valued using a prescribed rate and a low or lower rate would see a fall in value for these properties and result in a higher liability for other ratepayers.

Ending prescribed rates would bring significant uncertainty to local government rates income; and this is particularly significant for local authorities as they struggling to cope with the financial impact of the pandemic.

Question 2

Do you agree that the Department should continue to prescribe two decapitalisation rates in Northern Ireland i.e. a standard rate and a lower rate?

There is an argument to consider three prescribed rates. The categories of hereditament to which these should be applied must vary according to the nature, mode or category of each actual occupation; but as ability to pay has been held to be a factor in determining the measure of liability in each contractor's test case, it would seem to be appropriate that:

- the highest rate should apply to hereditaments where the mode or category of use is one in which, commercially, there would be likely to be funds available to pay for the cost of construction and the land.
- Where access to funds is restricted, but the actual occupier can expect to gain some financial benefit from its occupation, then the middle rate should be considered. This group would seem to be perhaps the widest, including hereditaments created with public or philanthropic funding
- In a case where the occupier has no realistic hope of any tangible benefit for its occupation, then the lowest rate would apply.

Question 3

Do you have any views on the methods for setting the decapitalisation rates (including any suggestions for alternative methods), on the range of values generated by each method, or on the merits or otherwise of each method?

The courts have held that the hypothetical tenant will not be prepared to pay a rent which exceeds the annual equivalent of the cost of replacing the property.

It is submitted that this risk can be eliminated, or at least mitigated, by the use of a range of decapitalisation rates rather than by adoption of a "one size fits all" approach. In the event of a dispute as to value, the argument would focus, not on economics, or on the identity of the occupier, but on the nature of the occupation itself, which is what falls to be valued, for rating.

Clearly, even when prescribed, interest rates to be applied must be such as to reflect the principles of valuation for rating, and it is vital therefore that affordability is suitably reflected in the decapitalisation rate adopted. We wish to reinforce the point that a low or lower decapitalisation rate would put additional pressure / cost on those whose properties are valued by reference to rental or receipts and expenditure approaches, as a lower decapitalisation rate will lower the rateable value and ultimately result in there having to be a higher multiplier.

Question 4

Do you agree with the proposed approach for setting decapitalisation rates in Northern Ireland?

The methodology employed should be transparent and subject to open consultation in the interest of fairness and to seek to avoid litigation. We suggest that the evidence available must be seen to be complete as at the antecedent valuation date; and we therefore take the view that, while an early consultation is always welcome, in this case the evidence-gathering exercise prior to the publication of the proposals, is likely to be incomplete. Notwithstanding these comments we would agree with the proposed approach.

**Strategic Policy and Resources Committee,
Friday, 17th December, 2021**

The Committee approved the foregoing response for submission to the Department of Finance.

**Consultation on Draft Green Growth
Strategy for Northern Ireland**

The Committee considered the following report and accompanying response in respect of the Department of Agriculture, Environment and Rural Affairs' consultation on the Draft Green Growth Strategy for Northern Ireland:

“1.0 Purpose of Report

- 1.1 To advise the Committee that a response to the Draft Green Growth Strategy has been collated by Council officers. Should the Committee approve the draft consultation response, it will be submitted to DAERA on behalf of the Council.**

2.0 Recommendations

- 2.1 The Committee is asked to approve the draft consultation response for submission to DAERA. Any additional comments received from Members these will be incorporated in the response.**

3.0 Main Report

- 3.1 DAERA has produced a Draft Green Growth Strategy for Northern Ireland which is currently under public consultation, with a closing date of 21st December 2021.**

- 3.2 The Draft Green Growth Strategy can be accessed [here](#), and a draft response to the questions set out by DAERA within the consultation is attached below.**

- 3.3 The Draft Green Growth Strategy is high level in nature, setting out a vision for Northern Ireland by 2050 whereby:**

‘Northern Ireland has taken significant action for the climate and our environment, has placed nature and biodiversity on a path to recovery, and moved from a high to a low emissions society. We have made this change fairly and have demonstrated a responsibility for each other and for the place in which we live. As a result of all our efforts, we have a more resilient environment with a healthy ecosystem and a strong sustainable economy. More people are employed in green jobs and all generations benefit from improved wellbeing.’

- 3.4 The Draft Strategy will be followed by a detailed Climate Action Plan which will be developed in 2022, with a focus on sectors**

that are identified by the Climate Change Committee (CCC), including agriculture, energy supply, waste management, transport, business, other, residential, land use, land use change and forestry.

3.5 The Draft Strategy notes that two Draft Climate Bills currently exist and commits to making any necessary changes to fit with the final agreed Climate Bill.

3.6 The Draft Strategy draws on the evidence-based approach set out by the Climate Change Committee (CCC), underpinned by a commitment to Just Transition, engagement and setting in place appropriate governance and processes to measure progress.

3.7 Financial and Resource Implications

There are no financial or resource implications at present.

3.8 Equality or Good Relations Implications/
Rural Needs Assessment

There are no direct equality or good relations/rural needs implications.”

Council Response

Questions set out within the Draft Green Growth Strategy for Northern Ireland:

Q1 - Is our Vision 2050 the right vision? If not, what would you change?

Belfast Resilience Strategy sets out the goal for Belfast to “transition to an inclusive, net-zero-emissions, climate resilient economy in a generation.” To align with the language used in the Belfast Resilience Strategy and that used in the Belfast Net Zero Carbon Roadmap we would encourage the use of the phrase net-zero-emissions society rather than low emissions society. We feel this would set the appropriate level of ambition for all stakeholders across Northern Ireland society, and recommend that appropriate support is put in place to facilitate this transition.

Q2 - Are our Green Growth principles right? If not, what should be included / taken out and why?

Yes, we feel that the Green Growth principles are appropriate for a high-level strategy such as the Draft Green Growth Strategy for Northern Ireland. Furthermore, a commitment to a local placemaking approach would enhance the role of local authorities in coordinating local action to address the climate crisis, with appropriate resources put in place to facilitate this process.

Section 2

Q3 - Are we right to adopt a Green Growth approach bringing together green jobs, climate action and the environment?

Yes, we believe this is the correct approach. We refer you to the recommendations of the Reset for Growth report produced by the Innovation and Inclusive Growth Commission which is summarised in the following report and attached for your information:

<https://minutes3.belfastcity.gov.uk/documents/s93148/Belfast%20Innovation%20and%20Inclusive%20Growth%20Commission%20Reset%20for%20Growth%20Report%20-%20Council%20Response.pdf>

More is needed in terms of growing specific clusters and industries like the hydrogen industry. There needs to be a clear strategy for this.

Q4 - Is a statutory Green Growth test needed to ensure we put climate action, environment and green jobs at the heart of policy development?

Yes, however the test and the process of application should be clearly defined to ensure that it is used effectively. We further recommend that it is applied across all programmes of government and to all funding programmes. We welcome the linking of public funding to climate responsibilities as this will focus minds and ensure deliverables and outcomes are clearly linked to addressing the climate crisis. Potentially the test should prevent actions that have a negative impact on Green Growth as well as supporting those with a positive impact.

Q5 - Should Green Growth be one of our top Executive investment and budgetary priorities?

Yes, it should be a top priority given the cross cutting and urgent nature of the issues being addressed. The Committee for Climate Change and the Draft Green Growth Strategy recognise the need for action throughout the 2020s to ensure that “by the 2030s choices in all areas must be the low-carbon option.”

This needs to include access to various forms of funding including the Green Investment Board and joint investment frameworks with the private sector.

Section 3

Q6 - Do we need specific targets for each sector set out in Climate Action Plans? If yes, how would this be brought about; and if no, how should we ensure we drive change?

Yes, specific targets should be set out in the forthcoming Climate Action Plans, linked to relevant strategies such as the forthcoming Energy Strategy and the forthcoming Environment Strategy. These should be developed through an evidence-based approach, in collaboration with key stakeholders in each sector. Reports such as the Belfast Net Zero Carbon Roadmap set out a potential pathway to achieving net zero across a range of sectors including housing and transport

https://pcancities.org.uk/sites/default/files/Belfast%20Net-Zero%20Carbon%20Roadmap_0.pdf

We propose that a robust results framework is established with indicators, milestones and targets that cascade from regional through to sectoral and local levels. We also recommend that a costed implementation plan is developed (incorporating an economic appraisal of delivery options) along with a resource mobilisation plan to ensure that the strategy can be delivered within the timeframe. This will require innovative financial models that can crowd in private sector finance. We are working closely with colleagues at PCAN, the UK Climate Investment Commission and LSE on potential financial models and are happy to share this experience.

A public facing report should be produced annually – commitment must be given now to quicker wins such as housing retrofit, transport, decarbonisation and energy transition.

Q7 - Do you agree on the definition of the sectors?

Yes, we agree with the alignment of sectors to those defined by the Committee for Climate Change (CCC) to allow measurement of progress to be undertaken by the CCC as well as through local mechanisms.

Section 4

Q8 - Do you agree with the adoption of a Just Transition approach? If not, what approach should we be taking and why?

Yes, the Just Transition approach is at the heart of the work of Belfast Climate Commission, a partnership between Belfast City Council and Queens University of Belfast. It is vital that those most vulnerable in society, and those potentially most impacted by the anticipated changes are protected from negative impacts, that all members of society have a voice in the process, and that an affordable and fair transition is made available for all across society.

Q9 - How do we ensure this Just Transition - is a Commission the right way forward?

We believe that a Just Transition Framework is the right way forward, with appropriate governance to ensure integration across policies and action, at the regional and local level. The VCSE sector is often the voice of the vulnerable and underrepresented in our society and should be given a role in advocating for and ensuring that the most vulnerable are protected throughout the transition. The VCSE panel within Belfast Community Planning Partnership is an example of how that voice can be incorporated into a strategic programme of planning and delivery.

Q10 - How do we make sure the public and all stakeholders (including young people) are actively engaged with Green Growth? Is a Citizen Assembly Panel the right structure?

We recommend a review of existing engagement mechanisms in Northern Ireland to identify strengths and weaknesses, supporting existing good practice where possible and addressing gaps in representation where they exist. A wide-ranging engagement framework would ensure that there is the greatest chance of hearing as many voices as possible, including people of all ages. Oversight and coordination should be incorporated into the framework, and the framework should be appropriately resourced.

Section 5

Q11 - How can we work most effectively with businesses, local government and organisations across Northern Ireland to maximise and deliver our decarbonisation and Green Growth efforts?

Through the Green Growth governance arrangements, forthcoming climate action plan mechanisms, the co-design and co-delivery of programmes at both regional and local authority levels, to ensure a joined-up approach across sectors. Thematic advisory panels may be required as sectoral targets and plans

are developed, and to address underpinning issues such as climate finance, innovation and technology.

We have drawn on the recent positive engagement through the LGA with UK government departments to highlight below the importance of a place based approach and the role of local government in encouraging a strong public and private sector partnering approach.

Regional and local government collaboration will be essential to delivering the strategy. Supporting green growth requires significant national, regional and sector leadership, but only local government can mobilise and join-up the collective action of all partners, businesses, and people in places. Local government therefore has a unique and powerful place leadership and delivery role on cross-cutting issues like climate change, which was exemplified during the pandemic.

More than half of the emissions reductions that are needed rely on people and businesses taking up low-carbon solutions. These are decisions that are made at a local and individual level, and many of these decisions depend on having supporting infrastructure and systems in place.

Places are very different, which can mean a quite fundamentally different journey to Net Zero. The journey facing a town or city economy will be different from a rural area dominated by the agriculture sector. Variations include population density, shape of the economy, infrastructure, geographical features, etc.

Local government holds a wide range of important powers and assets for decarbonising and adapting to climate change in places and achieving a just transition to Net Zero, and it is ambitious to fulfil this potential as an essential delivery partner.

However, there is a need to grow the capacity and skills in local government rapidly. This includes on exchanging experience of what works in different places, how the impacts of different initiatives can be understood, success replicated, and the need to upskill within local government.

Crucially though, the overall strategy towards green growth should outline the support for local government to fulfil its role, and provide clarity on the expectations of local government and so the certainty on where they will need to invest in developing capacity.

Day to day local government engages with a multiplicity of regional agencies and schemes, on a range of different programmes with overlapping objectives. There is lots of positive work underway, but a fragmented policy and funding environment creates complexity, uncertainty and missed opportunity; and often without the scale to deliver the level of change necessary.

Within this complexity there is not the overall long-term regional strategy around what local authorities are working towards and clarity of what is expected of them. This can limit the huge potential of local government to play its leadership role in place, and to build its own capacity and local path to support green growth and deliver against Net Zero commitments.

BCC would like to work towards building a partnership which ensures the right balance of powers, responsibilities, and where resources rest at the right level to best achieve different outcomes. We propose:

- including a chapter in the Strategy on the role of local government in place which sets out how regional government and local government will work together to deliver the strategy in places;
- creating a leadership group of government departments and local government to take forward this chapter of the Strategy, developing, leading and overseeing the delivery of a single framework / programme for local government;
- agreeing some underlying principles moving forward, including clarity of ambitions and time frames; expectations of local government; what/how to prioritise actions; powers and accountabilities to move to the right level for delivery; resourcing for duration; local flexibilities; support for local capacity building/learning.

Next steps to develop a collaborative programme of actions could include:

- preparing a statement of intent marking the beginning of renewed collaboration across all levels of government;
- developing a cross-departmental and local government green growth leadership group to take forward the Strategy; (similar to a City/Growth Deal structure) and
- establishing sub-groups to work on priority and complex issues (such as decarbonising and adapting homes and places, decarbonising and adapting transport, supporting green jobs and skills, building consensus for change etc.), developing evidence and information sharing, mapping how everything works in places.

Q12 - How should the public sector be leading by example on Green Growth?

Belfast City Council has undertaken a range of measures including the declaration of a climate emergency in October 2019, establishing a Resilience and Sustainability Board within the Belfast Community Planning Partnership, establishing the Belfast Climate Commission in partnership with Queens University of Belfast, appointing the first Commissioner for Resilience in Northern Ireland, and subsequently appointing the Belfast Climate Commissioner, with the aim of driving forward a programme to address the climate crisis.

The Council has developed a draft Adaptation Plan and is in the process of developing a Council Decarbonisation Plan, with a small budget established to enable this work programme. Council part funded the Belfast Net Zero Carbon Roadmap and commissioned the Belfast Climate Risk Assessment. In addition, Belfast City Council has signed up to the Carbon Disclosure Project, and to a number of global frameworks such as the Race to Zero, Race to Resilience, WWF

One Planet City Challenge, the Core Cities UK COP26 Declaration, and the Glasgow Food and Climate Pledge.

Through the Place Based Climate Action Network (PCAN) and Core Cities Climate Investment Commission, Belfast City Council has been at the forefront of efforts to establish climate finance mechanisms as well as using Council resources to integrate green and blue infrastructure, lead on initiatives such as the Belfast One Million Trees Programme, and the Greenways Programme across the city. In addition, Belfast City Council will seek to ensure skills and job opportunities are available for all citizens, working closely with education providers and employers in the city. This Council is ambitious to do more, but will need to work with central government to ensure the right focus, programmes and resources to deliver.

Section 6

Q13 - What indicators should we use to measure the success (or otherwise) of our Green Growth strategy?

As noted above, we propose that a robust results framework is established with indicators, milestones and targets that cascade from regional through to sectoral and local levels. We recommend that a suite of indicators be developed that can measure progress against sectoral targets, assess the success of the Just Transition approach, and levels of engagement in the Green Growth process. These should be drawn from best practice with advice provided from relevant experts.

Given that this is a cross-cutting strategy, indicators should be aligned with related strategies and programmes of work in order to avoid duplication of effort. For example, indicators around Circular Economy should be aligned with those being developed for the NI Circular Economy strategic framework. Consider economic, environmental and social indicators.

Examples (not an exhaustive list) could include:

Number of Circular Economy Industries.

Number of jobs that have been reviewed and "greened"

Number of green social enterprises, e.g. sharing economy

Carbon footprint of products

Co2 production

Biogas production

Energy usage, including renewable

Water consumption

Material consumption

Waste prevented and waste reduction measures

Waste/material reused

Waste recycled

Locally produced products containing recycled material (and % content)

Total waste produced and amount sent to landfill/EFW etc.

Measuring sustainability of all new developments and industries

Q14 - How can there be effective oversight of Green Growth - should there be a dedicated Assembly Committee, or independent scrutiny?

A dedicated Assembly Committee would be essential to ensure cross party support and that there is an oversight mechanism at the heart of government. Potentially both a Committee and independent scrutiny mechanism. Each Permanent Secretary should be given specific targets.

Section 7

Q15 - Please add any other comments or suggestions you think are relevant to developing and delivering our Green Growth strategy.

We welcome the recognition of Belfast's work programmes in the Draft Green Growth Strategy for Northern Ireland and strongly recommend that local government becomes a coordinating and delivery mechanism for local programmes to drive the Green Growth Strategy as it delivers on the ground. Local government must be resourced appropriately to enable effective delivery and to support ongoing programmes of research, engagement and innovation. In relation to 'green jobs' there should be a focus on greening existing sectors of employment as well as support for new jobs that enable a green economy in Northern Ireland.

The Committee approved the foregoing response for submission to the Department of Agriculture, Environment and Rural Affairs and agreed that it be accompanied by a letter setting out the Council's overall view of the Strategy and highlighting any other areas which had not been covered by the questions posed within the consultation.

**Consultation on Draft Local Government
Pension Scheme (Amendment) Regulations
(Northern Ireland) 2022**

The Committee considered the following report and accompanying response in respect of the Department for Communities' consultation on the draft Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2022:

"1.0 Purpose of Report/Summary of Main Issues

- 1.1 The purpose of this report is to make the Committee aware of the Department for Communities consultation on the draft Local Government Pension Scheme (Amendment) Regulations**

(Northern Ireland) 2022 and to seek its approval of the Council's draft response.

2.0 Recommendations

- 2.1 The Committee is asked to consider the draft response and approve its submission to the Department for Communities, subject to any comments or amendment provided, with the proviso that the response is subject to ratification by the Council on 10th January 2022.

3.0 Main Report

Key Issues

- 3.1 On 8th October 2021, the Department for Communities published a consultation to seek views on changes to the Local Government Pension Scheme in Northern Ireland (LGPS(NI)). It outlines proposed changes to the LGPS (NI) to cover both the changes required by an Employment Tribunal ruling in relation to survivor benefits, and a number of technical amendments and minor policy updates. The Department for Communities (DfC) is consulting on changes to the regulations governing the LGPS (NI).
- 3.2 Members should note that the closing date for responses was 10th December 2021, but officers have sought an extension to allow the draft response to be brought to this Committee. A copy of the draft response to the consultation is attached and a summary of the key issues are outlined below. As the closing date for responses is prior to the Council meeting on 10th January, it is proposed that the response, subject to any comments or amendments from Members, be submitted with the caveat that it is still subject to ratification by the Council.

A Link to the Consultation is provided below.

[Consultation on the draft Local Government Pension Scheme \(Amendment\) Regulations \(Northern Ireland\) 2022 | Department for Communities \(communities-ni.gov.uk\)](#)

- 3.3 NILGOSC has provided information on the proposed key changes and these are outlined below.

In summary the key areas are:

1. Survivor Benefits
2. 30 Day Rule
3. Additional Voluntary Contributions (AVCs) – removal of 50% limit
4. Refunds – discretion to pay out after five years

5. Death Grants
6. Exit certificates
7. Internal dispute resolution procedures
8. Forfeiture
9. Fluctuating emolument for final salary pay

The summary and rationale for the changes are as follows:

3.4 **1. Survivor Benefits**

Historically, the Local Government Pension Scheme (Northern Ireland) ('LGPS (NI)') had different treatments for survivors of marriages than took place while the member was either a deferred member or a pensioner. A surviving widow's pension was based on service from 6th April 1978, whereas a surviving widower's pension was based on service from 6th April 1988. Surviving civil partners were treated as widowers. Earlier in January 2020, amendments made some headway towards equalising survivors' benefits. Same-sex survivors' benefits were equalised with widows of opposite sex marriages and male survivors of opposite sex civil partnerships had the same benefits as widowers of opposite sex marriages for deaths from 13 January 2020. However, it is now proposed that both the changes made in January 2020 and these amendments are backdated to 2005 and that there will be equal treatment regardless of gender of the [deceased] member or the surviving spouse or civil partner

3.5 **2. 30 Day Rule**

At present members pay contributions for the first 30 consecutive days of absence e.g., while on a career break or authorised unpaid leave. It is proposed that this rule be amended so that employees only pay contributions where the break is for 30 consecutive days or less.

3.6 **3. Additional Voluntary Contributions (AVCs) – removal of 50% limit**

The regulations currently restrict member contributions to an AVC to 50% of pensionable pay in each pay period. It is proposed that this limit be removed.

3.7 **4. Refunds – discretion to pay out after five years**

Under current regulations refunds must be paid by NILGOSC within five years of the date of leaving. The amending regulations propose giving NILGOSC discretion to pay refunds out after five years has elapsed. Refunds must be paid out before age 75.

3.8 5. Death Grants

Currently, a death grant can only be paid where a member dies before the age of 75. It is proposed that this age limit is removed, and death grants would be paid to the estates/survivors of those over age 75 on the same basis as pensioners i.e., 10 times the annual pension earned less any pension payments already made. It is proposed that this be backdated to 1st April 2015.

3.9 6. Exit certificates

It is proposed that NILGOSC could issue an interim exit certificate, subject to the Department's approval and conditions. This proposal would allow NILGOSC to react quickly in some circumstances and issue an interim exit certificate e.g., insolvency. The final exit certificate would then be issued in due course once all the data was available and the actuary had calculated the exit position.

3.10 7. Internal dispute resolution procedures

The amending regulations propose increasing the time for each of the two stages from two to four months.

3.11 8. Forfeiture

At present it is difficult for an employer to seek forfeiture of pension rights as an offence must have been committed in connection with an employment for which an employee is convicted and because of which they left employment. Generally, these offences are not uncovered until after the employee has left employment. The amendments propose removing the requirement that the person must have left their employment because of the offence. As before, the forfeiture certificate can only be issued by a Minister.

3.12 9. Fluctuating emolument for final salary pay

Currently, for calculation of final salary pay, fluctuating emoluments are averaged over the period that they were paid for, if it is less than three years; otherwise, they are averaged over three years. The amendments propose reverting to the earlier position where these fluctuating emoluments are always averaged over three years. This only applies to those members who have final salary membership i.e., before 1 April 2015.

- 3.13 Members are asked to consider the attach draft response included in and approve its submission to the Department for Communities.

Financial and Resource Implications

- 3.14 There are no implications associated with this report.

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

- 3.15 There are no implications associated with this report.

Members are advised that DfC has undertaken an equality screening assessment on the proposed changes and this is available on their website.”

Council Response

“The Council notes that the changes proposed to the scheme, as indicated in section 3, brings it in line with ensuring equality of treatment regardless of gender or sexual orientation through equalisation of survivor benefits. It is also noted that it is best implemented through making both amendments retrospective to 2005.

However, as liabilities are underwritten by the employers any increase in benefits could potentially become an employer cost, therefore any financial impact on the employer should be considered by the Department.

In relation to the “Other Amendments” proposed in Section 4, the Council is in agreement with these proposed policy amendments.”

The Committee approved the foregoing response for submission to the Department for Communities.

**Northern Ireland Affairs Committee:
Inquiry - Investment in Northern Ireland**

The Committee considered the following report and accompanying response in respect of the Northern Ireland Affairs Committee’s inquiry into investment in Northern Ireland:

“1.0 Purpose of Report/Summary of Main Issues

- 1.1 This report seeks the Committee’s approval to submit a response to the NI Affairs Committee inquiry into investment in Northern Ireland. The inquiry will consider the economic

effectiveness of policies to deliver investment and look at how these may address long-standing economic issues.

2.0 Recommendations

The Committee is asked to consider and agree to submit the draft response to the call for evidence and to note that the deadline for receipt of submissions is 17 January 2022.

3.0 Main Report

3.1 The Council has the opportunity to submit evidence to the NI Affairs Committee Inquiry into 'Investment in NI.' The closing date for evidence has now been extended to Monday 17th January.

3.2 The NI Affairs Committee's inquiry will assess the economic effectiveness of UK Government policy to deliver investment in NI and look at how these may address long-standing economic issues in the region, and what further steps can be taken to stimulate investment, including foreign direct investment, in NI to encourage new jobs and economic growth. Many of the issues covered by the inquiry align with existing Council priorities and so it was felt that the Committee may wish that a formal response be submitted to the Call for Evidence.

3.3 The terms of reference for the inquiry are available at: <https://committees.parliament.uk/work/1550/investment-in-northern-ireland/>

3.4 Key Issues

The inquiry is primarily concerned with investment, but this has been broken down into several areas including:

- Steps the UK Government can take to encourage investment in NI, including through the Levelling Up and Shared Prosperity Funds.
- Steps that business can take to invest effectively in NI.
- Steps the UK Government can take to support the decarbonisation of industry in NI and stimulate investment in a sustainable economy.
- Identifying sectors of investment and employment potential.
- Steps the UK Government can take to encourage investment that addresses the skills gap and increases employment opportunities for people with few or no qualifications.

- Status of technical, vocational education and apprenticeships.
- The importance of education, schools and local universities.

3.5 At this stage, no information has been provided as to when the findings from the inquiry will be published.

3.6 The attached draft response sets out some of the issues that Council may wish to highlight. These include:

- The need for clarity over future Levelling Up/Shared Prosperity funding arrangements;
- Involvement by Councils in how that funding will be determined and managed.
- The need to focus on supporting inclusive economic growth;
- The Innovation and Inclusive Growth Commission's recommendations for actions to achieve the housing growth ambitions within the Belfast;
- The need to support high streets and city centres, and address underfunding of key infrastructure;
- The need to encourage private investment alongside public investment. And the use of social value;
- The need to invest in digital skills and the use of vocational and non-traditional routes into these skills;
- The need overcome barriers to inclusive participation in technology, particularly by young people, in order to inspire the next generation of scientists and entrepreneurs;
- The possibility of encouraging investment in industrial decarbonisation via Place-based Climate Finance Platforms; and
- The need to change perceptions to support decarbonisation via investment in active travel, recycling and housing retrofit programmes.

Financial and Resource Implications

3.7 There are no finance or resource implications attached to this report.

Equality or Good Relations Implications / Rural Needs Assessment

3.8 There are no equality, good relations or rural needs implications attached to this report."

Council Response

Investment in NI – Call for evidence for the NI Affairs Committee

Questions

Your submissions should:

- be concise - if it's over 3,000 words you should include a short summary as well
- include an introduction to you or your organisation and your reason for submitting evidence
- Your submission should not have been published anywhere already. This includes blogs, newspaper articles, websites and journals, for example.

The file you upload must:

- be less than 25MB
- be a single Word, ODT or RTF document
- contain no logos

Who are you submitting evidence for?

Group or organisations

An introduction to you or your organisation and your reason for submitting evidence

Belfast City Council is the largest Council in Northern Ireland. We work closely with the other councils in the Belfast City Region Deal area as well as those along the Belfast Dublin Economic Corridor. We also work closely with Invest Northern Ireland both locally and internationally to attract investment into the region.

We launched an extensive physical investment programme, which involved a £400 million citywide commitment to making Belfast a better place to live, work, visit and invest. The programme includes around 400 projects. This momentum has now been taken forward through our Belfast Agenda, the community plan for Belfast, which places attracting investment as one of the key levers to achieve our primary goal of sustainable inclusive economic growth where everyone in Belfast benefits from a thriving and prosperous economy, everyone in Belfast fulfils their potential, and where Belfast is a vibrant, attractive, connected and environmentally friendly city. The Belfast Agenda sets an ambitious target of attracting £1 billion of private sector Foreign Direct Investment.

Steps the UK Government can take to encourage investment in NI, including through the Levelling Up Fund Shared Prosperity Fund and Internal Market Act.

Regarding the levelling Up Fund, Shared Prosperity Fund:

- The most pressing need is for clarity over future Levelling Up/Shared Prosperity funding arrangements and confirmation that the level of funding previously available through the European Union (especially ESF and ERDF) will be maintained. This is particularly important considering the rapidly approaching deadline for the end of EU funding in NI. This replacement funding is critical for continued social and economic development of the region.
- The approach to funding, needs to ensure that there is a focus on inclusive economic growth. Driving productivity improvements is important but there needs to be consideration of the historic long-term unemployment and economic inactivity within the region and ensure that resources are focused on addressing this issue.
- Consideration should be given to a place-based approach to investment support. Belfast as the regional economic driver needs consideration due to its unique role and position. There needs to be flexibility within funding programmes to address local issues rather than a one size fits all approach.
- It is important that resources are focused on key sectors such as fintech, CDI, cyber, creative, advanced manufacturing, education and tourism. These are the most likely to drive regional prosperity.
- To avoid duplication, funding streams should be designed in partnership with local and regional administrations.
- The delayed Levelling Up White Paper, which will set out the strategic direction for the Levelling Up Agenda, was due out in October but has now been postponed until the new year. Hence, like the Shared Prosperity Fund, there is much concern around the lack of clarity on these key funding programmes. Belfast City Council did not submit a bid to the Levelling Up Fund first call due to a lack of clarity around criteria and amounts available.
- Belfast City Council is concerned about how funding will be managed and administered at a regional level. The respective roles of the NI Executive and Councils remains unclear.

Regarding the issue of encouraging investment in NI:

Belfast City Council believe there are a number of steps government should take

- The Innovation and Inclusive Growth Commission (IIGC) Report “Reset for Growth” June 2021 makes several recommendations. It identifies actions to achieve the housing growth ambitions within the Belfast Agenda (the Belfast area Community Plan). These actions are necessary if this growth is to come at the pace and scale necessary to make a lasting impact. Principally these

are in terms of the structural models required to support public-private collaboration and access to finance to bring forward developments.

- The IIGC propose the establishment of Housing Investment Funds. These will provide innovative financing vehicles aimed at removing the historical barrier to investment in housing in Belfast and Northern Ireland. In particular, they will work by de-risking investment.
- These actions need to involve a range of partners including local councils and other public and private sector landowners as appropriate. This would provide assurances to the market to support the delivery of city and regional ambitions and would lever additional resources for investment.
- There should be a refocus of existing funds, such as the Northern Ireland Investment Fund on residential, which could assist with gaps in affordable and viable finance products in the market. An increase in total funds available could also assist large-scale stalled development projects, which in turn would act as catalyst for other city centre regeneration programmes.
- Additionally, the reintroduction of grants or tax incentives for living-over-the-shops (LOTS) and Heritage in Housing could assist with retail investment stabilisation. This would be by providing options to counter retail rental decline whilst increasing the city centre population and potential consumer numbers.

High Streets and City Centres

Though not specifically asked for in the Call for Evidence, Council believes that strengthening High Streets and City Centres adds to the overall investment appeal of a region. In relation to overcoming and addressing the significant issues these currently face:

- There is a need for government to take steps to ensure the appropriate funding mechanisms aligned to policy and legislation are put in place. There is a need for the priorities around diversifying support for the future of our High Streets and City Centres and these should be within the Programme for Government. Additionally, these should be costed and presented in a multi-annual budgeting process across departments.
- The scale of commitment demonstrated through the £820 million 'Future High Streets Fund' and the £1.6 billion 'Stronger Towns Fund' put in place to support the high streets of over 200 towns within England, via councils, needs to apply in Northern Ireland. Similar investment programmes of scale, centrally funded, have been brought forward in the last 18 months in Wales and Scotland. A similar level of commitment is currently absent in Northern Ireland. Urgent consideration needs to be given to a similar scale of investment in NI. This should be in accordance with local community planning, development planning and growth planning priorities for Belfast.
- This could bring together multi-departmental, Council and other sources of funding into an aggregate multi-annual fund. Such a fund could be allocated

and administered through councils with all partners (including government departments) working to deliver an agreed solutions and action plans.

- High Street Renewal Funding could be used to target larger scale infrastructure and structural change and improve the viability of stalled city centre development schemes, especially those with mixed use development that encourage city centre living.
- Government should give consideration to reopening the Urban Development Grant scheme which can act as an enabler for private sector development that may need support to address viability issues. This has the potential to enhance existing Belfast City Council programmes of work for example the Vacant Premises Programme within the city centre and sustaining the Vibrant Business Destinations programme that is directed at arterial routes and local neighbourhood centres.
- Long term investment in water and wastewater infrastructure is of great importance. Water infrastructure concerns are affecting the viability of key projects such as Weavers Cross, and the ambitious housing plans. The latter is important both to deliver for people who are on waiting lists but also to ensure NI is an attractor of talent to grow our economy. The UK's Infrastructure Bank will provide £22bn of infrastructure finance to tackle climate change and support regional and local economic growth. Steps should be taken by the devolved administration to engage with the UK Treasury on how this resource can best be used in Northern Ireland.
- City Centres and a commitment to place-based innovation and, in particular, acknowledging the importance of urban centres as the foci for knowledge-based innovation is another important element of attracting investment. Belfast City Council's Smart District is being constructed on the evidence of work by the Brookings Institution and example of places such as Smart Docklands shows there are a set of factors (beyond the traditional FDI formula) that are necessary to attract modern high quality investment in innovation.
- These include commitment to collaborative innovation between enterprise, SMEs, universities and other institutions, and quality of life factors.

Steps the UK Government can take to ensure investment, including foreign direct investment, is economically effective

- As highlighted by The Innovation and Inclusive Growth Commission (IIGC) Report 'Reset for Growth' there is an opportunity to:
 - take a more strategic approach to exploring and developing market opportunities,
 - build strategic networks and relationships,
 - develop viable investment propositions to bring to market,
 - build on Belfast's global brand and proposition as an investment location.

- **Belfast City Council has been working collaboratively with DIT to promote capital investment opportunities in Belfast and the wider city region. This has involved:**
 - **promotion of the DIT NI Investment portfolio – a portfolio of £1.3bn worth of property investment opportunities;**
 - **attendance at MIPIM – an annual global real estate conference; and**
 - **invitations to present at investment focused events at 10 Downing Street.**
- **Council considers there is an opportunity for DIT and Invest NI to more proactively leverage their international networks to positively position Belfast globally for FDI and real estate investment and development. In particular, more could be done to maximise the unique opportunities arising from Northern Ireland's unrestricted access to two markets and regulatory environments.**
- **Assistance should also be provided to develop a targeted trade & investment strategic action plan. This should include specific FDI propositions for key growth sectors; market specific investment propositions, and vehicles to fully realise the potential of the Belfast-Dublin-London relationship and the Belfast-Dublin Economic Corridor. It should build on the work already established by existing Belfast city regions investment partnerships such as the Renewed Ambition partnership, and Innovation City Belfast.**

The potential effect of City Deals on Economic Growth in NI

- **Belfast Region City Deal (BRCD) seeks to deliver a 10-year programme to increase GVA by £470m and create up to 20,000 new and better jobs across the Belfast City Region (6 Council areas). Within Belfast, it will support the delivery of the Belfast Destination Hub; active travel through a new cycle & pedestrian bridge; a Smart District; as well as innovative University-led centres of excellence in life & health sciences, data analytics and virtual production. It is expected to attract c.£150m of direct capital contributions plus a further £1bn of private sector investment. The BRCD funding of £850mn of UK and NI government funding will be a significant catalyst to attract even more investment across the region. While this City Deal was always going to be important for Belfast, as well as towns and rural areas; it is now a critical element of the post-Covid recovery.**
- **A key element of economic recovery will involve Digital Investments including:**
 - **£30m Investment in advanced wireless infrastructure. This investment is based on the premise that while investment in fibre is expected to reach sufficient levels in the next few years, investment in advanced wireless networks will lag considerably – potentially**

undermining the region's growth ambition for key sectors and our universities' research ambitions.

- Wireless connectivity (4G, 5G, mmWave, 6G) is expected to be the enabling infrastructure for the modern economy (connected health, advanced manufacturing, screen and media, agri-food, etc). This aligns with the UK Government's own analysis.
- The use of challenge funding to encourage collaborative innovation. BRCD partners are developing new funding programmes (including the £20m Innovation for Societal Impact fund) to encourage collaboration between SMEs, enterprises, universities and government.

Steps that business can take to invest effectively in NI

- Prior to the pandemic, Belfast was on an impressive growth trajectory. The City witnessed record levels of office, hotel and student accommodation development. Investment transactions from 2015 to 2020 totalled £717 million.
- Further Private sector investment is required to continue to drive the delivery of key regeneration projects; and to bring forward housing developments across all tenures to help create a vibrant, functioning city centre. This is necessary to achieve the Belfast Agenda's ambition to attract 66,000 new residents and create 46,000 new jobs in the city by 2035. Additionally, investment in commercial developments will provide the office accommodation required to capitalise on Belfast's current position as one of the most attractive investment locations in Europe for tech start-ups and FDI.
- Belfast Region City Deal is expected to attract c.£150m by way of direct capital contributions from the private sector. However, it also includes opportunities and a requirement for a further £1bn of private sector investment in order to deliver the benefits through jobs and productivity set out within the business cases.

Steps the UK Government can take to encourage investment that addresses the skills gap and increases the employment opportunities for people with few or no qualifications.

There are a number of key areas that need to be focused on to address the skills gap and increase employment opportunities:

- Large scale investment in digital skills provision is required, to meet the needs of the new economy and growth sectors in NI. This should focus on level 2 and above.

- A commitment to targeted interventions. This should include paid work experience and extensive wrap-around support for those that don't have relevant academic qualifications.
- This will require the development of further innovative intervention, which should be based on competency and aptitude rather than academic qualifications.
- Addressing other known barriers to employment, which may not always be skills related. For example, childcare issues are a particularly noticeable barrier in Belfast.
- Enhanced incentives for investment in key sectors.
- Ensuring the application of social value considerations as part of investments and the condition of funding.

Steps the UK Government can take to support the decarbonisation of industry in NI and stimulate investment in a sustainable economy

- Manufacturing contributes over £1 billion to the local economy accounting for 11% of employment and over 15% of GVA, making it a key sector in the Northern Ireland economy. The city is a global leader in aerospace and defence, marine manufacturing (which supports the needs of the maritime, offshore and renewable energy sectors), materials handling, automotive, electronics, Onshore/ offshore wind Energy efficiency, Energy storage and intelligent systems, Waste and recycling Water and waste water. The low carbon sector employs more than 12,000 people in over 300 companies with an annual turnover in excess of £1.7bn.
- The Climate Change Committee's 6th carbon budget estimates that the UK must invest 1% of GDP every year for the next 30 years in order to decarbonise at the rate and scale required.
- The delivery of the green growth and net zero ambitions will need to be resourced effectively and efficiently to ensure that public sector funding catalyses the level of private investment that is required to deliver at scale and at pace if we are to meet the targets.
- Council are working closely with the Place Based Climate Action Network, the Just Transition Alliance and the UK Climate Investment Commission to explore a range of financing models that could unlock private capital and also have initiated work to develop a pipeline of net zero investments for Belfast.
- Financial institutions are seeking net-zero investment opportunities but complain of a lack of investable projects and programmes of the right scale and form, while businesses have good net zero ideas but struggle to make them investable and source finance on a project by project basis.
- What is required is the intermediary layer that can develop and consolidate projects and programmes and match them to different forms of finance.

There is a clear need to bridge gaps between projects and investment by building capability, capacity and connections to match projects with institutional investors. One of the steps that the UK Government could take is to establish a series of Place-based Climate Finance Platforms as a way of bridging the divide with the capability to:

- Identify, develop and de-risk pipelines of projects,
 - develop the business models needed to make these projects investable,
 - consolidate multiple projects into programmes that work at the scale needed to secure investment and;
 - connect them to different sources of finance.
- Strong evidence suggests that unlocking climate finance this way would both enable decarbonisation and deliver local environmental, economic and social benefits whilst generating effective financial returns. This would enable a green recovery and promote levelling up.
 - There is a strong case for these platforms to operate at the local/regional scales in a place-based way that understands both the specific opportunities and the capacities needed to address them in a suitably nuanced way. The case for such platforms is increasingly accepted.

Therefore, to decarbonise industry in NI, Council suggests the Government considers:

- Investment to develop a Place-based Climate Finance Platforms in Belfast.
- Developing a comprehensive strategy and support and investment for green tech, specific proposals and develop and fund education and employability programmes to ensure a skilled workforce is in place to fuel green growth.
- Investment to support a Housing retrofit programme to create a demand for industry solutions to decarbonise and modernise NI's aging housing stock, with support for the development of a retrofit delivery hub (UK Green Growth Index suggests switch from oil to heat pumps, Climate Investment Commission report refers to retrofit, Reset for Growth report recommends housing programme).
- Provide an update on revisions to the Building Control regulations to future-proof new buildings for thermal efficiency and low carbon heating (and avoid costly retrofits at a later date).
- Investment to support Public sector decarbonisation to stimulate the growth of green supply chains. NB Council have been unable to access UK funding to support public sector decarbonisation to date.
- Investment to support Transport Decarbonisation – measures to support decarbonisation including EV infrastructure and investment in active travel infrastructure such as cycling networks (UK Green Growth Index refers to CCC recommendations on EV).

- Investment to support industrial decarbonisation – advice, support, grants to support private sector decarbonisation.
- Investment to support Adaptation planning in Belfast to future proof investments in infrastructure and real estate, including additional investment into Belfast Living with Water programme. The programme (estimated to cost £1.4 billion) is needed to upgrade the drainage and wastewater infrastructure serving the greater Belfast area to be more resilient to climate change and to support economic growth. The programme promotes the use of blue/green infrastructure rather than a continued reliance on hard engineered measures such as bigger pipes and higher flood defences.
- Investment to support our Nature based solutions programme to build resilience to climate impacts (flooding and heat stress) – additional investment into tree planting, peatland restoration, blue carbon restoration (Climate Investment Commission report refers to costs we calculated for tree planting for example).
- We have already seen commitments from the UK Government. For example, the relevant UK Government Departments jointly published a statement setting out the approach to transposing the 2020 Circular Economy Package waste measures, the Business and Energy Secretary announced in March 2021 an ambitious blueprint to deliver the world's first low-carbon industrial sector and over £1 billion to cut emissions from industry, schools and hospitals. The new Industrial Decarbonisation Strategy sets out the government's vision for building a competitive, greener future for the manufacturing and construction sector. Part of the government's path to net zero by 2050 measures will create and support 80,000 UK jobs over the next 30 years whilst cutting emissions by two-thirds in just 15 years.

Relationships between schools and local Universities

Although the Council has no statutory responsibility for education, we have developed a close relationship with local universities and schools to address skills and employability issues within the city. In particular, we consider that the prevailing challenges around educational attainment, especially within disadvantaged communities, should be a focus for investment in the context of the Levelling Up ambitions and commitments.

In considering options for investment, the council recommends the following:

- Supporting the delivery of the Fair Start recommendations to enhance educational attainment levels, focusing on areas of most significant disadvantage.
- Supporting interventions that encourage progression pathways from vocational into higher education to expand the engagement mechanisms to support access through non-traditional routes.

- Successive research work, including work by CBI and Ulster University's Skills Barometer, indicates that the digital skills pipeline is struggling. Career pathways guidance and digital engagement must start at an early stage. Significantly more also needs to be done within schools to encourage the uptake of STEM subjects and to address diversity imbalances. This is necessary if we are to establish a long-term NI skills pipeline.
- The focus should be on not only improving linkages between schools and universities but also between schools and FE colleges, in recognition of the value of technical and vocational education in building our economy.

Assessment of the understanding of the importance of education

The Government should develop a comprehensive and long-term range of programmes and interventions to address systemic issues in STEM imbalance. It should invest in interventions to overcome barriers to inclusive participation in technology, particularly by young people, in order to inspire the next generation of scientists and entrepreneurs.

School engagement through careers provides a clear opportunity to instill excitement around this vision. We support investment in a sustained intervention of scale that:

- Incorporates a common message or brand supported by all partners and delivered via a sustained engagement campaign.
- Integrates role models who are relatable to young people connecting to industry.
- Establishes clear career pathways into the occupational areas identified, through which young people and their influencers can see the educational journey they need to embark on. These pathways need to cover both further and high education, and they need to be joined up and coherent.
- Engages young people across the education system in new and innovative ways.
- Integrates across the education system, instilling core innovation skills and ensuring that young people, even if they don't progress into a R&D specific role, have still developed a set of core transferrable skills.
- Secures the commitment of the education system and develops the skill base of the teaching community to ensure they are equipped with the skills and knowledge to inform young people.

Status of technical, vocational education and apprenticeships

- Belfast City Council's work with partners has identified that there is a need for significant additional investment in apprenticeships, particularly in new and growth sectors such as fintech, CDI, cyber, creative, advanced manufacturing, and tourism.

- Additionally, there needs to be radical change to the apprenticeship levy investment model. Currently employers see no benefit from this. Instead it is seen as an additional cost that adversely affects their bottom line, which makes the apprenticeship model less appealing.
- To strengthen NI's skills pipeline there is a need for targeted interventions in key sectors, such as computer science where data indicates that many jobs cannot be filled due to shortages of graduates. Prioritising certain sectors and skills by introducing grant systems is one intervention that may help address supply side deficiencies. However, skills supply interventions are generally long-term in nature. Therefore, shorter-term approaches could focus on upskilling aspects of the existing workforce, especially those individuals adversely affected by COVID-19. To promote diversity across R&D roles, potential exists to look at alternative educational pathways beyond the traditional academic route usually associated with these roles. Vocational pathways such as apprenticeships and higher-level apprenticeships are examples of alternative routes into these roles.

Identifying sectors of investment and employment potential

- There is a need for better tools and data sources for identifying high potential growth clusters in Northern Ireland. The 10X Economy Ambition proposed that NI should be hyper-focused on those sectors that have the potential to greatly increase productivity and generate jobs. Investment proposals should align with those identified sectors. However, in keeping with the commitments around levelling up, government should ensure that investment is focused on inclusive economic growth.
- NI has struggled in the past to provide detailed quantitative analysis of these sectors (and for example their relationship to translational research strengths of our universities). Much of this was due to paucity of local data or the absence of common metrics. Work is now underway between the Council's City Innovation Team and Innovation City Belfast to exploit new technologies and techniques to better understand the landscape for cluster growth. We will work closely with Government to ensure that there is a place-based approach to investment that can maximise return for all partners.
- Talented people are the key ingredient to a successful innovation ecosystem. Hence a number of different initiatives are needed, particularly in light of Brexit and the implications for NI which faces a potential 'brain drain' outside of the region. This requires both a focus on creating a strong domestic skills pipeline and attracting talent, particularly within those key sectors.

The Committee approved the foregoing response for submission to the Northern Ireland Affairs Committee.

Consultations and Responses

The City Solicitor undertook to submit to a future meeting a report setting out the current arrangements for dealing with consultations, in the context of an issue which had been raised by a Member around the need to ensure that Members were afforded the opportunity to view consultations and contribute to responses at an earlier stage in the process.

Physical Programme and Asset Management

Assets Management

The Director of Physical Programmes submitted for Committee's consideration a report seeking approval in relation to the following asset related disposal, acquisition and estate matters:

i. Midland Boxing Club – Acquisition of land

The Committee granted approval to acquire approximately 202.35 m² of land from the Northern Ireland Housing Executive to facilitate the extension of the existing Midland Boxing Club facility.

ii. Grosvenor Recreation Centre – Licence Agreement

The Committee granted approval to enter into a new two-year Licence Agreement with Bravo Outdoor Limited for the operation of the advertising hoardings at Grosvenor Recreation Centre.

iii. Waterworks Park Community Garden – Grow-NI Agreement

The Committee granted approval to extend the agreement with Grow-NI for a further three years, from 1st January 2022, to manage and use the community garden at the Waterworks Park.

Update on Area Working Groups

The Committee approved and adopted the minutes of the meeting of:

- the South Belfast Area Working Group of 22nd November;
- the North Belfast Area Working Group of 24th November;
- the West Belfast Area Working Group of 25th November; and
- the East Belfast Area Working Group of 2nd December.

The Committee also approved the participation in the Community Infrastructure Pilot initiative of the Ballynafeigh (including Annadale) and Finaghy areas, on the basis of discussions which had taken place since the meeting of the South Belfast Area Working

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Group on 22nd November with Members from the Balmoral and Botanic District Electoral Areas.

Finance, Procurement and Performance

Update on Contracts

The Committee:

- approved the public advertisement of tenders, as per Standing Order 37a, as detailed in Table 1 below;
- approved the award of Single Tender Actions, in line with Standing Order 55 exceptions, as detailed in Table 2 below;
- noted the award of retrospective Single Tender Actions, in line with Standing Order 55 exceptions, as detailed in Table 3 below; and
- approved the modification of the contract, as per Standing Order 37a, as detailed in Table 4 below:

Table 1: Competitive Tenders

Title of Tender	Proposed Contract Duration	Estimated Total Contract Value	SRO	Short description of goods / services
Hire of marquees and equipment for Council events	Up to 4 years	£380,000	R Cregan	The Council runs a number of planned and ad hoc events each year where marquees and equipment are required for delivery
Procurement of a web recruitment system to be integrated into the council's replacement HR/Payroll/Time & Attendance system, ResourceLink (RL)	Up to 4 years	£100,800	R Cregan	The web recruitment module within the RL system was unable to be implemented due to it not meeting current accessibility standards.
License support and maintenance for Plotbox booking system for cemeteries and crematorium	Up to 4 years	£104,640	R Cregan	Booking system for cemeteries and crematorium

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Open Spaces and Street Scene vehicles/ plant	Up to 2 years	£301,000	C Matthews	New vehicles/ plant to support in house teams for operational needs.
Cleaning Services	Up to 5 years	£1,000,000	S Toland / R Black	Corporate wide contract for cleaning services that will be open to use by all departments that have a requirement for cleaning offices/premises outside of the service provided by the internal cleaning teams/ staff.
Provision of collection, storage, retrieval and destruction of office records.	Up to 10 years	£560,000	J Walsh	Ongoing requirement for retrieval and off-site storage of office records and destruction of confidential waste and stored documents as per Council Retention & Disposal Policy
Supply of topdressing, sand and soil for parks	Up to 3 years	£375,000	R Black	Materials required for sports surfaces and pitches.
Replacement of network hardware in the four main BCC sites: City Hall, 9 Adelaide, Cecil Ward Building and Duncrue	Up to 12 months	£343,745	R Cregan	The current hardware is reaching end of life. The new hardware allows BCC to control and monitor the devices and security profile of all devices connecting to the network
Replacement of server and storage hardware	Up to 12 months	£500,000	R Cregan	The current hardware is reaching end of life. The hardware is now 5 years old must be replaced to ensure continuity of

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				service and support, reduce risk of failure, and to avoid escalating support costs from the hardware suppliers
Security awareness and phishing training system	Up to 3 years	£54,000	R Cregan	The procurement and commissioning of a security awareness and phishing training system
Provision of an occupational health service for staff	Up to 3 years	£562,380	J Tully	Occupational health service for staff
Provision of an employee counselling service for staff	Up to 3 years	£590,000	J Tully	Employee counselling service for staff

Table 2: Single Tender Actions

Title	Total Value	SRO	Supplier
Support and maintenance of E-Bravo tendering solution	£32,443	R Cregan	Bravosolutions UK Ltd
T629a - Removal, Storage and Retrieval of Office Records	£32,000	J Walsh	Morgan Document Security (previously, John Morgan & Son Ltd)
SAP annual licences	£48,000	R Cregan	SAP UK Limited

Table 3: Retrospective Single Tender Actions

Title of Contract	Duration	Value	SRO	Supplier
Environmental Health Officers required for 24hr shift rota cover for essential service delivery within the Port Health service (fully funded)	Up to 5 months	£80,000	S Toland / R Black	Hays Recruitment
Electrical services installation at Carrickhill Community Centre	Up to 6 weeks	£38,048	S Grimes	Methodology M&E
The build, construction and fabrication of the space and elements within at 2 Royal Avenue (fully funded)	Up to 8 months	£200,000	A Reid	Little Fox Events

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The provision of bespoke festival style temporary toilets at 2 Royal Avenue (fully funded)	Up to 16 weeks	£48,301	A Reid	Balloo Ltd
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Table 4: Modification to Contract

Title of Contract	Duration	Modification	SRO	Supplier
T1857 - Peace IV Programme - Marking the Decade of Centenaries	Up to 3.5 years	Additional 4 months	S Toland / R Black	The Corrymeela Community
T1710 - Provision of a cleaning service at Belfast Castle, Malone House, The Stables and Lock Keepers Cottage	Up 5 years	Additional 4 months and £20,000	S Toland / R Black	Precision Industrial Services
T1858 Peace IV Connecting Communities (*Please note a 3 month extension has been approved by SP&R in October 2021)	3 years and 2 months	additional 6 months = 9 months total	S Toland / R Black	NI Alternatives Limited
T1990b Cinematography for PEACE IV Programme Services	Up to 1 year	Additional 10 months and £5,720	S Toland / R Black	Morrow Communications
T1925 - Peace IV On the Right Track; Good Relations through Sports	Up to 2 years and 10 months	Additional 9 months	S Toland / R Black	Active Communities Network
T1877 Supply, delivery, and application (as required) of top-dressing sand and the supply of bowling green top-dressing sand, topsoil, screened topsoil, and sand/soil mix	Up to 3 years	Additional 4 months and additional £40,000	S Toland / R Black	Clive Richardson Ltd
T1859a - PEACE IV Playing our Part in the City Programme	Up to 3 years and 3 months	Additional 3 months	S Toland / R Black	Active Communities Network
T1920 - Peace IV Personal Development Project for Young People at Risk	Up to 3 years	Additional 3 months	S Toland / R Black	Extern Northern Ireland

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**Request for Funding - Belfast
Indoor Bowls Club**

(The Director of Finance and Resources declared an interest in this item, on the basis that he was a member of the Belfast Indoor Bowls Club, and left the meeting whilst it was being considered.)

The Head of Finance informed the Committee that a request had been received from the Belfast Indoor Bowls Club for financial assistance towards the hosting in Belfast of the British Isles Indoor Bowls International Series and Championships Series.

It had been pointed out that the event, which would be taking place in March, 2022, would attract 350 competitors and between 2,500 and 3,000 spectators and would create a positive impact for the City from a tourism perspective.

The Belfast Indoor Bowls Club had been successful in acquiring funding from the Council through the Support for Sport Grants Fund to host the event in 2017. However, as that Fund had not opened for 2021/22, it had been unable to secure grant funding for the forthcoming event.

The Head of Finance explained that, whilst the British Isles Indoor Bowls Council would be providing a grant of £3,000 to help offset the loss of green fees, the Belfast Indoor Bowls Club was still required to raise £9,490 to meet the cost of advertising and promotional material, the hire of tiered seating and first aiders and the payment of subsistence to volunteers/stewards. Should the Committee accede to the request, the funding would be met from existing budgets.

The Committee agreed to allocate £9,490 to the Belfast Indoor Bowls Club towards the hosting of the aforementioned event.

Equality and Good Relations

**Minutes of Meeting of
Shared City Partnership**

(Ms. N. Lane, Good Relations Manager, attended in connection with this item.)

The Committee approved and adopted the minutes of the meeting of the Shared City Partnership of 6th December, including the following recommendations:

PEACE IV

- i. to grant to CYP2 Playing our Part in the City and CYP3 Personal Change a three-month extension to 28th March, 2022 to enable project closure and wrap up; and
- ii. Shared Spaces and Services – to agree to extend the MDL contract to 31st January, 2022.

Building Positive Relations (BPR)

BPR 1 - NIHE

- i. to re-profile £25,000 within the NIHE budget to support residential trips and proposal for a two-night cross-border residential trip for West Belfast 1 participants;
- ii. to approve the use of SLAs with community groups participating in BPR1. (Previous requests for this approach are still awaiting SEUPB approval);
- iii. to deliver eight hours capacity building on an individual group basis for participants within West Belfast 2 network;

BPR5 LINC5

- to extend the delivery timeframe to 30th September, 2022 to increase capacity building and further develop the Inclusion Forum.

BPR5/Traveller

- to delegate authority to the PEACE IV Programme Board to agree the rescope of the Traveller Support Hub to a Capacity Building programme, subject to SEUPB approval.

Good Relations Plan

- i. to direct £10,000 of unspent funding from the Micro Grants budget into the St. Patrick's Day fund;
- ii. to reallocate the funding allocated to the St. Patrick's Day Grants programme, along with the £10,000 from Micro Grants underspend (as above), to the Civic Programme being led by the Tourism, Culture, Arts and Heritage Team, to assist with the delivery of the four large-scale events scheduled to be held in Belfast over the week of St. Patrick's Day;
- iii. to provide funding support of £15,000 towards four separate good relations related projects, proposed by the City and Neighbourhood Services' East Belfast Team, delivered by East Belfast Alternatives, East Belfast Sure Start, East Belfast Community Development Association and Youth Initiatives. (These proposals relate to BCC 10 Strategic Intervention Programme - East £15,000);
- iv. to agree, in principle, to provide funding of £5,000 to support The Four Corners Festival and to grant delegated authority to

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the Good Relations Manager to liaise with the group and award the funding, if appropriate; and

- v. to provide funding support of £8,000 towards the delivery of a number of good relations related activities to coincide with the African Nations Cup, to be delivered by the Northern Ireland Community of Refugees and Asylum Seekers, in partnership with other organisations. (These proposals relate to BCC10 Strategic Intervention Programme – South).

The Good Relations Manager informed the Committee that, following the meeting of the Shared City Partnership, she had been advised that, due to resource issues, the Northern Ireland Community of Refugees and Asylum Seekers did not have the capacity currently to manage the activities referred to in recommendation v. above.

Accordingly, she recommended that the Committee agree that the funding of £8,000 be awarded to a relevant organisation, to be agreed by the Director of Neighbourhood Services, which was already involved in this area of work, to deliver the activities in partnership with the Northern Ireland Community of Refugees and Asylum Seekers.

The Committee adopted the recommendation.

**Equality and Diversity: Equality Screening
and Rural Needs Outcome Report**

The Committee noted the contents of a report providing a summary of equality screenings and rural needs impact assessments for the period from July to September, 2021.

Operational Issues

**Minutes of Meeting of Party Group
Leaders' Consultative Forum**

The Committee approved and adopted the minutes of the meeting of the Party Group Leaders' Consultative Forum of 9th December.

**Minutes of Meeting of Social Policy
Working Group**

The Committee approved and adopted the minutes of the meeting of the Social Policy Working Group of 22nd November.

**Requests for use of the City Hall
and the Provision of Hospitality**

The Committee agreed to adopt the recommendations made in respect of those applications received up to 6th December, as set out below:

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NAME OF ORGANISATION	FUNCTION DATE	FUNCTION DESCRIPTION	CRITERIA MET	ROOM CHARGE	HOSPITALITY OFFERED	CIVIC HQ RECOMMEND
2022 EVENTS						
Malaysia Students Society of Northern Ireland	13 March 2022	Malaysian Night 2022 – Annual cultural celebration and dinner for the Malaysian community in Belfast. Numbers attending – 200	C & D	No (Community)	No Hospitality	Approve No Charge No hospitality
NI Tourist Guiding Organisation	6 April 2022	Graduation of Tourist Guides - ceremony to celebrate students have completed the first ever Green Badge Walking Tour Course for Belfast. Numbers attending – 50	B & C	No (Voluntary/ NFP)	No Hospitality	Approve No Charge No hospitality
Saphara	11 April 2022	Saphara Be the Change Award ceremony will highlight and celebrate the work of 150 school students in local and	D	No (charity)	No hospitality	Approve No Charge No hospitality

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		global citizenship. Numbers attending – 50				
Belfast & District Beekeepers Association	19 May 2022	Launch of the BDBKA 80th Anniversary Publication – Launch event for their new publication. <i>(daytime event)</i> Numbers attending – 20	C & D	No (Voluntary/ NFP)	No Hospitality	Approve No Charge No hospitality
Fleming Fulton School	19 May 2022	End of Year Celebration Ceremony will recognize the challenging times during the past 2 years and celebrate with our young people and their families the resilience shown. <i>(evening event)</i> Numbers attending – 220	D	No (charity)	No hospitality	Approve No Charge No hospitality
Swim Ireland	8 October 2022	LEN European Swimming Officials	B & C	No (Voluntary/ NFP)	No Hospitality	Approve No Charge

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		Seminar 2022 – Gala Dinner as part of the 3-day seminar and welcome to Belfast. Numbers attending – 75				No hospitality
D'Sign Arts (NI)	10 December 2022	Recognition and celebratory event to thank and award committee members and volunteers for all of their hard work, commitment and contribution to the charity. Numbers attending – 30	D	No (charity)	No hospitality	Approve No Charge No hospitality

Minutes of Meeting of Audit and Risk Panel

The Committee noted the key issues which had been discussed at the meeting of the Audit and Risk Panel on 7th December and approved and adopted the minutes of the meeting.

Minutes of Meeting of Active Belfast Limited Board

The Committee noted the minutes of the meeting of the Active Belfast Limited Board of 6th December.

Chairperson

B3873

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Extract of the Minutes of the Strategic Policy and Resources Committee of 24th September, 2021

Consultation on Signage - Andersonstown, Lisnasharragh, Olympia and Templemore Leisure Centres – Options Paper

The City Solicitor submitted for the Committee's consideration a report presenting options for the language or languages to be used in naming and signage in those leisure facilities designated with a City-wide catchment.

He reminded the Committee that, in accordance with the decision taken at the special meeting of the Council on 11th October, 2019 around dual-language signage, a City-wide consultation had been undertaken, to inform the approach to be adopted in respect of Andersonstown, Lisnasharragh, Olympia and Templemore Leisure Centres, which were deemed to have a City-wide catchment. The Committee had subsequently, at its meeting on 24th January, 2020, granted approval to erect bilingual external naming and internal directional signage in Andersonstown Leisure Centre.

He reported that Mr. J. Kremer, an equality consultant, who had been commissioned by the Council, was in attendance to outline the findings of the consultation exercise.

Mr. Kremer reviewed the consultation methodology and provided details on the number of responses which had been received. In terms of the results, he confirmed that there had been overall support for bilingual naming, using English and Irish. However, where more local consultation had been undertaken, strong opposition and views had been expressed in relation to Lisnasharragh and Templemore Leisure Centres. In terms of Olympia Leisure Centre, the consultation had not provoked the same reaction at that time. However, he and Council officers had met subsequently with local community representatives who had expressed strong views against bilingual signage in English and Irish.

The City Solicitor pointed out that Mr. Kremer had met with officers from the Legal and Civic Services and the Physical Programmes sections to review the results of the consultation and the views which had been expressed by local communities and Party Group Leaders. In light of those, the following options had been drafted for the Committee's consideration:

1. to retain the current use of English only at the centres;
2. to use bilingual or some element of bilingual signage at the centres (English and Irish);
3. to use tri-lingual or some element of tri-lingual signage at the centres (English, Irish and Ulster-Scots);
4. to use multi-lingual or some element of multi-lingual signage at the Centres (English, Irish, Ulster-Scots and the language of the predominant new community in the City Council district, as informed by information on languages in new migrant communities in Belfast);
5. the use of pictorial signage is recommended;
6. to have a single sign at the point of entry (the main directional sign) in the formats suggested at options 2, 3 or 4, with the remaining signs in English and pictorial format, as a way of delivering balance;

7. it is recommended that the signage under consideration is wayfinding only.

After discussion, it was

Moved by Councillor Beattie,
Seconded by Councillor Murphy,

That the Committee agrees:

- i. to erect bilingual external naming and internal directional signage at Olympia Leisure Centre, with a report on the detail and appearance of that signage to be submitted to a future meeting;
- ii. that a report on linguistic accessibility at Lisnasharragh and Templemore Leisure Centres be submitted to a future meeting; and
- iii. that a multi-lingual welcome sign be erected in the entrance/reception area of all leisure centres.

Amendment

Moved by Alderman Kingston,
Seconded by Councillor Bunting,

That the Committee agrees to defer consideration of the linguistic signage to be erected at Olympia Leisure Centre to allow for further engagement to take place with the local community.

On a vote, six Members voted for the amendment and twelve against, with one “no vote” and it was declared lost.

The original proposal, which had been proposed by Councillor Beattie and seconded by Councillor Murphy, was then put to the meeting, when twelve Members voted for and six against, with one ‘no vote’, and it was declared carried.

The Committee agreed also to adopt the recommendation to proceed with pictorial signage.

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BRIEF TO ADVISE

Belfast City Council ('the Council')

Re: Call-in of a decision by the Council's Strategic Policy and Resources Committee on
24th September 2021

Counsel's Opinion

Introduction

1. I am asked to advise Belfast City Council ("the Council") in relation to the proposed call-in of a decision by the Council's Strategic Policy and Resources Committee ("The Committee") on 24th September 2021, in respect of signage at the Olympia Leisure Centre.
2. The Chief Executive has received a call-in requisition signed by 10 members of the Council in relation to the above outlined decision. The call-in requisition seeks that the decision be called in under:
 - i) Section 41(1)(a) of the Local Government (NI) Act 2014, and
 - ii) Section 41(1)(b) of the Local Government (NI) Act 2014

(herein after the Local Government (NI) Act 2014 will be referred to as "the 2014 Act")

3. I am asked to provide an opinion, pursuant to section 41(2) of the 2014 Act, on whether the call-in has merit.

The Committee decision

4. On 24th September 2021 the Committee considered agenda item 2(f) "consultation on signage – Andersonstown, Lisnasharragh, Olympia and Templemore Leisure Centres- Options Paper." The minute of the meeting records that the City Solicitor submitted a report setting out options for languages to be used in signage in the

named leisure centre facilities. The minute of the meeting records that the Committee was reminded of relevant background to the agenda item, namely an earlier decision of the Council, taken on 11th October 2019, to have a city wide consultation to inform the approach to be adopted in respect of the named leisure centres. The Committee was also reminded that it had, at its meeting on 24th January 2020, granted approval to erect bilingual external and internal directional signage in Andersonstown Leisure Centre.

5. Mr J Kramer, an independent equality consultant, had been commissioned by the Council in respect of the consultation and he was in attendance at the Committee meeting of 24th September. The minutes record that he outlined the findings of the consultation exercise. Mr Kramer also prepared three reports: 1) "Independent Report: Consultation on the Council decision to erect Bilingual/Multilingual External Naming and Internal Directional Signage in Andersonstown, Lisnasharragh, Olympia and Templemore Leisure Centres" (22 January 2020); 2) Executive summary of the first mentioned report, and 3) Addendum report: Olympia Leisure Centre (undated). All three reports were provided to the Committee in respect of this decision.
6. The Committee was presented with seven options¹ for consideration. Members were also reminded that they may wish to consider an alternative proposal which they were free to formulate².
7. The minute of the Committee meeting records that, after discussion, it was moved by Councillor Beattie and seconded by Councillor Murphy, that the Committee agrees:
 - i. to erect bilingual external naming and internal directional signage at Olympia Leisure Centre, with a report on the detail and appearance of that signage to be submitted to a future meeting;
 - ii. that a report on linguistic accessibility at Lisnasharragh and Templemore Leisure Centres be submitted to a future meeting; and
 - iii. that a multi-lingual welcome sign be erected in the entrance/reception area of all leisure centres.
8. It is also recorded that Alderman Kingston, seconded by Councillor Bunting, proposed that the Committee agree to defer consideration of the linguistic signage at Olympia leisure centre to allow for further engagement with the community. On a vote, that proposal was declared lost.
9. The original proposal, by Councillor Beattie, was then voted upon. Twelve members voted for and six against. The proposal was declared carried. The minute also notes

¹ Per paragraph 3.5 of the Committee Report

² Per paragraph 3.7 of the Committee Report

that the Committee agreed to adopt the recommendation to proceed with pictorial signage.

Relevant Statutory Provisions

10. Section 41(1) of the 2014 Act requires that the Council:

“must make provision requiring reconsideration of a decision if 15 per cent. of members of the council (rounded up to the next highest whole number of necessary) present to the clerk of the council a requisition on either or both of the following grounds-

“(a) that the decision was not arrived at after a proper consideration of the relevant facts and issues;

(b) that the decision would disproportionately affect adversely any section of the inhabitants of the district.”

11. Section 41(4) of the 2014 Act defines a “decision” as being a decision of the council, or a committee of the council, including a decision to make a recommendation.

12. The requirement that 15% of members present the requisition equates to a requirement for at least 9 members to present a requisition in order to constitute a valid call in. As the subject call-in request is signed by 10 members of Council, it meets this procedural requirement.

Ground 41(1)(a) of the 2014 Act: that the decision was not arrived at after a proper consideration of the relevant facts and issues

13. This is a procedural test. The principle that decision makers must take into account relevant considerations, and conversely must exclude irrelevant considerations from their mind, is one which is well established in public law terms.

14. In the seminal case of Associated Provincial Picture Houses Ltd v Wednesbury Corporation³, Lord Greene expressed the requirement this way:

“A person entrusted with discretion must direct himself properly in law. He must call his own attention to the matters which he is bound to consider. He must exclude from his consideration matters which are irrelevant to the matter that he has to consider. If he does not obey those rules, he may truly be said, and often is said, to be acting ‘unreasonably’.”

³ [1947] 4 All ER 68

15. A decision maker must therefore sufficiently inform itself about the matter before it makes a decision. However, equally well-established is the principle that the weight to be attached to a particular consideration is a matter for the evaluation of the decision maker.

16. I therefore consider the test under Section 41(1) with these well-known public law principles in mind. The requisition for call-in lists seven reasons under this ground. I consider each in turn below.

i. Failure (adequately or at all) to consider the cost implications of replacing the signage at Olympia before making this decision.

17. The report presented to Committee notes, at paragraph 3.8 “there will be potential costs implications if a decision is made to replace existing signage.” Mr Kramer’s main report also notes, at paragraph 5.22, that the cost of signage had been raised by a respondent to the consultation in respect of Olympia. The Committee was therefore aware that there would be a cost implication to replace existing signage. Inasmuch as those seeking call in contend that specific costs were “entirely unknown” to the Committee, I am instructed that the City Solicitor did inform the Committee of indicative costs orally at the meeting on 24th September 2021. I therefore find there to be no merit in this ground.

ii. Lack of EQIA before making this decision

iii. Failure (adequately or at all) to review the Section 75 screening outcome before making this decision

iv. The equality screening report was not in front of the committee when it made this decision.

18. I consider these grounds together, as they collectively raise equality issues and are conveniently considered together.

19. In the Council’s Equality Scheme, which is published pursuant to Schedule 9 of the Northern Ireland Act 1998, states that it uses screening and equality impact assessments to assess the impact of proposed policies on the S.75 categories.⁴ The Scheme also states that screening is completed “*at the earliest opportunity in the policy development /review process. Policies which we propose to adopt will be subject to screening prior to implementation.*”⁵ Screening concludes whether the likely impact of the policy is major or minor in respect of any of the S75 categories. A policy can be screened in for EQIA, screened out with mitigation, or screened out without mitigation.

20. Section 75 of the Northern Ireland Act 1998 requires Belfast City Council, as a public authority, to comply with two statutory duties:

⁴ See chapter 4 of the Council’s Equality Scheme

⁵ Paragraph 4.5 of the Council’s Equality Scheme

-
- i) The duty to promote equality of opportunity and
 - ii) The good relations duty.

21. The duty to promote equality of opportunity is set out in Section 75(1) of the Northern Ireland Act 1998 which provides:

*“(1)A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity—
(a)between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
(b)between men and women generally;
(c)between persons with a disability and persons without;
and
(d)between persons with dependants and persons without”*

22. The good relations duty is set out in Section 75(2) of the Northern Ireland Act 1998 which provides:

“(2)Without prejudice to its obligations under subsection (1), a public authority shall in carrying out its functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.”

(Hereinafter these duties will be referred to collectively as “*the Section 75 obligations*”)

23. The Section 75 obligations are principally procedural obligations as to how decisions are reached and not substantive obligations, that is to say that they do not prescribe what the resultant decision must be. They require that the decision maker “have due regard to” and ‘have regard to” the matters set out, but they do not require a particular outcome.

24. Voluminous case law in this area has grappled with the question-what does the duty to have “due regard” require in reality? In R (on the application of Baker and others) v Secretary of State for Communities and Local Government⁶ Dyson LJ considered that question,

“What is *due* regard? In my view, it is the regard that is appropriate in all the circumstances. These include on the one hand the importance of the areas of life of the members of the

⁶ [2008] EWCA Civ 141

disadvantaged racial group that are affected by the inequality of opportunity and the extent of the inequality; and on the other hand, such countervailing factors as are relevant to the function which the decision-maker is performing.”

25. Giving the judgment of the Divisional Court, R (Brown) v Secretary of State for Work and Pensions⁷ Aikens LJ, stated that the duty to have “due regard” requires a “conscious approach and state of mind”⁸. Significantly, in that case the Court concluded that, the duty under the Disability Discrimination Act 1998 to “have due regard” to, inter alia, “the need to promote equality of opportunity between disabled persons and other persons”, does not impose a requirement to conduct a full equality impact assessment. Rather,

“At the most it imposes a duty on a public authority to consider undertaking a DEIA, along with other means of gathering information, and to consider whether it is appropriate to have one in relation to the function or policy at issue, when it will or might have an impact on disabled persons and disability.”

26. The report presented to Committee advised, at paragraph 3.8 that “a draft Equality screening report had been completed and a final screening form will follow this Council decision.” It appears that the draft screening document was provided to consultees as part of the public consultation process. The draft equality screening document was appended to the public consultation form and consultees were invited to comment on the draft screening document⁹.
27. Whilst the existence of the draft screening form were noted in the independent report, along with the comments on same which arose from the consultation¹⁰, the actual outcome of the screening report was, regrettably, not explicitly stated in Mr Kramer’s independent report. Nor was it appended to the report with the remainder of the consultation form. Therefore, it does appear that the Committee was not provided with a copy of the draft screening document. Neither the report to Committee nor Mr Kramer’s independent report state whether the policy was screened in, screened out with mitigation or screened out with mitigation. I return to the effect of this at paragraph [29] below.
28. It is further contended that a full EQIA was required. It is important to remember that a full EQIA is not required in order to fulfil the duties to have “due regard to” and “regard to” the Section 75 matters, as noted in Brown above. Under the Council’s Equality Scheme, it may of course be that the result of a decision is “screened out” following the screening exercise and no EQIA is carried out. As long as any such screening decision is rational and procedurally fair, that is acceptable. As

⁷ [2008] EWHC 3158 (Admin)

⁸ Ibid at 91

⁹ See for example, paragraphs 3.4, 4.11, 1.4 of the independent report, and appendix

¹⁰ See for example paragraph 4.11

stated above, what is required is not any one particular result, but that the decision maker conduct a screening exercise so that it can properly inform itself and may consciously analyse the matter with the S.75 duty in mind. I therefore do not consider that the Committee was obliged to consider a full EQIA report before coming to its decision.

29. Returning to screening, whilst that is regrettable that the Committee was not provided with the draft screening document, I do not consider the result of that omission to be that *“the decision was not arrived at after a proper consideration of the relevant facts and issues”*, which is what is required by section 41(1)(a). The Council engaged Mr Kramer, an independent equality consultant, who produced a detailed report and addendum report. Both were presented to the Committee. Appended to the main report was advice from the Equality Commission for NI in respect of the Irish language. Extensive public consultation took place¹¹. A meeting took place with the Council’s equality consultative forum on 10.12.19 and a summary of the discussions that took place in the equality context are contained in the report. The conclusions section of the independent report specifically turns to equality considerations and how a public authority should take into account consultation carried out¹² and set out analysis of the consultation in respect of same.

30. I therefore consider, on balance and in this particular case, that the extensive detail of the independent report was sufficient to ensure that the Committee properly considered the relevant equality facts and issues. It cannot be said that the Committee did not have due regard to the equality issues in respect of this decision. I therefore find no merit in this ground of call in.

v. The decision is inconsistent with, or contrary to, the Council’s Language Strategy

31. Whilst this ground is included as a procedural ground of challenge, I do not consider it to be properly categorised as a procedural ground. There is no doubt that that Committee did consider the Council’s Language Strategy, which was specifically brought to its attention in the independent report¹³. Inasmuch as this is a complaint that the decision is contrary to the Language Strategy, I consider that further in respect of the Article 41(1)(b) grounds below.

vi. Failure (adequately or at all) to consider the fact that there is a community space within Olympia.

vii. Failure (adequately or at all) to consult with groups which use the community space at Olympia.

¹¹ See for example paragraphs 1.3, 2.1 and 3.1 of the independent report

¹² See paragraphs 5.9- 5.22

¹³ See for example, paragraph 1.2, and references throughout the report.

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32. These grounds are conveniently considered together. The Blackstaff Residents' Association is the community group which is said avails of the community use referred to by those seeking call in.
33. It is clear that extensive public consultation took place prior to the decision. The consultation measures are set out at part 3 of the independent report. It is clear that there was a general press release in respect of the consultation, updates *via* social media, and events at the leisure centre itself. Leisure centre staff were also specifically engaged by staff sessions. 3,393 responses were submitted to the consultation. Further to the presentation of the consultation report to SP&R Committee on 24 January 2020, on 12 February 2012, a meeting was convened in City Hall by DUP Councillor Tracy Kelly. This was the subject of the addendum report prepared by Mr Kramer. It was said to be primarily to voice concerns regarding the possible naming of Olympia, as well as the lack of local input into the decision-making process to date. The meeting was attended by representatives of communities local to Olympia (i.e. Blackstaff and Windsor), together with DUP elected members and staff officers. Appendix 1 of the Independent report notes that representatives of the Blackstaff Residents Association attended that meeting. Given the extensive nature of consultation, it appears that those who wished to respond, which includes those who use the community space, were given ample opportunity to do so. I find no merit in this ground of call in.

Ground 41(1)(b) of the 2014 Act: that the decision would disproportionately affect adversely any section of inhabitants of the district.

34. I turn now to consider the grounds of call in under section 41(1)(b) of the 2014 Act. There are a number of elements to the test under Section 41(1)(b) test. There must be (i) an adverse effect; (ii) this must be on a specified section of the inhabitants of the district; and (iii) the effect on them must be disproportionate.
35. Test (ii) can be addressed briefly and so I consider it first. The requisition states the section of inhabitants of the district which is adversely affected by the decision to be:
1. *"the community of Blackstaff/ the Village;*
 2. *The Protestant community;*
 3. *The British Community.*
 4. *The Northern Irish community.*
- Standing Order 48(4) defines the *"section of the inhabitants of the district"* for the purposes of Section 41(1)(b) of the Local Government (NI) Act as being:

"any section of the inhabitants that is clearly identifiable by location, interest or other category including those categories [identified]¹⁴ in section 75(1) of the Northern Ireland Act 1998."

36. The citizens identified in categories 1-4 are clearly identified sections of the inhabitants of the district and so test (ii) is met.

37. I turn now to consider tests (i) and (iii) above.

38. In respect of both tests, I recall that the language used by the statute is “*that the decision would disproportionately affect adversely any section of the inhabitants of the district*”. I emphasise the words “*the decision*” in this context because I consider that the focus must be on the actual effect of the decision made by the Committee. In this case, the effect of the decision will be the erection of bilingual external naming and internal directional signage at Olympia Leisure Centre. The first question is whether that will create an adverse impact?

39. Having carefully reviewed the independent report and addendum prepared by Mr Kramer, I conclude that an adverse impact is established. It is perhaps most clearly stated in the addendum report prepared by Mr Kramer, which states:

“the potential for major adverse impact on good relations, and possibly also equality of opportunity, cannot be ignored” and

“the sentiments expressed by those present would indicate strong local support for English Only signage, along with concern that community relations could be potentially damaged if bilingual signage was to be installed.”

40. The addendum report contained a petition which was signed by 571 people, containing the following sentiment:

“We the undersigned, object to the proposal to have dual language signage at Olympia Leisure Centre which includes Irish and excludes Ulster-Scots and many other languages spoken in the Blackstaff and Windsor area and throughout South Belfast.

The proposal in our view, is discriminatory, divisive and even offensive. It fails to recognise the diverse nature of the local area with many languages being spoken.”

41. Of note, Mr Kramer’s main report, at paragraph 5.6 states:

“...the adverse impacts were alluded to by a number of respondents who suggested either that good relations generally may be damaged by the imposition of a Council decision on a local facility or that a centre may be less welcoming to members of certain communities depending on the languages on display.¹⁵”

¹⁵ Paragraph 5.6

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42. The report set out the finding that the majority of those who expressed an opinion on the consultation stated a preference for English and Irish external naming signage at each of the four centres. However paragraph 4.3 warns “ *this headline figure should not ignore deep divisions across the sample and in particular in terms of preferences by national identity and community background.*”
43. Paragraph 4.4 notes the contrast between those who identified as Catholic and those who identified as Protestant- with 80.1% of the former advocating signage in English and Irish, and 88.7% of the latter advocating English only signage. Paragraph 4.5 notes the feeling among some of those who objected as the use of Irish language to “posed a threat to their culture and heritage.”
44. In light of the above, I consider that it has been established that the signage will have an adverse impact. That is demonstrated by those who identified as Protestant and who objected strongly to the signage during the consultation process, and those who regard it as a threat to their culture and heritage. Mr Kramer explicitly noted the potential for major adverse impact.
45. The next question therefore is whether the adverse effect is disproportionate. There are well established legal tools to analyse the proportionality of a measure. The concept of proportionality, in the legal context, has been imported from jurisprudence European Convention of Human Rights. The essence of the concept in that context is that any interference with Convention rights must be proportionate to the legitimate aim pursued. In that context, the following questions are asked:
- i. Is the objective sufficiently important to justify limiting a fundamental right?
 - ii. Are the measures designed to meet the objective rationally connected to it?
 - iii. Are the means used no more than necessary to accomplish the objective (de Freitas v Permanent Secretary of the Ministry of Agriculture, Fisheries, Lands and Housing [1999] 1 AC 69)
46. In *Azienda Agro-Zootecnica Franchini Sarl v Regione Puglia* Case [C-2/10](#)) EU:C:2011:502, [2011] ECR I-6561, the CJEU said proportionality:
- “requires that measures adopted by Member States in this field do not exceed the limits of what is appropriate and necessary in order to attain the objectives legitimately pursued by the legislation in question; where there is a choice between several appropriate measures recourse must be had to the least onerous, and the disadvantages caused must not be disproportionate to the aims pursued ...”(para 73)
47. Whilst proportionality has its genesis in European law, it is a concept which has been utilised by the UK courts in assessing the domestic lawfulness of decisions of

public authorities (see for example Pham v Secretary of State for the Home Department [2015] UKSC 19). I therefore approach my assessment of the proportionality of the adverse impact in this case with these foundational principles in mind.

48. In seeking to identify whether the adverse impact is proportionate, it is necessary to consider the reason for the decision. In this regard Mr Kramer's report is instructive. It states that "this signage and naming decision represents one element of the outworking of the Council's Language Strategy 2018-2023.¹⁶" That is echoed in the Special Council Minute of 11.10.2019, which is appended to Mr Kramer's report.
49. Mr Kramer's report sets out the aims of the Language Strategy, one of which is "to enhance good relations within the city through the promotion of linguistic diversity and to celebrate the significance of language in the history and culture of the city." Mr Kramer goes on to note that the Council's Language Framework includes a commitment to adopt the use of Irish and Ulster-Scots in signs, and in particular "where it will be seen primarily by users of Irish/Ulster-Scots".
50. The report notes that the local area is "now culturally very diverse and that users of the centre come from a variety of new communities, as well as from across the city." The call in requisition form states that the community background in the Blackstaff ward splits as follows:
- " Protestant 71.5 % -v- Catholic 15.01 %.
British 63.21 -v- Irish 10.06 -v- Northern Irish 26.46"
51. The independent report does demonstrate that significant opposition by local residents, which is particularly evident in the addendum report. I particularly bear in mind that the decision in respect of signage is an outworking of the Language Strategy. A clearly expressed aim of the Strategy is to enhance good relations. In that context, Mr Kramer's assessment of the potential for the decision to have a "major adverse impact on good relations" is significant. I also bear in mind the Language Strategy's commitment to adopt the use of Irish and Ulster-Scots in signs, and in particular "where it will be seen primarily by users of Irish/Ulster-Scots." I have seen no evidence that the signage at Olympia will be seen primarily by users of Irish. Whilst that is not a single determining factor, it must be balanced against the very significant adverse feeling expressed by the local community to such signage. Whilst it is acknowledged that the intention is for the leisure centre to draw patrons from the wider city, the immediate local context must also be considered. In particular the use of Olympia Leisure Centre by a community residents association, as referenced at paragraphs [32]-[33] above is a significant factor. Representatives from the Blackstaff Residents' Association are noted to have attended a meeting at City Hall on 12th February 2021 at which it is recorded that representatives

¹⁶ Paragraph 1.2 independent report

“unanimously agreed that naming signage in Olympia should be in English Only, and expressed grave concerns as to the potential damage to good relations, locally and city-wide, should bilingual signage be imposed against what were described as the wishes of local residents”¹⁷.

52. Having concluded that an adverse impact is established- and having carefully considered the aim behind the decision (an outworking of the Language Strategy), and the Language Strategy’s commitment to good relations and to adopting Irish signs particularly where they will be seen by users of Irish, and bearing in mind the findings of independent report and the addendum report- I consider that it has been established that the decision will have a disproportionate adverse impact on the identified inhabitants. I therefore find there to be merit in the call in.

Conclusion

53. Under Standing Order 48(8) the effect of my opinion is that the clerk shall:
- i. Furnish this opinion to members; and
 - ii. Include the decision on the agenda for the next available meeting of the council, at which it will be taken by a qualified majority.
54. In any reconsideration decision, the Council should bear in mind its duties under section 75 of the Northern Ireland Act 1998 and its Equality Scheme. I emphasise that the above is a legal assessment of effect of the decision in the context of the particular assessment required by Section 41(1)(b) of the 2014 Act and is without prejudice to any future assessment of the potential effects of the decision by the Council in any screening exercise conducted by the council under its equality scheme, or in respect of the consideration of the independent report. I recommend that when this matter is reconsidered, members be provided with Mr Kramer’s reports, and a copy of the draft screening decision.

Denise Kiley
Bar Library
8th December 2021

¹⁷ John Kramer, Addendum report

People and Communities Committee

Tuesday, 7th December, 2021

HYBRID MEETING OF THE PEOPLE AND COMMUNITIES COMMITTEE

Members present: Councillor Cobain (Chairperson);
Aldermen Copeland and McCoubrey; and
Councillors Black, Bunting, Michael Collins,
Corr, de Faoite, Flynn, Garrett, M. Kelly, Magee,
McAteer, McReynolds, Mulholland, Smyth and Verner.

Also attended: Councillor Mullan and O'Hara.

In attendance: Mr. R. Black, Director of Neighbourhood Services;
Mrs. S. Toland, Director of City Services;
Mrs. C. Matthews, Director of Resources and Fleet;
Mrs. L. McLornan, Democratic Services Officer; and
Mrs. S. Steele, Democratic Services Officer.

Apologies

Apologies for inability to attend were recorded on behalf of Councillors Baker and Mulholland.

Minutes

The minutes of the meeting of 2nd and 9th November were taken as read and signed as correct.

It was reported that the minutes had been adopted by the Council at its meeting on 1st December, subject to the minute of 9th November in relation to the "Update on DfC Community Recovery Funding" being amended to note that Councillor de Faoite had left the meeting before a vote had been taken on a proposal relating to the decision under the heading, and that the minute would be formally varied to provide for the removal of his name from the list of Members who had voted.

Declarations of Interest

Councillor Black declared an interest in relation to item 5 (a) Naming of New Park and Sportzone at Divis Back Path, in that she was a Member of the Naming Panel. As there was no pecuniary request she was not required to leave the meeting and she took no part in any discussion.

Councillor Smyth declared an interest in item 5 (c) Partners Agreements Quarter 2 Update, in that he was a Member of Ulidia Playing Fields Steering Committee. As there was no discussion on the report he was not required to leave the meeting.

Restricted

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 on the following 3 items as, due to their nature, 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.

Requests for the use of Parks for Summer Events 2022

The Committee considered requests seeking permission for the use of various parks and facilities during 2022, as follows:

- NI Science Festival, 17th – 20th February, at Botanic Gardens;
- Detonate Outdoor Dance Festival, 1st – 2nd April at Boucher Road;
- Bloomfield Gospel – drive thru Sunday services between 27th March – 2nd October at Dixon Playing Fields;
- Finaghy Cultural Festival, 9th - 13th June at Wedderburn Park;
- Belfast Vital extension August/September 2024 at Boucher Road; and
- Panoramic Wheel Botanic Gardens, 1 July – 25th September at Botanic Gardens.

The Committee granted authority for the aforementioned requests and delegated authority to the Director of Neighbourhood Services to:

- i. negotiate an appropriate fee which recognises the costs to Council, minimises negative impact on the immediate area and takes account of the potential wider benefit to the city economy, in conjunction with the Council's Commercial Manager;
- ii. negotiate satisfactory terms and conditions of use via an appropriate legal agreement prepared by the City Solicitor, including managing final booking confirmation dates and flexibility around 'set up' and take down' periods, and booking amendments, subject to:
 - the promoter resolving any operational issues to the Council's satisfaction;
 - compliance with Coronavirus restrictions in place at the time of the event; and
 - the promoter meeting all the statutory requirements of the Planning and Building Control Service, including the terms and conditions of the Park's Entertainment Licence.

The Members noted that the above recommendations were taken as a pre-policy position, in advance of the Council agreeing a more structured framework and policy for 'Events', which was currently being taken forward in conjunction with the Council's Commercial team.

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Financial Reporting - Quarter 2 2021/22

The Committee noted the contents of a report which summarised the Quarter 2 financial position for the People and Communities Committee, including a forecast of the year end outturn. It noted that the Quarter 2 position showed an under spend of £2.897m (6.8%), with the forecast year end position being an underspend of £418k (0.5%), which was well within the acceptable variance limit of 3%.

The Members were advised that the main reasons for the quarter 2 Committee under-spend related to vacant posts across a number of services, the receipt of additional income and the timing of grants and programmes.

The Committee noted the financial update.

Update on The Waterworks

The Director of Neighbourhood Services provided the Members with a verbal update regarding the recent outbreak of Avian Influenza, bird flu, affecting birds at the Waterworks Park.

He advised that, as well as working with the Department of Agriculture Environment and Rural Affairs (DAERA) and the Public Health Agency (PHA), an independent expert had been brought in to help manage the situation.

He reported that, so far, 16 dead birds had been removed from the location. The Council had arranged for an on-call vet to be available to assess sick and dying birds and, if required, to humanely euthanise.

Following a query, the Director advised that dead birds were being removed from the site by Council officers and that it was mainly swans that had been affected.

It was noted that as the outbreak continued to escalate that the Waterworks Parks would close until the situation had been brought under control.

The Committee noted the update provided and the Director of Neighbourhood Services undertook to keep the Members regularly updated via e-mail.

Matters referred back from the Council/Motions

Notice of Motion - Street Tree Planting

The Committee was advised that, the Standard and Business Committee, at its meeting on 23rd November, had agreed that the following motion, which had been proposed by Councillor McMullan and seconded by Councillor Long, in accordance with Standing Order 37(h), be referred directly to the People and Communities Committee for its consideration:

Street Tree Planting

“Noting this Council’s pledge to plant one million trees by 2035 and the ongoing work to deliver that commitment on our own land, its declaration of a climate emergency in October 2019 and our commitment to work towards being carbon neutral by 2050. However, as highlighted in the Belfast Carbon Roadmap Pathway to Net Zero we can close the gap by 2033 through a range of innovative interventions, including planting trees. Therefore this Council commits to drastically increasing the number of street trees across the Belfast. City Council area

Recognising that street tree planting is a function of the Department for Infrastructure, we will write to the Minister to join us in making this commitment and partner with us in drastically increasing their number across the city.

Working with our partners we will establish a strategy and action delivery plan (including maintenance), including setting a target for increasing the number of street trees in each of the 60 wards that comprise the 10 district electoral areas of Belfast City Council.

We will also write to the Minister for Infrastructure, as well as Ministers for Agriculture, Environment and Rural Affairs and Communities, to establish a rolling funding scheme for tree planting, maintenance and accompanying structural works (e.g. footpath widening) to enable more sites to be viable for street tree planting.

This Council will also join the new call for pledges to the UN Economic Commission for Europe’s ‘Trees in Cities Challenge’ joining other cities around the world including Barcelona, Bonn, Victoria (Canada) and Mexico City to demonstrate our intent internationally and to learn from and share learnings with other cities.”

With the permission of the Chairperson, Councillor McMullan addressed the Committee and outlined the context of the motion.

The proposer agreed, at the request of Councillor Matt Garrett, to amend his proposal to provide for the following additional penultimate paragraph to the proposal:

“As a further commitment to our pledge in supporting the ‘One Million Trees Initiative’ on Council land, that the Council commit’s, in 2022, to planting a number of suitable living Christmas Trees in publicly accessible locations in each quarter of the City. Members of Area Working Groups will be consulted on the sites and scale of trees (which may include more than one) and the Council will illuminate, maintain and work with community organisations in each quarter of the City in the creation of annual Community Christmas focal points and events.”

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A number of the Members spoke in support of the motion. During discussion the need for careful planning regarding the location of any additional trees was highlighted to ensure that the locations were viable in terms of lighting, footpath width and to allow for adequate access to permit long-term maintenance. The need for a simultaneous maintenance budget was also highlighted.

The Committee adopted the motion with the addition of a paragraph seeking the planting of living Christmas trees and agreed that the proposals within the motion would be considered and progressed within the context of the City Tree Strategy which was currently being developed.

**Item referred back from November Council –
Erection of Dual Language Street Sign at Clifton Street**

The Committee considered the following report:

“1.0 Purpose of Report or Summary of main Issues

1.1 To consider the dual language street sign application for Clifton Street.

2.0 Recommendations

2.1 Members are asked to:

1. Consider the current updated survey results, noting the one outstanding survey, and either

- a) Make a decision to approve or refuse the application based upon the current survey results**
- b) Defer any decision until the full survey results are available**

3.0 Main report

3.1 Key Issues

Background

3.2 The Clifton Street dual language street sign application was considered under the existing Street Naming and Numbering policy.

Policy:

In the introduction section of the policy it states:

3.3 **'2.0 Introduction**

The legislation requires the Council, in deciding whether and how to exercise its discretion to erect a street name in a language other than English, to take account of the views of the occupiers of premises in the street.

For the purposes of this policy occupiers shall be taken to be any person whose name appears in the current Electoral Register plus the owners or tenants in actual possession of commercial premises, but not employees in such premises.'

The procedure within the policy states:

3.4 **'3.0 Procedure**

The procedures for seeking and assessing the views of occupiers and the criteria to be applied in deciding whether to erect a street sign in a language other than English are as follows:

- (i) Only applications supported by a petition representing not less than one third of the people appearing on the Electoral Register of the street for which the application is made will be progressed.
- (ii) Where the foregoing requirements have been met the Council will canvass by post all people appearing on the Electoral Register of that street and seek their views on the request to erect a street sign in a second specified language. This letter is designed so as to make the expression of views as simple as possible. Reply will be by way of a pre-paid envelope and should be returned within one month of receipt.
- (iii) Where two thirds or more of the occupiers appearing on the Electoral Register have indicated that they are in favour of the erection of a second language street sign, then such a sign will be erected. People not returning a reply will be deemed not to be in favour of the application.'

The practice is to consider all residential properties within a street, checking for those residents who are on the electoral register, and checking for commercial properties. In addition, a site visit is carried out to check all the properties on the street during the survey. Commercial properties are included in the survey, with one survey form being provided. The policy states that the method of consultation is to canvas by post. The practice is to hand deliver

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surveys where possible or post them using Royal Mail where this is not possible.

- 3.5 For the Clifton Street application, based on the information taken from the electoral register, and site checks of commercial properties, 12 surveys were originally issued, to both residential and commercial properties. 10 were hand delivered. 2 survey forms were posted through Royal Mail as they could not be hand delivered due to no letter box or no one present.
- 3.6 On review of the processing of this application, it was noted that two occupiers who had signed the initial petition had not been surveyed as their properties were deemed to be vacant at the time officers carried out their physical inspection of the street. However, it now appears they are in fact occupied.
- 3.7 At the committee meeting on 9th November members agreed to survey these two occupiers and asked that a report be brought back to December committee. Survey forms were hand delivered to these two properties, with an explanation on the survey to confirm the decision of committee, and that these surveys were being carried out without prejudice, pending ratification at December council meeting. One survey form has been returned and the occupier's preference is reflected in the revised totals. The other survey form has not been returned to date, however we are still within the standard response deadline. The result from this survey cannot therefore be fully reflected in the percentage totals for and against until a return is made or the deadline for return has passed
- 3.8 In addition, following the agreement at the committee meeting on 9th November a survey form was also re-issued by post to the secretary of Belfast Orange Hall, a property on the street. This property was originally surveyed by post and was declared a non-return and therefore the occupiers were deemed not be in favour of a dual language street sign in accordance with the policy. This survey has since been returned and is reflected in the revised percentage totals.
- 3.9 Application details:

English Name	Non-English Name	Location	Applicant	Persons surveyed
Clifton Street	Sráid Clifton	Between Carrick Hill, BT1	Carrick Hill Residents Association	14

		and Carlisle Circus BT14		
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- 3.10 The translation was authenticated by Queens University, the approved translator for Belfast City Council.

Results for survey carried out for Clifton Street

- 3.11 In accordance with the Council's policy for the erection of dual language street signs surveys of all persons appearing on the Electoral Register plus owners or tenants in actual possession of commercial premises carried out and the following responses were received.
- 3.12 A revised number of 14 surveys have now been issued in total, 12 hand delivered and 2 posted using Royal Mail. The revised results are:
- 9 occupiers (64.3%) were in favour of the erection of a second street nameplate
 - 1 occupier (7.1%) had no preference either way
 - occupiers (14.3%) were not in favour of the erection of a second nameplate
 - 1 occupier (7.1%) did not respond to the survey
 - 1 survey is still outstanding within the standard response deadline (7.1%)
- 3.13 The Council's policy on the erection of a second street nameplate requires that at least two thirds (66.6%) of the occupiers on the street surveyed must be in favour of the proposal to erect a second street sign in a language other than English.

Provision of street signs.

- 3.14 The practice on siting the street signs is to identify those that exist on the street, and these are either added to or replaced to reflect the street name in a second language, as approved. The position of the street signs on Clifton Street are as follows:
- Junction with North Queen Street – on metal railings
 - Junction of Westlink on-slip (north) – wall mounted to bridge
 - Junction of Westlink on-slip (south) – wall mounted to bridge
 - A sign on railings at the junction with Carlisle Circus was damaged and is not currently in place.

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3.15 There is no street sign on or beside the Belfast Orange Hall building.

3.16 Financial & Resource Implications

There is a cost of approximately £450 to cover the cost of the manufacturing and erection of the dual language street signs in the current locations. The cost for these street signs has been allowed for in the current budget.

3.17 Equality or Good Relations Implications/Rural Needs Assessment

There are no direct equality/rural needs implications.”

Moved by Councillor Magee,
Seconded by Councillor Garrett,

“That the Committee agrees to the erection of dual language street signs.”

Amendment

Moved by Councillor Bunting,
Seconded by Alderman Copeland,

“If the street signs are to be erected, that the sign at Carlisle Circus on Clifton Street is erected in English only.”

On a vote, five Members voted for the amendment and ten against, and it was declared lost.

Amendment

With no agreement on the substantive proposal, a further amendment was made:

Moved by Alderman Copeland,
Seconded by Councillor McReynolds,

“The Committee agrees to defer any decision until the January meeting of the Committee when the full survey results would be available.”

On a vote, nine Members voted for the proposal and six against and it was declared carried.

Committee/Strategic Issues

Notices of Motion Quarterly Update

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 To provide the quarterly update to People and Communities Committee on Notices of Motion.

2.0 Recommendations

- 2.1 The Committee is asked to:

- Note the updates to all Notices of Motion / Issues Raised in Advance that the Committee is responsible for as referenced in Appendix 1; and
- Agree to the closure of Issue Raised in Advance, as referenced in Appendix 1 and noted in paragraph 3.5 below.

3.0 Main report

Background

- 3.1 Members will recall that the previous quarterly Notices of Motion update was presented to People and Communities Committee in September 2021.
- 3.2 This report provides an overview of the progress on those Notices of Motion and Issues Raised in Advance which remained open following the September 2021 update.

Notice of Motion Updates

- 3.3 There are currently 24 active Notices of Motion and Issues Raised in Advance which the People and Communities Committee is responsible for. An update on those Notices of Motion and Issues Raised in Advance which remain active on the live database is attached at Appendix 1.

Closure of Notices of Motion and Issues Raised in Advance

- 3.4 At SP&R Committee on 20th November 2020, it was agreed that Notices of Motion could be closed for one of two reasons:
- Category 1 - Notices of Motion which contained an action that has been completed. All Notices of Motion within this category contained a specific task that has since been complete. It is worth noting that, when Committee agree to action a Notice of Motion, there are sometimes additional actions agreed alongside the Notice of Motion. As these are not technically part of the Notice of Motion, they are taken forward through normal committee decision making processes. The Notice of Motion can therefore be closed,

but additional actions related to it will continue to be progressed and reported to the committee. These additional actions are not contained in this report, but will be noted in the live database moving forward.

- Category 2 - Notices of Motion have become Council policy or absorbed in to a strategic programme of work. These Notices of Motion did not contain a specific task that could be complete. Instead, they were more strategic in nature and required changes in Council policy and/ or strategy for long term outcomes. Those listed within this category have all been agreed by Committee and are now either Council policy or are currently being implemented through a Council strategy that is managed by a Standing Committee through the corporate planning process.

- 3.5 Following an update of those Notices of Motion and Issues Raised in Advance on the live database, it is recommended that Members approve the following Motions/Issues for closure.

Category 1 Recommended Closures:

- Future Fossil Fuel Development (No 26) - the Member has been provided with an update on this request and is content with the advice provided. This issue is now recommended for closure.
- Portacabin at Wedderburn (No 32) – request withdrawn by Member.
- Proposal for pedestrian crossing at new BCC play park on Upper Dunmurry Lane (No 38) - correspondence has been issued to DfI with a formal request for pedestrian crossing on Upper Dunmurry Lane beside the BCC carpark.

3.6 Financial & Resource Implications

There are no additional financial implications required to implement these recommendations.

3.7 Equality or Good Relations Implications/Rural Needs Assessment

There are no equality, good relations or rural needs implications contained in this report.”

Following a query from a Member regarding the Littering NOM (no 76), the Director of Neighbourhood Services undertook to liaise directly with the Member directly to discuss the progress of the BOSS strategy.

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The Committee noted the update report in respect of the Notices of Motion / Issues Raised in Advance and agreed to the closure of the following 2:

- Future Fossil Fuel Development (no 26); and
- Portacabin at Wedderburn (no 32),

It was agreed that the proposal for a pedestrian crossing at the new Council Play Park on Dunmurry Lane (no 38) would remain open to enable officers to ascertain if a response had been received from the Department for Infrastructure.

The Committee further agreed, due to current workload pressures on Council staff, that the Notice of Motion Quarterly Update report could move to a six-monthly update.

Boxing Strategy Quarterly Update

The Director of Neighbourhood Services reminded the Committee that the Council had previously agreed to provide £200,000 in funding to the Irish Athletic Boxing Association Ulster Branch (IABA) in the current financial year for delivery of an agreed action plan which supported the Belfast Boxing Strategy and he then provided an update on the progress in relation to the agreement up to the end of September 2021.

He explained that, in line with the Council's objectives, the Belfast Boxing Strategy Steering Group had met quarterly. The Steering Group was chaired by the Director of Neighbourhood Services and attended by Council officers, IABA officers and officials and Co. Antrim officials.

The Committee was reminded that the Council had previously agreed a total of 37 Indicators with the IABA to monitor delivery of the programmes. The Director reported that the IABA had been compliant with all the reporting matters.

The Committee noted that whilst the performance reports indicated significant underperformance against most targets, it was important to note that participation in boxing, as a full contact indoor sport, had been heavily restricted by the Covid-19 restrictions. The IABA had endeavored to mitigate against this by modifying, where possible, delivery of many elements to online methods.

The Members were also asked to note that the 2021 – 2022 action plan had been developed to take account of the ongoing restrictions.

Noted.

**Representation on Association of Port Health
Authorities Executive Board**

The Committee considered a report that provided an update on recent changes made by the Association of Port Health Authorities (APHA) to their processes for regional representation onto the Association's Executive Board.

The Members noted that Belfast City Council had previously provided an Elected Member representative to this Board, however, going forward, in line with APHAs

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requirements, this role would now be undertaken by a nominated officer from the NI Ports Liaison Area Network.

The Committee noted the change from Elected Member to Officer representation.

**Update - The Queen's Green Canopy (QGC)
Tree Planting Initiative**

The Director of Neighbourhood Services provided the Members with an update in regard to the planned Queen's Green Canopy tree planting event in Belmont Park that had previously been agreed by the People and Communities Committee at its August 2021 meeting, when it had been agreed that 500 small native trees would be planted between November 2021 – March 2022.

The Director advised that a subsequent request had now been received by the Council from Colonel Dan Rex MVO, CEO seeking the Council to consider applying to becoming a Champion City under the Queen's Green Canopy Tree Planting Initiative (QGC).

The Members were advised that the Champion City goals were:

- to inspire Cities and encourage proactive community engagement within urban environments around the UK;
- to promote the importance of urban trees and woodland, and the benefits they bring to mental health, physical health, air quality, flood defences, microclimate and more; and
- to exemplify best practice and the core principles of the (QGC) including stewardship, inclusivity and education.

The (QGC) panel had asked that any City offered Champion City Status would commit to the following:

1. to actively promote engagement with the (QGC) and its goals;
2. to arrange an iconic tree planting which emphatically embody the spirit of the (QGC); and
3. to ensure an ongoing maintenance plan for trees planted under the (QGC) initiative.

The Members were advised that, as a result of the short deadline for submissions in advance of National Tree Week 27th November - 5th December 2021, a presentation had been made to Party Group Leaders on 11th November to enable a decision to be taken under delegated authority to submit an application to become a (QGC) Champion City.

The Director advised that the application had subsequently been submitted and the Council had been selected as one of the (QGC) Champion Cities along with other cities (Manchester, Leicester, Cardiff, Edinburgh, Glasgow, Newcastle, Southampton, and York).

The Committee noted the update and welcomed the successful application for Champion City Status.

External Consultations on: Northern Ireland Food Strategy Framework, WEEE Compliance Scheme Methodology, Reduction of Single-Use Plastic Beverage Cups and Food Containers DAERA Environment Strategy consultation response

The Committee considered the following report:

“1.0 Purpose of Report or Summary of main Issues

1.1 The purpose of this report is to provide the Committee with an update on recent and current consultations which may have an impact on Waste, namely

- the Northern Ireland Food Strategy Framework
- the WEEE Compliance Scheme Methodology.
- The Reduction of Single-Use Plastic Beverage Cups and Food Containers.

2.0 Recommendations

2.1 The Committee is asked

- To note the draft response to the Northern Ireland Food Strategy Framework subject to council ratification. (Consultation paper as Appendix I and Draft response as Appendix II)
- To note the proposed approach to the WEEE Compliance Scheme Methodology
- To invite members to comment in advance of the submission on the DAERA consultation for the Reduction of Single-Use Plastic Beverage Cups and Food Containers and to forward any comments for consideration for inclusion in the response from Belfast City Council by Monday 13th December 2021 to Jennifer Stephens Waste Officer stephensi@belfastcity.gov.uk The consultation document is attached at Appendix III.

3.0 Main report

Key Issues

3.1 A summary of each of the consultations is provided below:

(1) Northern Ireland Food Strategy Framework

- 3.2 The Department of Agriculture, Environment and Rural Affairs (DAERA) recently published a consultation on a draft Northern Ireland Food Strategy Framework. The document presented proposals for a new strategic food systems approach for Northern Ireland, and on the proposed vision, principles and goals of the Framework. Subject to the outcome of the consultation exercise, it is anticipated that an agreed Framework will be published in early 2022.
- 3.3 DAERA highlights that there is growing international acceptance of the interconnectedness between food, health and the environment. It notes that there is an expectation that a food system should ensure environmental, social and economic sustainability and also that there is also a growing interest in sustainable healthy diets.
- 3.4 The draft Northern Ireland Food Strategy Framework recognises the interconnectedness around food and proposes a strategic food systems approach. It sets out a long-term vision, high level principles and areas for strategic focus to optimise cross-departmental working on food matters in Northern Ireland to deliver Programme for Government and departmental objectives. The vision is a transformed food system that protects natural resources for future generations, is economically and environmentally sustainable and provides safe, nourishing, accessible food to people.
- 3.5 DAERA has been leading on the development of the cross-departmental Framework with input from other Departments and a wide range of external stakeholders.
- 3.6 During the development process six strategic priorities were identified:
- Priority One: Building connections between health /wellbeing and food
Priority Two: Building Sustainable Economic Prosperity
Priority Three: Building a Food Culture and Food Conscious Society
Priority Four: Protecting and Enhancing our Natural Resources
Priority Five: Building Healthy Lives through Food Education
Priority Six: Building and maintaining appropriate Emergency Contingency plans across the supply chain.
- 3.7 Following the development process, DAERA launched a public consultation in order to seek views on this new collaborative approach under a Northern Ireland Framework from across a much broader range of stakeholders and the general public.

The Consultation launched on Friday 24 September 2021 and closed on Friday 19th November 2021. The consultation presented 24 questions relating to the proposed Food Strategy Framework.

- 3.8 A copy of the Consultation document is attached as Appendix I.
- 3.9 A copy of our draft response to the consultation is attached as Appendix II. The response has been provided pending People and Communities Committee and full Council further input and authorisation.
- 3.10 Generally speaking, we are supportive of the proposals contained within the consultation, including a 'whole of government approach' which will align policies that affect the food system. We do note in our response that if the NI Food Strategy Framework aims to be a cross government unifying strategy, it should be mindful of the work currently being undertaken by DAERA in relation to waste (For example, in developing a Waste Collections Consistency Framework).
- 3.11 Within our response, we emphasise the importance of a life-cycle approach and we propose a 'soil-to-soil' principle, (going beyond the farm-to-fork concept), incorporating a closed loop food system approach. We reference the Circular Economy, pollution, ecosystem services, climate change and EU exit as issues which need to be considered within the new Framework. We also note the omission of linkages to the new NI Biodiversity Strategy and to existing legislation such as the Habitats Directive and Water Framework Directive.
- 3.12 It is noted that our responses to the consultation questions are mainly from a waste perspective and that they also include comments relating to Biodiversity issues. No other comments were received from across the Council in response to the consultation.

**(2) Waste Electronic and Electrical Equipment (WEEE)
Compliance Scheme Methodology**

- 3.13 The Department for Environment, Food & Rural Affairs (DEFRA) recently launched a four-week consultation on setting a compliance fee under the Waste Electronic and Electrical Equipment Regulations. The consultation closed on 15th November 2021.
- 3.14 The Waste Electrical and Electronic Equipment (WEEE) Regulations 2013 established a system in which producers of equipment are required to finance the cost of collection, treatment, recovery and recycling of WEEE arising from private households. The WEEE Regulations introduced a system of annual collection

targets that are imposed on Producer Compliance Schemes (PCSs).

- 3.15 This particular consultation invited views on setting a compliance fee for 2021, as well as on two proposals (from external organisations JTA and Valpak) for managing this year's fee.
- 3.16 After consulting with arc21 and European Recycling Platform (ERP), who are the Producer Compliance Scheme managing WEEE collected from Belfast City Council, we note that Producer Compliance Schemes, rather than Local Authorities are best placed to respond to this consultation.
- 3.17 Currently, the compliance fee and any associated calculations do not affect local authorities: Belfast City Council receives WEEE collections from ERP free of charge. ERP have confirmed that the fee referred to in the consultation and its calculation will not impact the service provided by ERP and they will continue to collect WEEE free of charge from Belfast City Council.
- 3.18 As a major WEEE Compliance scheme, ERP has been closely involved in the development of the proposal from the JTA (Joint Trade Associations) every year since 2014 and has confirmed support of the JTA proposal for managing this year's fee.
- 3.19 As a result, and having taken on board comment from arc21 and ERP, it is not felt necessary for Belfast City Council to comment on this consultation.

(3) Consultation for the Reduction of Single-Use Plastic Beverage Cups and Food Containers

- 3.20 The Department for Agriculture, Environment and Rural Affairs (DAERA) had published a consultation on proposals for the reduction of the usage of Single-use Plastic (SUP) beverage cups and food containers in Northern Ireland. The aim is to encourage a more sustainable environment and circular economy for everyone across Northern Ireland.

The consultation has been designed collaboratively with the Waste and Resources Action Programme (WRAP) to consider a number of policy options on the most effective way to ensure a substantial reduction in the use of SUP beverage cups and food containers.

The Department is seeking views on the suggested policy options to ensure the most effective method of reducing the consumption of SUP beverage cups and food containers is identified.

- 3.21 The goal of the policies is to reduce the use of the targeted types of SUP packaging, by encouraging wider take up of multi-use and/or single-use non-plastic alternatives.

The responses to the consultation will be used to determine the best policy options to help to promote the reduction in SUP items.

- 3.22 Within the consultation document, three policies are modelled for both SUP beverage cups and food containers:

- A ban on their use.
- A levy of 25p on each cup and 50p on each food container; and
- A voluntary scheme or schemes implemented by businesses that make use of SUP cups or food containers, which may comprise a range of charges for cups/food containers, discounts for multi-use cups/food containers and communication efforts. This is modelled as having the same effect as a 10p levy for a beverage cup and 25p for a food container.

- 3.23 The consultation document poses 32 questions based around these policy options and invites responses by Friday 17th December 2021. Waste officers are currently examining the proposals presented within the consultation and welcome any additional comments for consideration within the council response to be received by Monday 13th December 2021.

A copy of the consultation on the Reduction of Single-Use Plastic Beverage Cups and Food Containers is attached as Appendix III

Financial & Resource Implications

- 3.24 None in relation to responding to the consultations.

Equality or Rural Needs Implications

- 3.25 None in relation to responding to the consultations.

Abbreviations

DAERA - Department for Agriculture, Environment and Rural Affairs

DEFRA - Department for Environment, Food & Rural Affairs

ERP - European Recycling Platform

JTA - Joint Trade Associations

PCS – Producer Compliance Scheme

SUP - Single-use Plastic

WEEE - Waste Electrical and Electronic Equipment

WRAP - Waste and Resources Action Programme”

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The Committee:

- retrospectively approved the Council's draft response to the Northern Ireland Food Strategy Framework that had been submitted in line with the 19th November deadline, available [here](#), and noted that the draft had been submitted subject to Committee approval and Council ratification;
- noted that, given the comments from arc21 and the European Recycling Platform (ERP), in that Producer Compliance Schemes rather than Local Authorities were best placed to respond to the consultation, it was not therefore deemed necessary for the Council to submit a response;
- agreed that the draft DAERA consultation, available [here](#), for the Reduction of Single-Use Plastic Beverage Cups and Food Containers be forwarded to all Members seeking comments for consideration to form part of the Council's response for inclusion, by Monday 13th December, to Jennifer Stephens Waste Officer stephensi@belfastcity.gov.uk; and
- agreed that the final draft response, clearly highlighting any additional comments received, be forwarded via e-mail to all the Members in advance of the January Council meeting for final endorsement.

DAERA Environment Strategy consultation response

The Committee considered the undernoted report:

"1.0 Purpose of Report or Summary of main Issues

- 1.1 The purpose of the report is to present the compiled council draft response to the consultation on the Draft Environment Strategy for Northern Ireland for Members to consider and agree. The Draft Environment Strategy for Northern Ireland document is attached in Appendix 1 and the compiled council draft response is attached in Appendix 2.**

2.0 Recommendations

The Committee is asked to:

- **Review the report and the Council's draft consultation response to the Draft Environment Strategy for Northern Ireland (Appendix 2) and agree to the submission to DAERA by the 19th January 2022.**

3.0 Main report

- 3.1 The Consultation**
<https://www.daera-ni.gov.uk/consultations/environment-strategy-consultation> opened on 11 November 2021 and with a closing date of 19 January 2022 at 16:00.

- 3.2 The Department of Agriculture, Environment & Rural Affairs (DAERA), on behalf of the Northern Ireland Executive, has published a consultation on the draft Environment Strategy and welcomes the views of everyone across Northern Ireland.
- 3.3 DAERA advised that the Environment Strategy is intended to be an overarching document setting out Northern Ireland's environmental priorities for the coming decades and will form part of the Green Growth agenda (the Green Growth Strategy will provide more detail on actions in respect of climate change & greenhouse gas emissions).
- 3.4 The Department advise that this Environment Strategy will form the basis for a coherent and effective set of interventions that can deliver real improvements in the quality of the environment and thereby improve the health and well-being of all who live and work here; elevate Northern Ireland to an environmental leader; create opportunities to develop our economy; and enable us to play our part in protecting the global environment for decades to come
- 3.5 Belfast City Council welcomes the opportunity to provide feedback and our full response (Appendix 2) provides the specific commentary for members consideration. Members are advised that given this consultation was only issued on 11th November that officers have attempted to coordinate a response to the key relevant areas which we would have greatest interest in, from City and Neighbourhoods Department and Place & Economy.
- 3.6 A summary of feedback including specific page references within the Council response at Appendix 2 follows in the key issues section of this report:

Key issues

- 3.7 The breakdown of the comments from BCC within the draft Environment Strategy document is as follows:
- 3.8 Strategic Environmental Outcome 1 - Excellent air, water, land & neighbourhood quality

Air quality – new Air Quality Strategy for NI by 2022 (*Council's draft responses are included on pages 2-5 of Appendix 2*)

Water Resources: Quality & Quantity - Implement the 'Living with Water in Belfast Plan'. Marine and Coastal Water Resources: Quality & Quantity.

Sustainable Drainage & Wastewater Management - Engagement with district councils to include SuDS (Sustainable Urban Drainage Systems) <https://www.daera-ni.gov.uk/publications/managing->

[stormwater-strategy-promoting-use-sustainable-drainage-systems-within-northern](#) in Local Development Plans (page 6 App 2).

Neighbourhood Environment Quality - Increase the maximum Fixed Penalty Notice for litter and dog fouling offences to £200 by 2023. Publish Northern Ireland's first Litter Strategy by 2024. Amend the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (NI) 2012 to give Councils greater powers to vary fines by 2023. Include litter in Extended Producer Responsibility legislation (pages 6-7 App 2).

Dilapidated Buildings & Neglected Sites - Engage with Councils through Local Development Plans process to prioritise dereliction in plan strategies & policies. Develop a wide-ranging Dilapidation Bill. Introduce to the NI Assembly by 2023. New provisions to tackle low level dilapidation. Significantly enhance district councils' cost recovery powers. (pages 7-12 App 2).

3.9 **Strategic Environmental Outcome 2 - Healthy & accessible environment & landscapes everyone can connect with & enjoy.**

Connecting People to the Environment: Landscapes, Seascapes & Natural Beauty - Landscape policy/ legislation review (page 13 App 2).

Connecting People to the Environment: Outdoor Recreation & Natural Space Provision - Develop Community Path Network & Places Plans. Development of revised / new outdoor recreation legislation. Development of a new Strategy for Sport and Physical Activity for the next 10 years and beyond. Update Outdoor Recreation Action Plan for NI. Improve quantity, quality & accessibility of existing natural spaces, parks, recreational routes and marine & freshwaters. Expand off-road network of both local community paths and regionally significant NI wide routes (page 13 App 2).

Environment Engagement Index (EEI) - The EEI is unique to NI and explores engagement and connection to nature through an annual survey.

The Next Generation – Eco schools (page 13 App 2).

Sustainable Settlements - Build and strengthen the resilience of our city by creating places where people want to live and work, to visit and invest. Develop and support sustainability and Green Growth. Work across Government to promote the Greenway network encouraging walking and cycling and reducing car dependency (included in planning policy response pages 13-14 App 2).

3.10 Strategic Environmental Outcome 3 - Thriving, resilient & connected nature and wildlife.

Protecting Nature on Land - 30% of land and water protected for nature by 2030. Increase NI woodland cover to 8.8% (122,000 hectares) by 2030 (page 14 App 2).

3.11 Strategic Environmental Outcome 4 - Sustainable production & consumption on land and at sea.

Producer Responsibility - By 2030: Increase recycling of packaging from 60% to 78%. From 2024, phase in new UK wide Extended Producer Responsibility Scheme for packaging. By end of 2024, 80% of full net costs of packaging contributed by producers. 2021/2: UK consultation on Review of Waste Electrical & Electronic Equipment. 2023: UK review of producer responsibility and increased recycling for End of Life Vehicles. 2022: review of producer responsibility for batteries (pages 15-17 App 2).

Reducing Single-Use Plastic (SUP) (pages 17-18 App 2).
Carrier Bags (page 18 App 2).

Chemicals

Environmental Regulation: Permitting - Digital transformation of application services for waste, water and pollution control authorisations. Digital transformation of site inspection forms for waste, water and pollution control regulatory staff. Publication of consultation on policy proposals for a new environmental permitting regime during 2022.

Antimicrobial & Disinfectant Contamination.

3.12 Strategic Environmental Outcome 5 - Zero waste & highly developed circular economy.

Circular Economy - Publish Circular Economy Strategic Framework by 2022. Appoint members to a NI Circular Economy Coalition representing a diverse range of industries, sectors and interest. (page 19 App 2).

Waste Management - Publish new Waste Management Strategy by 2023. Introduce new UK wide Extended Producer Responsibility Scheme for packaging in 2023. Bring forward all actions set out in the Waste Prevention Plan 2019. By 2035, send no more than 10% of waste to landfill. (page 19-20 App 2).

Illegal Waste Disposal & Fly-tipping – Commence outstanding sections of 2011 Act. Secure agreement to the protocol of all 11 councils. DAERA and councils to review protocol annually. Consistent approach to data collection across NI regarding Fly-tipping and illegal waste disposal (*pages 20 – 21 App 2*).

- 3.13 We have also included within our response that the impact of the administration and application of any new changes for which District Councils would have a role need to be formally appraised and evaluated and further consulted on. The economic impact of the roll out of this future strategy would need to be determined to ensure there is no additional burden on the rate payers within the Belfast City Council area.

3.14 **Next steps**

Members are asked to consider and agree the council response to DAERA attached at Appendix 2.

3.15 **Financial & Resource Implications**

None associated with this report.

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

None associated with this report.”

The Committee agreed the draft consultation response to the Draft Environment Strategy for Northern Ireland, available [here](#), and agreed its submission to DAERA by the 19th January, subject to it being made clear within the response that the Council was keen to progress with the full scheme and the reference to ‘bin hoking’ being removed.

Belfast City Airport Request - Bird Strike Management at Victoria Park: Implications to Air Safety

The Committee considered a request from The George Best Belfast City Airport (GBBCA) in regard to bird strike management at Victoria Park.

The Members were advised that the control of birds in the flight path to the airport was a requirement of the airport’s Civil Aviation Authority licence. In line with GBBCA’s national aerodrome license requirements and associated guidance material presented in CAP772: Wildlife Hazard Management at Aerodromes, and that the airport was required to identify sources of risk and to reduce and maintain any risk to an acceptable level in compliance with the Civil Aviation Authority licensing requirements.

The Members were reminded that, in January 2021, the airport had removed 12 old rook nests and undertook structural pruning of trees and ivy at Victoria Park. These works had been required as a result of the establishment of a rookery at Victoria Park with an increased frequency of rook occurrence around the airport.

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The Director of Neighbourhood Services advised that, following the aforementioned works, rook nests and total rook numbers had been monitored from 28th February to 15th April 2021. This had demonstrated that nest building had lowered by 35% with reductions in both average flock size, down from 27 to 14, and the maximum flock size from 30 to 17.

The Members noted that, as suitable nesting habitat was prevalent throughout the park, the airport remained concerned that there might be potential for the rookery to re-establish and expand unless further habitat modifications were implemented. As a result of this, GBBCA were seeking to carry out continued remedial actions which would involve the removal of old nests, outside of the breeding season, and selective pruning of branching forks and other potential anchor points in trees to further inhibit nest building attempts in 2022. In addition, the airport also wished to remove circa 4 pines along the eastern edge of the rookery and to reduce the shelter provided to nesting trees behind. Permission to remove these pines had been granted under the previous licence but had not been actioned at the time. If required, the Airport also wished to continue to reduce any shelter provided by ivy at the site.

The Committee was advised that, if approved, the GBBCA would appoint a suitable contractor with previous experience to undertake the works. In addition, officers would review the submitted risk assessment and insurance certificates in line with procedure and work with Legal Services to issue the requested licence. The licence would include relevant conditions to ensure that the airport had confirmed that all works were permissible and that any required licences were in place to permit the works to take place within the required timescales. The licence would also place an onus on the airport to ensure that health and safety measures were implemented, essential signage was assembled, one-way systems were established where necessary, and any COVID specific mitigations were in place.

The Committee was further advised that in 2021 GBBCA had recorded a goose laying and hatching a clutch of eggs in June. The current annual greylag goose Licence Agreement between the Council and GBBCA extended to the end of May and the airport was requesting that this be extended to the end of June to address any future late laying. It was highlighted that this would align the Council's legal agreement with the DAER and NIEA licence.

The Members considered this request and felt that with the other measures in place this was unnecessary and therefore did not accede to the request from the George Best City Airport to extend their annual licence for managing greylag goose eggs to the end of June.

The Committee agreed the request from George Best Belfast City Airport to permit access under licence to Victoria Park to facilitate the removal of old rook nests by Mid-January 2022 and to carry out the necessary thinning of sheltering pines, structural pruning of preferred nesting trees and to reduce shelter from ivy.

The Committee noted:

- that the decision to grant permission was subject to a legal agreement that would be developed by the Council's Legal Services Department which would ensure that any works were permissible, and the required NIEA
- licence and consents were in place; and
- that the required licence would be progressed under the Director's delegated authority.

It was further agreed that representative from the Belfast City Airport be invited to attend a future meeting of the Committee to discuss issues in regard to noise and flight paths and that in the interim they be reminded that the Council had previously requested that the Airport publish and promote its 'Bird Control for Air Safety in Belfast Report' via its own media channels to help inform the public in regard to the required actions and measures.

**New Biodiversity Strategy for Northern Ireland –
Pre Consultation Input**

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 The purpose of the report is for Members to consider a pre consultation response to contribute to the development of the new Northern Ireland Biodiversity Strategy.**

2.0 Recommendations

The Committee is asked to

- Agree the draft pre consultation response and to note that there will be further opportunity to comment on the new NI Biodiversity Strategy at full consultation stage. Subject to Committee and Council Approval this response will be submitted to DAERA. The Department has not given an indicative date when the Strategy will be issued for consultation but officers will keep Members updated.**

3.0 Main report

Key Issues

- 3.1 The previous Northern Ireland Biodiversity Strategy to 2020 has now elapsed, and the Executive intends to develop a new Biodiversity Strategy to meet the challenges faced by the natural environment.**
- 3.2 The scientific evidence points to an on-going decline in global biodiversity; with that trend very much mirrored in Northern Ireland. Internationally the United Nations, through the Convention on Biological Diversity (CBD), is refocusing its intention on reducing the loss of biodiversity through a Global Biodiversity Framework.**
- 3.3 In July 2021 the CBD published the first official draft of a new Global Biodiversity Framework to guide actions worldwide to preserve and protect nature and its essential services to people. Work is ongoing but it is likely that the framework will include the 21 strategic targets set out at Appendix 1**

3.4 The framework includes targets for 2030 including:

- All land and sea areas globally are under integrated biodiversity-inclusive spatial planning addressing land- and sea-use change (Target 1).
- At least 30% of global land and sea areas are conserved through effective protected areas and other effective area-based conservation measures (Target 3)
- At least 50% reduction in the rate of introduction of invasive alien species, and controls or eradication of such species to eliminate or reduce their impacts (Target 6)
- Reducing nutrients lost to the environment by at least half, and pesticides by at least two thirds, and eliminating the discharge of plastic waste (Target 7)
- Nature-based contributions to global climate change mitigation efforts of least 10 GtCO₂e per year, and that all mitigation and adaptation efforts avoid negative impacts on biodiversity (Target 8)
- Increase the area of, access to, and benefits from green and blue spaces, for human health and well-being in urban areas and other densely populated areas (Target 12)
- Integrate biodiversity values into policies, regulations, planning, development processes, poverty reduction strategies, accounts, and assessments of environmental impacts at all levels of government and across all sectors of the economy (Target 14).
- Redirecting, repurposing, reforming or eliminating incentives harmful for biodiversity, reducing them by at least \$US 500 billion per year (Target 18).

3.5 The CBD intends to get international agreement to the framework at the Council of the Parties meeting (CoP15) in May 2022 in China. The targets agreed at this summit will replace the 2020 biodiversity targets, many of which were not met.

3.6 In the meantime the four UK countries are refreshing their strategies, based on the draft framework. To assist with development of the new strategy DAERA has requested Council input and comment specifically in relation to strategic targets; 1, 3,6,12, and 14.

3.7 A draft response has been prepared at Appendix 2 but principal comments include the need for;

1. Robust Legislation and policies.
2. Baseline data – the dearth of ecological data across most habitats and taxa prevents informed decision making and monitoring of trends especially at a local level due.

3. Cessation of incentives which are damaging the natural environment.
4. Adequate resources – Lack of investment on invasive alien species are currently estimated to cost £1.8 bn to the UK economy.
5. Resources - There is a significant professional skills gap recognised by the sector.
6. The new NI Biodiversity Strategy needs to SMART Targets with interim milestones, monitoring and be adequately resourced. Funding should be accessible to environmental organisations and Local Authorities.
7. Mainstreaming Biodiversity - Collaboration across all sectors is required to deliver the outcomes.
8. Reinstatement of Local Structures for example the NI Biodiversity Group and the Habitat and Species Action Plan Groups which brought together Government, eNGOs and the business sectors.

3.8 Subject to Committee and Council Approval this response will be submitted to DAERA. The Department has not given an indicative date when the Strategy will be issued for consultation but officers will keep Members updated.

3.9 **Financial & Resource Implications**

There are currently no financial implications.

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

There are currently no equality or good relations implications.”

The Committee:

- noted the draft pre consultation response, available [here](#), and agreed that it be forwarded to all Members seeking comments for consideration to form part of the Council’s draft response for inclusion. The final draft response, clearly highlighting any additional comments received, be forwarded via e-mail to all the Members in advance of the January Council meeting for final endorsement, prior to submission to DAERA; and
- noted that there would be a further opportunity to consult and comment on the new NI Biodiversity Strategy at full consultation stage.

**DoF Consultation on proposed amendments of
Technical Booklet Guidance to Part F (Conservation
of fuel and power) (Building Regulations)**

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of Main Issues

- 1.1 To consider a draft response to a Department of Finance consultation on proposed amendments to Technical Booklet

Guidance to Part F (Conservation of fuel and power) of the Building Regulations (Northern Ireland).

2.0 Decision(s) required and recommendations

2.1 The Committee is asked to:

- Consider the draft response to the Department of Finance consultation and agree, subject to any amendments, a response on behalf of the Council. Subject to Council ratification.
- The closing date for responses to this consultation is 23:59 on Sunday 19 December 2021, with responses to be made online.

3.0 Main report

Key issues

- 3.1 The Buildings Standards Branch of the Department of Finance (DoF) is seeking the views of the Council on their proposals to amend Technical Booklet Guidance to Part F (Conservation of fuel and power) of the Building Regulations.**

Background

- 3.2 The Building Regulations (Northern Ireland) Order 1979 (as amended) places a duty on a district council to enforce building regulations in its district. Part F (Conservation of fuel and power) of the Building Regulations sets minimum standards for building work with respect to carbon performance and energy conservation measures.**
- 3.3 Building Regulation 43B (*Nearly zero-energy requirements for new buildings*) of Part F requires that new buildings are ‘nearly zero-energy buildings’ (NZEB). This requirement has applied to all newly erected buildings from 31 December 2020.**
- 3.4 NZEB is defined as ‘*a building that has a very high energy performance, as determined in accordance with the National calculation methodology, where the nearly zero or very low amount of energy required should be covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby*’.**
- 3.5 Regulation 39 (Conservation measures) requires reasonable provisions for conservation of fuel and power by limiting heat losses and through use of efficient services with appropriate controls.**

- 3.6 Regulation 40 (Target carbon dioxide emission rate) of Part F requires that a new building's rate of emissions does not exceed a Target carbon dioxide Emissions Rate (TER) when modelled in accordance with the National Calculation Methodology (NCM).
- 3.7 Regulation 43A (*Consideration of high-efficiency alternative systems*) of Part F requires that designers of new buildings consider 'high-efficiency alternative systems', (e.g. decentralised renewables, district heating, combined heat and power systems, heat pumps, etc.). The requirement is only to demonstrate that these options have been considered. In practice, very few high-efficiency alternatives are proposed for inclusion in the proposed building after consideration.
- 3.8 The UK government is developing a programme of amendments to the NCM software to reflect the latest scientific understanding of building physics, revised carbon, primary energy and cost factors for UK fuels, and to implement various technical adjustments necessary for compliance with Directive 2018/844/EU.
- 3.9 These changes will result in new software, a new Primary Energy (PE) target metric and revised cost and carbon factors, which will input to the calculation of a revised TER. The new software will apply alongside an uplift in Building Regulation requirements in each administration, rolling out from early 2022 onwards. However, the outworking of these revisions is complex, and consequences need local consideration (e.g. reduced carbon and PE factors could encourage uptake of electric heating, which would be more expensive to operate than standard boilers). The Department and industry will need to consider these issues and proposals once the position in England has settled.
- 3.10 However, considering concerns that energy efficiency standards here have been too low for too long and in consideration of the Assembly's declaration of a climate emergency and commitments to address climate change in the *New Decade, New Approach* proposals, the Department is keen to prioritise improved standards around NZEB and not to delay uplift further whilst we consider this, more complex, position. While some subsequent re-adjustment of standards and a potential further uplift will be necessary in consequence of the UK NCM development process, the Department is of the view that this should not delay action where possible.
- 3.11 The Department accepts that a fundamental in-depth review of Part F (Conservation of fuel and power) and Part K (Ventilation) will be required to take account of the position and proposals of the other administrations and that ongoing work will be required thereafter.

- 3.12 The Department is developing a Discussion Document for public consultation in the coming months, which will provide further input on the relevant issues and seek to outline pathways towards very high efficiency standards for new buildings in the medium term. The proposals within this current consultation are intended to provide an uplift to the requirements for new buildings as an interim 'steppingstone' measure.

Consultation proposals

- 3.13 The Department is consulting on proposals to uplift the minimum energy efficiency standards for new buildings. Three options have been considered –
Option 1: do nothing.
Option 2: require NZEB buildings to better the current Target carbon dioxide Emissions Rate (TER) outputs by 25%, in the case of new dwellings, and 15%, in the case of new non-domestic buildings; and
Option 3: require NZEB buildings to better the current Target carbon dioxide Emissions Rate (TER) outputs by 40% in the case of new houses, 25% in the case of new flats, and 15%, in the case of new non-domestic buildings.
- 3.14 Option 3 is the Department's preferred option with a better overall return on investment. It would deliver more carbon savings and better reductions in energy bills, albeit with higher build costs for developers. In the draft response we have confirmed that this is the preferred option for the Council as well.
- 3.15 The proposed variation in betterment between houses, flats and non-domestic buildings is proposed so that in the case of dwellings, any on-site renewable generating technologies (e.g. photovoltaic panels), used to achieve the improved emissions performance, should normally be able to avail of the more straightforward (G98) grid connection processes.
- 3.16 Options 2 and 3 set new limits on fabric standards to require provision of building fabric with U-values (and in the case of dwellings, a glazing assessment), as specified within TBF1 and TBF2. A whole building area-weighted U-value assessment provides an alternative approach, provided the overall U-values deliver the same level of performance; and encourage air tightness testing, including removing options on air permeability assessment for a default value of 15 m³/(h.m²) to be submitted on small sites for untested dwellings and the similar 500 m² threshold currently permitted for non-domestic buildings.
- 3.17 All options retain the use of the existing SAP 2009 software, while the new NCM software is developed at UK level. Carbon factors in

SAP 2009 do not reflect recent decarbonisation of the electricity grid supply. This means that where the 'betterment' is delivered with an electricity-led solution (e.g. with photovoltaic panels), the actual carbon abatement is likely to be significantly less than the betterment requirements.

- 3.18 New guidance is proposed to deal with circumstances where the local electricity network cannot accommodate export from on-site renewables that generate electricity (e.g. photovoltaic panels, small wind turbines, etc.) which cannot be directly used in the building. It is unclear if this will be a long-term issue as increasing use of electricity and smart systems developments may facilitate more renewables in the medium term. Future uplifts and a revised NCM should also look to deal with this again in future uplifts.
- 3.19 Other amendments are intended to clarify, or rectify, previous guidance to reflect the current working and enforcement practices. The changes include re-wording to promote an expectation of air-tightness testing and to clarify provisions in relation to thermal bridge assessments.
- 3.20 The package of consultation documents can be found on the Department's website: [-https://www.finance-ni.gov.uk/consultations](https://www.finance-ni.gov.uk/consultations) and includes the following: –
- Consultation document outlining the proposals.
 - Draft Regulatory Impact Assessment.
 - Draft amended Technical Booklet F1
 - Draft amended Technical Booklet F2
 - Rural Needs Impact Assessment
 - and
 - Draft Equality Screening, for the proposed changes.
 - The proposed consultation response is included as Appendix 1 to the report.

3.22 **Financial & Resource Implications**

Some additional training of staff on the changes to the requirements/guidance will be required, as well as guidance for customers on the council website, etc. These will be carried out as normal course of business by existing staff.

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

The proposed amendments have been screened out of equality impact assessment requirements by DoF. The draft equality impact screening assessment is on the Departmental Website."

The Committee endorsed the draft response, available [here](#), to the Department of Finance consultation on proposed amendments of Technical Book Guidance to Part F (Conservation of fuel and power) (Building Regulations) and agreed that it be submitted in draft form by 19th December deadline, advising that it was subject to Council ratification on 10th January 2022.

**DoF Consultation on Proposed Building (Prescribed Fees)
(Amendment) Regulations (Northern Ireland) 2022**

The Committee considered the following report:

“1.0 Purpose of Report or Summary of Main Issues

- 1.1 To consider a draft response to a Department of Finance consultation on proposed amendments to Schedules 1 and 2 of the Building (Prescribed Fees) Regulations (Northern Ireland) 1997 and general comments on the Regulations which are also being invited to inform a wider review of the fees regulations.**

2.0 Decision(s) required and recommendations

The Committee is asked to:

- Consider the draft response to the Department of Finance consultation and agree, subject to any amendments, a response on behalf of the Council. Subject to Council ratification.
- The closing date for responses to this consultation is 23:59 on Sunday 19 December 2021, with responses to be made online.

3.0 Main report

Key issues

- 3.1 The Buildings Standards Branch of the Department of Finance (DoF) is seeking the views of the Council on their proposals to amend Building (Prescribed Fees) Regulations (Northern Ireland) 1997 and general comments on the Fees Regulations are also being invited to inform a wider review.**

Background

- 3.2 The Building Regulations (Northern Ireland) Order 1979 (as amended) places a duty on a district council to enforce building regulations in its district, and also authorises district councils to charge prescribed fees for or in connection with the performance of prescribed functions of theirs relating to building regulations.**

- 3.3 Prescribed fees for building regulation applications were introduced in Northern Ireland in 1982, prior to which the cost of processing applications and inspecting the associated building works on site was borne fully by ratepayers, rather than by those making the applications.
- 3.4 The Building (Prescribed Fees) Regulations (Northern Ireland) 1997 (as amended) sets out the prescribed functions for which a district council may charge a fee for and the level of fee that may be charged. The prescribed functions are:
- approval or rejection of plans or building notices;
 - inspection of works;
 - regularisation of unapproved works; and
 - approval or rejection of type approval certificates.
- 3.5 In the current Fees Regulations, the fees are set out in three schedules to the regulations:
- Schedule 1 for one or more small domestic buildings (new build dwellings);
 - Schedule 2 for certain small domestic buildings, extension and alterations; and
 - Schedule 3 for all other work, with fees based on estimated costs of the work.
- 3.6 The Fees Regulations have not been amended since 2013, when Schedule 1 and 2 fees were raised as part of a proposed two stage uplift. The second uplift did not happen and this has resulted in major shortfalls in the fees income covering the work set out in Schedule 1 and Schedule 2. As a result the ratepayer is subsidising these activities.

Consultation proposals

- 3.7 The Department has identified a full review as being needed to ensure that the level of fees charged by district councils for undertaking prescribed functions in respect of the building regulations follows the 'user pays principle' and moves towards 100% cost recovery. This would mean that the person making a building regulation application meets the full cost of processing an application for that type of work.
- 3.8 However, to achieve this and to bring the fees charged in line with those charged in other administrations in the UK, significant uplifts would be required, in some cases more than doubling the current fee level. The Department has recognised that a move to a 100% cost recovery model would therefore need to be achieved in a phased approach.

- 3.9 The department proposes a two-stage uplift of the fees as set out in Schedules 1 and 2 of the Fees Regulations. The first increase, of 17.5%, is proposed in April 2022, with a further increase proposed in April 2023 resulting in a total overall increase of around 35% for most of the fees included in these schedules. It must be stressed that this level of increase will in no way provide fees that would enable Building Regulations cost recovery for Belfast.
- 3.10 The consultation is also asking for views on the move to 100% cost recovery for the prescribed functions, and for general comments to inform a future wider review of the Fees Regulations.

Draft Consultation Response

- 3.11 Full details of our comments on the proposals are contained within the draft consultation response which is attached as appendix 1.
- 3.12 In summary, the proposals for a two-stage uplift of the Schedule 1 and Schedule 2 fees is welcomed. However, there is a concern that both uplifts may not occur, and that a full review of the Fees Regulations to provide near cost recovery may not take place. Therefore, it is suggested that the Department consider providing a mechanism by which the fees could increase annually in line with inflation in addition to any proposed increases.
- 3.13 The move to 100% cost recovery and the 'user-pays' principle is also welcomed, although it has been highlighted that the prescribed functions do not cover all activities required for the enforcement of the building regulations, and therefore will never equate to 100% cost recovery for the building regulations. For example, matters that are not covered include formal enforcement and court action, inspections to identify unauthorised works, giving general advice to the public, other council departments, etc., and carrying out prescribed functions on fee exempt works.
- 3.14 We also noted that the fee to give near 100% cost recovery in the processing of applications depends on the level of investigation into compliance with the building regulations that is undertaken. Guidance on what is expected of the Council's in this regard would be beneficial in demonstrating what the set fee was calculated as covering and would ensure greater consistency of approach across Councils.
- 3.15 Some issues that have been long recognised as anomalies have been highlighted including instances of disparity between Schedule 2 and Schedule 3 fees.

- 3.16 It has also been suggested that the prescribed functions should be reviewed to include additional items such as a charge for pre-application advice and an additional fee for more than one resubmission of plans that have been rejected. By way of illustration over the last 5 years the first-time approval rate for full plans applications is on average just 18%. This brings significant extra workload and an additional charge may well encourage greater diligence in submission preparation.
- 3.17 The fee exempt status of the installation of cavity wall insulation requires review as does the definition of a disabled person along with greater clarity on which works for a disabled person are fee exempt.
- 3.18 The package of consultation documents can be found on the Department's website: [-https://www.finance-ni.gov.uk/consultations](https://www.finance-ni.gov.uk/consultations) and includes the following: –
- Consultation document outlining the proposals;
 - Draft Regulatory Impact Assessment;
 - Rural Needs Impact Assessment
 - and
 - Draft Equality Screening, for the proposed changes.
- 3.19 **Financial & Resource Implications**
- Some additional training of staff on the new fee scales will be required, along with guidance for customers on council website, etc. These will be carried out as normal course of business by existing staff.
- 3.20 **Equality or Good Relations Implications/Rural Needs Assessment**
- The proposed amendments have been screened out of equality impact assessment requirements by DoF. The draft equality impact screening assessment is on the Departmental Website.”

The Committee endorsed the draft response, available [here](#), to the Department of Finance consultation on Proposed Building (Prescribed Fees) (amendment) Regulations (Northern Ireland) 2022 and agreed that it be submitted in draft form by 19th December deadline, advising that it was subject to Council ratification on 10th January 2022.

Department for Communities- Notice to Quit Consultation

The Committee considered the following report:

- “1.0 **Purpose of Report or Summary of main Issues**
- 1.1 To seek approval to provide a Council response to a consultation from the Department for Communities in relation to proposals to amend the Notice to Quit period for private tenancies.

2.0 Recommendations

2.1 The Committee is asked to

- Note the draft proposals and agree the Council response under paragraph 3.3 and Appendix 2.

3.0 Main report

Key issues

- 3.1** In addition to the consultation response agreed by members at the 11th November People and Communities meeting regarding the Communities Committee private tenancies bill a further correspondence has been received. The Department for Communities issued a consultation questionnaire on 1st December (Appendix 1) to seek views and opinions to inform its policy position on the extension of the notice to quit period for private tenancies. The closing date for response is 25th January 2022.
- 3.2** The Private Tenancies Bill which is currently making its way through the NI Assembly contains a clause to increase the Notice to Quit period that a landlord is required to give a tenant depending on the duration of the tenancy:
- Notice to Quit will be increased to 8 weeks for tenancies lasting more than 12 months up to 10 years.
 - It also amends the Notice to Quit that a tenant has to give a landlord to 4 weeks if the tenancy has not been in existence for more than 10 years and 12 weeks if more than 10 years.
- 3.3** The Department wants to test if 8 weeks is a sufficient timeframe to allow tenants (resident in their homes for more than a year) to find an affordable, suitable new home and has therefore included a range of alternative Notice to Quit options for Council to consider.
- 3.4** Minister Hargey asked for some further research to be carried out on a range of Notice to Quit options and this work was recently completed by the Chartered Institute of Housing. This research has been summarised within the consultation document to provide additional context.
- 3.5** It is important to note that the draft Bill contains a provision which would allow the Notice to Quit to be amended in the future.

3.6 The current notice to quit period under the Private Tenancies (NI) Order 2006 as amended by the Housing (Amendment) Act (NI) 2011 are as follows:

- Less than 5 years tenancy- 4 weeks' notice to quit.
- More than 5 years but less than 10 years- 8 weeks' notice to quit
- More than 10 years – 12 weeks' notice to quit.

3.7 The response to the questionnaire is contained in Appendix 2, however the draft response is summarised as follows;

1. The Council supports the view that the landlord should be required to give a longer Notice to Quit period than the Notice that a tenant is required to give a landlord.
2. The Council supports the view that Notices to Quit should vary depending on the length of the tenancy.
3. The Council supports the view that 12-month fixed term tenancies should be given more than 4 weeks' notice to quit
4. The Council supports the view that the Notice to Quit period that a landlord should be required to give a tenant where the tenancy is between 12 months and 10 years in length should be 12 weeks
5. The Council agrees that exemptions should be applied for certain defined circumstances and the Notice to Quit period should be reduced to 4 weeks where exemptions apply.
6. The Council supports the view that tenants of HMOs should be given the same legislative protection as other private rented tenants. Tenants of HMOs are often the most vulnerable members of the community members so should be treated equitably in terms of the Notice to Quit period.

3.8 Financial and Resource Implications

The Private Tenancies Bill when enacted will give local councils additional enforcement powers to deal with issues in the Private Rented sector. These additional powers will mean more enforcement officers will be required to deal with the additional workload. There will be fixed penalties introduced for some of the offences, but fixed penalty income will not cover the additional staffing and administrative resources required.

3.9 Equality or Good Relations Implications/ Rural Needs Assessment

None associated with this report.”

At the request of a Member, the Committee agreed that the Department for Communities – Notice to Quit Consultation, available [here](#), be amended to stipulate an 8 week notice to quit period.

**People and Communities Committee,
Tuesday, 7th December, 2021**

The Committee endorsed the draft response, subject to the aforementioned amendment, and agreed its submission by the 25th January deadline, following ratification at the Council meeting on 10th January.

Physical Programme and Asset Management

**Naming of New Park and Sportszone
at Divis Back Path**

The Committee was reminded of the agreed policy framework for managing requests to name parks, as agreed by the former Parks and Leisure Committee, at its meeting in August 2008.

The Director Neighbourhood Services advised that the 'The Westlink Sports Activity Park' (its working title for funding purposes) was situated at the Divis "Back Path" area located between the rear of Cullingtree Road and the Westlink. It stretched from Devonshire Place, near the Grosvenor Road to land adjacent to the Frank Gillen Centre, near Divis Street. It had opened to the public in early July 2021, following a major £1m development, creating a valuable new asset for residents in this part of the west of the city.

In terms of the Divis "Back Path" Naming Process, in line with the policy framework, local stakeholders had been asked to submit suggestions for potential names for the Divis "Back Path". A panel (including nominated members of the "Back Path" Forum which was the local reference group for the development) had considered the submissions against the criteria in the Council's policy framework. Engagement had subsequently taken place via local meetings with Youth Organisations, Healthy Living Centres, Churches, Community Groups and Sporting Organisations and suggestions had been submitted by the groups after they had received information around the site and its historical background. A range of three potential names had been discussed, with the following having been agreed:

- Nuggets Nest – this had been suggested to acknowledge the work carried out by Gerry "Nugget" Nugent who had volunteered in the community, particularly Immaculata Amateur Boxing Club, for over 45 years. However, it had been highlighted that naming the park after a living individual did not comply with the criteria of the naming policy;
- Divis Back Path – The site had always been referred to as "Divis Back Path" and people often associated the location with the name; and
- Páirc an Lonnáin (Loney Park) – this had been the most popular amongst local groups, given the historical context of the site which was the location of the old Pound Loney. Many people still living in the area were originally from the Loney.

In line with the Council's naming policy framework, the Committee granted approval to proceed to full public consultation using the Council's Citizenspace around the following two proposed naming options:

- Divis Back Path Park
- Páirc an Lonnáin

It was noted that the results would be submitted to a future meeting of the Committee where approval would be sought for the final name of the park.

Stadia Community Benefits Initiative update

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 To advise Committee of progress with the Stadia Community Benefits Initiative (SCBI) and update on the action plan.**

2.0 Recommendations

- 2.1 The Committee is asked to:**

- Note progress to date.

3.0 Main report

- 3.1 The Council has been undertaking the Leisure Transformation Programme to renew its Leisure facilities across the City. This Programme has been influenced by the Partnership opportunities presented by the NI Executive Stadia Programme.**
- 3.2 The Council, Department for Communities (DfC) and the Irish Football Association (IFA) have recognised the opportunities presented by the Stadia Programme, have committed to work together to maximise these benefits, and have agreed to establish a Stadium Community Benefits Initiative as part of the Belfast Community Benefits Initiative (‘the Project’) to implement and deliver agreed objectives including promoting equality, tackling poverty, and tackling social exclusion within the Belfast area.**
- 3.3 In March 2016 the Council, DfC and IFA signed an agreement which sets out their respective commitments to the project. As other major stadia are developed in Belfast it is anticipated that other sports governing bodies shall become parties to the agreement. At its April 2018 meeting People and Communities committee agreed that Council would work with the Gaelic Athletic Association (GAA) within the Stadia Community Benefits Initiative and recognised their significant planned investment in gaelic games in the city to support their Gaelfast strategy. GAA activities became fully incorporated into the action plan at the start of financial year 2019-2020, with Gaelfast staff imbedded into the governance structure at Communications Board, Delivery Board, Policy and Performance Board.**
- 3.4 The agreement is for a period of ten years with financial commitment from Council and IFA in place to the end of March 2026. Delivery is managed through monthly meetings of the Delivery Board, which reports quarterly to the Policy and Performance Board. Financial and performance reports will be**

presented to Council and other partners' Boards as necessary. Formal review of the agreement will be carried out in this financial year in accordance with the requirements to review at years 5 and 10.

- 3.5 The Policy & Performance Group is responsible for agreeing the Benefits Realisation Plan and associated annual targets. Work was undertaken to ensure the end benefits/outcomes are aligned to partners' strategies. To measure the progress of this the Council and the IFA have developed a range of indicators/intermediate benefits which are monitored through programme delivery:
- a. Number of coaching sessions provided
 - b. Number of coaches engaged in delivering coaching
 - c. Number of sessions improving club governance
 - d. Number of volunteering opportunities
 - e. Participation opportunities for under 16s
 - f. Female participation rates
 - g. Number of people completing skills development programme
 - i. Number of sessions for under-represented groups
 - j. Number of sessions for school and youth groups
 - k. Community group usage of stadia
 - l. Number of clubs attaining club-mark
 - m. Educational opportunities
 - o. Number of programmes targeting ASB
 - q. Improved collaborative working
 - r. Number of disabled participants
 - s. Number of older people participating
- 3.6 Following the completion of a baseline assessment in early 2017, annual work-plans are developed each year. The 2021 – 2022 action plan was developed with a view to delivering a majority of activities using online methods in Q1 and Q2, with increased direct delivery in Q3 & Q4. The action plan for 2021 – 2022 includes a mixture of sports specific programmes (e.g. National Governing Body specific coach education) and some joint collaborative initiatives delivered by both sporting codes.

Performance

- 3.7 Programme delivery to date in year 5 (financial year 2021/2022) has been successful. Effective advance planning has mitigated covid restrictions and no planned initiatives were postponed during Q1 & Q2. Details of the IFA and GAA specific activities are included at appendix 1 and appendix 2. Joint initiatives are planned for Q3 and Q4 and include sports nutrition courses, club funding, female coaching, club ethos, mental health first aid, collaborative delivery in schools.

3.8 Financial Implications

In accordance with the Council's obligations under its DfC Funding Agreement for the Olympia Regeneration Project, the Council has committed a sum of £100,000 per annum for a minimum of ten years, so that a minimum of £1,000,000 is contributed in total to the Project.

3.9 Equality Impact/Rural Needs Assessment

There are no additional impacts related to this report."

The Committee noted the update.

Partner Agreements Quarter 2 Update

The Committee noted the quarterly progress report in relation to Partner Agreements at seven sites and that all Partners had been compliant on reporting matters and financial checks for July – September 2021.

Management of Clarendon Playing Fields

The Committee considered the following report:

"1.0 Purpose of Report or Summary of main Issues

- 1.1 To request members approval to proposed changes to the legal agreements affecting Clarendon Playing Fields.**
- 1.2 To seek permission to update previous committee approvals regarding Clarendon Playing Fields as set out below.**

2.0 Recommendations

The Committee is asked to approve:

- the variation of the current Facility Management Agreement dated 1st October 2005 and associated Assignment and Variation dated 2nd June 2008 (the Agreement) to effect transfer of the interest thereunder from Clarendon Development Association, incorporated, (CDA Inc.) to Clarendon Development Association, unincorporated, (CDA Uninc.) and that the Agreement would run on a month to month basis (as previously agreed by this Committee on 13th October 2015).
- the grant of a 10 year licence to CDA Uninc. for the siting of a portable building at Clarendon Playing Fields, as per the terms of this Committee approval of 13th October 2015

(note the said Committee previously approved grant of the
said Licence to CDA Inc.

3.0 Main report

Key Issues

- 3.1 The Council entered into a 10 year Facility Management Agreement with Clarendon Development Association in October 2005 and in June 2008 the Facility Management Agreement was varied to:-**
- take account of Clarendon Development Association having registered at Companies House as a company limited by guarantee;
 - amend clause 3.1 of the Agreement regarding the term; and
 - amend the 1st Schedule of the Agreement relating to the description of the playing facilities.
- 3.2 When the Agreement reached its termination date in 2015, approval was granted for a month to month extension by this Committee on 13th October 2015 whilst the future management of the asset was considered.**
- 3.3 In May 2017 this Committee approved the termination of the Agreement and, based on the proven track record of community benefit delivered by CDA Inc. at Clarendon Playing Fields, Committee authorised a preferential use agreement for Clarendon Playing Fields to CDA Inc. Community outreach work was to be delivered from the portable building supplied and maintained by CDA Inc. at Clarendon Playing Fields with the grant of a 10 year licence with retrospective approval by Strategic Policy and Resources Committee in November 2017 (the portable building having already been installed at Clarendon Playing Fields by CDA Inc. with planning approval granted in March of that year).**
- 3.4 Negotiations between CDA Inc. and Community & Neighbourhood Service Officers regarding the termination of the Agreement and a move to a preferential use agreement were protracted. The Agreement was never formally terminated and a preferential use agreement was subsequently never entered into.**
- 3.5 The proposed licence for the portable building was also never put in place although CDA Inc. continued to deliver services from it and in March 2020 Council was advised the governance arrangements for CDA Inc. had changed in October 2018 from incorporated to unincorporated and that CDA Uninc. were delivering the said services since October 2018.**
- 3.6 This change has caused delay in issuing the quarterly Agreement payments whilst Community & Neighbourhood Service Officers**

worked through necessary due diligence assessments for CDA Uninc. That due diligence has been completed to the satisfaction of Community & Neighbourhood Service Officers.

- 3.7** Members will be aware that Clarendon Playing Fields is one of the sites identified by this Committee to explore pilot community asset transfer arrangements. In the coming months Officers of CNS will be working with Clarendon Development Association (unincorporated) as the current site manager to develop:

- A community benefits realisation plan
- A business case to demonstrate the organisations long term sustainability
- Recommended mechanism for of the transfer of the asset to community management assessed against the draft framework.

- 3.8** Community & Neighbourhood Service Officers are therefore seeking Members approval to transfer the interest falling under the Agreement to CDA Uninc. and to enter into a licence with CDA Uninc. for the siting of the portable building on Council lands at Clarendon Playing Fields as set out above.

Financial & Resource Implications

- 3.9** All costs for the portable building and otherwise associated with this report shall be met by CDA Uninc..
- 3.10** CDA Uninc. shall pay a licence fee of £375 per annum to Council for the licence of the land on which the portable building is sited at Clarendon Playing Fields.
- 3.11** City and Neighbourhood Services will recommence payments aligned to provision of services under the terms of the Agreement, the payments being allocated from the relevant revenue budget, when the transfer of the Agreement to CDA Uninc. has been completed, in accordance with this Report to the the satisfaction of Legal Services.

Equality or Good Relations Implications/Rural Needs Assessment

- 3.12** None associated with this report.”

The Committee adopted the recommendations.

Operational Issues

Update on Pest Control Service

The Director of City Services provided the Committee with an update on pest control services following the Committee update and recommended actions at its meeting in September 2021.

She reminded the Members that, at that meeting, it had been agreed that all pest control services would resume to all tenures and that officers would investigate the establishment of a Service Level Agreement (SLA) with both the Northern Ireland Housing Executive (NIHE) and Housing Associations, with a view to the Council discussing the opportunity of recouping the costs for these services.

The Director reported that, subsequently, on 14th September, the Chief Executive had received correspondence from Minister Hargey, Department for Communities, raising concern about the Council's restricted Pest Control services for the NIHE and Housing Associations. She drew the Members' attention to a response that had been forwarded that had advised that pest control services would be resuming to all tenures and that the Council would be exploring the establishment of a Service Level Agreement (SLA) with both the NIHE and Housing Associations with a view to the Council discussing the opportunity of recouping the costs for these services.

As previously agreed, the Operational Director had written to the Regional Manager of the NIHE and all Housing Associations to advise that services would resume and that the Council would welcome a meeting to discuss the establishment of an SLA between both parties. Services had subsequently resumed in early October for all tenures.

The Director reported that a meeting had been held on 16th November with the NIHE to explore the option of an SLA. At that meeting, the NIHE representatives had shared concerns about ensuring equity across all constituents and tenures allowing access to Belfast City Council pest control services free of charge. They had advised that the NIHE had approximately 30,600 properties in the Belfast City Council area and paid 100% rates on all these properties, whether occupied or void, and they had expressed the need to ensure that NIHE tenants were entitled to benefit from the Council's free public health pest control services.

It had also been highlighted that the NIHE had used its own contractor for pest control over the last 18 months and had absorbed this cost directly. Their service requests had totaled approximately 1400 over the period of September 2020 to 2021, this was significantly more than a normal pre Covid year which was, in their opinion, mainly due to the reduced provision of Council services.

The Director reported that, since the last update in September, the waiting time for an appointment for an internal treatment or sewer baiting treatment was now approximately 3 weeks. She detailed that the impact of the pandemic generally and within front line services continued to challenge the resumption of the operational services to pre-pandemic service standards. In addition, recruitment was currently underway to fill vacancies which in turn had reduced the overall capacity of the team. It was expected that in the coming weeks waiting

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times would increase significantly as referrals fully resumed for Housing Associations and NIHE properties, however, she advised that these would be closely monitored.

The Committee noted the update report on the current position for pest control services and the resumption of pest control services for NIHE and all Housing Associations.

Chairperson

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City Growth and Regeneration Committee

Wednesday, 8th December, 2021

HYBRID MEETING OF THE CITY GROWTH AND REGENERATION COMMITTEE

Members present: Councillor Murphy (Chairperson);
Aldermen Dorrian and Kingston; and
Councillors, Brooks, Donnelly, Ferguson, Gormley,
Hanvey, Howard, Hussey, T. Kelly, Long, Lyons, Maskey,
McLaughlin, McMullan and O'Hara

In attendance: Mr. A. Reid, Strategic Director of Place and Economy;
Mr. J. Greer, Director of Economic Development;
Mrs. C. Reynolds, Director of City Regeneration and
Development;
Ms. K. Bentley, Director of Planning and Building Control;
Mrs. W. Langham, Project Director, Belfast Destination Hub;
Ms. E. Henry, Senior Manager - Culture and Tourism; and
Ms. C. Donnelly, Democratic Services Officer.

Apologies

Apologies for inability to attend were recorded for Councillors Beattie, Heading and Whyte.

Minutes

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

Declarations of Interest

Councillor Donnelly declared an interest in relation to item 3(d) – European Social Fund Match Funding Requests – Proposed Council Contributions, in that, he worked for Upper Springfield Development Trust, which had applied for funding, and he left the meeting while the item was being considered.

Correspondence Received – Public Realm Projects

The Director of City Regeneration and Development drew the Members' attention to two items of correspondence which had been received in response to letters sent, on behalf of the Committee, to the Minister for Communities and the Minister for Infrastructure.

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She reminded the Members that, at its meeting in August, the Committee had agreed to write to the Minister for Communities and the Minister for Infrastructure, in relation to public realm projects within the city centre, specifically in relation to ensuring that the outworkings of the Bolder Vision were adequately captured and addresses within public realm scheme designs, and that a number of capital schemes had been progressing through design without an holistic overview of a modern transport plan.

She reported that a response had been received on behalf of the Minister for Communities, from the Acting Director, Belfast Regeneration, and on behalf of the Minister for Infrastructure, from the Private Secretary to the Minister.

She highlighted that the response on behalf of the Minister for Communities outlined awareness of the challenges that the BRT2 preferred options posed to the public realm and the city centre environment and that a meeting, with both Ministers for DfI and DfC, had been scheduled to take place in January 2022 to discuss the issues and agree a way forward.

She outlined, to the Committee, the response received on behalf of the Minister for Infrastructure and pointed out that the Belfast Metropolitan Transport Plan would be collaboratively developed with the Department and the five relevant councils, and that the initial focus would be based on the city centre and would consider changes to walking, cycling, transport and road networks.

The Committee noted the correspondence.

Restricted Presentation

Belfast Destination Hub

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

The Project Director delivered a presentation to the Committee regarding the Belfast Destination Hub. She reported that the name Belfast Destination Hub had been replaced by Belfast Stories, and that plans were in place for a branding exercise to be undertaken, once the concept design had been completed.

She provided the Members with an update on the following areas:

- Belfast Region City Deal;
- Strategic alignment;
- Tourism growth;
- Belfast Stories business case and programme;
- Procurement strategy;
- Sustainability;
- Equality framework;

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- Consultation and engagement;
- Social value; and
- Communication plans.

The Committee noted the presentation.

Restricted Items

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

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

Belfast Destination Hub Update

The Strategic Director of Planning and Place provided the Committee with an update on the progress which had been made on Belfast Stories (formerly referred to as Belfast Destination Hub) outline business case and programme.

The Committee agreed to:

- Note the progress update and programme;
- Note that the design stage of the project was proceeding at risk ahead of the receipt of BRCD funding, to ensure that the opening date of early 2028 remained on programme;
- Note the progress on the Belfast Story Collection Framework and to receive a presentation on the Framework early 2022; and
- Note the plans for the press announcement planned for December 2021.

Housing Led Regeneration

The Director of City Regeneration and Development provided the Committee with an update on various housing led regeneration matters.

The Committee agreed:

- to use the scheduled date for the Special City Growth and Regeneration Committee meeting on 26 January 2022, to hold a Committee Workshop on Housing Led Regeneration which would cover key areas of the work strands including the city-wide Strategic Site Assessments Phase 2;
- to note the report which had been considered by the Strategic Policy and Resources Committee at its meeting of 24 September

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2021, regarding work undertaken to seek an institutional investor/development partner to partner Council in the delivery of housing led placemaking regeneration utilising the Council's land assets and the agreement to undertake a soft market testing exercise and subsequent Expression of Interest, in order to engage the market in respect of the identified assets;

- to note the update on progress around Phase 2 of the Strategic Site Assessments (city wide Strategic Site Assessments), including the work of the Housing Led Regeneration Delivery Group within the structure of the Community Planning City Development Board;
- to note that a separate report was being brought to this Committee in respect of the DfC consultation on an Intermediate Rent product and the importance of this in the context of housing led regeneration and the need for mixed tenure housing;
- to note the update on the Inner North West Development Brief, and that Council and DfC were in dialogue with those Housing Associations who had responded to the Brief in order to work through issues identified through the process to deliver residential led development of these sites;
- to note the update in respect of the City Centre Living Vision; and
- that one Member from each of the six parties represented on the City Growth and Regeneration Committee, accompanied by officers, would undertake a study visit to Newcastle (subject to prevailing COVID and travel restrictions) with a focus on regeneration projects, including city centre living and the institutional investor/Council partnership approach to delivery.

Following discussion, the Committee further agreed that a report would be brought back to the Committee in relation to the actual costs of trips undertaken by or on behalf of the Committee.

Quarter 2 Finance

The Strategic Director of Planning and Place outlined to the Members the Quarter 2 financial position for the City Growth and Regeneration Committee which included the Council's overall financial position, the Committee financial position 2021/22, a summary of the financial indicators and an executive summary.

The Committee noted the update and the associated financial reporting pack.

**European Social Fund (ESF) Match Funding Requests –
Proposed Council Contributions**

(Councillor Donnelly, who had declared an interest in this item,
left the meeting for the duration)

The Director of Economic Development asked the Committee to consider the provision of Council match funding to the projects which had been selected through a

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recent transparent application process for Call 3 European Social Fund (ESF) projects, subject to funding availability.

The Committee agreed to approve the match funding contributions to the projects which had been recommended for approval.

(Councillor Donnelly, who had declared an interest in this item returned to the meeting at this point in proceedings)

City Centre Meanwhile Uses

The Director of City Regeneration and Development provided the Committee with an report on the potential city centre sites to be considered for a meanwhile use as part of the Royal Society of Ulster Architects (RSUA)/JP Corry design competition.

Following discussion, the Committee agreed to:

- to note the analysis of the Council owned city centre sites in terms of potential meanwhile use for the RSUA Open Belfast Design Competition;
- to note that a further report on Housing Led Regeneration was being brought to this Committee, which included an update on the strategic site assessments work and the institutional investor approach, as agreed at the Strategic Policy and Resources Committee in September 2021, in respect of identified Council assets, which would include Corporation Street; and
- that the Council-owned lands at Site 10 would be recommended for a temporary meanwhile use as part of the RSUA/JP Corry Open Belfast Design Competition process, and that a report would be brought back to the Committee, prior to progressing with the winning design.

Regenerating Places & Improving Infrastructure

TEO High Street Task Force - Call for Evidence

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

1.1 The purpose of this report is to update Members on the TEO High Street Task Force ‘Call for Evidence’ exercise.

2.0 Recommendations

2.1 The Members of the Committee are asked to:

- **Note that the final draft response to the TEO High Street Task Force Call for Evidence will be submitted to DfC**

as the secretariat for the High Street Task Force in line with the closing date on 6th December 2021.

- Note that as part of the Call for Evidence process a workshop is being held in Belfast on 6th December 2021.
- Agree the final draft consultation response of the 6th December as the Council's final response pending Council ratification.

3.0 Main report

- 3.1** At the meeting of the City Growth & Regeneration Committee on 10th November 2021 Members were updated on the then recently launched High Street Task Force Call for Evidence which is the first stage of an ongoing public engagement process, and forms part of the work of the Task Force in identifying the challenges and issues that our high streets face.
- 3.2** The report presented to Members in November highlighted that The Executive Office launched the High Street Task Force 'Call for Evidence' on 25th October 2021. The Committee subsequently agreed that *officers prepare a draft response which would be brought via Party Leaders Forum on 25th November, with the final response brought back retrospectively to the Committee, at its meeting in December.*
- 3.3** As agreed by Committee, the draft response to the Call for Evidence was presented at Party Leaders Forum on 25th November 2021. Party Leaders were largely content with the response although requested a small number of additions. This involved the need for relevant legislation to address vacancy and dereliction such as the Dilapidations Bill, as well as ensuring adequate reference to meeting accessibility needs and working with IMTAC. In addition, it was highlighted that whilst we direct efforts to diversify the high street retail should be supported to ensure its sustainability especially in the context of Belfast as a capital city. Other issues were discussed in terms of car parking and accessibility. The additional points agreed by Party Leaders have been incorporated in the final draft response.
- 3.4** As part of the Call for Evidence, a series of six workshops were conducted to allow in-person views to be heard and discussed. A workshop was held in Belfast on 3rd November at the Hilton Hotel. Due to issues, including attendance a rescheduled workshop is taking place on 6th December. At the time of writing this report a number of Council officers have registered to attend this event, as well as promoting and

encouraging attendance with a wide group of stakeholders. Due to the timing of publishing this report, officers will provide a verbal update of key discussion points at the Committee meeting.

- 3.5** In keeping with the timetable set out by TEO, the final draft response will be submitted by the 6th December 2021.

Members should note that the 14 themes identified within the Call for Evidence document, along with 46 associated questions are reflected across the ongoing programme of work aligned to the focus of this Committee including its priorities and Committee Plan, as well as alignment to other Council led programmes and priorities. In drafting responses officers drew on a number of plans, projects, programmes and strategies for example:

- **Belfast City Centre Regeneration and Investment Strategy (BCCRIS) and associated Masterplans**
- **Future City Centre Programme and the key pillars within that focusing on:**
 - **Regeneration and Connectivity**
 - **Business and Investment**
 - **City Centre Vibrancy**
 - **Position the City to Compete**
 - **Digital Innovation**
 - **Clean, Green and Safe underpinned by Policy Legislation and Market Intelligence**
- **A Bolder Vision and Connectivity Programme**
- **10 Year Tourism Strategy**
- **Cultural Strategy - A City Reimagining**
- **Vacancies Programme**
- **Tactics, Regeneration, eg, Entries Project**
- **Revitalisation Programme**
- **Strategic Acquisitions**
- **City Centre Living**
- **BRCD Including Belfast Stories**
- **Belfast Innovation City / SMART**
- **Business and Community Cluster Grants**
- **Supporting Vibrant Business Destinations**

- 3.6** Although the above mentioned programmes, projects and strategies are not an exhaustive list in terms of where officers drew evidence from, it demonstrates that Council has an extensive intelligence base from strategy development through to programme and project implementation on areas

which have a direct impact on the vitality and sustainability of our high streets.

- 3.7** It is also relevant to highlight the synergies of the work of the Community Planning Partnership: City Development Board, which has a priority theme of the Future City Centre Programme as well as citywide regeneration and development including arterial routes / neighbourhood centres. Aligned to the approach which Council has taken, officers are now coalescing with CPP partners to develop a robust and strong collaborative delivery focused action plan which could help address themes coming from this Call for Evidence and as mentioned above priority areas of this Committee and Council.

3.8 Financial & Resource Implications

None associated with this report.

3.9 Equality or Good Relations Implications/Rural Needs Assessment

None associated with this report.”

In response to a request by a Member, the Director of City Regeneration and Development agreed that she would forward an addendum to the Council's response, pending Council ratification, in relation to question three of the call for evidence, to reference the Council's motion on Clean Air Strategy in relation to changing legislation.

The Committee agreed:

- To note that the final draft response to the TEO High Street Task Force Call for Evidence had been submitted to DfC as the secretariat for the High Street Task Force in line with the closing date on 6th December 2021;
- To note that, as part of the Call for Evidence process, a workshop had been held in Belfast on 6th December 2021; and
- To the final draft consultation response of the 6th December, including the aforementioned addendum, as being the Council's response pending Council ratification.

**Just Eat Belfast Bikes Strategic Review –
Screening Update**

The Director of Economic Development provided the Committee with an overview of the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 To update Members on the equality screening of the delivery of Belfast Bikes and make recommendations for a way forward.**

2.0 Recommendations

- 2.1 The Committee is asked to:**

- To proceed with the four stations to be funded by the Department for Infrastructure outlined at 3.5, and the 15 stations;
- Agree to the phased Equality Screening and that additional criteria are included the scoring matrix.

3.0 Main report

3.1 Background

The Belfast Bikes scheme was launched in 2015 as part [Belfast City Council's physical investment programme](#). The Department for Regional Development provided initial capital funding for the scheme as part of their Active Travel Demonstration Projects budget. The scheme launched with a network of 30 docking stations and 300 bikes. The scheme has been operated by NSL continually since inception using bikes and supporting infrastructure from Nextbike GmbH. The scheme currently operates with 400 bikes and 48 docking stations.

3.2 Strategic Review

It was agreed to undertake a comprehensive strategic review of the Just Eat Belfast Bikes scheme and make recommendations for the future management, operation and potential expansion of the scheme at CG&R committee in January 2019. Intelligent Transport Services were commissioned in May 2019 to carry out the strategic review of the scheme. Stakeholder engagement and a public survey was carried out in August/September 2019 and an elected member's workshop was held on the 27th August 2019.

The scope of the review considered the following steps:

- Assessment of the current network;
- Review of scheme objectives;
- Review of operations;

- Future expansion; and
- Financial sustainability.

3.3 Future expansion

Included in the Strategic Review were recommendations in relation to the future expansion of the scheme. These findings were the result of extensive stakeholder engagement, public survey and engagement with elected members. A summary of findings is included below.

- There are gaps in the network along arterial routes and local centres in the North, West, South and East of the city. Investment in new stations should be carried out to increase network coverage and ensure social inclusion.
- Additional capacity is needed in the northern section of the city centre to service the new Belfast UU campus and the Tribeca development and in the east to service the Sirocco development. This should be funded through developer contributions.
- An assessment of the current network identified a number of existing stations which are under used and should be either relocated or reduced in size and used for expansion of new stations.
- Requests have been made from neighbouring councils and expansion into adjoining areas should be considered through partnership funding.

3.4 A summary of future expansion as presented to June Committee including potential relocations and complementary measures are outlined by area and included at Appendix 1. Areas for expansion had been selected by identifying gaps in the network along with feedback from the public survey and elected member/stakeholder consultation. It was acknowledged that further work would be needed to determine exact locations and consider those against the Site Expansion Matrix and it was proposed that this should be discussed and agreed through the Area Working Groups meetings. These proposals were phased over a two-year period to take account of the significant lead time and resource requirement required for an expansion. The costs were based on analogous estimates from our previous expansions of the network. In some instances, site specific conditions can result in savings or additional expense.

3.5 Members agreed at the CG&R Special Meeting in November 2020 to allocate £330k of £749k of DfI Blue and Green Infrastructure funding allocation to replenishing the Belfast

Bikes fleet. Members also agreed to carry out feasibility work to inform the allocation of £310k of this element of the fund for additional citywide infrastructure to support the cycling network with proposed measures to include covered cycle stands (to be provided within existing programmes of work or within existing Council assets); an electric bike trial; expansion of the Belfast Bike Infrastructure and Active /Sustainable Travel Hubs. At CG&R on 12th May 2021 it was agreed that an additional four Belfast bikes docking stations would be deployed using DFI Active Travel funding. This expansion highlighted the following four sites

- Antrim Road, Waterworks
- Lisnasharragh Leisure Centre
- Olympia Leisure Centre
- Kennedy Shopping Centre

3.6 A recommendation was also made within the report relating to a matrix for the selection of new docking stations. The criteria contained within the Site Expansion Matrix are detailed below.

- Employment Destinations
- Residential
- Public Transport
- Public Amenities
- Resident Requests
- Existing Usage at nearby stations
- Gaps in Network
- Survey Feedback
- Cycle Infrastructure
- Land that is either owned or managed by Belfast City Council or where express permission to situate a biking dock in already in place.

3.7 During discussion at CG&R in June a number of proposals were made and debated by elected members. These are listed below

- Agree to add both levels of air pollution and access to car/van as per census data 2011/21 when updated to the Expansion Criteria.
- Agree to add additional criteria including Health Inequalities as part of the scoring matrix on expansion.

3.8 **Call-in**

As members will be aware, the decision was subject to call-in and was referred to Counsel for opinion. Subsequently the

call-in was found to have merit on both procedural and community impact grounds.

An opinion was received with regard to the inclusion of existing cycle infrastructure within the Site Expansion Matrix which is detailed below.

‘Given the clear evidence that the current cycle infrastructure is poor in North and West of the City, the inclusion does have the result that decisions taken on that basis will have an adverse impact on those inhabitants of those sections of the district.

The next question is whether any adverse effect is disproportionate. In assessing this matter, I note the evidence that the infrastructure in north and west Belfast is particularly poor. Whilst I appreciate that the matrix applies equally to all locations, the practical effect of the decision would be that the areas of north and west Belfast would score lower than other areas because of the poor existing infrastructure. That would have a disproportionate effect as it would result in those inhabitants being less likely to be able to benefit from the expansion of the Scheme.’

- 3.9 In summary this directs that the inclusion of the criteria of existing cycling infrastructure must be removed from the site expansion criteria.
- 3.10 Following the call-in it was agreed at CG&R in September 2021 that an equality screening would take place with initial findings reported back to Committee to allow a decision to be made on future investment in the scheme.

Equality Screening

- 3.11 A staged equality screening is progressing and builds on the equality screening of the Belfast Bike Scheme carried out in 2013/14. This original equality screening identified the potential to improve equality of opportunity in relation to those with a disability, those with dependants and women. The following mitigations and actions were taken:
- As one of four Active Travel Demonstration Projects of the DfI (previously, DRD) Active Travel Initiative, an important element of the Active Travel Strategy is to encourage local authorities to promote more walking and cycling in the communities they serve and to recognise the need to include people of all abilities.

- The design and the colour of the bikes are subject to the potential sponsor of the scheme. However, the design and colour of the bikes must take into consideration the symbolism of political opinions and have a ‘neutral’ appearance. This has been actioned through the sponsorship and bike provider specifications. The decision about sponsorship is taken in line with Council’s policies regarding specific products.
- Members of IMTAC and Disability Action were consulted in the stakeholder workshops. They attended site visits and influenced the locations for the docking stations.
- During the development and extension phase, consultation took place with representatives from communities and groups directly affected by the scheme i.e. in areas of potential locations of docking stations
- Considerations such as mobility issues and the potential of introducing special bikes such as trikes/e-bikes will continuously influence the development of the scheme.
- Within the action plans for the scheme ‘try it’ events have been hosted including some targeted at underrepresented groups such as people with a disability and women
- Tied in with Sustrans events such as Women in Cycling, cycle proficiency training and bike club programmes; also had a number of separate events in schools.
- Users have to sign up to the Terms & Conditions of using the Public Bike Share Scheme and Health & Safety Regulations are paramount using the scheme. It is noted that this may result in some limitations in usage, such as in terms of age.

3.12 As this is an existing programme we have taken an approach to screen at appropriate stages of delivery based on the information available. The current draft screening takes into account the strategic review of the Belfast Bikes in 2019 and new policy developments, for example, A Bolder Vision for Belfast, Sustrans Policy on Public Bike Hire Schemes (2019) and the Belfast Cycle Network (June 2021). While the objectives of the scheme remain unchanged; it is noted that the primary objective of the Belfast Bike Scheme in 2013 was described as: to achieve a sustainable low cost transport system to service key locations in Belfast City Centre, and the scheme has expanded to include additional areas

surrounding and outside the city centre where funding and demand have supported such expansion.

- 3.13 Work to date on the draft equality screening indicates the potential differential impacts on women, those with disabilities, those with dependents and those who are older. Given the diversity of issues experienced, it also notes the need to further investigate the potential impact on those from different racial groups in Belfast, as well as those with disabilities in order to better understand the potential impacts. This information and health data will be considered to inform future development of the scheme subject to feasibility. Further analysis is also being undertaken into the incorporation of the additional location assessment criteria to ensure clarity of definition and application of assessment.

3.14 **Financial & Resource Implications**

As set out to Committee in June 2021, based on the historic revenue from bike hire and the expected revenue from sponsors it is estimated for the financial year 21/22 that the Belfast Bikes scheme will require a subvention of £244,280 to cover its cost of operation. This subvention was included in Place & Economy departmental estimates for the financial year 21/22.

- 3.15 An investment of approximately £525,000 is required to fund the recommended expansion of the network in this phase with further investment required for subsequent phases. This funding has been secured via in year underspend.

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

We have taken an approach to screen at appropriate stages of delivery based on the information available.”

The Committee agreed to:

- proceed with the four undernoted stations to be funded by the Department for Infrastructure:
 - Antrim Road, Waterworks;
 - Lisnasharragh Leisure Centre;
 - Olympia Leisure Centre; and
 - Kennedy Shopping Centre.
- proceed with the 15 stations outlined in the expansion proposals; and

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- the phased Equality Screening and that additional criteria would be included the scoring matrix.

**Department for Communities Consultation:
Intermediate Rent Development of Policy and Model**

The Director of Planning and Building Control explained that, in a statement to the NI Assembly in November 2020, the Minister for Communities had set out an ambitious housing programme and had introduced new housing options that included Intermediate Rent in support of the Strategic Planning Policy Statement aims of assisting eligible households into affordable housing and help meet the affordable housing obligations of Policy HOU5, as set out in the draft Belfast Local Development Plan 2035.

She reported that the consultation on an Intermediate Rent policy and model had been launched on 18th October and that, although the Council was supportive of the delivery of the new product, it had not been possible to provide a definitive view on the specific product proposed until there was a better understanding on how the model would be delivered in practice.

She referred the Members to a draft response which set out a number of aspects of the proposals that officers believed merited further consideration, which included:

- The need for new affordable housing product(s);
- The need for a single programme operator;
- Funding mechanisms;
- Construction and quality standards;
- Setting the appropriate rent level; and
- Deliverability.

She advised the Committee that Council officers were due to meet with DfC officials on Friday, 10th December 2021 to discuss the consultation proposals and that any required amendments to the response which might arise following the meeting would be reported back to the Committee at its meeting in January for approval, in advance of the submission of the final response.

The Committee noted the Intermediate Rent Development of Policy and Model Consultation document and approved the draft response to the consultation for submission to DfC, in advance of the 14th January deadline.

Growing Business & the Economy

Jobs and Skills Update

The Committee considered the undernoted report:

“1.0 Purpose of Report

- 1.1 The purpose of this report is to update members on a number of existing and planned interventions to improve skills and**

help people find a new or better job, focusing on key target groups and those furthest from the labour market.

2.0 Recommendations

2.1 The Committee is asked to:

- Note the range of existing and planned interventions to improve skills and help people find a new or better job, focusing on key target groups and those furthest from the labour market
- Note the job outcomes delivered by some of the key interventions
- Note the planned developments and activity for the coming months, including the development activity in new areas of work.

3.0 Main report

3.1 Members will be aware that the pandemic has had a significant impact on the economy of the city with labour market volatility where demand hugely outstripping supply in a number of sectors (tech and digital; logistics and health and social care) while other sectors are much more vulnerable (hospitality; retail).

3.2 Despite the volatility, council officers have been working closely with our stakeholder partners and with employers in key sectors to support the delivery of a range of interventions to help those furthest from the labour market to find sustainable employment in those sectors where demand has remained strong or is beginning to recover. This work has meant that, from April-September 2021, we have been able to bring 427 people on to our Employment Academy programmes across a range of sectors, with 202 currently on the waiting list for upcoming programmes. This level of demand – both from employers as well as those looking for a job or a better job – represents a significant increase on figures from previous years, as previously flagged at the October meeting of this committee.

3.3 Of those who started an Employment Academy since April 2021, 176 people have completed and 132 have secured employment so far. This represents an into-work rate of 75%. Of the 251 people still going through a programme, 92 are already in work and are receiving support, qualifications or licences needed to access a better job. These include Level 3-5 qualifications (e.g. in childcare sector, allowing staff to move to supervisory roles) and specific vehicle licences to

help existing drivers progress to better-paid driving roles, including those within public sector organisations such as Belfast City Council.

- 3.4 The 'Take the Next Step' event in St George's Market on 9 November attracted over 450 people and gave residents a chance to find out more about the upcoming employment academies and to register interest to participate as well being able to apply directly for vacancies. Employers across a range of sectors were in attendance, and feedback has been very positive, with 90% reporting that they were very satisfied and 10% reporting that they were satisfied. While the full job outcomes as a result of this event are yet to be completed, we have already had confirmation of 20 people that have started a new job following the event while 202 people have been referred to a future employment academy programme. The breakdown of interest is detailed below:

<u>Employment Academy</u>	<u>Interested as of 11th Nov</u>
Construction	10
Business	16
Haulage/Bus Driving	112
Taxi driving	30
Leisure	15
Childcare/Playwork	19
TOTALS	202

- 3.5 A further 'Take the Next Step' event is being planned for the New Year (restrictions permitting). This is likely to feature planned programmes including:

- Construction Employment Academies for the Belfast Transport Hub
- Business Services Employment Academy
- Fibre Splicing Employment Academy
- Social Care Employment Academies
- Transport Employment Academies

3.6 Green Economy

While the Academies represent short, employer-focused, into-employment interventions, the team has also been engaged in a wider range of jobs and skills-related activities – always with the aim of supporting inclusive growth. One of the emerging areas of work is in the retrofit sector. We have recently been successful in a bid to the Community Renewal Fund to establish a vocational curriculum offer as there is currently no skills provision in this field. Work is at an advanced stage to develop a retrofitting qualification from level 2 through to level 5, with local training organisations and Belfast Met working together to support programme delivery in the city.

Once the skills infrastructure is established, this will offer opportunities for new entrants to access opportunities in a future growth area. It will also present significant re-skilling opportunities for companies in the construction sector, helping them to future-proof their business and look towards new opportunities for future growth.

3.7 Fibre Splicing Programme

Another emerging area of work is in utilities – particularly given the exponential demand for broadband as a result of Covid-19 as well as significant public investment in new infrastructure. Using the Dynamic Purchasing System (DPS) mechanism within our new procurement framework, we have recently appointed an operator to deliver a highly specialist intervention in early 2022 as a pilot exercise to test the potential in this new field. Once participants complete the programme, they will have an opportunity to find employment with companies that are currently offering salary levels in the range of £25,000-£35,000 pa. Updates on this programme will be brought back to a future meeting of the committee.

3.8 Supporting BCC as an Employer

In addition to working with private sector businesses across the city, officers have also been working closely with colleagues in the HR team to support people into new jobs or better jobs within Council. Some examples of this activity include:

- Delivery underway for 20 Council staff to gain their Category C lorry licence. This will open up a pathway to a better job in the council. This is planned to be open again in the New Year for a further cohort

- Planning for Jobstart jobs for 10 young people across Council such as Zoo Crew and Business Support, with a bespoke Employment Academy designed to target and engage people, provide pre-recruitment support, in-work upskilling and personal mentoring as well as agreeing and implementing a career progression pathway for each young person.

3.9 Financial and resource implications

The activities set out within this report are being funded through the Employability and Skills budget previously agreed as part of the estimates process.

3.10 Equality implications or Good Relations implications/Rural needs assessment

One of the key advantages of this approach is that it will enable us to target resources on specific groups, including those with particular access issues and barriers that currently prevent them from accessing training and employment opportunities. Our participation data is regularly reviewed to ensure that we are making a positive impact on key target groups and the CRM system can provide real-time data to ensure effective targeting of resources.”

The Committee noted:

- the range of existing and planned interventions to improve skills and help people find a new or better job, focusing on key target groups and those furthest from the labour market;
- the job outcomes delivered by some of the key interventions; and
- the planned developments and activity for the coming months, including the development activity in new areas of work.

Issues raised in advance by Members

A Bolder Vision Consultation

At the request of Councillor McMullan, the Committee agreed that officers would bring a report back to the Committee which would outline any learnings in relation to accessibility issues with the ‘Bolder Vision’ consultation engagement process.

Chairperson

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Licensing Committee

Wednesday, 15th December, 2021

MEETING OF THE LICENSING COMMITTEE

HELD IN THE COUNCIL CHAMBER AND REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Donnelly (Chairperson);
Aldermen Rodgers and Sandford; and
Councillors Bradley, Bunting, Hutchinson,
M. Kelly, T. Kelly, Magee, Magennis, McCabe,
McCullough, McKeown, Mulholland and Smyth.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, Divisional Solicitor;
Mr. S. Hewitt, Building Control Manager;
Mr. K. Bloomfield, HMO Unit Manager;
Ms. V. Donnelly, City Protection Manager; and
Mr. H. Downey, Democratic Services Officer.

Apologies

An apology for inability to attend was reported on behalf of Councillors Michael Collins, Howard, McAteer and McCusker.

Minutes

The minutes of the meeting of 29th October and 17th November were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st December, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Mulholland declared an interest in relation to item 3a - Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021, on the basis that she worked for an organisation which applied for occasional liquor licences, and left the meeting for the duration of the discussion.

Delegated Matters

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

HMO Licences issued under Delegated Authority

The Committee noted a list of licences for Houses in Multiple Occupation which had, since its last meeting, been issued under the Council's Scheme of Delegation.

Non-Delegated Matters

**Licensing and Registration of Clubs (Amendment)
Act (Northern Ireland) 2021**

The Building Control Manager submitted for the Committee's consideration the following report:

"1.0 Purpose of Report/Summary of Main Issues

- 1.1 To provide the Committee with an update on the recent changes to the liquor licencing laws in Northern Ireland and to establish a position in relation to any objections which the Council may wish to lodge in relation to applications arising from the amended legislation.

2.0 Recommendation

- 2.1 Having considered the key issues outlined, the Committee is recommended to review the options outlined in the undernoted sections of the report and establish a position in relation to any objections which the Council may wish to lodge arising from notification of various liquor licence applications arising from the amended legislation.

3.0 Background

- 3.1 The Committee, at its meeting on 20th October, agreed to defer consideration of a report on the Licensing and Registration of Clubs (Amendment) Act (NI) 2021 to a special meeting and agreed also that, in the interim, applications which had been notified to the Council would be dealt with under delegated authority, thereby permitting the Strategic Director of Place and Economy, in consultation with the City Solicitor, to lodge objections to notices of applications received under liquor licensing legislation. The Member who proposed the special meeting is content, due to the lack of business, for the issue to be considered at this meeting.
- 3.2 The report from the meeting of 20th October has been circulated to the Committee.
- 3.3 The Licensing (Northern Ireland) Order 1996 (the Licensing Order) sets out the general licensing systems, including procedures governing the granting or renewal of licences by county/magistrates' courts, permitted hours for the sale of alcoholic drinks, conduct of premises, conditions pertaining to the presence of children in licensed premises, and

enforcement. The Registration of Clubs (Northern Ireland) Order 1996 does the same for the supply of alcoholic drinks in private members' clubs.

- 3.4 Enforcement of all matters relating to the sale and supply of alcohol is the responsibility of the PSNI.

4.0 **Key issues**

Legislation

- 4.1 The Licensing and Registration of Clubs (Amendment) Act (NI) 2021 amends the Licensing Order and the Registrations of Clubs (NI) 1996.

The key changes, which will take effect in phases, include:

- All additional restrictions on opening hours over Easter weekend will be removed;
- Opening hours on Sunday evenings will be the same as any other night;
- Pubs and Hotels can apply to open until 2 am up to 104 nights per year (instead of 1a.m.);
- Smaller pubs will be able to open to 1 am up to 104 nights per year;
- Drinking-up time will be increased to 1 hour (allowing pubs to stay open until 3 am);
- There will be flexibility around opening hours for bars at major events;
- A new category of licence will be created for local producers of craft beers, ciders and spirits (allowing drink producers to obtain a licence to sell off-sales alcohol and, in limited circumstances, open taprooms so customers can buy drink alcohol on site);
- Cinemas will be able to apply for a liquor licence and serve drink to customers;
- Sporting clubs will be able to use their grounds for functions up to 6 times per year;
- Registered clubs will be able to open to 1am up to 104 nights per year;

- Self-service of alcohol and sales by vending machines will be prohibited;
- Restrictions will be placed on off-sales drinks promotions; and
- Loyalty schemes will not be able to award or redeem points for the sale of alcoholic drinks.

Implications for the Council

- 4.3 There are a number of changes which came into force on 1st October 2021 which will impact on matters relating to entertainments licensing. It is, therefore, important that the Committee establish a position in relation to those matters and, if necessary, clarify circumstances regarding any objections the Council may wish to lodge to liquor licence applications.
- 4.4 Notwithstanding the financial pressures the hospitality sector was already facing, the impact of COVID has been unprecedented and the Council will seek, where possible, to assist the recovery of the sector. However, it is recognised that this must be balanced against the right of local residents not to be subject to unacceptable disturbance.
- 4.5 In the following sections the changes to the legislation are outlined, along with how this impacts on existing and future entertainments licences. Options in relation to these matters are then provided for consideration.
- 4.6 The new Article 44A gives a court power to extend later opening until 2.00 am in pubs or hotels which are structurally adapted to provide entertainment and/or substantial refreshment and which already hold a licence for later opening under Article 44 of the Licensing Order. The amendments introduced in October extend 'drinking up time' from 30 minutes to an hour. The net effect of these changes is that alcohol can be consumed until 3.00 am in those premises which have both an Article 44 and Article 44A licence.
- 4.7 Musical or other entertainment and/or substantial refreshment must be provided throughout the later opening. For most premises in Belfast they are permitted to sell alcohol to later hours by virtue of providing entertainment. For those who wish to apply for further additional permitted hours they will be required to produce a copy of their entertainments licence for the courts.

- 4.8** A licence granted under an Article 44A may only be issued for a maximum of 104 days in any twelve-month period, except for Christmas Day.
- 4.9** Notice of the application must be published in local newspapers and a notice displayed on or near the premises and served upon both the PSNI and the Council.
- 4.10** The Court can revoke, modify or place terms and conditions on an Article 44A licence for the following reasons,
- 1.** the business was conducted in such a manner to cause undue inconvenience to local residents, or
 - 2.** that the hours caused undue inconvenience to local residents, or
 - 3.** that the part of the premises mentioned in the order wasn't being used for the purposes of providing entertainment and/or substantial refreshment.

Issues for Consideration

- 4.11** Whilst most city centre pubs have entertainment licences to 3.00am, this does not always extend to every night of the week and for pubs located in residential areas many of them only have entertainment licences to 1.00 am.
- 4.12** As a notice party to Article 44A extension applications the Council should be sensitive to potential nuisance issues for local residents, particularly where there have been objections to Entertainment licences in the past and restricted licences arising.
- 4.13** However, it is also the case that these application must be published in local newspapers and a notice displayed on or near the premises thereby providing local residents with the opportunity to make their own representations to the courts on any applications for later hours.

Pubs and Hotels – City Centre Locations

- 4.14** Since your meeting in October a number of Article 44A extension applications have been received by the Council and, in responding to these, Council officers have had regard to the following:

**Licensing Committee,
Wednesday, 15th December, 2021**

- location of the premises,
- the proximity of residential areas,
- any restrictions placed upon the premises by virtue of its Entertainment Licence,
- any history of complaints regarding the operation of the premises,
- Building Regulation issues, and
- Complaints regarding anti-social behaviour in and around the premises.

4.15 Most of the applications received to date have related to city centre venues. These premises fall into two categories:

- 1. Those that have entertainments licences which permit entertainment to 3.00am every night of the week, and**
- 2. Those that have entertainments licences which permit entertainment to 3.00am only on specified nights of the week.**

4.16 Members are reminded that, in all these cases, where the applicant wishes to provide entertainment later than 1.00 am, these licences will have been subject to consideration and approval by the Licensing Committee.

4.17 The response offered under delegated authority by the Council to these applications has been:

- 1. To offer no objection to Article 44A extension applications which have been received to serve alcohol to 2.00am for city centre venues where they are in possession of an entertainments licence which permits entertainment to 3.00am every night of the week, and**
- 2. To confirm that, in principle, the Council has no objection to Article 44A extension applications which have been received to serve alcohol to 2.00am for city centre venues where they are in possession of an entertainments licence which permits entertainment to 3.00am only on specified nights of the week but advising the Court of the fact that the Entertainments Licence does not permit entertainment to 3.00am on some of the dates to which the extension applications relate.**

Pubs and Hotels – non-City Centre Locations

- 4.18 Since the Committee meeting in October, the Council has been consulted on two applications for premises outside the city centre and, given their proximity to residential areas, officers advised the Court that it is considered more appropriate for Committee to determine how best to respond to such applications and asked that any hearing is postponed until such times as the Committee has had an opportunity to consider these applications.
- 4.19 Members are therefore requested to consider a suitable response for the Article 44A applications in respect of the undernoted two premises.

Biddy Duffy's, 133 Andersonstown Road.

Entertainments Licence

- 4.20 The entertainments licence is held by Mr. Peter Teague and the areas where entertainment may be provided are the:
- Ground Floor, with a maximum capacity of 50 persons.
 - First Floor, with a maximum capacity of 120 persons.
- 4.21 The days and hours during which entertainment may be provided are:
- Monday to Thursday: 11.30 am to 1.00 am the following morning,
 - Friday and Saturday: 11.30 am to 2.00 am the following morning, and
 - Sunday: 12.00 pm to midnight.
- 4.22 There is also a special licence condition that Entertainment is permitted to 2.00 am on all Bank and Public Holidays.

Article 44A application for an Order for Additional permitted hours

- 4.23 The Article 44A extension application is to serve alcohol until 2.00am on 52 Saturdays in the period from 27th November 2021 to 26th November 2022. In addition, an application has been made for another 52 extensions to 2.00 am from 26th November 2021 to 18th November 2022.
- 4.24 Some of these dates fall on Bank or Public holidays and would therefore be dates when entertainment is permitted to 2.00 am.

However, other dates include 20th - 23rd December, 29th and 30th December, 13th and 14th February, 16th March, 1st May, 2nd June, 11th July, 30th and 31st October. On these dates, entertainment may only be provided to 1.00 am or, for those dates which fall on a Sunday, to midnight.

- 4.25 A copy of the Article 44A application has been circulated.**

Premises Overview

- 4.26 The premises are located on an arterial route and there is residential accommodation situated to the rear of the property.**
- 4.27 The most recent complaint regarding the premises was received in February 2015 and related to the provision of entertainment after 1.00 am. A subsequent application to vary the licence was considered by Members in June 2015 and the hours outlined above in paragraph 4.21 were agreed by the Licensing Committee.**
- 4.28 A recent inspection of the premises revealed that some works had been undertaken to the first floor of the premises and the licensee has been asked to submit a Building Regulation application in respect of these works.**
- 4.29 There have been no complaints regarding anti-social behaviour nor have any objections been received to the renewal of the licence in the last 10 years.**
- 4.30 There are no restrictions in relation to the operation of the premises by virtue of its Entertainment Licence other than those outlined in paragraphs 4.21 to 4.22 above.**
- 4.31 Given that the premises are quite close to residential properties Members may wish to consider whether there is potential that the hours applied for, or any period immediately following their termination, may lead to undue inconvenience to persons residing in the vicinity of the premises.**

Horatio Todds, 406-408 Upper Newtownards Road.

Entertainments Licence

- 4.32 The entertainments licence is held by Wandsworth Pubs Ltd. and the area where entertainment may be provided is the:**
- Ground Floor, with a maximum capacity of 300 persons.**

4.33 The days and hours during which entertainment may be provided are:

- **Monday to Saturday: 11.30am to 1.00am the following morning, and**
- **Sunday: 12.30 pm to midnight.**

Article 44A application for an order for additional permitted hours

4.34 The Article 44A extension application is to serve alcohol until 2.00 am on 52 Saturdays in the period from 11th December 2021 to 10th December, 2022. In addition, application has been made for another 52 extensions to 2.00 am between 10th December 2021 and 25th November 2022, some of which fall on Fridays and Bank or Public holidays.

4.35 However, all of these are days where entertainment may only be provided to 1.00 am or, for those dates which fall on a Sunday, to midnight.

4.36 A copy of the Article 44A application has been circulated.

Premises Overview

4.37 The premises are located on an arterial route and there is residential accommodation situated to the rear of the property.

4.38 There have been no complaints regarding the premises nor have any objections been received to the renewal of the licence in the last 10 years.

4.39 There are no outstanding Building Regulation matters in respect of the premises.

4.40 There are no restrictions in relation to the operation of the premises by virtue of its Entertainment Licence other than those outline in 4.33 above.

4.41 Given that the premises are quite close to residential properties Members may wish to consider whether there is potential that the hours applied for, or any period immediately following their termination, may lead to undue inconvenience to persons residing in the vicinity of the premises.

Police authorisations for Additional Hours

- 4.42** The new legislation also introduces new, or amends existing, powers for police authorisations for additional hours which,
- allows pubs which have an Article 44 licence to apply to PSNI for ad-hoc late opening (11.00 pm - 1.00 am) up to 20 times per year for a day not covered by the article 44 Order,
 - increases the number of occasions smaller pubs (which are not structurally adapted and therefore unable to apply for an Article 44 licence) can apply for late opening (11.00 pm - 1.00 am) from 20 to 104 times per year, and
 - increases the number of occasions registered clubs can apply for late opening (11.00 pm - 1.00 am) from 85 to 104 times per year.
- 4.43** The applicant must display notice of the application on or near the relevant premises during the three weeks before the first occasion to which the application relates. The Council must also be served with a copy of the Notice three weeks before the first date to which the application relates.
- 4.44** The process whereby PSNI has considered extension licence applications for small pubs and registered clubs has been in place for some considerable time and, in granting those extensions, there have been limited evidence that this has led to any significant problem in relation to complaints being received by the Council.
- 4.45** There is also provision for complaints from PSNI, Council or any person owning or residing in premises within the vicinity, to be made to the courts where undue inconvenience is caused to local residents as a result of a late night authorisation. Upon receipt of such a complaint the Court can revoke, modify or impose additional terms and conditions as it thinks fit.
- 4.46** Unlike applicants for an Article 44A licence, those applying to the police for additional hours authorisations will not always hold an entertainments licence. The Council will therefore not always have the same amount of information on those venues.

Recommendations:

The Committee is asked to determine its position in respect of the following:

City Centre Pubs and Hotels

- 5.1 Members are asked to agree that officers deal with city centre applications under delegated authority, as set out in paragraph 4.17, if the provision of entertainment at the premises has not been subject to significant objection or prosecution in the past. Where there is such a history those applications will be brought to Committee to determine.

Biddy Duffy's and Horatio Todds Article 44A Applications

- 5.2 Taking into account the information provided in relation each premises, the Committee is asked whether it wishes to:
- a. Offer no objection.
 - b. Offer no objection but advise the Court of the fact that the Entertainments Licence does not permit entertainment to 3.00am on any of the dates to which the extension applications relate.
 - c. Offer no objection provided that the applicant agrees to a special condition being attached to their entertainments licence which prohibits the provision of entertainment later than 2.00am unless there is an entertainment licence in place which expressly permits same.
 - d. Object to all of the Article 44A extension applications until such times as the applicant has made an application to vary their entertainment licence to permit entertainment until 3.00am so that issues around noise disturbance, anti-social behaviour, impact upon local residents and amenity etc, can be properly assessed.

Decision for Members on non-City Centre Pubs and Hotels Generally

- 5.3 The Committee is asked to agree that officers deal with non-city centre applications under delegated authority in a similar manner to the applications in respect of Biddy Duffy's and Horatio Todds.

- 5.4 This is if the provision of entertainment at the premises has not been subject to significant objection or prosecution in the past. Where there is such a history those applications will be brought to Committee to determine.**

Decision for Members on Police authorisations for Additional Hours

- 5.5 Taking into account the information provided Members are asked to agree that officers deal with these applications under delegated authority and will not make representation in respect of these applications unless there is reason to do so by virtue of any:**

- a) restrictions placed upon the Entertainment Licence (if the premises associated with the application has an Entertainments licence);**
- b) complaints regarding the operation of, or anti-social behaviour in and around, the premises; and**
- c) Building Regulation or other Council statutory enforcement issues.**

Financial and Resource Implications

- 6.1 None**

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

None.”

Pubs and Hotels – City Centre Locations

The Committee agreed that Article 44A extension applications for pubs and hotels in City centre locations should continue to be dealt with by Council officers under delegated authority, as follows:

- i. to offer no objection to Article 44A extension applications which have been received to serve alcohol to 2.00 a.m. for city centre venues where they are in possession of an entertainments licence which permits entertainment to 3.00 a.m. every night of the week, and**
- ii. to confirm that, in principle, the Council has no objection to Article 44A extension applications which have been received to serve alcohol to 2.00 a.m. for city centre venues where they are in possession of an entertainments licence which permits**

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entertainment to 3.00 a.m. only on specified nights of the week but advising the Court of the fact that the Entertainments Licence does not permit entertainment to 3.00 a.m. on some of the dates to which the extension applications relate.

It was noted that, in cases where Article 44A extension applications had been received for premises where the provision of entertainment had been subject to significant objections or prosecution, those would be presented to the Committee for consideration.

Pubs and Hotels – Non-City Centre Locations

**Biddy Duffy's, 133 Andersonstown Road/
Horatio Todd's, 406 – 408 Upper Newtownards Road**

The Committee agreed to offer no objection to Article 44A extension applications for Biddy Duffy's and Horatio Todd's up to 31st January, 2022 and that each applicant be requested:

- i. to agree to withdraw all Article 44A extension applications beyond 31st January, to allow officers to provide at the Committee meeting in February an update on any issues which had arisen from the operation of the premises during the month of January, given that both premises were located in close proximity to residential accommodation; and
- ii. to agree not to provide entertainment after 2.00 a.m., unless an Entertainments Licence was in place which expressly permitted entertainment to take place beyond that time.

Pubs and Hotels – Non-City Centre Locations Generally

The Committee agreed that, should any further Article 44A extension applications for non-City centre locations be received between this meeting and 31st January, 2022, officers should deal with them in a similar way as those for Biddy Duffy's and Horatio Todd's, as long as they did not relate to premises where the provision of entertainment had been subject to significant objections or prosecution in the past.

In such instances, the application would be presented to the Committee for consideration.

**Police Service of Northern Ireland
Authorisations for Additional Hours**

The Committee agreed that authority be delegated to Council officers to deal with Police Service of Northern Ireland authorisations for additional hours and that no representations be made unless there is reason to do so by virtue of any:

- a. restrictions placed upon the Entertainment Licence (if the premises associated with the application has an Entertainments licence);

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- b. complaints regarding the operation of, or anti-social behaviour in and around, the premises; and
- c. Building Regulation or other Council statutory enforcement issues.

Chairperson

Planning Committee

Tuesday, 14th December, 2021

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Councillors Brooks, Matt Collins,
Garrett, Groogan, Hanvey, Hussey,
Hutchinson, Maskey, McMullan, Murphy,
O'Hara, Spratt and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Mr. E. Baker, Planning Manager (Development Management);
Mr. K. Sutherland, Planning Manager (Policy);
Ms. N. Largey, Divisional Solicitor;
Ms. C. Donnelly, Democratic Services Officer; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

No apologies were reported.

Minutes

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

Declarations of Interest

Councillor Spratt declared an interest in item 6h, namely LA04/2020/1126/F - Demolition of existing buildings and construction of 13 no. dwelling houses and 10 no. apartments with car parking, landscaping and associated site works at 30, 32 and 34 Corrib Avenue, in that he was related to one of the agents for the application, and he left the meeting for the duration of the item and did not participate in the vote.

DFI Roads Notifications - Waiting times

The Committee considered a proposal from DFI Roads to introduce additional waiting restrictions (double yellow lines) on Collingwood Road, between Carmel Street & Damascus Street.

The Committee noted the proposal.

**Meeting of Planning Committee,
Tuesday, 14th December, 2021**

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.

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Strategic Director of Place and Economy, together with all other planning decisions which had been issued by the Planning Department between 8th November and 7th December 2021.

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)**

**(Reconsidered Item) LA04/2020/2280/F –
Mixed use development comprising 1no.
ground floor retail unit and 13 apartments,
associated amenity space, landscaping and
all other site works at 93-95 Falls Road**

The Principal Planning Officer reminded the Members that the application had previously been deferred by the Committee, on 17th August, for a site visit in order that Members could better familiarise themselves with the site and area. The site visit had taken place on 9th September. The application was subsequently deferred for a second time by the Committee, on 14th September, to allow the developer time to undertake further engagement with local residents who were opposed to the apartment development at the location in respect of parking and other issues. As the application had not yet been presented to the Committee, all Members present were entitled to participate in its consideration.

The Committee was advised that a meeting was held on 26th May at Davitts Gaelic Athletic Association on the Falls Road. The meeting was arranged and chaired by the Chairman of the Clonard Residents Association, the developer, local residents and a local Councillor were in attendance. The agent had advised that residents had raised three issues of concern, namely, exiting parking and congestion issues, end user of the apartments and timescales for the development and potential construction works impact on the local residents.

The Committee was advised that the agent had confirmed that, since the Planning Committee of 14th September, there had been ongoing discussions between the applicant and representatives of the local community. The applicant had stated that there had been regular contact with the Chair of the Clonard Residents Association. The agent had also advised that community representatives were present at pre-application meetings whereby the design of the proposed development was discussed and that no changes to the scheme were proposed.

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The Principal Planning Officer outlined that six letters of objection had been received, including a representation from the Clonard Residents Association, citing concerns with the following:

- disruption and noise pollution during construction;
- parking pressure/ lack of availability;
- highway safety;
- loss of light / overshadowing;
- overlooking / loss of privacy;
- lack of amenity space;
- no prior consultation with local area; and
- anti-social behaviour.

The Principal Planning Officer advised the Members that, since consultation with the residents' group, the Planning Service had received no further objections to the proposal. The applicant had advised that the proposed end user for the development was to be Category 1 Social Housing apartments for the active elderly. Whilst that was welcomed by officers, there was no planning policy requirement for the apartments to be restricted solely to social housing and therefore no planning condition was recommended.

She outlined to the Members that the site was unzoned whiteland in the BUAP. In Draft BMAP 2004 and 2015, it was located along an arterial route in a designated commercial area. She explained that the redevelopment of the brownfield site and the principle of apartments at that location were considered acceptable. The provision of the retail unit was compliant with dBMAP and the proposed development would not adversely impact the character and appearance of the surrounding area. The proposal was considered to be sympathetic in its built form, scale, massing and appearance with the surrounding area and neighbouring properties. It was considered that the proposal would not raise any unacceptable issues in relation to residential amenity including overshadowing, loss of light or overlooking.

The Principal Planning Officer explained that the proposal was unlikely to have a significant impact on the local road network in terms of traffic, road safety and parking. She explained that no provision for parking had been incorporated but that the reduced standard was considered acceptable due to the sites highly sustainable location along an arterial route with the provision of Green Travel Measures. She explained that the developer had agreed to provide a travel card for each unit for three years, as well as the provision of a cycle user subsidy scheme (e.g. Belfast Bikes) for the same period, should approval be granted.

The Chairperson welcomed Mr. T. Stokes, agent, Mr. T. Donnelly, on behalf of the applicant, Mr. P. Turley, architect, to the meeting. Mr. Stokes outlined to the Committee that:

- the site had lain vacant for more than 5 years;
- the vision for the site was to regenerate it and deliver much needed social housing in a part of the City with a huge growing social housing need;
- according to a 2020 NIHE report, there were 3,834 applicants in total seeking social housing and 3,047 applicants on the housing stress list in West Belfast;

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- the scheme was designed for 13 “Category 1 over 55s” and 1 wheel chair accessible Social Housing units, and included a retail unit at ground floor level;
- one of the concerns raised by some of the local residents had been car parking;
- the proposed scheme design was supported by a Travel Plan and the site itself was located on an Arterial Route and the Glider Route;
- therefore it benefitted from easy access to a number of sustainable modes of transport, and there were a number of local amenities within walking distance;
- the Travel Plan included that each apartment, and the retail unit operator, would be provided with:
 - a 3-year Residential Travel Card for each apartment and 2 full-time members of staff within the retail unit;
 - supply of a Cycle User Scheme Group Membership for a period of 3 years; and
 - provision of secure and covered cycle parking facilities.
- DfI Roads had offered no objection to the scheme and had proposed conditions for approval;
- in order to give the Committee additional assurance, all measures would be secured via a Section 76 Planning Agreement instead of through conditions;
- they had worked closely with Planning officers and the Urban Designer through the PAD and application stage to bring forward what they felt was a high quality proposal. The scheme was significantly reduced and re-designed from a previous application from a different applicant; and
- all consultees had offered approval subject to conditions.

A Member asked what further level of engagement had taken place with the local residents in respect of the application since the Committee meeting of 14th September.

Mr. Stokes advised the Committee of the discussions which had taken place with the residents to date. He stated that, while they recognised that the residents had expressed concerns regarding the level of on-street parking in the area, particularly from users of the Royal Victoria Hospital, they could not resolve that wider problem but had sought to include a number of green travel measures in respect of the application.

Mr. Donnelly added that he had spoken with some of the immediate neighbours regarding the proposal. He advised the Members that a neighbour was pleased that the proposal would, in fact, allow more light into the side of their property. He explained that there had also been almost weekly communication with the Clonard Residents’ Association in respect of preventing anti-social behaviour at the site during construction, the prospective tenants and the recurrent parking issues in the side streets. He explained that he had been informed that the NI Assembly was currently considering a residents’ parking scheme for the streets surrounding the Royal Victoria Hospital (RVH) site.

A Member stated that, while he welcomed social housing in the area, he had serious concerns regarding the parking issues at the site. He expressed concern that DFI Roads had conducted a desktop exercise in respect of parking at the site. He added that, when the

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Committee had undertaken its site visit to inspect the location at first hand, all Members had difficulty finding a parking space close to the site. The Member stated that the proposal of creating an area parking within the RVH site for some residents to use did not make sense, as the on street parking issues were largely from staff working in the RVH.

He stated that he did not believe that the policy tests were being met, in that the application fell short of the recommended parking standards, and that the proposal would, in fact, have a negative impact on the character of the area. He stated that the justification for reduced parking standards did not exist within the surrounding area of the site.

A number of Members agreed that the level of available parking within the surrounding streets was concerning and also queried the effectiveness of the DFI Roads consultation response.

The Planning Manager (Development Management) advised the Committee that Policy AMP7 of PPS3 stated that a reduced level of parking could be considered acceptable in areas of a highly accessible nature and that the Members were asked to note that the site in question was on a main arterial route with access to city centre via the Glider service.

Moved by Councillor Garrett,
Seconded by Councillor Collins and

Resolved - That the Committee agrees to refuse the application as it is contrary to AMP7 (Access, Movement and Parking) of PPS3 in providing insufficient parking and would lead to an unacceptable negative impact on the character of the area, supported by QD1 (Quality Residential Developments) of PPS7.

**LA04/2021/1878/F - Two storey extension
to the rear of the building, amendments to
windows to the front elevation to include
double height glazing and garage conversion
at 9 Coolnasilla Gardens**

The Principal Planning Officer provided the Committee with the details of the application which had been referred to the Committee by a Member.

The main issues which had been considered during the assessment of the application included the impact on the character and appearance of the area; design, scale and mass; the impact on residential amenity and landscaping, trees and parking.

The Principal Planning Officer advised that 14 representations been received from five addresses in relation to the application, raising issues including scale, massing and design, overlooking and loss of privacy, overshadowing and dominance, overdevelopment, loss of amenity, parking and other matters which were outside of the remit of Planning. She drew the Members attention to the officers' consideration of each issue within the case officer report.

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She outlined to the Committee that it was considered that, on balance, the proposal would integrate well with the existing dwelling and would not detract or harm the character and appearance of the surrounding area. She confirmed that the extension met the angles test and was sufficiently separated from properties both to the sides and to the rear. The Members were advised that, due to its orientation, it would not be dominant or result in any significant impact on residential amenity in terms of dominance, loss of light or overshadowing.

The Members were advised that the proposal was considered to be in accordance with Policy EXT1 of PPS7 (Addendum) Residential Extensions and Alterations and the SPPS.

The Committee granted approval the application, subject to conditions, with the final wording of conditions delegated to the Director of Planning and Building Control.

**LA04/2021/1492/F - Energy centre including
ancillary development, access, landscaping
and associated miscellaneous works at
Royal Victoria Hospital, Grosvenor Road**

The Committee was presented with the details of the application at the Royal Hospital Belfast in respect of an existing boiler plant which was nearing the end of its useful life. The Principal Planning Officer outlined that a new Energy Centre was required to meet and safeguard the growing energy demand at the hospital to serve current, proposed and future developments.

The Members were advised that the proposed development had been the subject of a pre-application discussion (PAD) with the Council.

He outlined the key issues which were considered in the assessment of the application including:

- the acceptability in principle of the proposed development at the location;
- scale, height and design of the energy centre building;
- impact on the surrounding area;
- access, parking and traffic management; and
- drainage, contamination, air quality, noise and dust management.

The Committee was advised that DFI Roads, Rivers Agency, NI Water, NIEA Water Management Unit, HED and Belfast City Airport had all been consulted and were content with the proposed development subject to conditions. Environmental Health, BCC Economic Development Unit, the Tree Officer and the Urban Design Officer had also been consulted and offered no objections. The Principal Planning Officer added that no third party objections were received in respect of the application.

The Committee granted approval to the application, subject to conditions, with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive issues being raised.

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LA04/2021/0117/F - Upgrade of existing access, footways and cycle path through existing Bog Meadows Nature Site (Section 4 Forth Meadow Community Greenway) including lighting columns, enhanced entrances and street furniture on site bounded by the M1 to the east of Milltown Cemetery to the south of St. Louise's Comprehensive College to the north-south of nos 11 to 79 St. Katherine's Road, east of Rodney Parade and adjacent to nos. 506 and 508 Donegall Road

The Principal Planning Officer presented the details of the Council application to the Committee, which constituted Section 4 of the proposed wider Forth Meadow Community Greenway.

He detailed the issues which officers had considered during the assessment of the proposal, including:

- The principle of development;
- impact on the character and appearance of the area;
- impact on natural heritage;
- access, movement and parking, including road safety;
- impact on built heritage;
- flood risk; and
- other environmental matters

He explained that the area comprised a mix of uses. The site included an existing path network and pockets of open space immediately adjacent to the paths used for walking and cycling. The site was adjacent to residential housing, St Gall's GAA and St Louise's Comprehensive school. He outlined that it ran through the Bog Meadows which was owned/managed by Ulster Wildlife and areas of existing mature trees.

The Committee was advised that, within BUAP 2001, the application site was located within undesignated whiteland and was adjacent to an important natural habitat and a housing action area. Within dBMAP the site was located within an area of existing open space; urban landscape wedge and BT162/05 Community Greenway. It was also adjacent to BT102/10 SLNCI. The site was within the development limits of Belfast.

The Members were advised that Environmental Health, NI Water, Rivers Agency, Historic Environment Division (Historic Monuments); DAERA Water Management Unit, DAERA Regulation Unit; Shared Environmental Services and DAERA Natural Environment Division were consulted in respect of the proposal and had raised no issues of concern subject to conditions.

However, at the time of publishing the report, final responses were outstanding from the Council's Tree Officer and the Landscape, Planning and Development team. They had been re-consulted with amended plans which addressed issues raised in the initial DFI Roads and Tree officer responses.

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The Principal Planning Officer explained that the proposal had been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), the Belfast Urban Area Plan 2001 (BUAP), dBMAP v2004, dBMAP v2014, PPS 2, PPS 3, PPS 6, PPS8, and PPS 15. Having regard to the assessment of the Development Plan and relevant material considerations, he explained that the proposal was considered acceptable.

The Committee's attention was drawn to the Late Items pack, whereby the Natural Environment Division (NED) had confirmed that the approach of a negative condition relating to the Construction Environmental Management Plan (CEMP) was acceptable to them. A final response had also been received from DFI Roads confirming that they had no objections.

The Committee granted approval to the application, subject to conditions, with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive issues being raised by consultees and third parties.

LA04/2021/1860/F - Public realm environmental improvement to include new paving, kerbing, and soft landscaping. Improvements to shop frontages/signage on Albertbridge Road from Lord Street to junction with Newtownards Road and Newtownards Road from Ribble Street to Connswater Street

The Committee was apprised of the details of the application.

The main issues which officers had considered during their assessment of the application included the principle of development; access, movement, and road safety; impact on built heritage; flood risk; landscaping and other environmental matters.

The Principal Planning Officer explained that the area was defined by retail, terraced residential dwellings and church buildings. He outlined that the BUAP 2001 defined most of the northern side of the site as part of a Housing Renewal Area while the southern side was unzoned whiteland. dBMAP (both versions) defined the Albertbridge Road as an arterial route and the site ran adjacent to a number of Shopping/Commercial Areas. He explained that the proposal had been assessed against and was considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (dBMAP both versions), PPS 3, PPS 6, and PPS 15.

The Committee was advised that Environmental Health, the Tree Officer, BCC Landscape and Development, NI Water, HED Historic Monuments, HED Historic Buildings, Rivers Agency, DAERA Regulation Unit and DFI Roads were consulted and had raised no issues of concern.

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The Committee granted approval the application, subject to conditions, with the final wording of conditions delegated to the Director of Planning and Building Control.

**LA04/2021/2242/F - 15 storey purpose built
student accommodation building and associated
development (amended scheme from that
previously approved under application reference
LA04/2018/2602/F) on lands bounded by
Little Victoria Street Bruce Street and Holmes Street**

The Principal Planning Officer presented the details of the application to the Committee. He explained that it followed a brief Pre Application Discussion process.

He outlined the key issues which officers had considered in assessing the application, including the principle of development and use; the principle of demolition; scale, massing and design; amenity and open space; access, movement, parking and transportation, including road safety; flood risk; other environmental matters; and developer contributions.

The Members were advised that the application related to a cleared brownfield site within the development limits and within the city centre of Belfast in BUAP, and both versions of Draft BMAP (2004 and 2014). The site was unzoned whiteland within BUAP, unzoned whiteland but also within the main office area/ Commercial District Character Area in dBMAP (2004); and unzoned whiteland but also within the Commercial District Character Area in dBMAP (2015). The site was also in the vicinity of the Linen Conservation Area.

He explained that the proposal had been assessed against and was considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), PPS3, PPS6, PPS7, PPS8, PPS12, PPS13 and PPS15.

No objections had been raised by consultees, however, a response from the Council's Waste Management Unit was outstanding. He confirmed that following advertisement in the local press and neighbour notification, no written representations were received.

The Principal Planning Officer drew the Members' attention to the Late Items pack. The agent had requested that the wording of condition no.11, relating to submission of details of materials, is changed from "prior to commencement of works on site" to read "prior to commencement of elevational work on site". He explained that there was pressure on the applicant to deliver the scheme by August 2023, in advance of the new academic year, and therefore a need for construction commencement in January 2022. He outlined that the agent was seeking amended wording to allow works to commence on site before the condition was discharged.

He explained that officers, having regard to the nature of the proposal which was essentially an amendment to a previously approved scheme, advised that the Council, as Planning Authority, had a very significant role to play in the delivery of new development and hence it had been considered appropriate to bring the application before the Planning Committee.

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The Principal Planning Officer also advised the Committee that the report stated that public realm enhancements to the adjacent pavements would be required in line with the original approval in accordance with details to be agreed by the Council. The agent had confirmed that the applicant would be agreeable to such a condition, worded to require the public realm works details prior to occupation and worded to be in reference to the extant permission.

He outlined to the Members that Environmental Health had raised concerns around the 5mm per second peak particle velocity (ppv) vibration limit in the submitted Construction Environmental Management Plan (CEMP), given a lack of evidence to support it. They stated that a lower vibration limit of 3mm/sec ppv, quoted in an initial CEMP, was considered more appropriate as an absolute upper limit to those other commercial premises in the vicinity if unreasonable disturbance to the day to day working operation of those premises was to be avoided. Environmental Health had also referred to guidance in Relevant British Standard BS5228-2:2009 'Code of Practice for the Control of Noise and Vibration on Construction and open sites', particularly that the contractor should ensure good engagement and communication with all commercial premises in the vicinity in advance of the works commencing and throughout the construction phase. The Principal Planning Officer explained that, since the Late Items pack had been circulated, a further updated CEMP had been submitted by the applicant, which included a lower vibration level of 3mm per second, which was in line with Environmental Health's response.

The Committee granted approval to the Director of Planning and Building Control to grant conditional planning permission, subject to receipt of final comments from consultees, finalising the wording of conditions and the completion of a Section 76 planning agreement to secure a management plan in the interests of the amenities of the area.

LA04/2020/1126/F - Demolition of existing buildings and construction of 13 no. dwelling houses and 10 no. apartments with car parking, landscaping, associated site works and access arrangements from Corrib Avenue (23 social housing units) at 30,32 & 34 Corrib Avenue

(Councillor Spratt, having declared an interest in this item, left the meeting and did not participate in the discussion or vote)

The Committee was presented with the details of the application for full planning permission for the demolition of 3no. existing blocks of flats (30 units) and the construction of 23 dwelling units (10 houses and 13 apartments) with associated site works for the provision of social housing. The Principal Planning officer explained that the application was in front of the Committee for consideration as a statutory consultee, DFI Roads, had submitted an objection to it which was contrary to the officers' recommendation.

She outlined the main issues which had been considered in the assessment of the proposal which included:

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- the principle of development;
- design, impact on character and appearance of the area;
- impact on amenity;
- access, movement and parking;
- flooding; and
- infrastructure capacity.

The Principal Planning officer explained that the site was located on unzoned whiteland in the BUAP, draft BMAP 2004 and dBMAP 2015. The redevelopment of the brownfield site and the principle of social housing at the location was long established and considered acceptable.

The Members were advised that the proposed development would not adversely impact the character and appearance of the surrounding area. She explained that it was considered to be sympathetic in its built form, scale, massing and appearance with the surrounding area and neighbouring properties. It was considered that the proposal would not raise any unacceptable issues in relation to residential amenity including overshadowing, loss of light or overlooking.

She advised the Committee that the proposal was unlikely to have a significant impact on the local road network in terms of traffic, road safety and parking. The Members were advised that provision for parking had been incorporated at a ratio of just over 1 space per dwelling unit - 27 spaces for 23 dwelling units. She outlined that a reduced standard was considered acceptable due to the site's sustainable location along with the provision of Green Travel Measures which included a travel card for each unit for a period of one year. It was considered that DFI Roads' request for three year travel cards for each unit would not be justified in this case now that there was a reduction in the number of dwelling units on site from 30 units to 23 units. She advised that the developer had agreed to provide a travel card for each unit for a period of one year, should approval be achieved and officers considered that to be reasonable. She outlined that DFI Roads had not yet responded to the alternative request, made formally on 6th October 2021, to provide Green Travel Measures for a period of one year and not three years.

The Committee was advised that Rivers Agency, Environmental Health and the Landscape Officer had offered no objections to the proposal.

NI Water had advised that, as there was a foul and storm sewer located within the site they would consider a connection to the drainage system where the applicant could demonstrate "like for like" development. The Principal Planning officer confirmed to the Members that the site was occupied by three apartment blocks, providing a total of 30 dwelling units, which were connected to the local sewer. As the current proposal was for 23 dwelling units it was considered that it constituted a significant reduction in the number of units served by the local foul sewer and therefore was a like for like scheme.

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The Committee was advised that no letters of objection were received and one letter of support was received from local Councillors.

The Committee granted approval the application, subject to conditions, with the final wording of conditions delegated to the Director of Planning and Building Control.

**LA04/2021/1581/A - 7x coloured 'Linen Quarter'
logos stencilled on the back of wooden planters,
1x 'FLAXX @ Linen Quarter' text cut out from/
painted on side steel canopy on land covering
the road surface on Brunswick Street between the
James Street South junction and Franklin Street Junction**

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

The Committee was apprised of the details of the application.

The Members were advised that the proposed site fell within Belfast City Centre and Linen Quarter Conservation Area as outlined in the BUAP & dBMAP. The area provided both vehicular and pedestrian access to principle shopping and commercial areas in the City Centre.

The proposed signage was required in association with a temporary project, LA04/2020/2469/F which the Committee had approved in April 2021, to provide a pedestrianised public space to include cafe/bar/storage container/canopy areas, performance stage, outdoor seating and associated works.

The Members were advised that DFI Roads and the Historic Environment Division were consulted on the application and had no objections subject to conditions and/or informatives. No third party objections were received.

The BCC Conservation Officer had advised that they were unable to support part of the proposal insofar as it related to the signage, as the conservation team had offered an objection to the approval of the shipping container in the full application (LA04/2020/2469/F) due to its impacts on the character and setting of the Linen Quarter conservation area. Furthermore, it was the view of the Conservation Officer that the proposed signage on the shipping container was “inappropriate given its overly large size resulting in visual dominance of the area”, which was contrary to Policy BH13 of PPS 6. Officers generally agreed with that view, but considered that, on balance, given current issues presented by Covid19 and the Council’s proposals to provide safe and vibrant external seating areas for users of the area, that a temporary approval was acceptable.

The Committee granted approval the application for a temporary period of two years ending with the date of the permission for the use (as previously approved) with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.

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**LA04/2021/2580/F - Temporary (2 years)
change of use of the ground floor at the
former Tesco Metro store on Royal Avenue
Belfast from use class A1 to a community,
recreational and cultural space to facilitate multi-
disciplinary uses at 2 Royal Avenue**

(The Divisional Solicitor provided legal advice to the Members, in respect of the application which had been submitted by Belfast City Council. The Members were advised that those Members who had taken part in the Strategic Policy and Resources Committee meeting of 18th June 2021 and of the Special Council meeting of 1st July 2021, in respect of the purchase of the building, could still participate in the discussion and vote on the planning application with no conflict of interest. She advised that those Members who had participated in discussions regarding the meanwhile use of the building, at meetings of the City Growth and Regeneration Committee, were advised not to participate. As such, the following Members declared an interest, left the meeting and did not participate in the discussion or vote on the following item: Councillors Brooks, Groogan, Hanvey, Hussey, Maskey, McMullan, Murphy, O'Hara, Spratt and Whyte.)

The Principal Planning officer provided the Committee with the details of the application and explained that the application site contained a grade B+ listed building, namely, the former Provincial Bank of Ireland at 2 Royal Avenue.

He explained that the proposal was for a temporary change of use to community, recreation and cultural use for two years so that Belfast City Council (BCC) could pilot the concept of an "Imaginarium" – an immersive experience for visitors to learn about the city. There were no physical alterations or works proposed to the listed building as all installations would be temporary and reversible and, as such, no Listed Building Consent was required.

He outlined the main issues which had been considered in the assessment of the case, including:

- the principle of the temporary use at this location;
- the impact on Built Heritage and Archaeological interests;
- transportation including parking provision and impact on road safety;
- the impact on amenity of nearby residents and businesses; and
- human health.

The Committee was advised that the site was located within the development limits of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP, both versions). It was un-zoned, white land under dBMAP (both versions). In the dBMAP (both versions) the site lay within the City Centre Conservation Area, the Old City Character Area, the Primary Retail Core and Primary Retail Frontage.

The Members were advised that consultees including the Department for Communities (DfC), HED, and DfI Roads had been consulted and had no objections to the application. No third-party representations were received.

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The Principal Planning officer drew the Members' attention to the Late Items pack, whereby a response had been received from Environmental Health. The response recommended a condition to restrict the hours of operation to 10am to 11pm Monday to Saturday and 10am to 6pm on Sunday and that agent had confirmed that they were content with that condition.

The Chairperson welcomed Ms. S. McDowell, agent, to the meeting. She advised the Committee that:

- the temporary change of use of the former provincial Bank building to a multidisciplinary event space represented a significant "meantime" use on Royal Avenue;
- the temporary and flexible nature of the proposal was an example of the Council's commitment to rejuvenate and attract vitality back into the city centre by celebrating local produce and talent;
- it would provide a short-term positive legacy for the city centre by accommodating a vacant retail unit until a permanent future was decided for the historical building; and
- she hoped the Committee would approve the exciting temporary project, intended to deliver many of the ambitions of the City's Cultural Strategy. In doing so, it would mark the beginning of Council's upscaled programme of culture and creativity for the city.

The Committee granted approval to the application for a temporary change of use to community, recreation and cultural use, for two years, subject to conditions, with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive issues being raised.

Miscellaneous Items

**Listing of electrical service pillar
near Blanchflower Park, Hollywood Rd**

(Councillors Councillors Brooks, Groogan, Hanvey, Hussey, Maskey, McMullan, Murphy, O'Hara, Spratt and Whyte returned to the meeting at this point.)

The Committee was advised that correspondence had been received from the Historic Environment Division (HED) regarding the proposed listing of 1 no. electrical service pillar at a location near Blanchflower Park, Hollywood Road.

The Planning Manager (Policy) explained that Article 80 (3) of the Planning Act (NI) 2011 required that HED would consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest. He advised the Members that, should a structure be listed, that placed a certain responsibility on the owner, for example, a listed building had to be maintained in a way appropriate to its character and could not be altered or demolished without prior approval.

The Committee supported the proposed listing of the electrical service pillar.

Restricted Items

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

Resolved – That the Committee agrees to exclude the members of the Press and public from the meeting during discussion of 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.

Quarter 2 Finance Update

The Committee was advised of the overall Council financial position and the Committee financial position for 2021/2022.

The Committee noted the report and the associated financial reporting pack.

**Local Development Plan (LDP) Update
on Correspondence with Minister**

The Planning Manager (Policy) provided the Committee with the response which had been received from the Minister of Infrastructure, in respect of the request for Council access to the Planning Appeals Commissions (PAC) Report on the Independent Examination (IE) into the LDP draft Plan Strategy (dPS).

The Minister, in her response, recognised the work which had been completed to date, the challenges of the new process and the desire for the Council to progress the LDP through the processes. However, the Planning Manager outlined that there was still no commitment from the Minister in respect of the access or a timescale for when that, or indeed a Direction, would be forthcoming.

The Committee:

- noted the response from the Minister; and
- agreed the continued actions in accordance with the Committee's decision of 11th October, 2021, in respect of the ongoing engagement, proposed correspondence, legal advice and proposed Steering Group.

Chairperson

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Standards and Business Committee

Thursday, 6th January, 2022

MEETING OF THE STANDARDS AND BUSINESS COMMITTEE

HELD IN THE COUNCIL CHAMBER AND REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor McCullough (Chairperson);
Aldermen Copeland and Kingston; and
Councillors Black, Bunting, Canavan, Corr, de Faoite,
Ferguson, Gormley, Groogan, M. Kelly, T. Kelly, Kyle
Lyons, McAllister, McCabe, McDonough-Brown
and Pankhurst.

In attendance: Mr. J. Walsh, City Solicitor;
Mrs. S. Williams, Governance and Compliance Manager; and
Mr. J. Hanna, Senior Democratic Services Officer.

Apologies

An apology was reported on behalf of Councillor McAteer.

Minutes

The minutes of the meeting of 23rd November were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 1st December, subject to the omission of those matters which had been delegated to the Committee.

Declarations of Interest

No declarations of interest were recorded.

Delegated Matters

Notices of Motion Received for Council on 10th January

The Committee considered a report in relation to Notices of Motion which had been received for consideration by the Council at its meeting on 10th January.

The Committee considered each motion in turn and agreed the following:

Free Public Transport for Young People

**Standards and Business Committee,
Thursday, 6th January, 2022**

Moved by Councillor Groogan,
Seconded by Councillor Ferguson and

Resolved - that the motion on Free Public Transport for Young People be referred to the Council for debate, with no restrictions on the number of speakers.

End of Hunting of Mammals with Dogs

Moved by Councillor M. Kelly,
Seconded by Councillor McDonough-Brown and

Resolved - that the motion calling on the End of Hunting of Mammals with Dogs be referred to the Council for debate, with no restrictions on the number of speakers.

Holocaust Memorial Day

That the motion be referred directly to the Strategic Policy and Resources Committee for consideration.

Playing Pitches in Belfast

That the motion be referred directly to the Strategic Policy and Resources Committee for consideration.

Pay Rise for Leisure Workers

That the motion be referred directly to the Strategic Policy and Resources Committee for consideration.

Chairperson

Free Public Transport for Young People

“This Council supports the promotion and expansion of sustainable transport in Belfast as a critical step to averting climate change, address the significant levels of air pollution, reduce congestion and improve public health. Extending and improving uptake of sustainable transport is key to our City playing its part in averting climate breakdown. In order to create a societal shift in how people access public transport, this Council therefore calls upon the Minister for Infrastructure and Translink to introduce a pilot of free public transport for young people in Belfast.

Proposer: Councillor Smyth

Seconder: Councillor O'Hara

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End of Hunting for Mammals with Dogs

“This Council notes the widespread support across Belfast for the ending of animal cruelty and the improvement of animal welfare; expresses disappointment at the lack of legislative progression on banning the hunting of mammals with dogs in the Northern Ireland Assembly; reaffirms our support for ending this barbaric practice; and agrees to write to DAERA and the Committee for Agriculture and Rural Affairs to show our support for ending the practice of hunting for mammals with dogs.”

Proposer: Councillor McReynolds

Seconder: Councillor McAllister

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