

Strategic Policy and Resources Committee

Friday, 21st September, 2012

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Hargey (Chairman);
Alderman Browne; and
Councillors Attwood, Convery, Corr, Haire,
Hanna, Hendron, Lavery, Maskey, McKee,
McCarthy, McVeigh, Ó Muilleoir and Reynolds.

In attendance: Mr. P. McNaney, Chief Executive;
Mr. C. Quigley, Assistant Chief Executive
and Town Solicitor;
Mr. R. Cregan, Director of Finance and Resources;
Mr. J. McGrillen, Director of Development;
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 the High Sheriff (Councillor M. Campbell), Alderman R. Newton and Councillors Mac Giolla Mhín and A. Newton.

Declarations of Interest

Councillor McCarthy declared an interest in Item No. 6b, Sites at River Terrace – Rent Review, in so far as he was a member of the Managing Committee of St. John Vianney Youth Centre.

Investment Programme

Forthriver Innovation Centre

The Director of Property and Projects reminded the Committee that an update on the proposed development at Forthriver had been presented to the Committee at its meeting on 25th April. At that meeting, approval had been granted to the project being progressed on the basis of a Development Brief process, subject to a successful European Regional Development Fund grant application outcome. The Members had been advised of the stages in the funding application process and it had been noted that the next step required would be the submission of a scoping document to Invest NI for consideration. In addition, the Committee had been informed that a further report would be submitted in due course, following consideration by Invest NI of the scoping document, seeking further approvals in relation to the proposed Development Brief criteria and process, as well as advising on the financial arrangements.

The Director of Property and Projects reported that, subsequent to the report having been issued to the Committee, discussions had been held with representatives of the Department of Energy, Trade and Investment and, as a result, it had become evident that the only means by which the Council would be guaranteed the £4 million European Regional Development funding towards the project was for the Council to undertake the construction of the building itself. He explained that the Council would undertake to build the premises and retain it in its ownership, however, a separate contract would be developed for another agency to operate the scheme.

After discussion, the Committee agreed that the Council undertake the construction of the Forthriver Innovation Centre, following which a separate contract would be drawn up to seek expressions of interest for a third party to operate the building.

Local Investment Fund

The Committee considered the undernoted report:

“1.0 Relevant Background Information

1.1 The Local Investment Fund (LIF) has been developed to support the delivery of key regeneration projects in neighbourhoods and also as a means for Members to connect with local communities, in preparation for their formal role in community planning under RPA.

1.2 At its meeting on 24 August 2012, Committee agreed to support in principle 29 preliminary recommendations from the Area Working Groups (AWGs) up to a total value of £1,454,000. **Approval for the Gray’s Lane Play Park proposal which had been recommended for funding by the North Area Working Group was deferred. This has been referred back to the North AWG. The recommended funding amount for this project was £85,000.

This is in addition to the 6 preliminary recommendations which the Committee agreed at its meeting on 22nd June. To date £2,244,852 has been committed under the Local Investment Fund.

Area Working Group	Total LIF amount allocated	Amount agreed in principle - 22 June	Amount agreed in principle - 24 August	Amount remaining (as at 24th August)
East	£1,127,500	£280,852		£846,648
South	£1,127,500	£60,000	-	£1,067,500
West	£1,127,500	£250,000	£816,000	£61,500
North	£1,127,500	£100,000	£530,000 (see above)	£497,500
Greater Shankill	£490,000	£100,000	£108,000	£282,000

This was subject to confirmation of detailed costings and sustainability as well as seeking authority from the relevant Committees on leasing arrangements.

2.0 Key Issues

2.1 AWG Recommendations on LIF proposals

At the most recent round of AWG meetings, officers updated Members on the external meetings they have facilitated on the LIF proposals. In accordance with Council procedures, individual Members declared any conflicts of interest and this was noted in the minutes of the AWG. Members are asked to note that only the South and East AWGs have met since the 24th August and put forward project recommendations.

On the basis of the information presented, the South and East AWGs have made the following recommendations for the consideration of the Committee:

Proposal	Reference Number	Up to £ Value	AWG Comments
SOUTH			
Building for TREE	SLIF040	£25,541.40	
Windsor Women's Centre	SLIF038	£70,000	
Women's Aid new annexe	SLIF042	£40,000	
Community Garden – Donegall Pass	SLIF061	£38,000	
SOUTH sub-total		£173,541.40	

Proposal	Reference Number	Up to £ Value	AWG Comments
EAST			
Walkway Community Association	ELIF008	£250,000	
Titanic People	ELIF002	£250,000	
Short Strand Community Centre	ELIF015	£80,000	
EAST sub-total		£580,000	

All of the above have been assessed against the prioritization matrix and the summary has been circulated. It is recommended that Committee approves the above projects subject to confirmation of costs, clarification of legal issues, sustainability etc.

Financial Governance arrangements for the payments of LIF projects

- 2.2 A separate report on the financial governance arrangements for the Local Investment Fund is being presented to Committee today.

Feasibility Fund

- 2.3 All of the AWGs have flagged potential projects for the Feasibility Fund as agreed previously by the Strategic Policy and Resources Committee. A separate paper on the Feasibility fund is also on the agenda for Members consideration.

Update on Area Working Group Workshops

- 2.4 At its meeting on 22 June, the SP&R Committee agreed to a series of workshops examining the role of Members in place-shaping and community engagement, in the context of the LIF, as well as the wider context of community planning.
- 2.5 The first round of these workshops, which were facilitated by Jon Huish, took place during the last week of August and the first week of September. The objective of the initial workshops was to develop a shared understanding the local area, its assets, issues and existing investments. These were well attended and generated productive debate. The SWOT analysis emerging from each of the area workshops is currently being collated and will be used as the basis for further discussion in the next round of area specific workshops in October. These workshops will be focused on identifying a vision for change for each area and agreeing area specific outcomes.
- 2.6 As Members are aware the next workshop, which is a joint workshop for all Members, is being held on Monday 24th September at 4.30pm in the Waterfront. The purpose of this workshop is to
- explore best practice around place-shaping and
 - to identify the capacity and processes needed to undertake effective community engagement.

3.0 Equality Implications

The overall programme of LIF investments will be screened at regular intervals to ensure that the Council is fulfilling its obligations as part of the Equality Scheme, as well as ensuring that it is in line with the Investment Programme's underpinning principles related to good relations and balanced investment.

4.0 Resource Implications

Human Resources are currently being allocated to individual projects.

Financial:

Area Working Group	Total LIF amount available	Previously approved in principle (June and August)	Additional proposals (Para 2.1)	Amount remaining
East	£1,127,500	£280,852	£580,000	£266,648
South	£1,127,500	£60,000	£173,541.40	£893,958.60
West	£1,127,500	£1,066,000		£61,500
North	£1,127,500	£630,000	-	£497,500
Greater Shankill	£490,000	£208,000	-	£282,000

Assets: Further work to be completed. Will be presented to Committee for agreement in due course.

5.0 Recommendations

It is recommended that Committee:

1. endorse the South and East AWG project recommendations in paragraph 2.1 ;
2. note the current remaining levels of LIF allocation as set in paragraph 4; and
3. note the update on the ongoing Area Working Group workshops".

The Committee adopted the recommendations.

**Local Investment Fund –
Financial Governance Arrangements**

The Committee was advised that, having approved a number of Local Investment Fund projects, it was now required to put in place financial governance arrangements in order to support the payment of Local Investment Fund project monies. The proposed arrangements had been drawn up in a way that provided sufficient flexibility to meet the needs of individual projects and Sponsor Groups whilst, at the same time, exercising good stewardship of public money and ensuring that value for money was delivered.

The Director of Finance and Resources explained that governance arrangements had been developed to support the three main ways that projects would be delivered which was as follows:

- (1) Council-led and Delivered Projects – the Council would procure and project manage the delivery of the project, as if it were its own project within the capital programme;
- (2) Fully/Partially Funded by the Council and Delivered by the Supported Group – the Council would only provide financial support to the project and the Sponsor Group would have responsibility for delivery; and
- (3) Council would be a Funding Partner and the Project is led by another Funding Partner – the Council would only provide financial support to the project and would rely on the control requirements exercised by the lead partner.

The Director explained that the delivery option for each project would be considered on the basis of the following factors:

- Complexity of the project
- Group's experience and capacity to undertake a capital project, including Scheme Design, Procurement/Tender Process, Project Management/Delivery, Quality Assurance and Health and Safety;
- Opportunity to build capacity within supported group
- Opportunity to promote community ownership and buy-in to the project
- Opportunity to enhance the Council's leadership role
- Level of flexibility required in delivery approach
- Level of internal financial and technical resources required and available
- Potential reputational damage of project failure
- Extent of involvement of other partners

The Director explained further that a flow chart of the Local Investment Fund process from initial proposal to final delivery had been circulated for the information of the Members. He pointed out that, in summary, for each project there would be a Funding Agreement in place which must be signed by the Council and the Sponsor Group before any money could be released. The Agreement would include a payment schedule, general terms and conditions, special terms and conditions, security of tenure, deed of covenant and procurement requirements. During the course of the project a number of physical, financial and procurement checks would be carried out by Council officers.

The Committee approved the categorisation of the projects for delivery purposes and the financial governance arrangements as outlined.

Feasibility Fund - Governance Arrangements

The Committee was reminded that, at its meeting of 22nd June, it had approved the ring fencing of £500,000 of the capital financing budget for 2012/2013 to provide for the establishment of a Feasibility Fund. The Fund would enable initial feasibility work to be undertaken on proposed projects to bring them to a point where Members could decide if they should be progressed as Capital, Local Investment Fund or City Investment Fund schemes.

The Director of Finance and Resources explained that, in order to support the management of the Feasibility Fund, governance arrangements needed to be put in place. He pointed out that Fund was intended to be used to move projects to a stage where Members could make decisions regarding future finance. That work might involve the preparation of a strategic outline case up to, and including, the completion of an economic appraisal and a recommendation as to the preferred project option. Any feasibility work undertaken would be commissioned and undertaken by the Council through the Project Management Unit "Call Off" contracts. He pointed out that officers were currently working on the development of the policy framework for the City Investment Fund, one element of which would be the allocation of feasibility funding for those projects.

It was anticipated that once the Capital Investment Fund was fully operational, the main use of the Feasibility Fund would be to finance feasibility studies for those projects, however, in the interim period there was an opportunity to use the 2012/13 feasibility budget to progress feasibility work on a number of Local Investment Fund proposals. Given the limited financial and technical resources available, it was recommended that the maximum number of feasibility proposals which could be recommended by each Area Working Group for projects under the Local Investment Fund should, at this stage, be limited to five.

After discussion, the Committee approved the proposed governance arrangements for the Feasibility Fund and agreed that each Area Working Group consider and recommend to the Strategic Policy and Resources Committee in November, 2012, a maximum of five Local Investment Fund proposals per area which should proceed to feasibility study stage.

Super-Connected Belfast

The Committee was informed that the Council had received notification that it had been awarded £13.7 million by the Department of Culture, Media and Sports as part of its Super-Connected Cities initiative. The Director of Finance and Resources reported that the Council had received the full amount which it had bid for and that London was the only city which had received a higher amount than that which had been bid for. He explained that the Council had committed £3 million as part of its Investment Programme and the private sector would commit an estimated £8 million which would bring the total investment in the project to almost £25 million.

The Director circulated for the information of the Members a copy of the submission document and explained what the challenge for the Council now was to deliver the Belfast Super-Connected Programme within the deadline of 31st March, 2015 set by the Department of Culture, Media and Sports. A key element of the work would be the procurement of the superfast and ultrafast broadband infrastructure and the Wi-Fi network. In order to ensure that State Aid rules were complied with and that the Council received the best value possible through the contracts let, it was proposed that the Council acquired specialist telecoms expertise. He pointed out that, if the Committee was minded to agree to the use of external telecoms assistance, legal advice would be sought to determine the best procurement option for the Council. In addition, it was imperative that the Council procure that expertise as soon as possible given the critical timescales and, therefore, it was proposed that authority be delegated to the Chief Executive to procure the external telecoms support based on the legal advice when received.

After discussion, during which the Committee extended its congratulations to those officers who had been involved in the production and submission of the bid which had received the funding, the Committee agreed that:

- (1) as part of the process to progress the project, contact be made with the Chief Digital Officer of New York City;
- (2) a letter be forwarded to relevant officers and supporting organisations thanking them for their assistance in submitting the bid;
- (3) an appropriate reception be held for those staff who had been involved in producing and submitting the bid;
- (4) the Council acquire specialist telecoms expertise to assist with the procurement of the superfast and ultrafast broadband infrastructure and the Wi-Fi network; and
- (5) authority be delegated to the Chief Executive to proceed with the procurement of the external telecoms expertise based on the advice received.

Democratic Services and Governance

Minutes of Meetings of Party Group Leaders Forum

The Committee noted the minutes of the meetings of the Party Leaders Forum of 7th June and 2nd August.

Use of the City Hall and the Provision of Hospitality

The Committee considered the undernoted requests which had been received for the use of the City Hall and the provision of hospitality:

Organisation/ Body	Event/Date - Number of Delegates/Guests	Request	Comments	Recommendation
Forthriver Bowling and Tennis Club	Centenary Dinner 11th October, 2013 Approximately 200 attending	The use of the City Hall and the provision of hospitality in the form of a pre-dinner drinks reception	This event seeks to celebrate the 100th Anniversary of Forthriver Bowling and Tennis Club and to acknowledge its contribution to the general life and well-being of 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
Sixth Belfast Scout Group	Centenary Celebration Event 20th November, 2012 Approximately 400 attending	The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits	This event seeks to celebrate the 100th Anniversary of the Sixth Belfast Scout Group and to acknowledge its contribution to the general life and well-being of 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' and in addition would contribute to the Council's thematic area of Children and Young People.	The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits Approximate cost of £1,000

Organisation/ Body	Event/Date - Number of Delegates/Guests	Request	Comments	Recommendation
Falls Youth Providers	Falls Youth Awards 15th October, 2013 Approximately 150 attending	The use of the City Hall	<p>This event aims to highlight the achievements of young people in the city and to promote the talent which exists among the award recipients. Awards will be presented to recognise success in areas such as education, sport, training, citizenship, leadership, participation and arts and culture.</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' and in addition would contribute to the Council's thematic area of Children and Young People.</p>	The use of the City Hall
Polish Educational and Cultural Association	Polish Independence Day 18th November, 2012 Approximately 100 attending	The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits	<p>This event will aim to highlight the positive contribution that the Polish community, the largest ethnic minority in Belfast, has made to the shared future of the city. The event seeks to showcase the Polish culture to representatives from different communities and the province and will provide an opportunity for meaningful dialogue between members of the different communities.</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 tea, coffee and biscuits</p> <p>Approximate cost of £250</p>

Organisation/ Body	Event/Date - Number of Delegates/Guests	Request	Comments	Recommendation
Malaysian Students Society Northern Ireland	Malaysian Night 2013 16th March, 2013 Approximately 400 attending	The use of the City Hall	<p>Malaysian Night 2013 is the climax event of a week long programme called Malaysia and You 2013.</p> <p>This programme consists of a series of events which includes a mini charity carnival, sports tournament, interactive bazaar and ends with a formal dinner which the organisers wish to take place in the City Hall.</p> <p>The aim of the programme is to promote cultural diversity, encourage charity activity and also to forge closer relationships between Malaysians and the citizens of Belfast.</p> <p>This event would contribute to the Council's key themes 'City Leadership - strong, fair, together' and of 'Better support for people and communities'.</p>	The use of the City Hall
Chartered Institute of Management Accountants	Chartered Institute of Management Accountants Annual Dinner and Awards Ceremony 1st June, 2013 Approximately 220 attending	The use of the City Hall and the provision of hospitality in the form of a pre-dinner drinks reception	<p>This event will acknowledge those CIMA members who have made a significant contribution to their profession and to the success of Belfast. The event will also seek to recognise those who have contributed to the professional development of individuals throughout the City.</p> <p>This event would contribute to the Council's key theme of 'City Leadership – strong, fair, together', 'Better opportunities for success across the city' and 'Better services – listening and delivering'.</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
University of Ulster	Community Planning – Collaborative Leadership – People and Place 2nd November, 2012 Approximately 100 attending	The use of the City Hall	<p>This event aims to provide the opportunity for a wide cross section of the community to come together and to learn about the approach taken by city council and others in bringing all the key players together in an inclusive way. Themes will be explored such as: how to deliver innovation in service delivery and in tackling complex issues through empowering and engaging all sections of society.</p> <p>The event also seeks to consider the importance of engaging a wide section of the community in place based leadership and of providing opportunities for the community to build capacity and to participate fully in community planning through education and confidence building.</p> <p>Belfast City Council will play a key role in this event and will be asked to contribute to the event by outlining to guests the work undertaken by the council to be able to effectively deliver community planning.</p> <p>This event would contribute to the Council's key theme 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
East Belfast Explorer Scouts	Explorer Scout Debate 23rd January, 2012 Approximately 60 attending	Use of the Council Chamber	<p>This event will seek to give young people an opportunity to debate relevant current issues thereby enhancing their communication skills and learning new skills such as negotiation and influencing through healthy discussion and effective dialogue.</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' and in addition would contribute to the Council's thematic area of Children and Young People.</p>	Use of the Council Chamber

The Committee adopted the recommendations as set out and agreed that, given the significance of the celebratory event for the 6th Belfast Scout Group, hospitality, in the form of a finger buffet, be provided.

Minutes of Meeting of Members' Development Steering Group

The Committee approved and adopted the minutes of the meeting of the Members' Development Steering Group of 29th August.

Date of Council Meeting in January, 2013

The Committee was reminded that Standing Order 1 required the monthly Council meeting to be held on the first day of each month except on a Bank Holiday, Friday, Saturday or Sunday. That would mean that the first Council meeting of the next calendar year would be scheduled to be held on Wednesday, 2nd January, 2013 at 6.00 p.m.

The Democratic Services Manager reported that, in previous years, that date had been considered to be within the festive or holiday period and Members had suggested it might be more appropriate to hold the meeting later in the month. It was therefore proposed that the Council meeting be rescheduled for Monday, 7th January, 2013 at 6.00 p.m. He pointed out that, in order to keep clear the Committee schedule for the first week in January, any meetings normally scheduled for that week would be rescheduled as appropriate.

The Committee agreed that the first Council meeting in 2013 be rescheduled to Monday, 7th January at 6.00 p.m.

Request to use the Banqueting Hall, City Hall

The Committee was advised that the Lord Mayor had agreed to host an event for the United Christian Broadcasters in celebration of its three years of digital broadcasting in Northern Ireland and to recognise the impact that the radio station had made on many of its listeners. The event was scheduled to take place on Monday, 19th November, 2012.

The Democratic Services Manager explained that, initially, the event was due to be held in the Lord Mayor's Parlour with a small number of people to mark the achievements of the station. However, as word spread amongst supporters and listeners of the station, the organisers had approached the Lord Mayor to identify if it would be possible to have a larger event should numbers increase. The organisers had now been able to advise of the number of people who would wish to attend the event and mark the important occasion should it be possible to have it in a larger room. The invited audience would include political figures, business and community representatives, strategic partners from across Belfast and beyond. The celebratory event would include speeches, interviews and music.

Accordingly, the authority of the Committee was being sought for the Lord Mayor to host the event in the Banqueting Hall in order to accommodate the increased numbers who now wished to participate.

The Committee granted the authority sought.

Finance/Value-for-Money

Minutes of Meeting of Budget and Transformation Panel

The Committee approved and adopted the minutes of the meeting of the Budget and Transformation Panel of 13th September.

Minutes of Meeting of Audit Panel

The Committee adopted the minutes of the meeting of the Audit Panel of 18th September.

Small Business Relief - Consultation

The Committee was advised that this item had been withdrawn from the agenda.

Noted.

Use of iPads

The Committee considered the undernoted report:

“1.0 Relevant Background Information

1.1 In June 2012 the Strategic Policy and Resources Committee agreed that a business case should be brought back regarding the use of iPads by Members. This report demonstrates both the efficiencies that can be achieved through the use of iPads by Members and the opportunities they provide for alternative forms of citizen engagement. This paper also considers the implementation issues associated with an iPad roll out drawing on the experience of local authorities where iPads have already been introduced.

2.0 Key Issues

2.1 The table below summarises the costs and savings relating to the introduction of iPads over a three year period. From the table below it can be seen that the net savings over a three year period would be £178,300.

Costs

2.2 The initial cost of purchasing 64 iPads (32GB and suitable suite of software, detail of which have been circulated, will be £32,300.) A recurring monthly charge of £12.77 will be incurred per device for the 3G connection which will provide 3GB of data per month equalling a further cost of £9,800 per year.

Savings

2.3 Internal Printing – the Council spends approximately £36,000 annually on printing Committee Books and Council Minutes. If Members decide to use the iPad to access these documents then savings in printing materials would amount to £30,000. This would allow for a small number of Committee Books and Council Minutes books still to be printed.

2.4 External Printing - the reduction in time spent by Reprographics printing these internal documents would enable print jobs currently being done externally to be handled internally by Reprographics. Taking into account the materials and resources required for these jobs it is calculated that up to £50,000 could be saved annually.

Costs and Savings for use iPads				
	Year 1	Year 2	Year 3	Total
	£	£	£	£
Costs				
Procurement of iPads	32,300	0	0	32,300
Running Costs	9,800	9,800	9,800	29,400
Total Cost	42,100	9,800	9,800	61,700
Savings				
Internal Printing	30,000	30,000	30,000	90,000
External Printing	50,000	50,000	50,000	150,000
Total Savings	80,000	80,000	80,000	240,000
Net Savings	37,900	70,200	70,200	178,300

Additional Benefits

- 2.5 In addition to the financial savings there are also benefits in terms of improved communication through the use of mobile emailing, video calls, social networking and instant access to online information, such as websites and electronic documents.
- 2.6 One of the key benefits outlined by councils that have already implemented iPads is the opportunity for Members to engage more effectively with citizens. It is proposed that the Council trials a new application called 'My Council Services' as part of the iPad roll out, if agreed.

Implementation Issues

Training and support for members

2.7 Should the provision of iPads be agreed, it is important that members receive the necessary training and support in order to get the most out of the technology. Based on feedback from other councils who have embarked upon similar initiatives it appears that a range of training and support mechanisms work best. ISB and Democratic Services will put together a training and support programme for members which will aim to cater for both new and existing users of mobile technology as well as cater for the varying time commitment of members.

2.8 It is proposed that a demo of the iPad will be provided for all Members in early October to allow individuals to make an informed choice as to whether they want to avail of the new technology or not.

2.9 **Robustness and reliability of technology**

It is important that Members are confident in the technology. Measures have been put in place to help ensure the consistent delivery of the technology including access to an enhanced internal secure wireless network within the City Hall. If Members agree to the use of iPads for Committee and Council meetings, it is proposed that a dual system of paper and iPads is introduced in November and is used up until the end of March 2013. This will allow sufficient time to ensure that all potential risks have been identified and solutions are fully tested.

Terms of Use

2.10 It is important to note that iPad users will be required to sign a 'Terms of Use' document before they receive the iPad, a copy of which has been circulated.

3.0 **Resource Implications**

3.1 The provision of iPads and the associated software as outlined will result in a potential overall average saving of £178,300 over a three year period.

4.0 **Recommendations**

Members are requested to agree:

1. to the provision of iPads and associated software to Members;

2. to the 'Terms of Use' for the allocation of iPads;
3. that ISB schedule a program of procurement, training and distribution of iPads to Members in October and provide a demo of the technology in early October; and
4. to provide a dual system of paper reports and iPads running from November 2012 to the end of March 2013."

The Committee adopted the recommendations.

Human Resources

Standing Order 55 – Employment 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 a number of members of staff who were related to existing officers of the Council.

The Committee noted the appointments.

Asset Management

Fernhill House, Glencairn

The Committee noted the contents of a report in relation to Fernhill House at Glencairn and agreed that, on account of the complexities and uncertainties which would face the Council in relation to obtaining forfeiture of the 1993 lease and regarding the future management of the property, to allow the Department for Social Development and the Belfast Regeneration Office to take whatever action they felt was appropriate to recover their grant monies, or a part thereof, and authorised Council officers to keep a watching brief with regard to any future disposal of the property.

Rent Reviews of Sites at River Terrace

(Councillor McCarthy left the meeting while this item was under discussion.)

The Committee considered the undernoted report:

“1 Relevant Background Information

- 1.1 By two separate leases the Council provided two adjoining plots of land at River Terrace to the Trustees of St. John Vianney YC and the Trustees of St. Malachy's Parish for the respective provision of a Youth Club and a Pre-School Playgroup.

- 1.2 The St. John Vianney YC site comprises approximately 0.3 acres and is held by the Trustees on a 99 year lease from 1 November 1985. The lease requires use of the site in furtherance of the purposes of St John Vianney Youth Club. The initial (1985) rent contained in the lease was £600 per annum.
- 1.3 The St. Malachy's Parish site comprises approximately 0.25 acres and is held by the Trustees on a 91 year lease from 1 November 1993. The lease requires use of the site for St Malachy's Parish Pre-School Playgroup or for such other parochial purposes as the Trustees shall consider fit and appropriate. The initial (1993) rent contained in the lease was £645 per annum.
- 1.4 Both leases contain provision for the review of the annual rents every five years. On each occasion the reviewed rents are to be based on the then current market rental value of the site (i.e. site without buildings) but taking into account the terms of the respective leases. The terms of the leases restrict use to very specific purposes, however it is considered the levels of rent should be broadly similar to other community based rents payable in respect of other sites leased by the Council for community type purposes. Council officers have endeavoured to adhere to these levels in discussion of the outstanding rent reviews with the representatives of St John Vianney YC and St Malachy's Parish. Neither of the two leases contain a time-limit within which the rent reviews are to be triggered or agreed. Both leases contain provision for arbitration in the event that the parties are unable to agree the reviewed rent(s).
- 1.5 It is recognised that community based organisations play a vital role in improving the quality of life and social outcomes for an area. Settlement of rent reviews for such leases can often involve a significant time resource weighted against the relatively small increases in rent.
- 1.6 Members, however, may wish to note that Councils in N.Ireland are currently constrained in their ability to dispose or lease premises to community type organisations at nominal amounts. Section 96(5) of the Local Government Act (NI) 1972 requires District Councils [except with the prior approval of the Department of the Environment (DOE)] to dispose of property for the best price or best rent that can reasonably be obtained. By contrast, Councils in England have a wider ability as the 'LGA 1972 General Disposal Consent (England) 2003: Disposal of Land for Less than Best

Consideration' removes the requirements for authorities to seek the consent of the Secretary of State for disposal at less than best price where the authority considers the disposal will help it to secure the promotion or improvement of the economic, social or environmental well being of its area (subject to certain conditions). As part of previous discussions in relation to the Review of Public Administration (RPA) there had been suggestions that something similar to the English model should be introduced in Northern Ireland, but at the present time the Council remains bound by the existing terms of the 1972 LGA.

- 1.7** The Estates Unit have responsibility for the management of a significant leased property portfolio of circa 280 leases (including the Council's commercial estate at Balmoral, Duncrue & Gasworks) and these are proactively managed to ensure rent reviews and lease terms are adhered to and optimised for the benefit of the Council. The total rental income to the Council (in 2011/12) was approximately £6.7M, which represents a marked increase over the past few years. However, many of the community type leases were previously managed by the Client departments but more recently responsibility for these passed to Property and Projects (Estates) who have endeavoured to resolve any outstanding rent review issues.
- 1.8** In relation to the St John Vianney YC site and St Malachy's Parish site, the Trustees, in November 2010, appointed solicitors and a commercial estate agent/valuer to act on their behalf in relation to the proposed implementation of back-dated rent reviews and the levels of rents payable.
- 1.9** The following seven rent reviews remained outstanding:

 - i)** St John Vianney YC site – Rent reviews as at 1.11.1995; 1.11.2000; 1.11.2005; and 1.11.2010 have not been agreed.
 - ii)** St Malachy's Parish site – Rent reviews as at 1.11.1998; 1.11.2003; and 1.11.2008 have not been agreed.
- 1.10** The Limitation Act 1980 (commonly known as the Statute of Limitations) constrains the length of time over which any debt arising from the rent reviews can be pursued. Following consultation between Legal Services and Property and Projects it is agreed that of the rent reviews which have not yet been agreed, one of them would not have yielded any increase in rent and three of them are now time-barred on account of the operation of the Limitation Act 1980.

1.11 The Trustees' representative has made proposals regarding two of the remaining three reviews, namely the 2008 review at the St Malachy's Parish site and the 2010 review at the St John Vianney YC site. In both cases the levels of rent proposed by the Trustees' valuer are based on Retail Prices Index (RPI) increases. The one remaining rent review which is not time-barred by the Limitation Act is the 2005 review at the St John Vianney YC site. The Trustees' representatives have declined to enter into discussions regarding this review.

2 Key Issues

2.1 The RPI increases proposed for the 2008 and 2010 reviews translate into proposed rents of £1000 per annum and £1400 per annum respectively. These are considered to fall within an acceptable limit of the general community based rentals and are recommended for approval.

2.2 Of the outstanding rent reviews it is considered that one of them (namely the 1995 review at St John Vianney YC site) would not have yielded any increase in rent. Three further rent reviews are ruled out by the operation of the Limitation Act 1980. Of the three rent reviews which remain within the statutory time-limit the Trustees' valuer has declined to make a proposal for a revised rent for the 2005 review at the St John Vianney YC site.

2.3 Applying a RPI increase would produce a rent of £1200 per annum in relation to the 2005 review on the St John Vianney YC site. The overall amounts of additional income which might result from this review would be relatively small, although the rent review (with reference to the Limitation Act 1980) is legally valid. However the Council's Investment Programme 2012–2015 recognises the role for the Council supporting the community and voluntary sector as well as local groups and organisations which play a vital role in supporting our local communities and improving quality of life. In this context there could be reputational risks to the Council by drawing a community based organisation into an arbitration process. The financial outcome to the Council from any arbitration process would be uncertain and there are relatively small amounts of money involved. The potential costs to the Council in proceeding with arbitration would outweigh the relatively small amounts of money involved.

2.4 The valuer acting for the Trustees has proposed that the Retail Prices Index be used as the formal mechanism for calculation of future rent reviews at both sites. Such a change would require the alteration of the terms of the two leases through Deeds of Variation. Given the relatively low level of rents on these sites there is much merit in this proposal. It would certainly simplify the process and eliminate much of the delay, resource cost and risk associated with the rent review process.

2.5 As referred to above, Members will note that note that Property and Projects Department now manage the leases for these properties and more robust arrangements are now in place which are in keeping with the Department's central position in relation to management of the Council's property assets.

3 Resource Implications

3.1 Financial

In the absence of final agreement on rents associated with all the outstanding rent reviews, it is difficult to be precise about the potential financial impact which results from the operation of the Limitation Act 1980 and not proceeding to arbitration in respect of the 2005 review. However even if RPI increase would have been the minimum which would have applied then the increase in the Council's income which would result from the 2000 and 2005 reviews at the St John Vianney YC site and the 1998 and 2003 reviews at the St Malachy's Parish site would be in the region of £4800.

3.2 Human Resources

Resource in Estates Management Unit and Legal Services would be required in connection with any reference to arbitration and with any Deed of Variation which could be required to give effect to the proposed revised rent review methodology.

3.3 Asset and Other Implications

The management of the rent review process would be simplified and speeded up by the proposed move from market rental valuations to indexation via the Retail Prices Index.

4 Equality and Good Relations Considerations

4.1 There are no equality or good relations issues associated with the current proposals.

5 Recommendations

5.1 Committee is recommended to:

- i) To approve the proposed rent of £1000 per annum in respect of the 2008 rent review at the St Malachy's Parish site and £1400 per annum in respect of the 2010 rent review at the St John Vianney YC site**
- ii) To approve the preparation of two Deeds of Variation, by the Town Solicitor, to give effect to the proposed revised rent review methodology for future reviews, based on the Retail Price Index.**
- iii) Note the effect of the operation of the Limitation Act 1980 in relation to the 1998, 2000 and 2003 rent reviews and to also note that 1995 review would not have yielded any increase in rent.**
- iv) To agree not to pursue the 2005 rent review at the St John Vianney YC through the arbitration process set out in the lease."**

The Committee adopted the recommendations.

**Flood Alleviation at Orangefield Park –
Contractors' Licence**

The Committee was reminded that delivery of the Connswater Community Greenway Flood Alleviation Scheme was a key project within the Investment Programme. The Scheme for the creation of a 16 kilometre walkway along the Knock, Loop and Connswater Rivers incorporated extensive flood alleviation works. Funding for that Scheme had been provided by the Big Lottery, the Council, the Department for Social Development and the Rivers Agency.

The Director of Property and Projects reminded the Members that residents of Orangefield Park, a street which ran adjacent to the park at Orangefield, had been badly affected by flooding on a number of occasions over the past five to six years and once again during the heavy rain of Wednesday, 27th June, 2012. He explained that the flood alleviation works planned for the Knock River at Orangefield as part of the Scheme would greatly reduce the risk of flooding to the houses in the vicinity of the park. He stated that the Rivers Agency had appointed White Mountain Quarries Limited to:

- construct a new culvert at Orangefield Lane to supplement the capacity of the existing culvert; and
- construct a flood storage area at the upstream extent of Orangefield Park on lands previously owned by the Belfast Education and Library Board and recently acquired by the Council.

White Mountain Quarries Limited were required to enter into a licence agreement with the Council to regulate their occupation of the Council-owned land and the licence would, amongst other things, ensure appropriate reinstatement, site security, protection of adjoining Council land and deal with insurance issues. The licence would be for a three week period and week to week thereafter until the work had been completed.

The Committee approved the granting of a licence agreement, in the sum of 5 pence if demanded, to White Mountain Quarries Limited to undertake the flood alleviation works on Council-owned land as outlined.

Disposal of Land at Glen Road to Oaklee Housing Association

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

"1 Relevant Background Information

- 1.1 At its meeting of 20 April 2005 the Development Committee agreed in principle to the proposed disposal of former traveller lands, including land at Glen Road (adjoining Glen Road Heights) to the Northern Ireland Housing Executive (NIHE) for development of social housing subject to agreement on valuation. Committee were also asked to note that the NIHE current methodology for site acquisition involves appointing Housing Associations.**
- 1.2 At a subsequent meeting of 16th November 2005 the Development Committee was advised that the NIHE had instructed the Valuation and Lands Office (now Land and Property Services – LPS) to enter into discussions to acquire the Council's Glen Road site which extends to approximately 8.5 acres (including the Glen Road Heights approach road).**
- 1.3 NIHE subsequently nominated Oaklee and Fold Housing Associations jointly to progress development proposals and acquire the Council's land. At their meeting of 21st September 2007 the Development Committee was advised of Oaklee/Fold Housing Associations comprehensive development proposal for a major housing development for the Glen Road on a much larger site of approximately 30 acres which included NIHE land and land in private ownership that adjoins the Council's land.**

- 1.4 Following formal presentation of development plans a planning consultant was appointed in June 2008 to advise the Council on the implications of the Oaklee/Fold proposals for a comprehensive scheme in terms of impact on the development potential for the Council's land. LPS were also formally requested to provide valuations of Council's land both as part of the larger comprehensive scheme including other land and also in the event of Council's land being developed independently.
- 1.5 Despite prolonged negotiations with Oaklee/Fold's independent valuer (BTW Shiells) to progress on the basis of a comprehensive acquisition of all three landholdings no agreement could be reached on the relative split of site values and the private landowner also did not want to progress on the basis of the proposed scheme. Under dBMAP proposals it had been considered that a comprehensive approach was the sole means of providing any social housing at this location – hence the need to progress land assembly under a similar comprehensive approach.
- 1.6 Through discussion with Planning Service the Estates Management Unit have been able to confirm that appropriate phased development, eventually delivering the comprehensive development envisaged under dBMAP, would be acceptable in planning terms. This approach effectively permits Council to progress a disposal to Oaklee/Fold of its landholding in isolation from the other landowners that would not prejudice further comprehensive development coming forward in the future.

2 Key Issues

- 2.1 Both BUAP and dBMAP indicate that the Council's land, in association with adjoining lands, is zoned for housing. Key Site Requirements (KSR) have been included in dBMAP relating to these three ownerships to ensure a comprehensive approach to development is achieved. NIHE have also identified these lands as suitable for social housing. Delivery of a comprehensive development approach, that includes the Council's Glen Road land, requires the acquisition of additional adjoining lands from the NIHE and a private 3rd party.

- 2.2** Following the Council's initial decision to sell this and other lands to the NIHE for social housing purposes, the NIHE nominated specific housing associations in respect of individual locations. Oaklee and Fold Housing Associations (Oaklee to take the lead role and acquire the land) are the nominated social housing providers for these particular Council owned lands. Oaklee/Fold prepared an initial concept masterplan encompassing the adjoining land ownerships as envisaged in dBMAP adopting the KSR for a comprehensive development of approximately 440 residential units.
- 2.3** Originally envisaged as a mixed residential design and build scheme (mix of social, affordable and private units), with the lead taken by a private developer who would retain ownership of the residential units built for the private sector, a change in EU procurement regulations prohibited pursuit of this approach. Whilst changes in procurement procedures delayed the process it has also not proved possible for Oaklee/Fold to reach agreement with all the parties on the relative split of land values that would permit comprehensive acquisition. This effectively stalled the process and despite numerous meetings with Oaklee and their valuer no comprehensive purchase deal agreeable to all three parties could be achieved.
- 2.4** Given this impasse the Estates Management Unit initiated discussions with Planning Service to ensure that Oaklee/Fold could proceed with purchase and development of Council's land in isolation from the other landowners that would comply with the Key Site Requirements outlined in dBMAP to achieve phased development of the comprehensive scheme envisaged in dBMAP.
- 2.5** Oaklee/Fold now proposes a development of 92 social residential units in total on Council's land providing a mix of semi-detached and terraced style houses and 3 wheelchair bungalows. The proposals are consistent with the wider Glen 10 proposals in terms of the nature of the envisaged development also taking account of wider traffic implications on the Glen Road itself through provision of appropriate access that would serve the larger comprehensive development envisaged under dBMAP. Oaklee/Fold proposes to submit a planning application whilst engaging in full consultation with all relevant and interested parties to their proposed development.

- 2.6 Following very protracted and prolonged negotiations between LPS, acting on behalf of the Council, and an independent valuer appointed by Oaklee/Fold Housing Associations a premium of £1,575,000 for disposal of these lands has now been provisionally agreed, subject to Committee approval
- 2.7 Oaklee/Fold has indicated that their proposed purchase is not conditional on planning and they are keen to complete the acquisition as soon as possible. Subject to obtaining Committee approval to the disposal they hope to lodge a planning application in the very future and undertake stakeholder and community engagement on their proposals. The disposal to Oaklee/Fold would contain an overage provision which would provide for an additional premium to be paid if they obtain planning approval for more than the proposed 92 housing units.
- 3 **Resource Implications**
- 3.1 **Financial**
- The sale of these lands will result in a capital return to the Council of £1,570, 000 which could be directed to the Councils Investment Programme or other priorities.
- 3.2 **Human Resources**
- Staff Resource in Estates and Legal Services to progress.
- 3.3 **Asset and Other Implications**
- The disposal of this vacant site and development as a social housing scheme should lead to improved social, economic and regeneration benefits for the area, as well as providing a capital return for the Council.
- 4 **Equality and Good Relations Implications**
- 4.1 There are no equality implications to this proposal.
- 5 **Recommendations**
- 5.1 It is recommended that the Committee approves the disposal of these lands to Oaklee Housing Association for £1,575,000 subject to detailed terms being agreed with the Estates Management Unit and Legal Services.”

The Committee adopted the recommendation.

Good Relations and Equality

Minutes of Meeting of Good Relations Partnership

The Committee approved and adopted the minutes of the meeting of the Good Relations Partnership of 10th September.

Operation Banner - Update

The Committee considered the undernoted report:

“Relevant Background Information

At its meeting on 3rd September, 2007, the Council passed the following resolution in response to a Notice of Motion by (then) Councillor Patterson:

‘This Council acknowledges the tremendous support and sacrifice made by Her Majesties Forces during thirty-five years of conflict in Northern Ireland. Operation Banner was the longest running campaign in military history, a campaign which saw the loss of many lives. Peace in Northern Ireland came at a heavy price but without the selfless dedication and commitment of the British Army, Ulster Defence Regiment, Royal Irish Regiment and the Royal Ulster Constabulary/Police Service of Northern Ireland this great City and, indeed, the entire Province would have found itself in a state of civil war. The Council welcomes the ending of Operation Banner but must be ever mindful of the ultimate sacrifice many had to pay for peace. The Council agrees to construct a fitting memorial to the Servicemen and women who helped to maintain peace and law and order during the duration of Operation Banner.’

No action was taken at that time as the Council was preparing to decant from the City Hall. At its meeting on 24 April 2009 the Strategic Policy and Resources Committee referred this to the (then) Memorabilia Working Group to be considered as part of the overall review of memorabilia and there was a suggestion at the meeting that the memorial might take the form of a stained glass window.

A report was submitted to the Memorabilia Working Group on 29 May 2009 which noted that there were already 3 stained glass windows in the City Hall dedicated to various arms of the forces – including the UDR, the British Army and the RUC/George Cross. The Working Group agreed, on that occasion, that the memorial should be located in the City Hall grounds, preferably in the Garden of Remembrance and made several suggestions, including a bench with a suitable memorial plaque, tree planting etc.

The Memorabilia Working Group considered a further report with a range of options and costs at its meeting on 14 August 2009. These options included the planting of semi-mature trees, a bespoke granite seat and a memorial bronze statue. The Memorabilia Working Group Members discussed these options at various meetings in 2009 and 2010 but no decisions were made; Party Groups were to consider the issue and report back their views but no agreement was reached regarding what form the memorial should take or an associated budget.

Members may wish to note that in the interim, a 19 feet high bronze statue in memory of the Ulster Defence Regiment was unveiled in the centre of Lisburn in June 2011. It was funded entirely by the UDR Memorial Trust and was intended to be a regional/Northern Ireland wide memorial.

Key Issues

At the meeting of the Joint Diversity Working Group on 29 June 2012, the issue was considered again and the Members requested updated costs for a number of options, including the alteration of the existing UDR window and additional features provided within the Garden of Remembrance. These are set out below in ascending order of cost:

Option	Description	Approximate cost
1.	Existing UDR window to be modified to include the 'Conspicuous Gallantry' Cross awarded by HM The Queen on 6 October 2006 for their work 'during Operation Banner' and an interpretative brass plaque to be placed alongside the window	£1,800 (Window = £1,000; internal plaque = £800)
2.	A granite bench and four semi-mature trees (one for each decade of Operation Banner) with a dedication plaque on one planter, located in the Garden of Remembrance	£25,100 (Bench = £2,220; planters + trees = £17,900; external plaque = £5,000)
3.	An external bronze memorial on a Portland stone plinth	£55,000

The Joint Group discussed the matter and recommended that these 3 options should be forwarded to SP&R Committee for their consideration.

Resource Implications

Costs within the limits outlined above could be met within existing budgets.

Equality Implications

None. This proposal is within the context of broader programme of work on diversity which seeks to promote good relations and support the positive expression of the diversity of heritage, culture and identities in the city.

Decision required

The Committee is requested to consider the options presented.”

After discussion, the Committee agreed that the consultation exercise be time-bound and that the report on the matter be submitted to the Committee's meeting scheduled to be held on 19th October.

Chairman