

# Strategic Policy and Resources Committee

Friday, 19th August, 2011

## MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Hargey (Chairman);  
Aldermen Browne, M. Campbell and R. Newton;  
Councillors Attwood, Convery, Haire, Hendron, Lavery,  
Mallon, Maskey, McKee, McVeigh, Mac Giolla Mhín,  
Ó Muilleoir and Reynolds.

In attendance: Mr. P. McNaney, Chief Executive;  
Mr. R. Cregan, Director of Finance and Resources;  
Mr. G. Millar, Director of Property and Projects;  
Mr. S. McCrory, Democratic Services Manager; and  
Mr. J. Hanna, Senior Democratic Services Officer.

### Apologies

Apologies for inability to attend were reported from Councillors Garrett, Jones and A. Newton.

### Performance Management and Corporate Planning

#### Corporate Plan 2012 Onwards

The Committee was advised that, in accordance with its decision of 17th June, a series of Party and Member briefings had been facilitated as requested during July and August. Those initial briefings would now be followed by a series of Member Workshops addressing each of the main themes in the Plan, that is, Leadership, the Environment, the Economy and People and Communities. The purpose of the Workshops was to seek agreement on what Members wished to achieve by the end of the Council term and to consider how those could be delivered in the context of available resources. Among the issues which Members would consider during the next three months would be:

- Ambition – what the Council would deliver across the City in terms of both projects and programmes;
- Advocacy – where and how to influence on behalf of the City;
- Affordability – what was achievable and realistic;
- Delivery – understanding what it took to get things from concept to delivery and making sure things happened; and
- Governance – ensuring effective decision-making and clarifying the roles of Members and officers in achieving the priorities.

The Chief Executive provided for the information of the Members a Corporate Plan Timetable which set out the key stages in the Corporate Planning and Budget Setting process and provided details of a series of workshops and briefings which would be held to allow Members to consider all aspects of the Council's ambitions, its role in the City and its capacity to deliver. The first workshop which had been held earlier that week had focused on leadership and place-shaping, with a particular emphasis on the process required to start prioritising the physical projects Members wanted to make happen across the City. Further workshops, which would focus on the remaining key themes, would be scheduled in September. In addition, Party Briefings would be available for Members as required and further North, South, East and West working sessions would also be convened. This would culminate in agreements on priorities, affordability and delivery in late Autumn.

The Chief Executive explained that, following the workshop, he would now produce a report on a range of measures and projects which the Committee would wish to prioritise.

A number of Members expressed the view that the Council needed to prioritise issues relating to the economy and the need for the Council to demonstrate it was investing in the city and helping people cope with the recession. The Chief Executive indicated that the next workshop on the Plan would relate to the economy and would be held in September.

Noted.

**Democratic Services and Governance**

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

The Committee was informed that the undernoted requests for the use of the City Hall and the provision of hospitality had been received:

<b>Organisation/ Body</b>	<b>Event/Date - Number of Delegates/ Guests</b>	<b>Request</b>	<b>Comments</b>	<b>Recommendation</b>
School of the Built Environment, University of Ulster	Conference Reception – Rights, Responsibilities and Equity in Land Use Planning Conference Reception  8th February, 2012  Approximately 160 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception.	Delegates will be staying in accommodation in Belfast and the conference will take place within the City.  This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better opportunities for success across the city'.	The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks.  Approximate cost £500

Organisation/ Body	Event/Date - Number of Delegates/ Guests	Request	Comments	Recommendation
PROBUS	Conference Reception – 2012 PROBUS All Ireland Rally  16th May, 2012  Approximately 250 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception.	Delegates will be staying in accommodation in Belfast and the conference will take place within the city.  This event would contribute to the Council's Key Theme of 'City leadership, strong, fair and together'.	The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks.  Approximate cost £500
Department of Hospitality and Tourism Management, University of Ulster	Conference Reception – Tourism and Events: Opportunities, Impacts and Change  20th June, 2012  Approximately 160 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception.	Delegates will be staying in accommodation in Belfast and the conference will take place within the city.  This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better opportunities for success across the city'.	The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks.  Approximate cost £500
School of Sports Studies University of Ulster	Conference Reception – 4th International Sport, race and Ethnicity Conference  27th June, 2012  Approximately 100 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception	Delegates will be staying in accommodation in Belfast and the conference will take place within the city.  This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks.  Approximate cost £500
European Partnership of Supervisory Organisations (EPSO)	Conference Reception – European Partnership of Supervisory Organisations Conference  4th November, 2012  Approximately 35 attending	The use of the City Hall and the provision of hospitality in the form of a drinks reception	Delegates will be staying in accommodation in Belfast and the conference will take place within the city.  This event would contribute to the Council's Key Themes of 'Better support for people and communities' and 'Better Services, listening and delivering'.	The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks.  Approximate cost £175

Organisation/ Body	Event/Date - Number of Delegates/ Guests	Request	Comments	Recommendation
NOW Ltd	<p>NOW Graduation Ceremony</p> <p>22nd November, 2011</p> <p>Approximately 160 attending</p>	<p>The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.</p>	<p>NOW Ltd seeks to provide quality training and employment services for local people with learning difficulties who often are furthest removed from the labour market.</p> <p>This event aims to give those people with learning difficulties/disabilities, parents and carers the opportunity to celebrate their success and academic achievement. The specifically seeks to recognise the importance and significance of each individual's achievement.</p> <p>This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better opportunities for success across the city'.</p>	<p>The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.</p> <p>Approximate cost £400</p>
Irish Football Association	<p>Irish FA Grassroots Football Awards</p> <p>22nd November, 2011</p> <p>Approximately 150 attending</p>	<p>The use of the City Hall and the provision of hospitality in the form of a drinks reception.</p>	<p>This event seeks to recognise and celebrate all those individuals who have significantly contributed to grassroots football in communities across Northern Ireland. The event will particularly recognise the important role that grassroots football plays in bringing people together to play the game irrespective of race, gender, religion and other barriers which exist within society.</p> <p>The awards will be presented to volunteers, parents, coaches, clubs, caretakers etc who give their time to delivering grassroots football.</p> <p>This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better opportunities for success across the city'.</p>	<p>The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks.</p> <p>Approximate cost £500</p>

Organisation/ Body	Event/Date - Number of Delegates/ Guests	Request	Comments	Recommendation
Northern Ireland Association for Mental Health	World Mental Health Day – Stand up against stigma  10th October, 2011  Approximately 200 attending	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.	This event will seek to raise awareness and promote positive mental health. The event will include partner agencies who will promote their services to the members of the public who attend.  The event will also aim to promote services throughout Belfast which contribute to supporting the needs of individuals who suffer from poor mental health.  This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.  Approximate cost £500
Oasis Caring in Action	Launch of Mental Health Self Help Book  17th November, 2011  Approximately 70 attending	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.	This event will launch a self help publication which will consist of ideas and techniques which aim to help individuals in dealing with mental illness. The launch is one element of the work of the organisation which also seeks to offer hope, support and motivate people to understand their illness.  This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better support for people and communities'.	The use of the City Hall and the provision of hospitality in the form of tea/coffee and biscuits.  Approximate cost £175

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European Movement Northern Ireland	<p>Celebration of the Polish Presidency of the Council of the European Union</p> <p>2nd November, 2011</p> <p>Approximately 120 attending</p>	The use of the City Hall and the provision of hospitality in the form of a drinks reception	<p>This event seeks to celebrate the new presidency of the Council of the European Union which is currently being held by Poland.</p> <p>This event, which will acknowledge the valuable contribution made by Polish nationals to our society and economy, will also seek to support the role of the 'European Movement Northern Ireland' which seeks to promote the interests of Northern Ireland within the European Union.</p> <p>This event would contribute to the Council's Key Themes of City leadership, strong, fair and together' and 'Better support for people and communities'</p>	<p>The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks.</p> <p>Approximate cost £500</p>
Pegasus Hockey Club	<p>50th Anniversary Dinner</p> <p>9th June, 2012</p> <p>Approximately 200 attending</p>	The use of the City Hall and the provision of hospitality in the form of a drinks reception	<p>This event seeks to celebrate the 50th Anniversary of Pegasus Hockey Club and to acknowledge its contribution to the general life and well-being of the city.</p> <p>This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better support for people and communities'.</p>	<p>The use of the City Hall and the provision of hospitality in the form of red/white wine and soft drinks.</p> <p>Approximate cost £500</p>

Organisation/ Body	Event/Date - Number of Delegates/ Guests	Request	Comments	Recommendation
Inter Trade Ireland	Venture Capital 2012  7th March, 2012  Approximately 300 attending	The use of the City Hall.	<p>This event aims to bring together venture capital funds and individuals who are seeking to invest in high potential, export focused start-up and growing businesses from across the island of Ireland.</p> <p>This event, which will include businesses from Belfast will provide the city with the opportunity to promote what it has to offer to potential investors. It will also bring together many from across the island of Ireland which have considerable growth potential and may consider the benefits of locating their business in the Belfast in the future.</p> <p>Delegates will be staying in accommodation in Belfast and the conference will take place within the city.</p> <p>This event would contribute to the Council's Key Themes of 'City Leadership – strong, fair, together' and 'Better opportunities for success across the city'.</p>	The use of the City Hall.

Organisation/ Body	Event/Date - Number of Delegates/ Guests	Request	Comments	Recommendation
The Ernst & Young Entrepreneur Of The Year Award	<p>The Ernst &amp; Young Entrepreneur Of The Year Programme Event</p> <p>6th October, 2011</p> <p>Approximately 100 attending</p>	The use of the City Hall	<p>The Ernst &amp; Young Entrepreneur Of The Year Award is a recognition programme which aims to identify, acknowledge and support entrepreneurs. The programme is currently run in over 50 countries, across six continents.</p> <p>As our economy strives for prosperity our entrepreneurial community will be a key element in leading the way and be the beacons of our future economic growth.</p> <p>This event, which is supported by Invest NI, Intertrade Ireland and Enterprise Ireland, will provide an opportunity to bring together not only the 24 finalists and a high profile judging panel but also the Minister for Enterprise, Trade and Investment, Arlene Foster MLA and the Irish Minister for Jobs, Enterprise and Innovation, Richard Bruton TD and to showcase to all those in attendance what Belfast has to offer. It will also present an opportunity to strengthen the business links between our two economies and acclaim those who are driving forward despite the many challenges of the current environment.</p> <p>This event would contribute to the Council's Key Themes of 'City leadership, strong, fair and together' and 'Better opportunities for success across the city'.</p>	The use of the City Hall

The Committee adopted the recommendations.



### **Appointments to the Belfast Education and Library Board**

The Committee was advised that correspondence had been received from the Department of Education requesting that the Council submit the names of at least two Councillors for each of the four positions which it held on the Belfast Education and Library Board. The Minister for Education would make the appointments of the four Councillors following the submission of application forms and the holding of interviews, in line with the process which had been approved by the Commissioner for Public Appointments.

The Democratic Services Manager reminded the Committee that appointments to the interim Belfast Education and Library Board had been made in March, 2011. However, following the Local Government Elections in May, 2011 it was now necessary for the Council to consider again the nomination of Members for appointment.

The matter had been discussed at the meeting of the Party Leaders on 25th May when the allocation of places on Outside Bodies was being determined and it had been decided that, due to the uncertainty which existed at that time as to the Department for Education's intentions, the nomination of Members to the Board should be dealt with by the Committee as a separate matter. A similar approach had been taken by the Party Leaders in relation to the appointment of Members to the Belfast Harbour Commissioners. That matter had been decided at the Committee's meeting on 16th June when it had been agreed that a one-off d'Hondt exercise should be used to select eight nominees.

The Democratic Services Manager pointed out that, in keeping with that principle, a similar one-off d'Hondt exercise should be used for the nomination of Members to the Belfast Education and Library Board. That would result in the eight names coming from the Parties as set out below:

Sinn Féin – choices 1, 3 and 7  
DUP – choices 2, 5 and 8  
SDLP – choice 4  
Alliance – choice 6

The Committee agreed, in order to ensure a consistent approach:

- (i) to employ a one-off D'Hondt process for the aforementioned appointments which would provide for three Sinn Féin and three DUP nominations and one nomination each from the SDLP and Alliance Parties; and
- (ii) that the Department of Education be advised that the application of the Council's system of proportionality would provide for the first four of those eight choices being two Sinn Féin representatives (choices 1 and 3), one DUP representative (choice 2) and one SDLP representative (choice 4).

### **Board of the Ulster Orchestra Society Limited**

The Democratic Services Manager informed the Members that correspondence had been received from the Chairman of the Ulster Orchestra concerning the corporate governance of the Ulster Orchestra Society Board. The letter explained that the Board had been reviewing its corporate governance arrangements and had made a number of changes to provide for better governance, including the reduction from nine to seven of the number of non-executive directors and seeking to replace any vacancies which arose on the Board with persons who provided different areas of expertise.

In addition, the Board had decided that the status of the five "Representative" and the "Assessor" members should change from that of a "Representative" to that of an "Observer". The Council's representative on the Board (currently Councillor Maskey) was one of those representative members who would be affected by the change, along with the representatives from the BBC, NILGA, the Friends of the Ulster Orchestra and the Players' representative. The main implication of that change appeared to be that the Council's representative, whilst having access to all information and whilst being entitled to be present at Board meetings, would not have voting rights.

The Democratic Services Manager reported that, in the absence of the Chairman of the Board, contact had been made with the Ulster Orchestra's Chief Executive who had pointed out that the vast majority of Board decisions were taken by consensus and very rarely was a vote necessary. He also advised that the views of the "Observers" were also sought at Board meetings and were fully taken into account when decisions were reached.

Several Members expressed concern, given the substantial funding and other resources which were provided to the Ulster Orchestra by the Council, that it was not being given full representation on the Board.

After discussion, it was agreed that research be undertaken to establish what arrangements other Councils had with similar organisations and that the Chairman and the Council's current representative on the Board meet with representatives of the Ulster Orchestra Board to discuss the Committee's concerns and, depending on the outcome of that meeting, a letter be forwarded to the Chairman of the Board expressing the Committee's dissatisfaction

### **Association of Municipal Authorities of Ireland – Annual Conference**

The Committee was advised that the Association of Municipal Authorities of Ireland was holding its Annual Conference in Trim, County Meath from 8th till 10th September. The main focus of the conference would examine the principle of subsidiarity and the need to balance the efficiency of regional service delivery against local democracy and local responsiveness. The keynote speaker at the conference would be Brian Hayes, Minister of State at the Irish Republic Department of Finance. The Council had been represented at the Association's events for a number of years and the cost of attending this year's event was approximately £855.

The Committee authorised the attendance at the Association of Municipal Authorities of Ireland – Annual Conference of the Chairman, the Deputy Chairman, the Council’s representatives on the National Association of Councillors, Northern Ireland Region, the Democratic Services Manager (or their nominees) and a representative from each of the Parties on the Council not represented by the aforementioned Members.

**Local Authorities Members' Association –  
Autumn Seminar**

The Democratic Services Manager advised the Committee that the Local Authorities Members’ Association was holding its Autumn Seminar in Dungarvan, County Waterford on 23rd and 24th September. The theme of the seminar was “The Role of Tourism in Economic Recovery”. The keynote speaker would be Dr. Leo Varadkar, TD, Minister of Transport, Tourism and Sport. Other expert speakers would include Mr. Niall Gibbons, Chief Executive Tourism Ireland and Mr. Damien Tiernan, Chief Correspondent, RTE. The cost per person attending the event would be approximately £885.

The Committee authorised the attendance at the Local Authorities Members’ Association – Autumn Seminar of the Chairman, the Deputy Chairman, the Council’s representatives on the National Association of Councillors, Northern Ireland Region, the Democratic Services Manager (or their nominees) and a representative from each of the Parties on the Council not represented by the aforementioned Members.

**Request to Address Committee –  
Post Office Consumer Group**

The Committee was advised that Consumer Focus was a statutory consumer champion for England, Scotland, Wales and for postal consumers in Northern Ireland. The organisation had been established by the Consumers, Estate Agents and Redress (CLEAR) Act 2007. It sought to tackle issues which mattered to consumers and aimed to give local people a stronger voice in service provision. In Northern Ireland the remit of the Group was restricted to representing postal consumers.

The Democratic Services Manager reported that Consumer Focus had published a report which examined the impact of future developments in the Post Office network in Northern Ireland. The Head of Postal Policy at Consumer Focus Post had offered to brief Members on the implications of Central Government’s strategy on the Post Office network, including the Postal Services Bill which was now going through Parliament. He indicated that the Committee might find it useful to receive representatives of the Organisation at a Briefing Session, to which all Members of the Council would be invited. However, in order to provide Members with the full picture, it might be useful to invite also representatives of the Post Office Limited to the briefing to allow them the opportunity of explaining their plans for the roll-out of the Post Office Local Format in the Belfast area.

The Committee agreed to this course of action.

## Finance

### Consideration of Contractual Provisions in Tender Evaluation - The Bobbin Coffee Shop

(Ms. D. Murtagh, Divisional Solicitor, attended in connection with this item.)

The Committee considered the undernoted report:

#### “Relevant Background Information

Members will recall that the Strategic Policy & Resources Committee at its meeting on 17th June 2011 agreed to defer consideration of a report in relation to the invitation of tenders for the Bobbin Coffee Shop to enable a further report in relation to the terms and conditions of contractors to be submitted to the Committee. The Committee agreed also that, given that the review of the management at the City Hall could have an impact on the operation of the Bobbin and the fact that the matter had been deferred, the current contract should be extended for a maximum period of nine months to enable the procurement process to be completed and a new contract to be put in place. This report provides clarification of the issues raised by the Committee at its meeting on 17th June 2011.

#### Key Issues

At the Committee’s meeting of 17th June, a query was raised as to whether the Council could contractually require a successful contractor to pay a particular rate of pay to its employees. The position is regulated by the provisions of Article 19 of the Local Government (Miscellaneous Provisions (NI) Order 1992, as amended by, the Local Government (Best Value) Act 2002, which specify a list of ‘non-commercial matters’ which cannot be considered by a council when awarding public supply or works contracts (which expression includes contracts for the supply of services). Article 19 further provides specifically that the terms and conditions of employment by contractors of their workers is for the purposes of the legislation a non- commercial matter and a matter, therefore, which cannot be considered by a council in the award of contracts.

It should be noted, however, that the effect of the Transfer of Undertakings (Protection of Employment) Regulations 2006(TUPE) and/or the Service Provision Change (Protection of Employment) Regulations (NI) 2006(SPC) is to preserve the continuity of employment and terms and conditions of those employees transferring to a new employer when a relevant transfer takes place

in accordance with the Regulations. Any outgoing contractor's powers, duties, rights and liabilities under any contract of employment therefore transfer automatically to any incoming successful contractor.

#### **Resource Implications**

##### **Human Resources**

There are no human resource issues as all staffing matters will be the responsibility of the successful tenderer.

##### **Equality and Good Relations Implications**

N/A

#### **Recommendations**

It is recommended that the Committee notes the position regarding the application of the Local Government (Miscellaneous Provisions) (NI) Order 1992 as amended by the Local Government (Best Value) Act (NI) 2002 and further notes the provisions of TUPE and the Service Provision Change (Protection of Employment) Regulations (NI) 2006 regarding continuity of employment and terms and conditions of employment.

#### **Key to Abbreviations**

The Transfer of Undertakings Regulations 2006 (TUPE)  
The Service Provision Change (Protection of Employment) Regulations (NI) 2006 (SPC)"

After discussion, the Committee adopted the recommendation.

#### **Financial Reporting - Quarter 1 2011/12**

The Committee considered the undernoted report:

##### **"Relevant background information**

The Strategic Policy and Resources Committee agreed on 18 June 2010 that:

- the council would produce financial reporting packs for the Strategic Policy and Resources Committee and each Standing Committee on a quarterly basis
- the Budget and Transformation Panel would also receive monthly financial updates if there were any significant issues to report.

The reporting pack contains a summary dashboard of the financial indicators and an executive summary explaining the financial performance (Appendix 1). It also provides a more detailed explanation of each of the relevant indicators covering the year to date and forecast financial position, progress in year on the capital programme, implications for reserves, payments to creditors and recovery of debt.

The style and layout reflect the discussion and feedback arising from the members' financial training at the end of September 2010. As we previously advised the committee, we will continue to develop the style and contents of the reports in liaison with members.

Central finance and departmental management teams have worked together to develop the information within the financial reporting packs.

### Key Issues

#### Current and Forecast Financial Position 2011/12

The financial position for the council at the end of Quarter 1 is a net departmental under spend of £1.48m (4.89%). The forecast year end position is an under spend of £210,000.

The key elements of the Quarter 1 net under spend relate to increased levels of income received in Building Control and Parks and Leisure Services combined with reduced waste disposal and haulage costs in Health and Environmental Services.

The forecast year end outturn for the various departments of an under-spend totalling £210,000 reflects the anticipated reduction in income levels for ISB, North Foreshore electricity generation, Leisure Centres, Malone House and Belfast Castle. These losses will be offset by savings in Health and Environmental Services due to a reduction in landfill tonnages.

Land and Property Services forecast a shortfall in rate income of £161,000 which will leave the council with a forecast balanced budget position at the year end.

It should be emphasised that it is very early in the financial year and therefore it is difficult to make an accurate forecast of the end of year financial position. There are considerable uncertainties which could impact on the forecast, for example, the level of rates income received or any changes to the pay rise assumptions.

Nonetheless, an early forecast is helpful to Members in making financial decisions for the remainder of 2011/12 and in advance of the 2012/13 rates setting exercise.

The financial reporting pack contains more detail on both the overall council position and the financial performance in each of the Committees.

#### Capital Programme

The rates for 2011/12 allowed for £10.2m of capital financing to pay for schemes within the Capital Programme. Slippage in a number of schemes and in-year savings of £900,000 in fleet provision may result in finance becoming available in-year for re-allocation on a non-recurrent basis. It is recommended that a report is brought to the second SP&R committee meeting in September for Members to consider options on the potential uses of non-recurrent finance which becomes available in this area including for example, planned maintenance work and smaller scale capital schemes.

#### Local Investment Fund

The council has already agreed to allocate £2.5m to the fund. A policy framework to support the allocation of money within the fund is currently being developed and this will be brought to the second Strategic Policy and Resources Committee meeting in September for approval by Members.

#### City Investment Strategy

The City Investment Strategy has an opening balance for 2011/12 of £12.9m and a forecast closing balance of £6.7m. Members should note that any income from land and property sales during the year will be allocated to supplement the fund.

#### Reserves Position

The council's general reserves at the end of 2010/11 were £10.43m. The forecast position at the year end is £10.60m. This is after taking account of the forecast clawback by Land and Property Services of £161,000.

### **Better Services: Creditors and Debtors**

The average number of creditors paid within 30 days is 67%, up slightly from Quarter 4 last year (66%). This can be attributed to the roll out of the purchase order system in Facilities Management. The Central Transactions Unit have initiated closer working relationships with departments in order to bring the actual performance closer to the target of 75%.

The overall Council debt is £4.1m with the percentage of debt collected within 30 days now standing at 75% which is well within the target of 50%. The percentage of debt under 90 days old has decreased to 49%, down from 54% in Quarter 4 last year. This is outside the target of 65%.

Work continues on implementing the recommendations made in the report to committee on 22 October 2010 and this is reflected in the overall debt performance.

### **Recommendations**

1. Members are recommended to note the above report and associated financial reporting pack.
2. That a report is brought to the second SP&R committee meeting in September for Members to consider options on the potential uses of non-recurrent finance which becomes available in this area including for example, planned maintenance work and smaller scale capital schemes.”

After discussion, the Committee adopted the recommendations and noted that a report providing a breakdown on the payment of overtime and the employment of agency staff by Department and Section would be submitted to the next meeting of the Budget and Transformation Panel.

### **Recruitment of Head of Finance and Performance**

The Committee was reminded that the former Head of Finance and Performance, Ronan Cregan, had been appointed to the post of Director of Finance and Resources with effect from 4th July, 2011. Consequently, arrangements now needed to be put in place for a recruitment exercise for the vacant post of Head of Finance and Performance.

The Director of Finance and Resources reported that, in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection, the post should be publicly advertised and the selection panel comprised of the Chairman of the Committee and two other Elected Members from Political Parties not represented by the Chair, together with the Director of Finance and Resources and



another Director, or the Head of Human Resources. The entire Panel should be representative of gender and community background, with all Panel Members having attended recent training in non-discriminatory recruitment and selection techniques. An observer from the Local Government Staff Commission and a professional assessor might also be in attendance during the selection process but would have no voting rights.

Accordingly, the Committee approved the following recruitment schedule for the filling of the post of Head of Finance and Performance:

- (i) following Council ratification, the vacancy would be publicly advertised on 8th and 9th September, with a closing date of 23rd September;
- (ii) the panel short-list would take place on 4th October from 9.00 a.m. to 11.30 a.m.;
- (iii) short-listed candidates would be invited to attend a full day assessment centre on 10th and 11th October;
- (iv) a Members' briefing and the selection panel meeting to approve the outcome of the assessment centre would be held on 12th October from 9.00 a.m. till 11.00 a.m.;
- (v) the selection panel interviews would be held on 20th October; and
- (vi) in the interests of making an early appointment, the Chief Executive, in consultation with the selection panel, be given full delegated authority to offer the post to the recommended candidate, with the outcome being reported back to the Committee for noting.

In addition, the Committee agreed that the Chairman, the Deputy Chairman and Councillor Hendron (or their nominees) be appointed to the selection panel.

### **Publication of Employee Travel Costs**

The Committee considered the undernoted report:

#### **"Relevant Background Information**

**Members will recall that a Policy for Staff Attending Events was approved at a meeting of the Strategic Policy and Resources Committee on 24 October 2008. As part of that policy it was agreed that information relating to staff attending events and the associated travel would be published on an annual basis starting with the information relating to the year 2008/2009. The information to be published annually by 30 June.**

Further to this at the Strategic Policy and Resources Committee on 20 August 2010 further controls over travel by officers outside the United Kingdom and Republic of Ireland were agreed as follows:

1. Where an officer is travelling with members, then the relevant committee must approve the travel
2. Where an officer is not travelling with members, then the appropriate director and the Director of Finance and Resources must approve the travel
3. In cases under 2 where the officer travelling is the Director of Finance and Resources or where the Director of Finance and Resources is not available, then the appropriate director and the Chief Executive must approve the travel
4. In addition, in cases under 2 and 3, the relevant committee must also approve the travel, if in the judgement of the Director of Finance and Resources / the Chief Executive either:
  - a. The cost of the event is likely to be questioned or
  - b. Attending the event is potentially controversial or of interest to the media or the public.

These controls along with the awarding of the travel contract to Knock Travel have led to further reductions in the cost of travel.

The information for 2010/11 is now prepared for publication on the council's website.

#### Key Issues

The analysis of staff travel for the year 2010/2011 and the comparison with previous years is outlined below:

#### *Staff Travel Costs*

<i>Year</i>	<i>Cost*</i>	<i>No Visits</i>	<i>No Events</i>
2005/2006	£312,942	1052	687
2006/2007	£299,381	971	645
2007/2008	£318,020	1081	695
2008/2009	£221,882	713	516
2009/2010	£157,073	570	433
2010/2011	£109,557	417	334

\*the cost of travel does not include the fees associated with attendance at training courses, seminars, conferences, etc.

The cost of travel has reduced by £47,516 (30.25%) from the previous year and that the number of trips has reduced by 153 (26.84%) and the number of events by 99 (22.86%) over the same period. The cost of travel is lower in 2010/2011 than in any of the previous years and represents 0.07% of council expenditure.

An analysis on the reasons for travel shows that the cost relating to employee training and development represents 43.25%. This is 2.22% higher than the previous year (41.03%).

The categories of service/operational visits, research, study or best practice and professional networking will be published as 'improving our services'. The cost relating to these activities was 24.71%. This is a reduction of 18.25%% on the previous year (42.96%).

The percentage relating to Promoting Belfast represents 32.04% of the total spend. The previous year was 16.01%.

**Summary of Travel Locations – 2009/10**

Department	GB	ROI	Europe	USA	ROW	Total
Chief Executives	2,757	160	1,464	1,360		5,741
Development	16,705	2,378	38,111	8,342	2,783	68,319
Finance & Resources	15,607	975	659			17,241
Health & Environmental	30,708	1,304	6,697			38,709
Parks & Leisure	13,168	1,305	4,887			19,360
Property & Projects	6,124		1,579			7,703
Totals	85,069	6,122	53,397	9,702	2,783	157,073
Percentages	54.16%	3.90%	34.00%	6.18%	1.77%	100.00%
Increase / (Decrease)	(48,228)	(3,962)	(3,347)	(5,285)	(3,987)	(64,809)

**Summary of Travel Locations – 2010/11**

Department	GB	ROI	Europe	USA	ROW	Total
Chief Executives	1,556	836				2,392
Development	18,504	565	22,400	7,404		48,873
Finance & Resources	4,191	572	2,294			7,057
Health & Environmental	20,613	209	4,479		1,214	26,515
Parks & Leisure	10,783	10	2,969			13,762
Property & Projects	9,217	377	1,364			10,958
<b>Totals</b>	<b>64,864</b>	<b>2,569</b>	<b>33,506</b>	<b>7,404</b>	<b>1,241</b>	<b>109,557</b>
<b>Percentages</b>	<b>59.21%</b>	<b>2.34%</b>	<b>30.58%</b>	<b>6.76%</b>	<b>1.11%</b>	<b>100.00%</b>
<b>Increase / (Decrease)</b>	<b>(20,205)</b>	<b>(3,553)</b>	<b>(19,891)</b>	<b>(2,298)</b>	<b>(1,569)</b>	<b>(47,516)</b>

Travel within Great Britain and the Republic of Ireland accounted for 61.55% of the total; the percentage of travel to Europe represented 30.58 % and the rest of the world 7.87%. This compares to 58.06%, 34.00% and 7.94% respectively for the previous year.

***Publishing Staff Travel***

As last year it is proposed that the most effective way to present the information is use the category of the event in date order. There will be four categories:-

- Employee Training and Development
- Improving our Services
- Promoting Belfast
- Cost Recouped from customers

The following information will be published for each event attended:-

- Department
- Job title and staff number
- Date of the event
- Description of the event
- Event location – GB, ROI, Europe and rest of world
- Cost of Travel –
- Cost of Accommodation and subsistence
- Gross cost
- % of external funding
- Funding Body
- Net cost to the council

There will be a front page explaining the categories and the information provided. A copy of this is attached at Appendix 1.

### **Resource Implications**

The cost of staff attending events has reduced in the financial year 2010/2011 which represents a reduction in financial cost to the council.

### **Recommendations**

**Members are requested to note the report.”**

The Committee noted the information which had been provided.

### **Approval to Seek Tenders – Property Maintenance**

The Committee granted authority for the commencement of tendering exercises and delegated authority to the Director of Property and Projects, in accordance with the Scheme of Delegation, to invite and approve the invitation of applications for inclusion on a Select List and the submission of tenders for the following:

- (i) the installation of external lighting at various Council properties at a cost of £95,000;
- (ii) the supply of low energy LED floodlighting for the City Hall in the sum of £90,000;
- (iii) the supply of electrical distribution equipment for St. George's Market at a cost of £75,000;
- (iv) the refurbishment of the internal passenger lifts in the Cecil Ward Building, the cost of which would be £50,000;
- (v) mechanical building services projects at various Council properties in the sum of £80,000;
- (vi) the re-tiling of the wet changing area at the Avoniel Leisure Centre in the sum of £80,000; and
- (vii) the replacement of metal railings at the Ormeau Park at a cost of £35,000.

**Approval to Seek Tenders –  
Roselawn Crematorium**

The Committee was reminded that a proposal to install mercury abatement equipment at the Roselawn Crematorium had been included as a committed project in the Capital Programme for delivery in 2011/12. The Director and Property and Projects reported that, at its meeting on 11th August, the Parks and Leisure Committee had considered a further report on the proposal, the main points of which were:

- A recent review into the operation of the crematorium had highlighted a number of issues around the existing cremators and the Parks and Leisure Department had commissioned a further technical report;
- That report had found that the cremators were not functioning as efficiently or effectively as would be expected, although the precise reason could not be determined. It had concluded that the existing cremators could be kept operational for several years, albeit with a decreased level of efficiency, but they were nearing the end of their useful lives and it would be imprudent to attach mercury abatement equipment to those old cremators;
- In line with the Council's Gate's process, an Economic Appraisal had been commissioned to establish a preferred option with regards to the proposal; and
- The preferred option recommended by the Economic Appraisal was that the existing cremators should be replaced with new cremators incorporating inbuilt mercury abatement.

He pointed out that the Parks and Leisure Committee had agreed to the recommendation and, from a service prospective, to proceed with the preferred option outlined and that that decision be commended to the Strategic Policy and Resources Committee for delivery by December, 2012.

The Committee agreed, from a corporate finance perspective, to the recommendation from the Parks and Leisure Committee, to approve the advancement of three replacement cremators and a mercury abatement system, with a full commitment to invest, including the invitation of tenders, the award of contracts to the firms submitting the most economically advantageous tenders and to an application being made to the relevant Government Department for sanction to the raising of a loan of £1.5 million in respect of the project expenditure.

**Minutes of Meeting of the Budget and Transformation Panel**

The Committee adopted the minutes of the meeting of the Budget and Transformation Panel of 11th August.

### Human Resources

#### Standing Order 55 - Appointment of Relatives

It was reported that, in accordance with Standing Order 55 and the authority delegated to him, the Director of Finance and Resources had authorised the appointment of an individual who was related to an existing officer of the Council.

### Asset Management

#### Connswater Community Greenway Update

The Committee noted the contents of a report which provided an update in relation to the contract associated with the Connswater Community Greenway and authorised the continuing of negotiations and delegated the necessary authority to the Director of Property and Projects, in consultation with the Chief Executive and Director of Legal Services, to pursue the most advantageous option to ensure value-for-money and the expeditious completion of the project to the required design standards.

#### Connswater Community Greenway Update – Sustrans Access

The Committee was reminded that, at its meeting on 18th April, it had considered a request from Sustrans in relation to the potential for a Connect2 partnership project which would connect the Titanic Quarter with the Connswater and Comber Greenways via a new route through Bridge End Halt, Fraser Street and Sydenham Road.

The Director of Property and Projects explained that the proposed project, with the opening of Fraser Street, would complement the planned work to the Bridge End Halt and improve connections to the Titanic Quarter from both the Connswater and Comber Greenways by enhancing the link from the station to the Hollywood Arches area through a connection running along Island Street, across Dee Street and onto the Ballymacarrett Walkway. The proposed connection would enhance the function of the Connswater Community Greenway and contribute to Titanic Quarter connectivity. Accordingly, the Committee had agreed that the Council accept the Strategic Leadership role for the Connect2 Partnership Project with Sustrans, subject to details of the formal agreement and resource outline being reported to the Committee in due course.

The Director reported that the bid for the Big Lottery/Sustrans funding report for the Connect2 Programme had been approved, subject to the Council, as lead partner, entering into a Memorandum of Understanding and match funding being made available from the project partners. A copy of the draft Memorandum of Understanding had been circulated for the Members' information.

He explained that the proposed partners, that is, the Belfast Harbour Commissioners, the Department for Regional Development Roads Service and Translink, had committed to provide the match funding or carry out the related projects as part of the project delivery. The project included also the identification of a

contribution from the Council of £24,750, which comprised eligible signage costs from initiatives either already carried out or identified as part of the heritage and tourism interpretative work for the Titanic Quarter. No further funding would be required from the Council.

The Director explained that the role of the Council as lead partner was set out in the Memorandum of Understanding and in effect would be to ensure the completion of three broad work packages which made up the overall project, that is:

- (1) the highway crossing and potential traffic calming between the Bridge End Halt and King's Road;
- (2) the improvement around the Bridge End Halt; and
- (3) the re-opening of Fraser Street and the connection into the Titanic Quarter via the Sydenham Road.

The proposal was for the majority of the works to be carried out by the identified partners, with the co-ordination and grant administration to be undertaken by the Council. Under that proposed arrangement, the majority of the works would be carried out by the partner organisations where possible through the use of existing contracts. Where existing contracts could not be utilised, the Council might be required to procure and develop the proposed activity in partnership with the identified partner and on the basis of the agreed contributions.

The Committee approved the Council taking on the Lead Partner role for the Connect2 partnership project and approved also the signing of the Memorandum of Understanding. The Committee agreed also that a report on the wider issue of cycling schemes throughout the city and public bike hire be submitted to the Committee in due course.

### **North Foreshore Development Brief**

The Committee considered the undernoted report:

**“1 Purpose**

- 1.1 To update Committee on the North Foreshore project, and to seek approval for subsequent actions.**

**2 Relevant Background Information**

**The North Foreshore is a former waste landfill site owned and operated by Belfast City Council. The site comprising c10 million tons of waste was closed to dumping in 2007, and will remain a major environmental liability due to the nature of the material deposited at the North Foreshore.**



To manage the environmental liability, a number of ongoing after care measures comprising site capping and installation of a methane gas abstraction system are being implemented. There will be continual monitoring and assessment of the differential settlement, leachate and methane gas as the physical nature of the landfill changes over time.

An Environmental Risk Assessment, (ERA), Environmental Management Plan and Master Plan have been completed for the entire site to identify the most suitable land uses that could be developed on a former waste landfill site. The focus is on open space for recreation, the bio-economy to promote environmental business clustering, and resource management as well as continued waste management contracts. The Directors Workshop in October 2010 agreed that the regeneration theme for the site should focus on quality of life, environment and the bio-economy. This was endorsed by the North Foreshore Political Steering Group in December 2010.

The first phase of development has taken place at the North Foreshore site.

- Council's Waste Transfer Station completed 2007.
- NIE Sub Station completed 2009.
- Landfill gas electricity generation power plant to produce renewable energy operational in September 2009
- Arc21 is preparing a planning application for an in-vessel composting facility.
- A potential site for a mechanical biological treatment (MBT) plant has been identified to arc21, and the Council is waiting the outcome of the arc21 procurement exercise.

A Bio economy business case has been commissioned to assess the demand from the emerging sector and recommend a regeneration model to deliver the project.

A North Foreshore political steering group has been established to drive and direct the development of the overall site via an oversight board of the Corporate Management Team (CMT).

**Expression of Interest for Commercial Sport / Recreation Development Proposals**

At the North Foreshore Political Steering Group meeting on the 16th December 2010 and the SP&R Committee Meeting on 21st January 2011 the members were briefed on the interest from Crusaders/Newington, and a third Party to develop a Leisure Complex. The Members were keen to explore these proposals further.

A public advertisement appeared in the newspapers on the 4th March 2011 inviting expressions of interest for Commercial Sports / Recreation uses for site one comprising up to 23 acres. The closing date for submissions of expression of interest forms was the 24th March 2011.

Two submissions for commercial sport / recreation use were received prior to the closing date.

- Innovative Leisure Systems Limited – Mr S Curran
- China Sun Asia Pacific Ltd HK, JC Crusader FC / Newington FC – Mr P Durnien

A meeting was held on 20 May with each Developer to clarify their expression of interest.

**Sufalnet 4EU**

The Council is a Partner in SUFALNET 4EU Interreg 4C Project. It is a European network focussing on the sustainable reuse of former and abandoned waste landfill sites. There are 15 Partners from 11 EU Countries; the Lead Partner is Noord Brabant, the Netherlands. The purpose of the network is that each partner has to develop an Action Plan based on the model strategy for the regeneration of their former waste landfill sites, which could be used as a basis for a possible funding application to EU. Belfast hosted the SUFALNET 4EU Conference on 15 & 16 June, and was attended by 69 EU delegates. The final conference is to be held in Cava de Tirreni, Campania Region, Italy on the 16 & 17 November 2011.

**Crematoria Facility**

The Council has since been approached by BAP Asset Management Ltd who would be interested in developing a 5 acre site at the North Foreshore for a Private Sector operated Crematoria Facility. Of particular interest is the potential collaboration with the Council waste to energy project at the North Foreshore.

### Key Issues

#### Expression of Interest for Commercial Sport / Recreation Development Proposals

The Expression of Interest is the first stage of a transparent site disposal process to secure a private sector partner to develop a site at the North Foreshore. The Council received two proposals that had a substantial focus on leisure and cultural uses requiring a larger site footprint.

The Expression of Interest had indicated a site up to 23 acres would be available for commercial sport / recreation uses, which would appear to be insufficient. To accommodate the proposed development a minimum of 30 acres would be required.

It was evident from the Expression of Interest submissions, and at the clarification meeting that more information would be required from the Developers. They would need to clearly demonstrate to the Council that the proposals are realistic for the North Foreshore site. In particular that the schemes are financially and commercially viable, that they are deliverable, that the leisure and culture uses are suitable for the site's environmental conditions, and that the developers have a proven track record to deliver and operate large scale regeneration projects.

To determine the suitability of commercial leisure and cultural uses at the North Foreshore the environmental risk assessment, environmental statements and master plan agreed with Planning Service in 2010 would need to be tested, revised and resubmitted to Planning Service for statutory consultations and agreement.

To test the Expression of Interest Submission the next stage would be to publicly advertise a Developer Brief seeking Commercial Leisure and Cultural Uses for a clearly defined site at the North Foreshore. The Council would have to qualify its position to avoid misrepresentation that the Developers would need to confirm with Planning Service that the site would be suitable for commercial leisure and cultural uses. The Developers will be required to respond to a detailed developers brief for the site. They will be asked to submit detailed proposals which would include concept design layouts, planning technical appraisal, financial appraisal, business plans, and funding agreements. The Developers will

be required to demonstrate that the schemes are commercially viable, deliverable; the uses are suitable for the site conditions, funding have been secured, and provide best value to the Council.

The Developer will be responsible for funding the infrastructure, the site capping, gas abstraction and preparation costs.

The Council will need to decide to offer a site, and to proceed with a Developers Brief for commercial leisure and cultural uses. To prepare a Developers Brief the Council will need to decide on the size of the site to be offered for commercial leisure and cultural uses.

- Option 1 To proceed to publicly advertise a Developers Brief for a 23 acre site for Commercial Leisure and Cultural Uses.
- Option 2 To proceed to publicly advertise a Developers Brief for a 30 acre site for Commercial Leisure and Cultural Uses.
- Option 3 To proceed to publicly advertise a Developers Brief for a 39 acre site for Commercial Leisure and Cultural Uses.

The two smaller sites leave a valuable Dargan Road frontage that could be developed by the Council however, it would of course be attractive to any developer that responds to the brief.

#### Sufalnet 4EU

The Council is a Partner in SUFALNET 4EU Interreg 4C Project. It is a European network focussing on the sustainable reuse of former and abandoned waste landfill sites. There are 15 Partners from 11 EU Countries; the Lead Partner is Noord Brabant, Netherland.

The final conference is to be held in Cava de Tirreni, Campania Region, Italy on the 16 & 17 November 2011. The Sufalnet 4EU Conference Organisers would like each EU Partner to bring a Political Representative to Italy, to demonstrate support for the Sufalnet 4EU network and completed Action Plans. It is proposed that the Lord Mayor or the Chair of the SP&R Committee or their nominated representative should be invited to attend the Conference in Cava de Tirreni, Campania Region on the 16 and 17 November.

### **Resource Implications**

Sufalnet 4EU Conference attendance cost would be covered by the Sufalnet 4EU Interreg 4C funds.

### **Equality and Good Relations Implications**

There are no equality implications contained within this report

### **Recommendations**

The Committee is asked

- 1) To consider to offer a site at the North Foreshore and proceed with a Developers Brief for commercial leisure and cultural uses.

To prepare a Developers Brief the Council will need to consider the options, and approve the size of the site to be publicly offered for commercial leisure and cultural uses.

- Option 1 To proceed to publicly advertise a Developers Brief for a 23 acre site for Commercial Leisure and Cultural Uses.
- Option 2 To proceed to publicly advertise a Developers Brief for a 30 acre site for Commercial Leisure and Cultural Uses.
- Option 3 To proceed to publicly advertise a Developers Brief for a 39 acre site for Commercial Leisure and Cultural Uses.

It is the Director's view that to fully test the private sector interest option 3 is preferable.

- 2) To approve the attendance of the Lord Mayor or Chair of the SP&R Committee or their nominee at the Sufalnet 4EU Conference in Italy on the 16-17 November 2011.

### **Decision Tracking**

If agreed the development brief can be advertised in September with a return date of late October."

After discussion, the Committee agreed to publicly advertise a Developer's Brief for a site of up to 39 acres for Commercial, Leisure and Cultural Uses. In addition, the Committee approved the attendance of the Lord Mayor or the Chairman of the Committee (or nominee) at the Sufalnet 4EU Conference in Italy on 16th and 17th November.

### **Land at Clara Street**

The Director of Property and Projects submitted for the Committee's consideration the undernoted report:

#### **"Relevant background information**

**At its meeting of 4th November 2009 Health & Environmental Services Committee declared Clara Street Civic Amenity Site surplus and agreed to its appropriation to the Strategic Policy and Resources Committee to be managed as part of the Corporate Landbank by the Estates Management Unit with a view to placing the premises on the market following a Planning Assessment. This appropriation was noted at the Strategic Policy and Resources Committee held on 5th March 2010.**

**At its meeting on 24th September 2010 the Strategic Policy and Resources Committee agreed to declare the former Civic Amenity site at Clara Street surplus to the requirements of the Council and to place it for sale on the open market, following which a further report would be taken to the Strategic Policy and Resources Committee for approval to the terms of any disposal.**

**The Planning Assessment confirmed the likely redevelopment of this former Civic Amenity site for residential use and following consultations with Planning Service as to nature and density of any such redevelopment the Assessment concluded a density of 25-35 three bedroom residential units as appropriate on the 1.106 acre site.**

**The site (location map attached at Appendix 1) has been on the market with Campbell Cairns since February 2011. Four agents were initially asked at end of 2010 to provide an indication of their opinion of value (values ranged from £450,000 to £675,000) Following the various Committee decisions and on the basis of a Planning Assessment the former Civic Amenity site at Clara Street was placed on the open market for sale with a guide price of £600,000.**

**Despite extensive marketing of the site from the beginning of the year there has been limited interest with only two parties making offers over the marketing period. Towards the end of July 2011 both parties were requested to make their best and final offers to purchase by Thursday 4 August.**

The highest offer of £522,000 for the subject site has been made by a building maintenance operator. The next highest offer received, from a registered housing association, was £520,000.

The marketing agents, Campbell Cairns, have confirmed that they would be content to recommend acceptance of the £522,000 offer should the Council wish to dispose of the site at this time.

### Key Issues

- Following the request for best and final offers the highest offer for the 1.106 acre site is £522,000, which the marketing agents can recommend for acceptance.
- The commercial operator runs a building repair and outdoor maintenance business and proposes to utilise this former Civic Amenity site as a maintenance depot in which to base their Belfast operations and until such time as planning is secured for future housing redevelopment.
- The housing association have undertaken their own Planning Assessment and Preliminary Risk Assessment report (ground contamination) and concluded that the subject site is suitable for redevelopment with 16-18 residential units which is well below that indicated in Council's Planning Assessment (25-35 residential units) and was reflected in their initial opening bid of £360,000.
- NIHE have confirmed a requirement for 2-bed and 3-bed residential accommodation in the area and the shortage of readily available sites in east Belfast generally. Consequently NIHE have supported the particular housing association currently bidding on the Clara Street site.
- Bids were received in £20,000 increments between the commercial operator and the housing association as the only other bidder from their initial £360,000 bid. The housing association confirmed their final offer of £520,000. Neither bidder made their offers subject to planning and both have been able to confirm available funding for the purchase to proceed.
- Council are not bound to accept the highest or indeed any offer and could also withdraw the site from the market. In the event that the site is withdrawn from the market Council will remain liable for the agent's marketing expenditure and possibly for all or part of their agreed fee of £1,500.

**Options:**

In light of the above the following options can be considered:

**Option 1**

- Complete sale to the highest bidder at £522,000 in order to realise maximise income for the Council from this surplus asset.
- The commercial operator's bank has provided confirmation of the ability to complete this purchase utilising bank finance with the ability for a timely completion.
- Prospect that immediate use of will be made of these vacant premises in association with the commercial operator's current business and potentially future residential redevelopment upon securing appropriate planning approval.

**Option 2**

- Seek to complete sale with the housing association at the lower bid of £520,000 which would represent a potential loss of income to the Council of £2,000.
- The housing association has also provided confirmation from their bank of their ability of finance to complete this purchase.
- Redevelopment of the site by the housing association as a residential scheme would provide additional social housing units in the area where NIHE have identified such a requirement.
- If Members wish to consider accepting the lower housing association bid (£520,000) this is at less than best price as required by Section 96(5) of the Local Government Act (NI) 1972. This provides that the right of a Council to dispose of land shall be subject to the restriction that, except with the approval of the Department of the Environment, any disposal of land shall be at the best price or for the best rent or otherwise on the best terms that can be reasonably obtained.



- In these circumstances approval to dispose to the housing association at the lower bid of £520,000 would be required from the DOE based on a submission from Council justifying the decision not to accept the highest offer. There is no certainty regarding securing the necessary DOE sanction at this time. However, a Departmental Circular (circular LG 02/08) previously issued to Councils in relation to the disposal of surplus land referred to land transfers for social housing and the then Minister for Social Development had initiated an audit to examine land holdings and asked that Councils consider the issue also.
- Whilst the legislation gives little guidance as to when departmental approval should be sought or given, it is considered that if the Council did wish to make a case to the Department for approval to dispose, it would need to set out why it feels disposal at less than best price is appropriate in the circumstances and how the proposed disposal will benefit the district or its inhabitants. This is on the principle that if the Council is selling at less than best price this ought generally to be offset by some other means by which it is advancing its interests. Even though there is only £2000 difference in this case which is 0.4% of the overall figure there is no 'de minimis' approval for Councils and DOE approval is required.
- As an alternative to considering disposal at less than best price Council could withdraw the site from the open market and pursue a disposal through the public sector clearing house arrangements operated by Land & Property Services (LPS) in order to progress a disposal to the housing association at market value (assessed by LPS). However it is likely that LPS will be guided by the current highest bid of £522,000 following exposure of the site on the open market in assessing the appropriate disposal price. This alternative approach will require additional time to undertake and would delay the completion of any disposal as LPS would have to trawl the availability of the site to all public sector bodies and the process would take some time to complete.

#### Resources Implications

**Financial:** Capital receipts can be used in furtherance of the City Investment Fund, capital projects or other corporate priorities.

**Human Resources:** Staff resource, primarily from Estates Unit and Legal Services required to progress any disposal.

**Asset Implications:** Disposal and redevelopment of this vacant property and redeployment of the capital receipt towards other Council priorities should represent a better use of resources.

### **Recommendations & Decisions**

Members are requested to consider the disposal options for this site and advise on which of the above Options they wish to proceed.

### **Decision Tracking**

Director of Property and Projects to ensure disposal process is commenced within one month of Committee decision.

### **Key to Abbreviations**

NIHE – Northern Ireland Housing Executive  
LGA – Local Government Act  
DOE – Department of the Environment  
LPS – Land & Property Services”

After discussion the Committee agreed to adopt Option 2 as set out in the report and that approval for this be sought from the Department of the Environment in accordance with Section 96(5) of the Local Government Act (Northern Ireland) 1972.

### **Land at McClure Street**

The Committee considered the undernoted report:

#### **“Relevant background information**

At its meeting of 21st January 2011, and following the request of Council at its meeting of 5th January 2011, the Strategic Policy & Resources Committee reaffirmed its previous decision of 10th December 2010 to market the lands at McClure Street free of restrictions as to future use and on the basis that any disposal would be time bound. A location map is enclosed at Appendix 1.

It was also agreed that a further report would be brought back to a future meeting of the Strategic Policy & Resources Committee to advise on the marketing price together with any DSD requirements in release of the restrictive covenant. Prior to these reports, Council officers had commissioned a planning assessment for the site and had also met with Planning Service regarding the potential future uses in planning terms.

The Strategic Policy & Resources Committee reports of 10th December 2010 and 21 January 2011 (enclosed at Appendices 2 & 3) set out the various options in dealing with the disposal and future development of this land. One of the key issues highlighted was the legislative requirement under the Local Government Act (NI) 1972 to obtain best price or otherwise best terms in the disposal of land; otherwise DOE approval is required. Further, that imposing restrictions on the future use of the land when marketing could restrict the value and potentially not comply therefore with the best price legislation requirements. In order to demonstrate that best price is being obtained and to not leave the open to challenge, Members were advised that the land should be openly marketed and interested parties could bid accordingly.

This report also emphasised that the key issue affecting the future use of this land is its planning designation. In dBMAP the site is zoned as open space and the planning policy document PPS8 incorporates a presumption against the loss of open space but it also provides an exception where *'it is clearly shown that the redevelopment will bring substantial community benefits that decisively outweigh the loss of open space'*. The advice therefore from both the planning consultants and from Planning Service is that any proposed development would have to bring substantial community benefit to outweigh the loss of open space. The view of the consultants is that the provision of say social housing or some other community type facility could deliver such benefits. On the basis of both their advice and following discussions with Planning Service it was considered that the test of 'substantial community benefit' is unlikely to be met by the provision of private housing. If a planning application was to be submitted for social housing or other type of development of a community nature it would have to be considered on the basis of this exceptions test in terms of the substantial community benefits it would bring.

The recommended option, as approved by the Strategic Policy & Resources Committee, to advertise for sale on the open market, free of restrictions as to future use means that it accords with the Council's legislative requirement to obtain best price (or best terms) but would also allow the Council to consider other potential end users apart from say social housing that might be desirable from a community or social perspective (subject to planning).

Given the planning context and potential loss of open space we expect that local community input will be a major factor in any planning outcome and proposed developers will need to factor this in.

### Key Issues

Following the decision of the Strategic Policy & Resources Committee on 21st January 2011 five estate agents were asked, as part of part of their submission, to tender for disposal of the site and to provide an opinion of market value based on Council's Planning Assessment and free of any user restrictions.

### Marketing Price

- Opinions of market value, provided in the 5 no estate agent's submissions, ranged from £100,000 to £650,000 reflecting the volatility of the current property market and the uncertainty in planning terms. It is therefore likely that optimum value would be achieved from offers subject to the purchaser securing an appropriate planning consent. In this scenario offers would be conditional on them obtaining planning.
- Market value estimates were based on the assumption that the site could be redeveloped in line with Council's Planning Assessment which indicated a potential social housing residential development, as well as other possible community type uses.
- Agents were advised that any disposal would be subject to securing full planning permission within 2 years of agreement.
- Appendix 4 provides more detail on the marketing prices as proposed by the 5 agents and it will be noted that there is a wide variance of opinion between agents-primarily due to the uncertainties over planning as well as the current property market. It is proposed (subject to Committee approval) to take the site to the open market with a guide price of £450,000 based on the housing density suggested in the Planning Assessment of 22 residential units. It is important to note however that this is a guide price only and ultimately the true market value will really only be known when the site is openly marketed. It is also likely that any offers received will be conditional upon obtaining planning approval. Based on the fee basis as proposed by the agents, it is proposed that the first agent as set out in the Schedule at Appendix 4 be appointed to market the site.

### Release of Restrictive Covenant

- The land was acquired by the Council from DOE and is subject to a covenant that restricts use of the lands to landscaping and open space. DSD (as successor to DOE) have confirmed that, subject to payment of a capital premium, they would be willing to remove this restrictive covenant.
- Land & Property Services have been requested to provide an assessment of the cost to remove the restrictive covenant from title to the site in order to permit a full range of uses for future development potential.
- Any capital premium that would have to be paid to DSD to remove the restrictive covenant would be funded from the disposal proceeds.

### Resources Implications

**Financial:** Capital receipts can be used in furtherance of the City Investment Fund, capital projects or other corporate priorities. DSD may have to be compensated from removal of the restrictive user covenant funded from disposal proceeds.

**Human Resources:** Staff resource, primarily from Estates Unit and Legal Services required to progress any disposal.

**Asset Implications:** Disposal and redevelopment of this vacant property and redeployment of the capital receipt towards other Council priorities should represent a better use of resources.

### Equality & Good Relations Implications

None at this time

### Recommendations & Decisions

Members are requested to consider this report and approve that agents are now appointed to advertise the land for sale, free from restrictions and seeking offers in the region of £450,000. A further report to be taken to this Committee in due course for approval of terms of any disposal.

### Decision Tracking

Director of Property and Projects to ensure that the marketing process is progressed within three months of the Committee decision.

### **Key to Abbreviations**

**DSD – Department for Social Development”**

The Committee adopted the recommendation.

### **Proposed Sewer Easement at the City of Belfast Golf Course**

In accordance with Standing Order 60, the Committee was advised that the Parks and Leisure Committee, at its meeting on 11th August, had approved the grant of an Easement to A and M Campbell to allow for the installation, future operation and maintenance of a 150 millimetre diameter foul sewer pipe at the City of Belfast Golf Course, Mallusk.

The Committee approved the grant of the Easement and noted that the Council would receive 50% of the savings made by the developer as a result of its use of Council-owned land.

### **Unit 1 St. George's Market**

The Director of Property and Projects submitted for the Committee's consideration the following report:

#### **“1 Relevant Background Information**

- 1.1 St George's Market has six retail units on the ground floor and a first floor restaurant. Currently all of the units are let. Unit 1 is let to Liam Conlon as a fish and chip shop, Unit 2 as a Mace store, Unit 3 is Bean coffee shop, Unit 4 Subway, Unit 5 is Javaman Coffee Shop and Lemon Grove Mediterranean Takeaway food, Unit 6 is Fullarton Pharmacy. The rental income from the units is £95,675 per annum with a further service charge income of £9567.50 and rates payable of £40,055 06.**

**Members will be aware that after the refurbishment of the market over ten years ago difficulties were experienced in both attracting and keeping suitable tenants for the units. A period of stability has occurred over the last couple of years and the Markets Unit in Development department have worked closely with the tenants throughout the current difficult trading period.**

**A proposal has been received from Liam Conlon of Unit 1 to change the use of part of his unit to sell bakery products/coffee shop. Two thirds of the unit will remain as a traditional fish & chip shop with part of the unit retailing bakery products, breakfast rolls, sandwiches, tea and coffee with provision for both sitting in and take away.**

## **2 Key Issues**

- 2.1 Currently units 2-5 all sell tea & coffee, sandwiches, rolls, pastries to varying degrees. Units 3-5 all cater specifically for the tea and coffee sit in and takeaway lunchtime market; they are also open to serve customers on their way to work.**

**The proposal from Liam Conlon is to catch the breakfast trade and to open earlier than the other units at 7.00am. The fish & chip shop opens mid morning. The permitted use in the lease is for a fish and chip shop only. The lease further requires that the premises are used as a single retail shop only. The User clause further permits Belfast City Council as landlord to withhold its consent for a change of use if the proposed user of the premises would or might conflict with the authorised user of any other premises in the Market Building or would be prohibited by reason of any understanding or undertaking whether written or oral entered into by the landlord.**

**Liam Conlon is also proposing to enter into a franchise agreement with Asher's Baking Company to supply the bakery products, operating system and trademarks for the business. Mr Conlon's lease does not permit him to assign, underlet, charge, hold on trust for another to part with or share possession or occupation of part only of the premises.**

**Legal Services have confirmed that amendments to the existing lease can be made to accommodate the proposal, subject to agreement between the parties and from members. The main issue to be resolved at this stage is whether or not members consider that the addition of a small bakery/coffee shop will add to the offer at St George's or will provide too much direct competition to the adjoining tenants and hence affect their viability. Whilst competition can be beneficial an over supply of any particular service/facility maybe detrimental to the overall successful operation of a parade of shop units.**

**The situation could arise that if permission is granted for the Asher's Bakery/ coffee shop franchise one of the other units is put out of business. The three market days also have several traders bringing additional tea/coffee offering to St George's Market.**

**Mr Conlon runs a successful fish and chip shop business across several Belfast sites and has been a welcome addition to St George's Market. Mr Conlon was previously a tenant of Mount Charles Catering but has held his own 25 year lease on the unit from 1st April 2009. The current rent is £11,500pa subject to review from 1st April 2011.**

### **3 Resource Implications**

#### **3.1 Financial**

Proposal could impact on the financial viability of units in St George's Market and lead to vacancies and loss of rent, rates and service charge to Belfast City Council.

#### **Human Resources**

None

#### **Asset**

Vacant units could be difficult to let in current market and provide an unattractive frontage to St George's Market.

### **5 Recommendations**

#### **5.1 Two options are available to members.**

- 1. Approval is not granted to extend the user of the fish & chip shop at Unit 1 St George's Market to include a bakery and coffee shop due to the impact on the future financial viability of the other units at St George's Market who already retail some similar products and services.**
- 2. Approval is granted to amend the lease at Unit 1 to provide an extended user clause and sharing of the premises subject to satisfactory terms and conditions.**

The existing lease does not require Belfast City Council to grant consent to the proposal to extend the user of unit 1 St George's Market. The Markets Management would suggest that the financial viability of units 2-5 St George's Market may be detrimentally affected by a further tea/coffee shop opening within the parade of shops and would recommend that members consider approving option 1.

### **6 Decision Tracking**

If members agree to Option 1 no further action is required

If members agree to Option 2 Estates Management and Legal Services to agree amended terms with the tenant subject to approval of the Director of Property & Projects under the scheme of delegation and reported retrospectively to members.

Reporting Officer Gerry Millar

Date November 2011"



During discussion, a Member stated that there was a need to undertake a review of St. George's Market and look at ways of maximising its usage.

In response, the Chief Executive indicated that the Development Committee, at its meeting on 10th August, had deferred consideration of a report on the usage of St. George's Market and that he would ensure that the Member's comments were brought to the attention of the Director of Development before the report was resubmitted to that Committee.

The Committee noted the information which had been provided and agreed to adopt Option 1.

### **Duncrue Industrial Estate - Easement Agreement**

The Committee was reminded that, at its meeting on 19th February, 2010, it had approved the progression of a Waste Heat Utilisation Scheme at the Duncrue Industrial Estate. The scheme was an invest to save project which would be included in the Council's efficiency programme. The tendering process for this was currently underway.

The Director of Property and Projects reported that currently the heat created by the landfill gas generators at the North Foreshore was lost to the atmosphere. With some initial capital investment that heat could be captured and then used to provide heat to nearby locations such as the Duncrue Complex. The aim of the scheme was to reduce the Council's utility costs and carbon emissions. To facilitate the installation of the required pipework for the scheme, an easement over a plot of land leased by way of a long lease from the Council to Louisville Properties Limited was required. The land was located between the Council occupied Duncrue Complex and the North Foreshore site. There would be no cost to the Council for the Easement.

In accordance with Standing Order 60, the Committee approved the grant of an Easement acquisition from Louisville Properties Limited to the Council, subject to the incorporation of appropriate legal agreement to be prepared by the Legal Services Section.

### **School of Music Premises adjacent to the Reverend Bradford Memorial Park**

The Committee considered the undernoted report:

#### **"1 Relevant Background Information**

- 1.1 BELB have recently declared three properties at Belfast School of Music surplus to their requirements. Two of these properties are located on Donegall Pass and the third property, known as the Porter's Annex Building, is located on Apsley Street (off Donegall Street) This Porter's Annex building directly adjoins Council land at Reverend Robert Bradford Memorial Park. Donegall Pass Community Centre (Council owned) also adjoins the park.**

- 1.2 Prior to disposal to the private sector, expressions of interest were sought by Land & Property Services from public sector bodies who may be interested in acquiring the premises. An indicative value of £160,000 has been placed on the Porter's Annex building by LPS.
- 1.3 The Reverend Robert Bradford Memorial Park site is relatively small in size with limited scope for development of any facilities. A multi use games area type facility had previously been proposed for inclusion in the Capital Programme but this did not advance. This is one of the few 'green' spaces in this area.

## 2 Key Issues

- A former School of Music property at Apsley Street (off Donegall Pass) has been declared surplus by BELB. It adjoins the Council's land at Reverend Robert Bradford Memorial Park.
- Due to its small size the park has limited opportunity to potentially develop any kick about area or a multi use games area type facility (should funding be available)
- There is currently no proposal in the Capital Programme to develop the park facility and no identified funding at the current time to develop. . However, if the property was purchased now it could be held in the Corporate Landbank pending funding becoming available at some later stage to further develop the park facility, which would include demolition of the subject property. In the interim a temporary use of the building could be sought either for a suitably identified Council requirement or a short term letting.
- Land and Property Services require confirmation from the Council by 22 August that they wish to proceed. This confirmation will not bind the Council as such but is to confirm to LPS that the Council (in accordance with public sector transfer rules) have a requirement to acquire the property, the public interest for acquisition and funding is available to purchase etc. Any acquisition would be subject to the usual due diligence in terms of title, condition, site contamination and valuation issues.
- Further initial feasibility could be undertaken by Council officers around future potential options for development and viability.

### **3 Resource Implications**

#### **3.1 Financial**

An initial valuation of £160,000 has been placed on the property by LPS. If a decision is made to progress with the purchase Council officers will undertake appropriate checks in terms of title, condition or other matters that may impact on the value, as well as initial feasibility work as to potential scope for redevelopment as part of the adjoining park.

The Director of Finance & Resources has indicated that funding for acquisition could be made available this year.

Council officers could explore the potential for external funding for future development and report back to Committee in due course.

#### **Human Resources**

Staff resource required to progress, primarily from Property & Projects, Legal Services & Parks & Leisure.

#### **Asset**

Acquisition of this property will provide an improved site configuration for the Council's adjoining land at Reverend Robert Bradford Memorial Park. This could facilitate development of an improved facility at the park in the future should funding become available. This would be subject to some initial feasibility work around the potential for future redevelopment as part of the park (subject to future funding).

### **4 Equality and Good Relations Considerations**

4.1 None at this time.

### **5 Recommendations**

5.1 Members are recommended to approve, in principle, the acquisition of the former School of Music, Porters Annex Building at Apsley Street (adjoining the Council's land at Reverend Robert Bradford Memorial Park), subject to an initial feasibility study being undertaken by Council officers and to agreement on detailed terms and conditions. A further report will be brought back to Committee on the terms.

6 **Decision Tracking**

**Director of Property & Projects to progress within 3 months of Committee decision.”**

The Committee adopted the recommendation.

**Disposal of Land at Belmont Park,  
Adjoining 67 Schomberg Avenue**

The Committee was advised the Parks and Leisure Committee, at its meeting on 11th August, had considered a report on the proposed disposal of land at Belmont Park. That Committee had approved of the disposal, which was aimed at resolving some practical issues associated with the relative level of lands within and immediately outside the house site. The proposed disposal was for an additional 41 square metres, in the sum of £2,500, and was in addition to an area of approximately 82 square metres which had previously been disposed to the owner of 67 Schomberg Avenue.

The Committee approved the disposal of land.

**Theft of Union Flag from the City Hall**

The Director of Property and Projects submitted for the Committee's consideration a report which provided details in relation to the theft of the Union Flag from the City Hall on 11th July. The report outlined the circumstances surrounding the theft, the response of the security unit and the short and medium-term actions which were being implemented to improve processes, systems and procedures in order to prevent a re-occurrence.

The Committee noted the information which had been provided and that a further report setting out the cost of options and proposals for the improvement of the current systems would be submitted to the Committee in due course.

**Request for the Use of Exhibition Space  
in the East Entrance, City Hall**

The Committee was reminded that, at its meeting on 15th April, it had agreed that, in future, any request to hold exhibitions in the East Entrance be submitted in the first instance to the Strategic Policy and Resources Committee for consideration.

The Director of Property and Projects reported that the following requests had been received:

(1) **Reunification of Italy – 150 year anniversary**

A request had been received from the Northern Ireland branch of the Lucchesi nel Mondo Association seeking authority to hold an exhibition celebrating the 150th anniversary of the unification of Italy. The Association had been founded in 1968 and there were now 85 branches throughout the world. The Northern Ireland branch had been established in Belfast on 8th May, 2005. Its members consisted of Italians who had settled in Northern

Ireland and people from Northern Ireland who had an interest in Italy. The aim of the Association was to promote cultural links between Italy and other countries. The exhibition, which contained a mixture of photographs, images and script, had been prepared by the region of Tuscany and focused on key events in Tuscany at the time of the reunification of Italy in 1861.

The exhibition was currently touring a number of European cities and the Association members in Belfast were keen to hold it in the City as it would help to promote the cultural links between the two countries and would assist also with other Italian cultural events, for example, the La Scala film theatre was being approached about coming to the city. The exhibition consisted of 20 pop-up panels and would be in place in the East Entrance from 21st November till 16th December, 2011.

(2) **Belfast and Cork Maritime Painting Exhibition**

A request had been received on behalf of the Belfast Harbour Commissioner and the Crawford Municipal Gallery in Cork to stage a maritime themed painting exhibition in the City Hall for a four-week period in April, 2012. The exhibition would include a representative selection of paintings from the Port of Cork and the Belfast Harbour collections from the period 1700 – 2000. The paintings on display would be available for viewing purposes only and would not be for sale. The collection would contain some paintings featuring the Titanic and it was felt hosting the exhibition in the City Hall in April, 2012 would link with other planned Titanic 2012 events.

(3) **'Belfast Now' film exhibition**

The DoubleBand film company had submitted a request to host a film exhibition called 'Belfast Now' in the City Hall. 'Belfast Now' was a cultural and creative project which was being developed in partnership with Channel 4 and the Belfast Festival at Queens. The aim of the exhibition was to 'reflect the changing face of Belfast and to promote a dynamic, inclusive and forward-looking vision of the city'. There were two main aspects to the project:

- to have two short films produced by local film maker Dervla Quigley and the photographer Adam Patterson. Those films would reflect the artists' vision of 'Belfast Now'; and
- to give local citizens and communities the opportunity to upload their own interpretations of 'Belfast Now' by the use of social media, including Facebook, LinkedIn and Twitter. Those on-line interpretations might take the form of photographs, a mobile phone video clip or a joke, etc.

The organisers wished to screen the two short films and the Facebook pages in either the east exhibition area or the visitor information point room at the front entrance of the City Hall as part of the Belfast Festival at Queens programme in mid October. The exhibition would involve a number of plasma screens being set up with some accompanying panels providing information about 'Belfast Now' and the aims of the project. The proposed content would be provided to the Council beforehand. The film exhibition would run for approximately two weeks and the organisers indicated that they might also approach the BBC about having the films and Facebook pages displayed on the large outdoor screens on the City Hall lawns during the MTV event in November. Channel 4 had also expressed an interest in broadcasting the exhibition at a later date.

The Committee approved the three applications for the use of the East Entrance for the aforementioned exhibitions.

### **Good Relations and Equality**

#### **Minutes of Meeting of the Good Relations Partnership**

The Committee approved the minutes of the meeting of the Good Relations Partnership of 8th August and adopted the recommendations in respect of the following:

#### **Composition of the Good Relations Partnership**

That the composition of the Good Relations Partnership be reviewed and that the current representation of the Protestant churches continue until that review had been completed.

#### **Diversity Champions in Local Government**

To approve a nomination of the Partnership's Chairman, Councillor Hendron, to the Local Government Staff Commission's Equality and Diversity Group.

#### **Sandy Row Artwork**

To approve the allocation of funding in relation to the re-imaging of the Blythe Street mural at a cost of not more than £5,000.

#### **Belfast Mela 2011 – Request for Funding**

To provide funding of up to £3,000 to the ArtsEkta organisation for the outreach elements of the Belfast Mela 2011 programme.

### **Forums for Cities in Transition**

To approve the support for a Call to Action document which set out basic principles aimed at promoting understanding between member cities, with the aim of encouraging mutual learning, dialogue and resolution of conflict through non-violent methods.

### **Goods Relations Reception and Networking Event**

To approve the holding of a Good Relations networking event in the City Hall at a cost of approximately £2,000, 75% of which could be reclaimed from the Office of the First Minister and Deputy First Minister through the Council's Good Relations Programme.

### **Historic Centenaries Working Group**

The Good Relations Manager reminded the Members that meetings of the Historic Centenaries Working Group had been held in February and March but that the meetings had ceased due to the holding of the Local Government Elections. The Working Group had been reconstituted by the Committee in June and a meeting had been arranged for 10th August. However, the meeting had not been able to proceed as only one Member had been in attendance. She indicated that the Group had agreed a number of draft principles which might be used in the selection of events to be marked and some themes and methods which might be used to mark various centenaries. A number of outside organisations were seeking to meet with the Group to discuss how their events might be marked but this had not been able to be progressed until the Group reconvened its meetings and ratified the aforementioned criteria. She indicated that the next meeting was scheduled to be held on Tuesday, 6th September and she urged the Members to be in attendance in order to progress the various events which were to be marked.

Noted.

### **Cross-Cutting Issues**

#### **Winter Maintenance Arrangements**

(Mrs. S. Wylie, Director of Health and Environmental Services, and Mr. S. Skimin, Head of Cleansing Services, attended in connection with this item.)

The Committee considered the undernoted report:

#### **"1. Relevant Background Information**

- 1.1 The Committee received a report on 10 December 2010 regarding issues around winter maintenance in prolonged spells of extreme weather. Members will recall the considerable difficulties experienced by the citizens of Belfast during December 2010 and January 2011. At that**

time Members tasked officers to enter into further discussions with the Department of Regional Development, Roads Service, on a number of points, namely;

- The potential of identifying 'hot spot' sites across the city which need to be gritted to allow access to essential public services.
- The potential of the gritting of some side streets to enable essential operational services, such as refuse collection, to be maintained.
- The potential of making grit/salt available to members of the public to allow local communities to help themselves via local action.
- Reviewing the list of city centre streets within the current agreement to assess if they are sufficient in periods of prolonged severe weather.

## **2 Key Issues**

2.1 The Director of Health and Environmental Services and the Head of Cleansing Services met with the DRD Roads Service to discuss the above issues. The Head of Cleansing Services also liaised internally with other relevant Council services regarding any issues pertinent to them in relation to winter maintenance. The outcomes of discussions with the DRD Roads Service in relation to the specific issues are outlined below. In considering these outcomes it should be noted that in all cases:-

the DRD Roads Service will be the arbiter regarding the supply of salt and/or grit, taking into account (1) salt/grit stock levels, (2) severity and duration of the conditions, (3) the rate of replenishment of salt stock and (4) an agreed schedule of roads.

### **Outcome of Discussions with the DRD Road Service**

2.2 *The potential of identifying 'hot spot' sites across the city which need to be gritted to allow access to essential public services*

The DRD Roads Service will not undertake gritting of footways and their gritting programme will continue to concentrate on maintaining passage and safety on the major roads network. Council officers have, however, put



forward a proposal for Council staff (Cleansing Services and Parks) to undertake gritting of footways in 'hot spot' locations across the city in severe and prolonged weather conditions. In essence, these locations consist of the immediate footway areas close to doctors' surgeries, post offices, schools and fold type locations; in addition, medium sized shopping areas will also be included. The DRD Roads Service is satisfied with this approach, but this is dependant upon the submission of an agreed schedule, detailing all locations proposed for treatment. The DRD Roads Service will provide salt/grit for this purpose within the criteria outlined above.

*The potential of the gritting of some side streets to enable essential operational services such as refuse collection to be maintained.*

- It is unlikely that the DRD Roads Service will be in a position to grit side streets and they have some reservation over how effective this would be in that there needs to be a reasonable amount of traffic flow over a gritted surface to enable the grit to work in breaking up snow/ice deposits. Side streets may not provide the necessary volume of traffic to allow this to happen. There therefore needs to be a stepped approach to this proposal.
- Firstly, there needs to be an operational test done on some side streets to see if gritting would be effective in facilitating access by Council vehicles later in the day. The DRD Roads Service have agreed to undertake a test, next winter, whereby it will grit up to 6 side streets, where there are access difficulties, for the Council to assess the effectiveness of this method.
- If it proves successful it would be up to the Council to facilitate such gritting of some side streets to allow access for its vehicles. The Council would therefore have to buy suitable four wheel drive vehicles with gritting attachments, on trailers, and undertake the gritting itself. The DRD Roads Service will provide salt/grit for this purpose within the criteria outlined above.

*The potential of making grit/salt available to members of the public to allow local communities to help themselves via local action (severe and prolonged conditions).*

- The DRD Roads Service will provide salt/grit for this purpose within the criteria outlined above. The Council would have to collect the salt/grit and arrange for its distribution to communities

*Reviewing the list of city centre streets.*

As part of the wider exercise to grit footways the Central Cleansing Area snow/ice clearance plan has been expanded to take into account the 'hot spot' areas as per the criteria identified previously.

Members are reminded that the current agreement with the DRD Road Service can only be activated at the request of the Roads Service. During the discussions the DRD Road Service emphasised that they will only call upon the Council in cases of prolonged and extreme weather conditions.

- 2.3 In addition to assisting in the clearance of some public footways, staff from the Parks Service would also undertake the clearance of priority pathways in some parks.

### **3 Resource Implications**

- 3.1 The financial, human resources and asset implications of expanding the operations in relation to public and parks footway clearance and salting/gritting to the categories of 'hot spots' as indicated in the report are summarised below.

#### **Assets**

- 3.2 New equipment would be required to allow for this extensive additional commitment by the Council, to be carried out efficiently and effectively. Potential equipment requirements would be as follows;

2 – 4 X 4 vehicles (proposal is to replace 2 existing Supervision vans with 4 X 4 vehicles)

5 - trailer mounted salt/grit spreaders

6 - petrol powered snow blowers/brushes

37 - manual grit spreaders

2 – additional snow brush and gritting attachments for mechanical sweepers

3 – small snow plough attachments ( Parks )

3 - storage sheds ( salt ) ( Parks )

<u>Financial</u>	£000s
<u>Cleansing Services</u>	
2 - 4 X 4 vehicles (cost difference only)	17
2 - trailer mounted salt/grit spreaders	12
6 - petrol powered snow blowers/brushes	27
25 - manual grit spreaders	10
2 – additional snow brush and gritting attachments	<u>30</u>
	96
<u>Parks Service</u>	
3 – small snow plough attachments	8
3 - trailer mounted salt/grit spreaders	18
12 - manual grit spreaders	5
3 - storage sheds (salt)	10
150 tonnes salt/grit	<u>13</u>
	54

### Staffing

- 3.4 Operationally, most gritting has to be done before the snow falls for it to be effective. Therefore, as with the DRD operation on the roads, gritting of footpaths etc may have to be done at night/early morning. This would have implications for additional payments for staff which at this time cannot be estimated as it depends on numbers of staff willing to undertake work at these hours and the number of times they are required to do it.
- 3.5 In addition, once agreed, the proposed expanded snow/ice clearance areas will have to be passed to the Council insurers to ascertain if any additional premium would be due. Cleansing Services are in the process of supplying maps to the Council's insurers highlighting the additional footways which will be covered by the agreement to assist the insurer in estimating if any additional premium will be payable.
- 3.6 There are no allowances in the revenue or capital budgets for the additional resources referred to above. The Health and Environmental Services Committee, at its meeting on the 4 August 2011, approved the allocation of £95K for the purchase of grit/salt and some equipment to be made available from unexpected additional income, which has been identified as forthcoming to the Department during the 2011/2012 financial year.

3.7 All other funds will have to be sourced. Given the procurement arrangements, some expenditure for vehicles may be incurred in 2012/13.

4 **Equality and Good Relations Considerations**

4.1 None.

5 **Recommendation and decision**

5.1 The Committee is asked to accept the proposals to expand the operations in relation to footway clearance and salting/gritting to the categories of 'hot spots' as indicated in the report.

5.2 Members are also asked to note the resource requirements and to give permission for the required resources to be sourced. Given this, Members are also asked to note the fact that finances for these additional resources are not contained within existing revenue or capital budgets and to authorise the Director of Finance and Resources to source monies from within existing Council finances.

5.3 The Committee is also asked to give permission for the existing Snow/Ice Clearance Agreement, between the Council and the DRD Roads Service, to be updated to include the above proposals.

**Decision Tracking**

The Head of Cleansing Services, in conjunction with the Council's Legal Services Department will undertake to update the current Snow/Ice Clearance Agreement with the DRD Roads Service.

The Head of Cleansing Services, in liaison with the Council's Insurance Officer, will pass details of the expanded snow/ice clearance areas to the Council insurers to ascertain if any additional premium would be due.

The Head of Cleansing Services and the Assistant Director of Parks and Leisure will, in liaison with the Director of Finance and Resources, ensure that the appropriate equipment is sourced, funding permitting, and activate the operational plan when called upon to do so by the DRD Roads Service."

During discussion in the matter, the Director and the Head of Cleansing Services answered a number of questions in relation to insurance issues, definitions of hot spots and issues around the selection of side streets for gritting. The Head of Cleansing Services pointed out that the roads and streets which the Council would be proposing to grit would be linked into the Council's refuse collection service and would only be identified in the event of any problems occurring over the winter period. The type of hotspots which it was envisaged would be gritted included places where people congregated and need access to, such as housing folds, schools, doctors' surgeries, post offices and medium-sized shopping centres/areas.

After further discussion, the Committee adopted the recommendations.

#### **Freedom of Information Enquiries - Media Coverage**

The Committee noted the contents of a report which provided details on a number of Freedom of Information requests and the subsequent press coverage. It was agreed that the issue of the disseminating of information and the Council's communication approach be considered in the first instance by the Budget and Transformation Panel.

Chairman