

# Strategic Policy and Resources Committee

Friday, 9th November, 2012

## MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Hargey (Chairman); and  
Aldermen Browne and R. Newton; and  
Councillors Attwood, Convery, Corr, Haire, Hanna,  
Jones, Maskey, McKee, McVeigh and Reynolds.

In attendance: Mr. P. McNaney, Chief Executive;  
Mr. C. Quigley, Assistant 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 Hendron, Lavery, McCarthy, Mac Giolla Mhín, Ó Muilleoir and A. Newton.

### Minutes

The minutes of the meeting of 19th October were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st November, subject to the rejection of the minute under the heading "Operation Banner - Consultation" to provide that the decision of the Committee be rejected and accordingly the Council agreed that the Memorial to the Servicemen should take the form of:

- (i) the modification of the existing UDR window at the City Hall to include the "Conspicuous Gallantry Cross" which had been awarded by Her Majesty the Queen in 2006; and
- (ii) the location of a granite bench with the inscription "Placed here to Honour the Service and the Sacrifice of the Men and Women of Her Majesty's Forces during Operation Banner 1969 – 2007" in the Garden of Remembrance at the City Hall.

### Declarations of Interest

No declarations of interest were reported.

**Democratic Services and Governance**

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

The Committee was advised that the undernoted request 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>
Survivors of Suicide Support Group and East Belfast Alternatives	Walk for Suicide Prevention and Launch of Short Film  9th December, 2012  Approximately 500 attending	The use of the City Hall and the provision of hospitality in the form of tea, coffee and biscuits	This event aims to raise awareness of the issue of Suicide in East Belfast and will provide an opportunity for young people who have been affected by suicide to talk about their feelings and to seek support. During the event a short film, made by and starring the young people, will be launched which it is hoped will promote the availability of help and support.  This event would contribute to the Council's key themes of 'Better Support for People and Communities' and 'Better services – listening and delivering' 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 £1,250

The Committee adopted the recommendation.

**Notice of Motion –  
Antrim Ladies' Gaelic Football Team**

The Committee was reminded that, at the Council meeting on 1st November, the undernoted Notice of Motion had been proposed by Councillor Mallon and seconded by Councillor Ó Muilleoir:

“This Council wishes to express its congratulations to the Antrim Ladies' Gaelic Football Team who won the TG4 All-Ireland Ladies' Junior Football Championship on 7th October. Many of the players live in Belfast and their achievement has brought great credit to the City.

This Council requests that the Strategic Policy and Resources Committee give consideration as to how this achievement should best be marked.”

In accordance with Standing Order 11(e), the Motion stood referred without discussion to the Committee.

After discussion, it was

Moved by Councillor Attwood,  
Seconded by Councillor Corr,

That the Committee agrees to provide a finger buffet reception to mark the achievement of the Antrim Ladies' Gaelic Football Team.

On a vote by show of hands eight Members voted for the proposal and five against and it was accordingly declared carried.

### **Finance/Value-for-Money**

#### **Minutes of Meeting of Audit Panel**

The Committee approved and adopted the minutes of the Audit Panel of 23rd October.

#### **Tender for the Provision of Window Cleaning Services at Various Council Properties**

The Committee granted authority to the commencement of a tendering exercise and delegated authority to the Director of Property and Projects, in accordance with the Scheme of Delegation, to accept the most advantageous tender received in respect of the following:

- (i) Window Cleaning Services at various Council properties at an approximate cost of £35,000 per annum. The contract to be awarded for a period of one year, with an option to renew for a further two years.

The Committee noted that the tender would be evaluated using pre-agreed criteria.

#### **Tender for Consultancy Service to Undertake Rent Reviews at Balmoral and Duncrue Industrial Estates**

The Committee considered the undernoted report:

**“1.0 Relevant Background Information**

- 1.1 Members will be aware that, under the revised Scheme of Delegation, approval must be sought from the relevant Committee prior to inviting tenders for the supply of any goods or services.
- 1.2 The Estates Unit has responsibility for the management of a significant leased property portfolio of circ. 280 leases (including the Council's commercial estate at Balmoral, Duncrue and the Gasworks); 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.

**2.0 Key Issues**

- 2.1 The Council's Industrial Estates at Balmoral and Duncrue have been let on long term leases dating from the 1970s and 80s. There are some 250 acres of land let to 131 tenants on various types of lease, all of which require the tenant to pay a rent to the Council in accordance with the terms of the lease, such rent being reviewed periodically, usually on a 5-yearly basis taking into account the terms of the lease. The management of the Industrial Estates and the rent reviews are dealt with by the Estates Management Unit's RICS qualified chartered surveyors with some support from consultants who were previously appointed by way of quotation.
- 2.2 The Estates Management Unit now requires the engagement of consultants specifically to carry out rent reviews at Balmoral and Duncrue Industrial Estates and undertake other miscellaneous rent reviews as required. The consultants will work under the direction of the in-house Estate Management Unit.
- 2.2 The Estates Management Unit proposes to invite tenders from suitably qualified chartered surveyors to complete the current programme of rent reviews including all reviews falling due until the end of FY 13/14.
- 2.3 The Estates Management Unit would remain responsible for triggering the rent reviews and completing the memoranda recording agreements as recommended. The Estates Management unit would remain responsible for all other estate management issues including approval of settlement offers that go beyond rental assessments e.g. widening of user clauses, consent to assignment/sub-letting etc.

2.4 The rental from Council assets is a valuable income stream for the Council and as such it is important that it is managed effectively.

### 3.0 Resource Implications

#### 3.1 Financial

The resources for this specialist work have been provided for within the Property & Projects revenue budget and fees relating to the rent review work will fall due over a 2-3 year period.

#### 3.2 Human Resources

Staff resource from the Estates Management and Procurement units will be required to complete the tender and evaluation process.

#### 3.3 Asset and Other Implications

The appointment of specialist consultants to carry out the rent review programme will maximise the Council's investment income from the leased assets.

### 4.0 Recommendation

#### 4.1

- (i) It is recommended that the Committee approve the invitation of tenders and the award of contracts in respect of consultancy services for the completion of the current programme of rent reviews of the Council's leased assets, as detailed above, on the basis of the most economically advantageous offers received and evaluated on cost and quality criteria.
- (ii) The Committee is requested to approve the above recommendation to invite tenders and to delegate authority to the Director of Property and Projects to approve the successful consultant/consultants in line with cost and quality criteria, with the result of the tender exercise being reported back to Committee."

After discussion, during which the Director of Property and Projects undertook to provide the Members with the approximate cost of the contract, the Committee adopted the recommendations.

### **Notice of Motion - Online Rates Receipt**

The Committee was advised that the Council, at its meeting on 1st November, had, in accordance with Standing Order 11(e), referred to the Committee a Notice of Motion in relation to the development of an online rates receipt. In the absence of Councillor Hussey in whose name the Motion was standing, the Committee agreed to defer consideration of the matter until its meeting to be held on 14th December.

### **Asset Management**

#### **Provision of a Smoking Shelter in the City Hall Courtyard**

The Committee was reminded that there was currently no provision made for a dedicated outdoor shelter smoking facility at the City Hall. Many of those who did smoke used an outdoor area adjacent to the goods lift entrance in the south-east corner of the Courtyard. The Director of Property and Projects reported that, although the number of smokers had reduced in recent years, there was still a significant number of staff and visitors, especially those attending wedding and civil partnership services and functions, who did smoke and who frequently congregated at the main exit points to the buildings, especially during inclement weather.

He explained that the Council smoking policy did not preclude the provision of a smoking shelter so long as it did not pose a health and safety risk and was not located close to doors, windows or ventilation inlets. Having a shelter would allow the main City Hall exit points to be kept clear of smokers and would be a positive development from a passive smoking and aesthetic perspective. An area of the Courtyard behind the toilet block adjacent to the goods lift entrance to the south-east corner of the courtyard had been identified as a suitable location for the shelter. It was within close proximity to the open air area currently used by some smokers and was not readily visible to people visiting the building.

A proposed shelter would be constructed from steel and perspex glass, with dimensions of approximately 2,200mm x 1,000mm, and would accommodate approximately six to eight smokers at any one time. The colour would be in keeping with the Portland Stone of the building. If the Committee approved of the provision of the shelter it was suggested that the Council should seek to encourage its use by staff and visitors and also actively discourage smoking in other high-profile areas through the use of appropriate signage and other measures. The approximate cost for the smoking shelter and ancillary bins would be £2,500 and provision had been made for the item in the City Hall Revenue Budget. Accordingly, it was recommended that a smoking shelter be purchased and located in the Courtyard at the location as outlined and that the Council seek to discourage smoking at other main locations through the use of appropriate signage.

The Committee adopted the recommendation.

### **Acquisition of Former Grove Primary School Site**

The Committee was reminded that, at its meeting on 23rd March, it had adopted a recommendation to progress with negotiations to purchase the former Grove Primary School site at North Queen Street. The 2.507 acre site adjoined Grove Playing Fields and was opposite the former Grove Baths, which had been demolished and the site secured.

The Director of Property and Projects stated that an indicative value of £130,000 had been provided by Land and Property Services and this had been reported to Committee in March. Through negotiations, that figure had been reduced to £116,250. Due diligence had been undertaken in relation to planning, title, services and contamination risk and the site was considered suitable for acquisition at the agreed price.

The Committee approved the acquisition of the former Grove Primary School site in the sum of £116,250.

### **Provision of Car Parking for Christmas Shoppers**

The Committee considered the undernoted report:

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

- 1.1 A request has been received from the Belfast City Centre Management Company on behalf of Belfast traders to make use of the Council’s staff car park facilities on Ormeau Avenue and Raphael Street (see attached location map) to accommodate shoppers coming into Belfast in the run up to Christmas.**
- 1.2 The requested period of use is for the remaining weekends over the months of November and December (until Sunday 23rd December 2012) when there is only a limited requirement for use by Council staff.**
- 1.3 It is proposed that parking would be made available over the weekends free of any charge to members of the public wishing to park in these staff car parks on a ‘first come first served basis’**
- 1.4 It is anticipated that both car parks would require manned security during opening hours provided through the Council external security contract who would open and close the facilities as appropriate.**
- 1.5 Ormeau Avenue is a secure car park compound with a capacity for 106 vehicles. Spaces are marked out on a tarmac surface with floodlight and CCTV. Normally access is controlled by an automatic gate (personal fob), there is also a second manually secured gate. Access by Council staff to facilitate weekend working is accommodated by the automatically controlled gate.**

- 1.6 Raphael Street is also a secure car park compound which has an estimated capacity for 180 vehicles. No spaces are marked out as the surface is rough stone with floodlighting and CCTV. Normally access is via secured gate with manned security (weekdays only 7.00am to 7.00pm) There is no staff access facilitated at the weekends.

## 2 Key Issues

- 2.1 Previous advice provided by Legal Services has indicated that Council have limited scope to directly operate a public car park and have therefore in the past entered into licence agreements with 3rd parties to facilitate car park provision at both Smithfield (DRD) and the Gasworks Estate (Inislyn Ltd – private developer) It is therefore envisaged that a similar approach would be required to facilitate this request – further advice from Legal Services will be sought in this respect.
- 2.2 Provision and use of any type of car parking is regulated by Planning Service. Council currently has the benefit of full planning permission for car parking for both Ormeau Avenue (deemed full planning permission) and also for Raphael Street providing Council with a total of 282 car park spaces. However, the planning permission for Raphael Street restricts its use for Council staff only; therefore use by members of the public, even on a temporary basis, would breach this specific planning condition. Requests to utilise other Council land on the Gasworks Northern Fringe has in the past been resisted given the lack of appropriate planning permissions to properly facilitate these requests.
- 2.3 Department for Regional Development (DRD) currently provides both on-street parking and pay and display car parks in the immediate vicinity (Cromac Street, Charlotte Street, Bankmore Street) and at least one private operator runs a commercial short-stay pay and display facility directly opposite the Gasworks Estate (Ormeau Road/Donagall Pass junction) – both of these public and private operators may raise an objection to perceived unfair competition from Council making up to 282 free car parking spaces available.
- 2.4 Regardless of the niceties of the planning issues there is simply no time to obtain planning permission. If we went ahead with this proposal Planning Service may seek to prosecute the Council although we are only using the site on a temporary basis. There is also a strong argument that the Council in doing so for charitable purposes and to alleviate city centre business problems as part exasperated by the actions of DOE and DRD in regard to the Moving Ahead scheme.



- 2.5 Any use of the Council's staff car park facilities by the general public would require an initial risk assessment and safety audit to be undertaken in terms of public safety, especially in respect of the Raphael Street facility which is unmarked and has an uneven stone surface. Council have already one accident claim arising from use of this facility.
- 2.6 Council would require appropriate indemnities for proposed use of these car parks by members of the public and to provide suitable legal protection through erection of disclaimer signage. Further advice would be sought from Council's Insurance Unit to ensure adequate insurance cover in the event of claims following incidents or accidents involving either pedestrians or drivers whilst using the Council's car park facilities.
- 2.7 Unlike DRD car parks both of these Council's facilities are fenced and secured at night which may present an issue for people who return late to find the facility closed or indeed intend to leave their vehicles overnight. In the past Council staff have experienced vandalism of cars left overnight.
- 2.8 Regulation and management of the car parks, especially capacity in Raphael Street in particular where no spaces are marked out, may be an additional duty required of the on-site security staff.
- 2.9 Facilities Management would be required to disable the automatically controlled gate to Ormeau Avenue car park each weekend and provide the necessary disclaimer signage for both facilities.
- 2.10 By agreement market traders utilise the Raphael Street staff car park on both Saturdays and Sundays to park goods vehicles that facilitate running market stalls on these specific days in St George's Market which is a Belfast City Council function. Whilst these traders can be accommodated on Council's Gasworks Northern Fringe lands they have pedestrian access through the staff car park.

**Options:**

- (1) Council to grant a licence to a 3<sup>rd</sup> party operator, for example Belfast City Centre Management Company, to manage and operate a free weekend public car park for a limited period in the run up to Christmas.

- (2) Council to grant a licence to DRD to manage and operate a free weekend public car park for a limited period in the run up to Christmas.
- (3) Council to directly operate and manage a free weekend public car park for a limited period in the run up to Christmas.

### **3 Resource Implications**

#### **3.1 Financial**

There is no significant internal expense for the Council associated with this request, however there may be the cost of providing security provided through the Council's security contract at a current hourly rate of £8.75 per security staff member.

#### **3.2 Human Resources**

Staff resource in the Estates Management Unit, Legal Services and Facilities Management to progress.

#### **3.3 Asset and Other Implications**

The asset and other implications of accommodating this request are as detailed in this report.

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

- 4.1 There are no equality implications to this proposal.

### **5 Recommendation**

- 5.1 The Committee's decision is sought in respect of the request to utilise the Council's staff car parks at Ormeau Avenue and Raphael Street for the purposes outlined in this report and if applicable to select the most appropriate option to oversee the management and operation of this short-term free car parking provision, the most straightforward of which is option 3."

After discussion, the Committee agreed to proceed with proposal and adopted Option 3.

**Good Relations and Equality**

**Minutes of Meeting of the Joint Group of  
Party Group Leaders Forum and  
Historic Centenaries Working Group**

The Committee adopted the minutes of the meeting of the Joint Group of Party Group Leaders Forum and Historic Centenaries Working Group of 18th October.

**Cross-Cutting Issues**

**Consultation on European Territorial Co-operation 2014-2020**

The Committee considered the undernoted report:

**“1.0 Purpose of report**

To provide Members with a Council response to the European Territorial Co-operation Consultation 2014-2020

**1 Background**

- 1.1 Members will be aware that 2014 marks the beginning of a new 7 year EU Programming cycle, both for NI Mainstream programmes and the wider competitive EU programmes. Later this year, Members will be presented with draft consultation responses in relation to the evolving ERDF (led by DETI) and ESF (led by DEL) programmes for the period 2014-2020.
- 1.2 This report outlines the Council response in relation to the evolving Peace IV and INTERREG V programmes together known as the European Territorial Cooperation Programmes 2014-2020.
- 1.3 On 28th August 2012, the Managing Authority for both emerging programmes, the Special EU Programmes Body (SEUPB), launched a public consultation process which will close on 8th November, 2012. This is the first of two consultation processes which are framed around the following timeline:
  - August-November 2012 public consultation<sup>1</sup>
  - November-December 2012 Development of Operational Programmes
  - January-March 2013 Formal statutory consultation of Operational programmes
  - April-June 2013 Formal statutory consultation of Operational Programmes

- Summer/Autumn 2013 Approval of Operational Programmes by NI Executive/Irish Government/Scottish Government
- Autumn 2013 submission, negotiation and approval of Operational Programmes with EU Commission
- Early 2014 Commencement of new INTERREG V and Peace IV programmes

## **2 Key Issues**

- 2.1 With regards to the current ETC Consultation exercise, both the European and Good Relations Units within BCC have taken the lead with their respective programme responsibilities and stakeholders.
- 2.2 The European Unit held a Comet wide stakeholder workshop in the Ulster Hall on 25th September 2012, attended by 32 delegates. In addition, each Council area of the Comet Councils will gather its own geographical and stakeholder views and respond directly to the SEUPB.
- 2.3 Finally the EU Unit on behalf of the Comet INTERREG Board (attended by the Chair and Deputy Chair of Development) will work collectively with the other 4 INTERREG Cross Border Partnerships to submit a collective view to SEUPB. This will conclude a year long lobby to minister North and South and the EU Commission to return to the model of INTERREG III A, devolving more control and delivery to local authority level for the next programme.
- 2.4 The Good Relations Unit held a workshop with BCC stakeholders on 1st October to gather views on the PEACE IV Programme and held a session with the Good Relations Partnership on 8th October, 2012.
- 2.5 The proposed BCC responses to both the INTERREG V and PEACE IV consultations are outlined in the attached appendix, via the SEUPB Informal Consultation document.
- 2.6 A summary of views within the response is outlined as follows:

**i. INTERREG IV A**

INTERREG V delivery should be structured around a return of the INTERREG III A model, whereby a proportion of funding is devolved to the Cross Border INTERREG Partnerships of elected members and social partners to deliver on a pre agreed needs based local area strategy. There should be one accountable department providing match funding (if available) to reduce the bureaucracy and remove the long time delay from project application to approval stage. The INTERREG Partnerships should have a role at the early stages of programme development and throughout implementation to the end of the programming period. The eligible area should be extended to include Dublin as a more natural partner for the Comet Urban Centre. The programme content should reflect the real needs of local areas and therefore concentrate on themes

Note: Agreement could not be reached by the stakeholder group on 4 themes out of 11 themes outlined by the European Commission.

The geographical delivery of the programme should reflect the RPA areas and the 11 geographical sets should also be the basis for the other programmes, basically:

- PEACE IV
- Rural Development Programme
- Delivery of ERDF/ESF
- Neighbourhood Renewal
- Social Investment Programme

Note: This confirms the need to push for an Integrated Territorial Investment Programme for Greater Belfast considering all EU Programmes in NI as well as attracting other financial instruments and domestic funding to deliver a pre agreed integrated urban strategy.

BCC should urge Government departments and the SEUPB to consider this model of delivery for Belfast and Derry/Londonderry and not delay due to the lower capacity of other areas to organise and strategise.

**ii. PEACE IV**

The Council's Good Relations Partnership has successfully delivered both Phases of the Peace III Local Action Plan. It is proposed that this model be continued under Community Led Local Development Delivery model.

It is proposed that the following theme and associated investment priorities should inform the development of Peace IV Programme.

- Employment and supporting labour mobility
- Social inclusion and combating poverty
- Education, skills and lifelong learning
- Institutional Capacity Building and efficient public administration

During the conflict, Belfast was the seat of the most intensive violence in NI and suffered disproportionately as a result. This should be reflected in the development of any new PEACE IV Programme.

Potential activities that could be covered in any PEACE IV Programme include:

- Actions to create and promote use of shared public space, promote mobility within and between communities.
- Actions to develop and deliver integrated interface regeneration strategies. It is essential that local communities are involved in the process of re-developing contested spaces
- Actions to promote inclusive cultural expression and celebration.
- Action to align good relations/ peacebuilding and conflict transformation activities with the processes of existing policy development in areas such as education, regional strategic planning, urban and rural regeneration and community development and culture, arts and leisure provision.

Young people should remain a priority focus for any new Programme.

Match funding should be provided centrally by one accountable department for any future PEACE IV Programme.

The time taken for the project assessment and appraisal process should be reduced.

Reporting and Monitoring arrangements should be streamlined with an enhanced role for local authorities.

**3 Resource Implications**

**None**

**4 Recommendation**

**The Committee is requested to:**

- i. approve the attached proposed Council response to the European Territorial Co-operation Consultation; and**
- ii. agree that the response be submitted to SEUPB by the 20th November deadline, subject to council ratification on 1st December 2012”**

The Committee adopted the recommendations and noted that a full copy of the response was available on the Council’s website.

Chairman